

"yes" on this procedural vote so we can get to the next piece of business before this body, which is, indeed, a continuing resolution that does, I hope, get us to a balanced budget with the President of the United States aboard as a player.

Ms. PRYCE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

PARLIAMENTARY INQUIRY

Mr. HEFNER. Mr. Speaker, I have a parliamentary inquiry. Is it appropriate to ask for a parliamentary inquiry at this time before the vote?

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. PRYCE] has already moved the previous question.

Mr. HEFNER. Mr. Speaker, I was on my feet. I just want to make a parliamentary inquiry. Is that out of order?

The SPEAKER pro tempore. The gentleman will state it.

Mr. HEFNER. Mr. Speaker, before we vote, it has not been explained to me, if this passes, then every 3 days at the end of a recess does there have to be a pro forma session for the Speaker to declare the next 3 days, or whatever, in recess? Does there have to be a pro forma?

The SPEAKER pro tempore. The Chair will not interpret the resolution while it is pending and must let the text of the resolution be interpreted by Members of the House.

Mr. HEFNER. Mr. Speaker, is that not a proper parliamentary inquiry? What is the proper parliamentary inquiry then to find out how I want to vote?

The SPEAKER pro tempore. The Chair cannot interpret the pending resolution. The resolution is before the House.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 224, nays 190, not voting 19, as follows:

[Roll No. 8]

YEAS—224

Allard	Bateman	Bunn
Archer	Bereuter	Bunning
Armey	Bilbray	Burr
Bachus	Bilirakis	Burton
Baker (CA)	Biley	Buyer
Baker (LA)	Blute	Callahan
Ballenger	Boehert	Calvert
Barr	Boehner	Camp
Barrett (NE)	Bonilla	Campbell
Bartlett	Bono	Canady
Barton	Brownback	Castle
Bass	Bryant (TN)	Chambliss

Chenoweth	Hoekstra
Christensen	Hoke
Clinger	Horn
Coble	Hostettler
Collins (GA)	Houghton
Combest	Hunter
Cooley	Hutchinson
Cox	Hyde
Crane	Inglis
Crapo	Istook
Creameans	Johnson (CT)
Cubin	Johnson, Sam
Cunningham	Jones
Davis	Kasich
Deal	Kelly
DeLay	Kim
Diaz-Balart	King
Dickey	Kingston
Doolittle	Klug
Dornan	Knollenberg
Dreier	Kolbe
Duncan	LaHood
Dunn	Largent
Ehlers	Latham
Ehrlich	LaTourette
Emerson	Laughlin
English	Lazio
Ensign	Leach
Everett	Lewis (CA)
Ewing	Lewis (KY)
Fawell	Linder
Flanagan	LoBiondo
Foley	Longley
Forbes	Lucas
Fowler	Manzullo
Fox	Martini
Franks (CT)	McCollum
Franks (NJ)	McCrery
Frelinghuysen	McDade
Frisa	McHugh
Funderburk	McInnis
Gallegly	McIntosh
Gekas	McKeon
Gilchrest	Metcalfe
Gillmor	Meyers
Gilman	Mica
Goodlatte	Miller (FL)
Goodling	Molinari
Goss	Moorhead
Graham	Morella
Greenwood	Myrick
Gunderson	Nethercutt
Gutknecht	Neumann
Hancock	Ney
Hansen	Norwood
Hastert	Nussle
Hastings (WA)	Oxley
Hayworth	Packard
Hefley	Parker
Heineman	Paxon
Herger	Petri
Hilleary	Pombo
Hobson	Porter

NAYS—190

Abercrombie	Cramer
Ackerman	Danner
Andrews	de la Garza
Baesler	DeFazio
Baldacci	DeLauro
Barcia	Dellums
Barrett (WI)	Deutsch
Becerra	Dicks
Beilenson	Dingell
Bentsen	Dixon
Berman	Doggett
Bevill	Dooley
Bishop	Doyle
Bonior	Durbin
Borski	Edwards
Boucher	Engel
Brewster	Eshoo
Browder	Evans
Brown (CA)	Farr
Brown (FL)	Fattah
Brown (OH)	Fields (LA)
Cardin	Filner
Chabot	Flake
Clay	Foglietta
Clement	Ford
Clyburn	Frank (MA)
Coburn	Frost
Coleman	Furse
Collins (IL)	Ganske
Collins (MI)	Gejdenson
Condit	Gephardt
Conyers	Geren
Costello	Gibbons
Coyne	Gonzalez

Portman	Lofgren
Pryce	Lowey
Quinn	Luther
Radanovich	Maloney
Ramstad	Manton
Regula	Markey
Riggs	Martinez
Roberts	Mascara
Rogers	Matsui
Rohrabacher	McCarthy
Ros-Lehtinen	McDermott
Roth	McHale
Roukema	McKinney
Royce	McNulty
Salmon	Meehan
Sanford	Meek
Saxton	Menendez
Scarborough	Mfume
Schaefer	Miller (CA)
Schiff	Minge
Seastrand	Mink
Sensenbrenner	Moakley
Shadegg	Mollohan
Shaw	Moran
Shays	Murtha
Shuster	Nadler
Skeen	Neal
Smith (MI)	Oberstar
Smith (NJ)	Obey
Smith (TX)	Olver
Smith (WA)	
Solomon	
Souder	
Spence	
Stearns	
Stump	
Talent	
Tate	
Tauzin	
Taylor (NC)	
Thomas	
Thornberry	
Tiahrt	
Torkildsen	
Upton	
Vucanovich	
Waldholtz	
Walker	
Walsh	
Wamp	
Watts (OK)	
Weldon (FL)	
Weldon (PA)	
Weller	
White	
Whitfield	
Wicker	
Wolf	
Young (AK)	
Young (FL)	
Zeliff	
Zimmer	

Ortiz	Skelton
Orton	Slaughter
Owens	Spratt
Pallone	Stenholm
Pastor	Stokes
Payne (NJ)	Stupak
Payne (VA)	Tanner
Pelosi	Taylor (MS)
Peterson (FL)	Tejeda
Peterson (MN)	Thompson
Pickett	Thornton
Pomeroy	Thurman
Poshard	Torres
Rahall	Torricelli
Rangel	Towns
Reed	Trafficant
Richardson	Velazquez
Rivers	Vento
Roemer	Vislosky
Roybal-Allard	Volkmer
Rush	Ward
Sabo	Waters
Sanders	Watt (NC)
Sawyer	Waxman
Schroeder	Williams
Schumer	Wise
Scott	Woolsey
Serrano	Wynn
Sisisky	Yates
Skaggs	

NOT VOTING—19

Bryant (TX)	Johnston	Stark
Chapman	Lightfoot	Stockman
Chrysler	Livingston	Studds
Clayton	Montgomery	Wilson
Fazio	Myers	Wyden
Fields (TX)	Quillen	
Hayes	Rose	

Mr. KLECZKA and Mr. TAYLOR of Mississippi changed their vote from "yea" to "nay."

Mrs. ROUKEMA and Mr. TIAHRT changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1630

PROVIDING FOR DISPOSITION OF SENATE AMENDMENT TO HOUSE JOINT RESOLUTION 134, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 336 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 336

Resolved, That upon adoption of this resolution the House shall be considered to have taken from the Speaker's table the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 1996, and for other purposes, with the Senate amendment thereto, and to have concurred in the Senate amendment with an amendment consisting of the text printed in the report of the Committee on Rules accompanying this resolution.

SEC. 2. House Concurrent Resolution 131 is hereby adopted.

SEC. 3. The Clerk shall not transmit to the Senate a message regarding H.J. Res. 134 until the House has received a message that the Senate has agreed to House Concurrent Resolution 131 as adopted by the House.

The text of the Senate amendment and the motion are as follows:

Senate amendment:

Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchev
Holden
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski

Strike out all after the resolving clause and insert:

TITLE I

AID TO FAMILIES WITH DEPENDENT CHILDREN AND FOSTER CARE AND ADOPTION ASSISTANCE

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995:

All projects and activities funded under the account heading "Family support payments to States" under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading "Payments to States for foster care and adoption assistance" under the Administration For Children and Families in the Department of Health and Human Services;

Such amounts as may be necessary for the Medicaid program under title XIX of the Social Security Act for the second quarter of fiscal year 1996; and

All administrative activities necessary to carry out the projects and activities in the preceding three paragraphs:

Provided, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in the appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 105. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

TITLE II

DISTRICT OF COLUMBIA

That the following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 201. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996;

Provided, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or

the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: Provided, That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 211 or 212 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 202. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 203. No appropriation or funds made available or authority granted pursuant to section 201 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 204. No provision which is included in the appropriations Act enumerated in section 201 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this joint resolution.

SEC. 205. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this joint resolution.

SEC. 206. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

SEC. 207. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 208. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 209. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this title of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 206(c) of this joint resolution.

SEC. 210. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 211. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the Act listed in section 201 as passed by both the House and Senate as of

the date of enactment of this joint resolution, does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 201 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 201 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of this title of this joint resolution, the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 212. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the rate for operations for any continuing project or activity provided by section 201 or section 211 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 213. Notwithstanding any other provision of this title of this joint resolution, except sections 206, 211, and 212, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this resolution that would impinge on final funding prerogatives.

SEC. 214. This title of this joint resolution shall be implemented so that only the most limited funding action of that permitted in this title of this resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 215. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100-202, shall not apply for this title of this joint resolution.

SEC. 216. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this title of this joint resolution otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

TITLE III

VETERANS' BENEFITS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 301. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) **PAYMENTS REQUIRED.**—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) **FUNDING.**—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) **CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.**—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) **EXISTING BENEFITS SPECIFIED.**—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

SEC. 302. EXPIRATION DATE.

Section 301 shall expire on January 3, 1996.

Motion offered by Mr. Livingston:

Mr. Livingston moves that the House concur in the Senate amendment with an amendment, as follows:

(1) In lieu of the matter proposed by said amendment, insert:

TITLE I

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which were conducted in the fiscal year 1995:

All nutrition services for the elderly under the account heading "Aging services programs" under the Administration on Aging in the Department of Health and Human Services;

All grants to States for child welfare services, authorized by title IV, part B, subpart 1, of the Social Security Act, under the account heading "Children and families services programs" under the Administration for Children and Families in the Department of Health and Human Services;

All Federal Parent Locator Service activities, as authorized by section 453 of the Social Security Act, under the account heading "Children and families services programs" under the Administration for Children and

Families in the Department of Health and Human Services;

All State unemployment insurance administration activities under the account heading "State unemployment insurance and employment service operations" under the Employment and Training Administration in the Department of Labor;

All general welfare assistance payments and foster care payments, as authorized by law, funded under the account heading "Operation of Indian programs" under the Bureau of Indian Affairs in the Department of the Interior;

All projects and activities funded under the account heading "Family support payments to States" under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading "Payments to States for foster care and adoption assistance" under the Administration For Children and Families in the Department of Health and Human Services;

All administrative activities necessary to carry out the projects and activities in the preceding two paragraphs;

All projects and activities funded under the account headings "Dual benefits payments account", "Limitation on administration" and "Limitation on railroad unemployment insurance administration fund" under the Railroad Retirement Board;

All projects and activities necessary to accommodate visitors and to provide for visitor services in the National Park System, the National Wildlife Refuges, the National Forests, the facilities operated by the Smithsonian Institution, the National Gallery of Art, the John F. Kennedy Center for the Performing Arts, and the United States Holocaust Memorial; and

All projects and activities necessary to process visas and passports and to provide for American citizen services, notwithstanding section 15 of the State Department Basic Authorities Act of 1956; *Provided*, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriation Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provide in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in the appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, except for the projects and activities under the headings "Family support payments to States" and "Payments to States for foster care and adoption assistance", for which date shall be March 15, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorization or other legislation shall be effective before the date set forth in section 106(c) of this Act.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 110. For the purposes of this title of this Act, the time covered by the title of this Act shall be considered to have begun on December 16, 1995.

SEC. 111. Notwithstanding any other provision of this Act, except section 106, funds appropriated under section 101 for the payment of vested dual benefits under the Railroad Retirement Act shall be made available so as to fully fund the payments made on January 1, 1996, and the payments to be made within the period covered by this Act including those payments to be made on the first day of each month within the period covered by this Act. In addition to the funds appropriated under section 101 of this Act, \$12,800,000 is appropriated to restore full funding for payments made for the period prior to January 1, 1996.

SEC. 112. Notwithstanding any other provision of this Act, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Author-

ization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) shall remain in effect during the period of this Act, notwithstanding paragraph (3) of said subsection.

TITLE II

VETERANS AFFAIRS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 201. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

SEC. 202. Section 201 shall cease to be effective on September 30, 1996.

SEC. 203. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on January 4, 1996.

TITLE III

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 301. Such amounts as may be necessary under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1995 for paying salaries of Federal employees excepted from the provisions of the Antideficiency Act (31 U.S.C. 1341 et seq.) who are continuing projects and activities conducted in fiscal year 1995 who work during periods when there is otherwise no funding authority for their salaries.

SEC. 302. Appropriations made by section 301 shall be available to the extent and in the

manner which would be provided by the pertinent appropriations Act.

SEC. 303. No appropriation or funds made available or authority granted pursuant to section 301 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 304. No provision which is included in the appropriations Act enumerated in section 301 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this Act.

SEC. 305. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 306. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 26, 1996, whichever first occurs.

SEC. 307. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 308. No provision in the appropriations Act for the fiscal year 1996 referred to in section 301 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 306(c) of this Act.

SEC. 309. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 310. ALL FEDERAL EMPLOYEES DEEMED TO BE EXCEPTED EMPLOYEES.

(a) IN GENERAL.—Section 1342 of title 31, United States Code, is amended for the period December 15, 1995 through January 26, 1996—

(1) by inserting after the first sentence "All officers and employees of the United States Government or the District of Columbia government shall be deemed to be performing services relating to emergencies involving the safety of human life or the protection of property."; and

(2) by striking out the last sentence.

SEC. 311. EXCEPTED EMPLOYEES UNDER NORMAL LEAVE POLICY.—Federal employees considered excepted from furlough during any period in which there is a lapse in appropriations with respect to the agency activity in which the employee is engaged shall not be considered to be furloughed when on leave and shall be subject to the same leave regulations as if no lapse in appropriations had occurred.

SEC. 312. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.—Notwithstanding any other provisions of law, beginning on January 2, 1996, any Federal employee who is excepted from furlough and is not being paid due to a lapse in appropriations shall be deemed to be

totally separated from Federal service and eligible for unemployment compensation benefits under subchapter I of chapter 85 of title 5 of the United States Code with no waiting period for such eligibility to accrue.

SEC. 313. For the purposes of this title, Federal employees returning to work under the provisions of section 310 shall be deemed to have returned to work at the first regularly scheduled opportunity after December 15, 1995.

SEC. 314. Appropriations made pursuant to section 301 are made notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), section 53 of the Arms Control and Disarmament Act, and section 10 of Public Law 91-672.

TITLE IV

That the following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 401. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this Act) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996: *Provided*, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 411 or 412 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 402. Appropriations made by section 401 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 403. No appropriation or funds made available or authority granted pursuant to section 401 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 404. No provision which is included in the appropriations Act enumerated in section 401 but which was not included in the applicable appropriations Act for fiscal year

1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this Act.

SEC. 405. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 406. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 407. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 408. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 409. No provision in the appropriations Act for the fiscal year 1996 referred to in section 401 of this title of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 406(c) of this Act.

SEC. 410. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations of submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 411. Notwithstanding any other provision of this title of this Act, except section 406, whenever the Act listed in section 401 as passed by both the House and Senate as of the date of enactment of this Act does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 401 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 401 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this Act bears to 366. For the purposes of this title of this Act the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 412. Notwithstanding any other provision of this title of this Act, except section 406, whenever the rate for operations for any continuing project or activity provided by section 401 or section 411 for which there is a budget request would result in a furlough of

Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this Act bears to 366.

SEC. 413. Notwithstanding any other provision of this title of this Act, except sections 406, 411, and 412, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this Act that would impinge on final funding prerogatives.

SEC. 414. This title of this Act shall be implemented so that only the most limited funding action of that permitted in this title of this Act shall be taken in order to provide for continuation of projects and activities.

SEC. 415. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100-202, shall not apply for this title of this Act.

SEC. 416. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act shall be used to implement or enforce any system or registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this title of this Act otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

TITLE V

CLARIFICATION OF CERTAIN REIMBURSEMENTS

SEC. 501. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.

(a) If a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

(2) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

(3) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

(b) For purposes of this subsection, the term "State" shall have the meaning as such term is defined under the applicable Federal program under subsection (a).

(c) The authority under this section applies with respect to any period in fiscal year 1996 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating

to, any of the expenses referred to in subsection (a) with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

(2) Amend the title so as to read: "Making appropriations for certain activities for the fiscal year 1996, and for other purposes".

The text of House Concurrent Resolution 131 is as follows:

H. CON. RES. 131

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. NOTIFICATION OF COMPLIANCE.

The Committee on House Oversight (pursuant to clause 4(d)(1) of rule X of the Rules of the House of Representatives) shall not present to the President the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 1996, and for other purposes, until the Speaker of the House notifies that committee that the requirements of this concurrent resolution have been met.

SEC. 2. PRESIDENT'S SUBMISSION OF 7-YEAR BALANCED BUDGET.

The Speaker shall submit to the Committee on House Oversight the notification described in section 1 only if the following conditions have been satisfied:

(1) The President has submitted to the Congress a plan to achieve a balanced total budget not later than fiscal year 2002, which includes the following:

(A) The proposed text of a budget plan for fiscal year 1996 and each fiscal year thereafter through fiscal year 2002 that includes total new budget authority and budget outlays, total Federal revenues, and new budget authority and budget outlays for each major functional category, including a breakdown between discretionary and mandatory spending within each such category.

(B) The proposed text of legislation to implement the budget described in subparagraph (A).

(C) A detailed summary setting forth the policies underlying the budget described in subparagraph (A) and the proposed legislation described in subparagraph (B).

(2) The Director of the Congressional Budget Office has certified in writing to the Speaker of the House and the President pro tempore of the Senate that the plan described in paragraph (1) achieves a balanced total budget not later than fiscal year 2002, as estimated by the Director using the economic and technical assumptions specified in or consistent with the Congressional Budget Office Memorandum entitled "The Economic and Budget Outlook: December 1995 Update".

SEC. 3. SUBMISSION OF COPY OF CONCURRENT RESOLUTION TO PRESIDENT.

Upon the adoption of this concurrent resolution, the Clerk of the House of Representatives shall transmit a copy to the President.

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I might consume. During consideration of the resolution all time yielded is for debate purposes only.

Mr. Speaker, this rule makes in order the adoption by the House of an amendment to the Senate amendment to House Joint Resolution 134, a continuing appropriations resolution for fiscal year 1996.

House Joint Resolution 134 was initially passed by the House back on December 20. It dealt with emergency appropriations for veterans' benefits. The resolution was passed by the Senate with an amendment on December 22.

However, those veterans benefits were provided for in another continuing resolution which this House adopted on December 22.

The House amendment which this rule would self-execute to adoption would simply provide for a governmentwide continuing appropriation through January 26, 1996.

The rule further provides for the self-executed adoption of House Concurrent Resolution 131 introduced by the chairman of the Budget Committee.

The concurrent resolution provides that the continuing resolution shall not be transmitted to the President for his signature until the Speaker notifies the Committee on House Oversight that the President has submitted to the Congress a 7-year balanced budget as certified by the Congressional Budget Office.

Mr. Speaker, the President could reopen the rest of this Government today or tomorrow simply by sending us that 7-year balanced budget that he and the Congress committed by law to enacting at the end of the first session of this Congress—last Wednesday.

I regret that there has not been substantial movement in that direction by the President since he signed that balanced budget pledge into law last November 20.

It was therefore decided by our leadership and conference to provide the President with an incentive to finally produce what he is legally obliged to produce. That incentive is to reopen the entire Government through January 26 if he takes this good-faith step in the direction of a balanced budget.

Once the Congress and President are negotiating from the same numbers, it should be much easier for those talks to reach a final agreement on a balanced budget.

We have been reaching out to the President not once but twice today to signal our good faith and willingness to get down to serious negotiations. We have already voted to put Federal workers back to work with pay and fund certain emergency programs. And now we are offering a reopening of the rest of the Government.

The ball is now in the President's court. He can reopen the Government. It won't require any heavy lifting since there are already several balanced budget proposals in writing by members of his own party. He need only bring one of them, send it to us, get it certified by CBO, and the Government is reopened. It is just that simple.

Then, over the next few days the President and Congress can get down to the real unfinished business from last year of giving the American people the best gift we could—a brighter future for them and their children and grandchildren by balancing our Nation's budget.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding me the customary 30 minutes of debate time.

Mr. Speaker, we are pleased that the Republican leadership is finally willing to allow the House to consider legislation which would reopen all the Federal agencies that have been shut down and keep them open until January 26. The continuing resolution that would be passed by adoption of this rule is certainly far more rational and sensible than the targeted continuing resolution that the House passed earlier today.

However, we oppose this self-executing rule because it prohibits the House from considering any alternative version of the legislation, including the alternative that we continue to believe is the best way to end the Government shutdown, a continuing resolution that has no conditions attached.

Under the terms of this rule, Mr. Speaker, the continuing resolution which would reopen the Government would be sent to the Senate only after the Senate also agrees to requiring the President to submit a plan that balances the budget in 7 years as is scored by the Congressional Budget Office. In other words, after adopting this continuing resolution it would stay here, in the House of Representatives, until the Senate agrees to the terms of this plan.

Requiring the President to submit a balanced budget plan would most certainly delay ending the shutdown because of the time it would necessarily take for the White House to develop a plan and for CBO to analyze it.

Our distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], has suggested that this measure would allow the Government to be reopened perhaps as soon as Monday morning, but that is probably a far too optimistic view.

Many of us on this side of the aisle, I would guess the majority of us, would very much like to see an agreement on balancing the budget in 7 years. A number of us voted for a plan, the so-called coalition budget that would, in fact, provide for a balanced budget in 7 years. However, we think that requiring the President to submit a balanced budget proposal is completely unnecessary and demeaning. Not only is President Clinton fully committed to reaching agreement on a plan to balance the budget in 7 years, but he has also personally spent approximately 40 hours himself at the negotiating table pursuing that goal. By all accounts the President is working extremely hard to resolve the differences with Congress over the budget, and it is insulting to him and to the majority of Americans who support his position on this matter

to demand that he do more than he is already doing simply as a price for reopening the Government.

Mr. Speaker, it appears that finally nearly all of us are in agreement that the Government shutdown should end. Let us just do it. Let us stop the terrible and absurd waste of taxpayers' money and lost government services that has resulted from the shutdown, a shutdown that is costing \$50 million, or thereabouts, each business day and causing an incalculable amount of hardship and disruption, and let us stop it as soon as possible.

Mr. Speaker, I urge my colleagues to defeat the previous question. If the previous question is defeated, we shall offer an amendment. The amendment would send the clean continuing resolution to the President immediately, stopping the delay mechanism in the concurrent resolution unless House Republicans live up to their part of the deal and lay on the table a 7-year balanced budget that protects Medicare and Medicaid, education, agriculture, national defense, and veterans. The last continuing resolution made a commitment to enact a balanced budget that provides adequate funding for all of those programs. Now the majority are adding a new requirement, that the President must put forth a proposal that meets the conditions for the measure to be enacted.

Mr. Speaker, we say to our colleagues on the majority side,

If you now would require the President to submit a proposal in advance, it is only fair that you submit something in advance that lives up to the agreed-upon goals.

The budget the President vetoed is woefully inadequate. The budget submitted was vetoed precisely because it did not achieve the goals and protect the programs the House Republicans committed to achieve and protect. The effect of this new section is to provide for the immediate transmission of a clean continuing resolution unless the House Republicans can submit a new budget that does, in fact, meet those goals.

This amendment would put the budget negotiations on terms that are fair. The majority would have to decide either allow the continuing resolution to go forward without delay or delay it until both the President and the majority submit a balanced budget that meets the terms of the budget negotiations that have already been agreed to.

Mr. Speaker, I reserve the balance of my time.

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Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from northern Virginia [Mr. DAVIS], an outstanding Member of this body from close by.

Mr. DAVIS. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, let me first of all say I am grateful we have gone part of the way to opening up the Government. I want to go the full way. I believe we ought to have a clean resolution. Bar-

ring that, I think this is a very good step in that direction.

Let me just say, all we are saying here, as I understand it, there would not have to be any unnecessary delays because there are a number of balanced budget provisions that have been put out there by Democratic Members of the House and Senate: the Blue Dog budget here in the House, the Senate Democrats. If the President adopted any of those, which have already been scored by CBO, we could open the Government by Monday. I would ask the gentleman from New York, am I right?

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, the gentleman is absolutely correct. There are now 21 days provided by this legislation. If the President were to submit any one of those budgets, the full Government would be functioning 10 minutes from now.

Mr. DAVIS. Mr. Speaker, this does not require the President, as I understand it, to support any tax cut. He could have full funding for Medicare. He could add money to Medicare over and above what the law allows, add more money to the environment, add more money to education. I guess the bottom line is it just requires the numbers to add up by the year 2002. Is that correct?

Mr. SOLOMON. Mr. Speaker, the gentleman is absolutely correct.

Mr. DAVIS. My friend, the gentleman from California [Mr. BEILENSEN], who I think is a very able man, has mentioned that this would be demeaning to the President to ask him to submit a balanced budget. I do not think it is demeaning at all. He campaigned on it. We have submitted our balanced budget. He has found tremendous fault with that, which is his prerogative, but we need to have a dialog. It is very difficult to engage in discourse, dialogue, and negotiation when the goalposts keep getting moved back every time we get close. That is our great frustration. If we could have the president to submit his budget, we submit ours, and then we could move, I think that would help and further the negotiation.

I would just say to my friend, the gentleman from New York, there is nothing really to prevent the government from opening fully on Monday if this were to pass, if the President were to embrace already one of the plans that has been submitted by different Democratic groups in the Congress.

Mr. SOLOMON. If the gentleman will continue to yield, that is correct, Mr. Speaker. I am told that the Congressional Budget Office could, even with a whole new proposal by the President, score it within 10 hours, and certainly if it is one that has already been scored they could do it in a matter of minutes.

Mr. BEILENSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], our distin-

guished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, as we have heard many times today, a large portion of the Government has now been closed for 21 days. We have just passed a resolution which partially opens some of those agencies and partially provides some of the services those agencies are supposed to be providing.

Now we have before us a second proposition which says that the Government will open fully between now and the end of January only if the President submits a new budget which is balanced in 7 years, as scored by the Congressional Budget Office. The justification of our Republican friends for that position is that they claim that the President agreed to do that when he signed the previous continuing resolution.

That is not what the President agreed to do. The President and the Congress both agreed to enact a resolution which balanced the budget in 7 years, as scored by CBO, provided that it met certain other tests. This is the text of the agreement reached in the last budget resolution. It says: "The President and the Congress shall enact legislation in the first session of the 104th Congress," and that is already by the boards on both sides, "to achieve a balanced budget no later than fiscal year 2002, as estimated by the Congressional Budget Office."

However, what this resolution would do is knock out the rest of the agreement. The rest of the agreement says that that 7-year balanced budget amendment scored by CBO must adequately protect Medicare, must adequately protect Medicaid, must adequately protect education, must adequately protect the environment, must adequately protect veterans services, and several other items.

They assert on the Republican side of the aisle that the President has an obligation to offer as part of his negotiating position what he agreed to sign onto as a final proposition. OK, let us take you at your word. If you say that he has an obligation to do that, then all we want you to do is to buy into our motion which we would offer if we can defeat the previous question on the rule. We want you to buy into the idea that you have a concurrent obligation to meet the same test, because a lot of us on this side of the aisle are tired of seeing you on your side of the aisle each day want to grade the President's performance that day, when you will not be prepared to take the same test you are asking him to take. All we want you to do is to say, "OK, what is sauce for the goose is sauce for the gander."

If the President is going to be required to submit a 7-year balanced budget which meets the test of this agreement, then so are you. You keep asking, "Where is the President's 7-year balanced budget?" We ask, "Where is yours? Where is your 7-year balanced budget that meets these

tests?" You have submitted no budget so far that adequately protects Medicare, that adequately protects States on Medicaid, that adequately funds investments in education and the environment, and adequately protects all veterans services.

You have not submitted any budget that meets that test, so all we are saying is if you want the President to meet his half of that test, you meet yours. You can vote for that by voting down the previous question so we can offer our resolution.

Mr. SABO. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, one of the interesting things in the Republican budget is the change of capital gains. Forgetting the merits, somehow it costs \$9 billion in the year 2001, costs nothing in the year 2002, when we are supposed to be in balance, and then costs \$10 billion in 2003. Is that not sort of a little weird, strange arithmetic in 2002?

Mr. OBEY. Mr. Speaker, it is the same kind of wackiness, it seems to me, that has caused us to miss budget targets each year since Ronald Reagan promised that if we just passed his budget, which we did, the budget would be balanced in 4 years.

Mr. SABO. I thank the gentleman.

Mr. OBEY. Mr. Speaker, I would urge the House to vote against the previous question on the rule so we can have an approach to this which requires the same thing of the Republican majority that they want to require of the President of the United States.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Georgia, Mr. JOHN LINDER, a distinguished member of the Committee on Rules, on the capital gains tax cut.

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, we just heard the colloquy on this side of the aisle regarding capital gains, and the gentleman wonders how it could have a \$9 billion number 1 year, none the next year, and a \$10 billion the next year.

I do not know how CBO scores this, but no matter how it scores it, it is wrong, because reducing capital gains every time we did it has increased revenues. When Jimmy Carter cut the capital gains tax in 1977 there were \$50 million in venture capital pools. The revenues from the capital gains category increased in every succeeding year until 1986, when the venture capital pools had more than \$5 billion in them. That, frankly, is what funded the increase in jobs during the Reagan revolution.

When you raised the revenues in the capital gains category, immediately the revenue fell off the table because it is too expensive to transact business when the Government takes its large share out. We know there is somewhere between \$6 trillion and \$9 trillion in

this country being held by mom and pop stores and farmers, and just people who would like to sell their assets. There are \$6 to \$9 trillion being held captive by the high cost of government that would become transactions that would increase revenues dramatically in the capital gains category, so the scoring system used by the CBO, the system is wrong, and we would have more revenues than we ever dreamed. This happened twice in the last 30 years. It will happen again. I thank the gentleman for yielding time to me.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. FROST].

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, it is curious that suddenly we are at the end of the day and we are going to be gone until the 23d. I had some questions about why are we going to be gone until the 23d. I think I have the answer. I would like to share with the House the Speaker's fundraising schedule for the next 2 weeks.

On January 9 he will be in Colorado Springs, CO. On January 9, he will be in Bloomington, MN. On January 10, he will be in Boise, and then Indiana. On January 10 he will be in Seattle, WA. On January 11 he will be in Baskerville, CA. On January 12 he will be in Napa, CA. On January 15 he will be in Detroit, where people are being charged \$10,000 to have their picture taken with the Speaker. He will also be in Dallas, TX, on January 15.

On January 17 he will be in Fort Wayne, IN. On January 17 he will be in Evanston, IN. On January 19 he will be in Knoxville, TN. On January 19 he will be in Memphis, TN.

There have been some questions about good-faith negotiating and wanting to keep the President negotiating. It is going to be very difficult, I would think, for the Speaker to negotiate with the President while he is traveling around the country raising money for Republican Members of Congress and for the Republican National Campaign Committee. I know these are all tentative dates and something might change in the schedule, but these have appeared in the press and there have been discussions of these. The Speaker certainly has a very busy schedule raising money in the next 2 weeks.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Texas [Mr. FROST] for advising us on the Speaker's schedule. I know there are a great many people in this country who are going to be interested in attending some of those events.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Colorado [Mr. MCINNIS], a member of our committee.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I wonder where the gentleman from Texas [Mr. FROST] is

going to be, chairman of the DCCC, what kind of fundraising he has been attending in the last couple of months.

Mr. Speaker, I think that the people in this Chamber should be aware of the fact that the gentleman from Texas is head of the DCCC, and certainly he is out there doing fundraising under his duties as well. That is the issue here. The issue is we have to get to a balanced budget. Quit trying to divert on some of this sidelight stuff, unless you want to implicate yourself.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, in response to the gentleman, I am not one of the designated negotiators. I have not been designated by the Democratic side to negotiate the budget. The Speaker is one of the designated negotiators. Therefore, I would expect him to be here.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], our distinguished ranking member of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from California for yielding time to me.

Mr. Speaker, this rule is typical of the politics-as-usual we're getting so used to these days.

Today, on the 21st day of the Federal Government shutdown, we are looking at another attempt to back the President into a corner, to force him to cut Medicare to pay for tax cuts, and he won't do it.

He won't get tripped up by the strings attached to this continuing resolution and my Republican colleagues shouldn't even be bringing it up.

As we are speaking, the Rules Committee is meeting to consider the third continuing resolution to come before the House today. They say three's a charm but from what I hear, Mr. Speaker, they still haven't got it right.

This third continuing resolution opens up a few more Government services, services that should not have been stopped in the first place, but it does not go all the way.

My Republican colleagues say they want to run the Government like a business. This business is making the former Soviet postal service look good. Republicans are sending people back to work. And they are paying people to go back to work, which they certainly should do, and which they should have done 3 weeks ago. But they still won't let everyone do their work.

They are willing to pay for meals for senior citizens, but will not provide for their delivery. They will give us meals but no wheels and, Mr. Speaker, that's not enough, the Government should be completely opened, and it should be completely opened now.

It's time to do a clean continuing resolution. It's time to reopen the Government, send everyone back to work, pay them, and let them do their Jobs. At the rate we're going, the rate of a

few programs a day, it will take about 3 weeks before the Government reopens, and, Mr. Speaker, the American people want it open now.

My colleagues say they want the President to yield to their demands, they want him to propose cuts in Medicare just as they have. But they will not agree to his request to protect Medicare.

Mr. Speaker, I urge my colleagues to defeat the previous question. We need a balanced budget but not at the expense of Medicare, education, and the environment.

□ 1700

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

I would like to point out that Senator DOMENICI just called and said when the Congressional Budget Office rescored our figures, they came up with \$135 billion, which added back to the very things our good friend, Mr. OBEY, was asking for: the environment, education, Medicare, Medicaid.

Mr. Speaker, I yield 2 minutes to the gentleman from New York, my good friend [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I rise today in strong support of this continuing resolution that requires the President to submit a CBO-scored balanced budget within 7 years. My friends, doublespeak in our Nation's Capital is alive and well. We are expected to believe that the President now has to rush around to put the numbers together for a balanced budget. Well, my friends, the President's campaign pledge was to have a balanced budget in 5 years; not in 7 years, not in 8 years, not in 10 years, but in 5 years.

My friends, let us get it straight. When the President signed the continuing resolution in November, he signed a legal commitment to send Congress a 7-year balanced budget, but 7 weeks have passed and we are still waiting for him to live up to his promise.

In the past, the President has repeatedly said he supports a balanced budget. He said he would support one in 10 years, 8 years, 9 years, 7 years and everything in between. But now it is time to recognize the reality that in spite of all of the President's public rhetoric, he does not now, probably never has, and most likely never will support a balanced budget. So we have to operate in that reality.

We in Congress need to use the tools available to us under the Constitution to help the President honor his commitment to the American people and obey the law that he signed on November 20.

Earlier today we voted to bring unpaid Federal employees back to work and to provide them with their back pay. We also helped to fund through September 30 essential programs for seniors, veterans, the needy, unemployed, as well as visa, passport and

consular services for American citizens abroad. By passing this continuing resolution before us now, we will also fulfill our responsibility to reopen the Government through January 26.

Mr. Speaker, we are acting in good faith to reopen the Government, but we only ask that the President keep his word and submit a balanced budget to the Congress, even using his own program priorities. The idea that somehow we have to be mindreaders of the President and honor his own priorities is absolutely absurd. Now it is up to the President to fulfill his moral commitment and send us a balanced budget.

Mr. BEILENSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, the Kendall School which is the predecessor of Gallaudet University for the Deaf, has been fully funded by the Federal Government since 1858. But because we did not do our job today, it will close down, and those deaf children in kindergarten through elementary school and high school will have to be sent home because we did not do our job.

The East Coast Migrant Head Start Program just called the office. Those children who are infants and small children, who have to be in school because both of their parents are working out in the fields, that program will be closed down because it is fully funded by the Federal Government. What are those children going to do? What are their parents going to do who have to be working in the fields?

We have not done our job, so we have to have a continuing resolution, a full continuing resolution.

Obviously, it should not be tied to a 7-year balanced budget plan. The majority leader of the Senate, Senator DOLE understood that. All we had to do was take his bill and everything would be all set now; we would have done our job. But because we have extremists who say our way or no way, we have not done our jobs. We have no business recessing until we do it.

Now, I am going to vote for this resolution, and the reason is that I do not think it is such a problem to have a 7-year balanced budget, even using CBO numbers, because that is not the problem. I think the President is going to submit a balanced 7-year plan with CBO numbers. But it is not going to be one that the Republican side will accept, because it will not gut the Medicare Program, it will not dismantle the Medicaid Program. It will not cut student loans.

Mr. LINDER. Mr. Speaker, will the gentleman yield for an honest question?

Mr. MORAN. If you will give me an extra 30 seconds to make my point, I would be happy to. I will continue, because there may be other points that the gentleman may wish to respond to.

I understand what the gentleman is going to say, that you do not have to accept it, and that is why I am going to vote for the resolution, because that is

not the problem. When the President submits it, he is not going to sacrifice Medicare and Medicaid and student loans and environmental regulation, because you do not have to; because you do not have to cut taxes by \$245 billion or \$200 billion or even \$100 billion, and we should not.

Businesses do not pay out dividends when they are operating at a loss, and we should not cut taxes when we are operating at a deficit. If we are at a surplus and we can afford to, we can go ahead and do it. We cannot now. That is why we are in the situation we are in now.

It was President Reagan's tax cut in 1981 that created the debt that we are burdened with. That is why we are here, we are stuck, why the Government is shut down. If it was not for the interest on the debt that was accumulated by the 1981 tax cut, we would be in a surplus today.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, first, I would like to point out that the revenues to the Treasury doubled between 1980 and 1990. Tax cuts doubled revenues; that can add to debt.

Let me just say about the President's budget, the gentleman says it was one that the Republicans could not agree with. That is not the point. It is one that we want to negotiate.

That is what we have not had. We do not know where he stands, because we have never seen a budget that he has put on the table, a balanced budget in 7 years, with his priorities. All we want to do is say, you can open the Government tomorrow, Mr. President; just put your priorities on the table. We will then negotiate within those parameters. That is all.

Mr. MORAN. I understand that, I say to the gentleman that I do not think that is the problem. That is why I am going to vote for this resolution, because the issue is not a 7-year balanced budget; the issue is how you get there, whether you cut taxes when you cannot afford to, and what we do to people dependent upon Medicare and Medicaid and student loans. That is the issue. We ought to clarify the issue.

I think that issue ought to be a national referendum. But in terms of submitting the budget, I think that will be done, I think it should be done, and I think that the Democrats will support that.

Mr. SABO. Mr. Speaker, will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I would say to my friend from Virginia, there was some reference to what was promised in 1981 and what happened. The promise was that by 1984 the budget would be in balance. Instead, there was a deficit of \$175 billion. Reagan projected that revenues would be 19.3 percent of the gross national product by 1984; they

were actually 18 percent because of the tax cut.

Mr. MORAN. Mr. Speaker, I thank the gentleman very much. In fact, President Reagan, rightfully so, said that any President who cannot submit a balanced budget ought to be impeached, and he never submitted a balanced budget.

The problem with this plan that we have before us is that it increases the deficit in the first year. In the first 3 years there is virtually no reduction in the deficit. The last 3 years, we reduce it every year. So we cannot support one that is fiscally responsible, but we ought to have a balanced budget that is fiscally responsible.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE], someone who is probably more responsible for forcing the President to bring a balanced budget to this body than anyone I know, and we really appreciate the efforts of the gentleman.

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for his kind remarks and for yielding me this time.

Mr. Speaker, this is an effort on our part to open the Government back up to show the President and the American people that we are doing everything possible to negotiate in good faith, while moving forward on our commitment to finally balance the Federal budget. It is always easier to criticize a proposal, to complain without offering a positive solution.

We, on the other hand, have worked very hard over the last 2 days in fashioning this positive solution to get the Government back to work and to balance our budget. That is what my goal has been as I have worked to find a solution; that is what we are going to do here today. Now it is time for the President to fulfill his responsibility.

Mr. Speaker, all that we ask is that President Clinton meet himself halfway. He signed into law back in November an agreement that by the end of the first session of the 104th Congress, 2 days ago, we would have a balanced budget using CBO scoring. All we ask of him today is that he put down his marker, that he tell us where his balanced budget with CBO scoring is. Let us see what his priorities are.

We cannot settle this until we have the ability to compromise. You cannot compromise when the other side does not have a position to compromise with. So we are asking him to put it on the table and then we can work this out and work out the priorities.

The President said when he ran that he could balance the budget in 5 years. He said during this crisis that we could balance the budget in 7 years. All we ask is that the President meet himself halfway by putting his version of that on the table so that we can move this negotiating process forward and fully reopen the government.

I am pleased that we have already voted to put Government workers back to work. Now let us reopen the Govern-

ment fully once the President does what his responsibility is: Put your budget on the table.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

I guess my question is, did you all put on blinders over there on the Republican side of the aisle? Do you stick your head in the sand? You stop reading when you want to stop reading, right? The agreement says, in full, the only underlined part that I got from you all was the President, according to the gentleman from Virginia, has to meet himself halfway. That is it.

Is that it? Some negotiation. I thought that the Congress, the Republican-led Congress of the United States was supposed to be at the table presenting its budget that did the following. It is in the agreement you signed, is it not?

It did the following: It is going to protect Medicare, Medicaid, education, the environment, veterans.

Your budget was woefully inadequate. It did not do that and that is why it got vetoed. You know that and I know that. Do not for 1 minute come up here and tell us that only one person at the table has to meet somebody halfway. That is not how it works.

I do not know in Virginia where you have been. I do not know if you have served on a legislature or not or been in any other governmental body, or been in any business that required compromise, but usually compromise is when both people sit down and agree to meet.

The President has spent fully 40 hours in negotiations with the Republican leadership of the House and the Senate. That is right. That is what has happened. Some of us were around here when President Bush met with Members of the Congress, and believe me, it did not probably exceed 40 minutes. It was not any 40 hours; it was about 40 minutes.

So I want to tell my colleagues right now, this President of the United States is seeking a balanced budget. In fact, his first budget reduced the deficit by \$700 billion. Nobody wants to talk about that over there on your side, do they? You think this is a one-way street. I am astounded that you stop reading the agreement when you want to stop reading it. That is not the way to do business.

Mr. GOODLATTE. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN. I yield to the gentleman from Virginia.

Mr. GOODLATTE. I thank the gentleman for yielding.

The fact of the matter is, we have a specific budget on the table that you can look to.

Mr. COLEMAN. No, sir; I am going to reclaim my time. Let me reclaim my time for this reason: Your budget did not protect Medicare and Medicaid, the

seniors, and the veterans. It did not. That is why it got vetoed. It was absolutely slashing the budget for those people.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume, just to point out to the previous speaker that we have bent over backward to try to be fair to this President. We have told him that if he will present a 7-year balanced budget, scored by CBO, we are not going to dictate to him whether he has so many dollars for Medicare, education or the environment, for defense or anything else. We simply want him to put a balanced budget on the table so that we have dollars and cents in each function that we can compare, so that we can sit down and begin serious negotiations. That is what this debate is all about here today.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH], a great fan of the Green Bay Packers.

Mr. ROTH. Mr. Speaker, I thank my friend for yielding me this time.

Mr. Speaker, at some point we have to stop shouting at each other and get down to business. I think this is a good bill, because it is a win/win bill. You can say you won something; we on our side can say that we have balanced the budget, and we have.

Now, the President has said that he is for a balanced budget, and we did submit a balanced budget to the President, and he vetoed it. Historically, the President has always presented a budget to the Congress.

□ 1715

All we are asking the President to do is to walk his talk. He has made a commitment. Let him come forward with his budget.

The President vetoed the first balanced budget that we sent to him in 26 years. Now, no business, no family can operate in the red for 26 years like our Government has. Think about it. We pay \$20 billion a month, \$20 billion a month to the bondholders. Do we want to sell our children into financial bondage. I do not think so.

That is why this bill before us is a good bill. I have heard some of the people on the other side of the aisle say they are going to vote for this bill. I think it is a good positive step. We must start, Republican and Democrat, to come together. Remember, two mountains can never come together but two people always can. I think we can come together.

I would like to see the President come forward with his balanced budget. We cannot have everything. We cannot have everything on our side. You quite frankly cannot have everything on your side. Every time we make a good faith proposal, you keep moving the goal posts. Like my good friend from New York had mentioned, the Green Bay Packers. Well, I hope the Packers win tomorrow, but if 49'ers keep moving the goal posts, keep changing the rules to suit the 49'ers the Packers can't win. And so, too, here.

We have got to have the same rules, my friends. We cannot have one rule for one side and another rule for the other side. This is a good bill. Vote for it. Do this for your kids and for the future of America.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank the gentleman for yielding me the time.

Mr. Speaker, if we are going to have an agreement—and I very much want an agreement, I believe the President has demonstrated that he very much wants an agreement, given the amount of time he has spent trying to reach one—if we are going to get to an agreement, it is going to take good faith and compromise on all sides.

I support a 7-year balanced budget. I voted for the coalition proposal. I expect that is roughly where we are likely to end up in all of this. But if that is what we want, this bill is not the way to get there. Why not? Because it simply does not demonstrate the kind of good faith that is going to be required if a negotiation will succeed.

A little while ago one of the reporters asked me this question: "Is this simply a way to box the President in?" That is it. That is exactly what it is. As many have pointed out, there were two conditions in the November CR that were to have been met: one, a 7-year balanced budget scored by CBO; second, paying greater respect to Medicare, Medicaid, veterans, education, the environment, and so on.

Either both of these conditions have to be met ahead of time, before negotiations begin, or neither of them need to be met ahead of time. You cannot have it both ways. You cannot say one must be met before we start negotiations but we will only meet our side of the deal later on. It is misleading and I think disingenuous to suggest that the President has not honored the terms in the November agreement and will not honor his promise.

If the President has to table the 7-year balanced budget scored by CBO before we can make any progress, then so must the Republicans table a new budget that addresses the questions of Medicare, Medicaid, education and the environment. If you claim that you are obliged to meet your part of the November bargain only at the end of the negotiation, then that is when the President needs to meet his part of the November agreement. You cannot have it both ways.

This bill, because it tries to have it in a one-sided way, will hurt, not help, this process. We should defeat the previous question.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of the resolution and of the bill. I want to address first the charge that has been made on the House floor that the Re-

publicans are asking the President to agree to cuts in Medicare or to some specific tax policy. It is absolutely not true. We are asking the President to abide by the agreement that he made with the Congress in November, which is to put out a balanced budget in a 7-year timeframe, using the Congressional Budget Office economic projections for such things as government revenue and inflationary impact on programs.

The possibilities from that point are limitless. The President can put the spending priorities on any program he wants. He can propose tax reduction, he can propose tax increases or he can propose no change whatsoever in the U.S. tax policy, as long as it meets the criteria of 7 years and Congressional Budget Office scoring.

The House reaffirmed its commitment to using the Congressional Budget Office recently with 341 votes, and I hope all 341 of those Members, Republicans and Democrats alike, will support this resolution.

I want to address the second point, that there is another part of the agreement, and that part of the agreement that there be adequate funding for certain programs. That is a correct statement. The problem is, what is adequate funding for those programs?

There are several budgets already in existence that meet the 7-year Congressional Budget Office requirement. The Republicans have offered a budget. A number of Democrats have offered a budget on the House floor. A number of Democrats have offered a balanced budget in the other body.

Which one of those budgets, if any, does the President believe meets the requirement of adequate funding for programs? If none of them do, here is the opportunity for the President to offer a balanced budget proposal that shows us, with exact figures, how much spending there should be for certain programs for him to call it adequate.

Without those figures on the floor, it is impossible to negotiate any further, because it is impossible to determine what figures are the exact amount of adequate funding.

The reasons negotiations have not been successful between the White House and the President is that the Republican leadership has put out a budget. I do not agree with all its provisions but they have done so. The President has not put out a budget.

Once both sides have put out a budget that says we believe that this is how we meet the priority in funding and under the 7-year Congressional Budget Office economic projections, then the American people can decide whose priorities they prefer. Until that happens, negotiations can go on forever and they will never be productive.

Therefore, I urge passage of this resolution, passage of the bill, and I respectfully urge the President of the United States to present his budget so we can see his priorities.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, in all this quibbling that is going on about what was the language in the November 20 resolution, whether it was 7 years, CBO, or whether you should pay attention to the protection of the programs such as Medicare and Medicaid, I am struck by misdirection. Because if the goal here is to punish the President for not coming forward, it seems to me the wrong people are getting punished.

If you want to punish the President, the way to do that is to say that half the Head Start children are not going to be able to go to Head Start? If you want to punish the President you instead deny small businesses loan guarantees, \$40 million a day? You want to punish the President, so you go ahead and make it rough on Federal workers after January 26? You want to punish the President, so you deny Medicare vendors getting paid denying services to senior citizens? This is a pretty tough crowd if that is the way you think you punish the President.

The fact of the matter is it is like a carrot and a stick. This is the first organization I have ever seen, the carrot and the stick, the old thing where you have got the horse out in front of the wagon, you hold the carrot in front of the horse, then you have got people on the wagon trying to get the horse to move forward. In this crowd if the carrot does not work they turn around and shoot all the passengers on the wagon.

The fact is, let us do this out of mutual respect. The thing to do is go back into negotiations. I am a bit offended when I hear the President has not negotiated in good faith.

I was here in 1990 when President Bush and Republicans and Democrats had the budget summit, many, many days. This President has spent 40 hours meeting with Republican leaders at the White House. If President Bush measured his time in minutes meeting with those conferees, I will be very, very surprised. Forty hours. Second, if there is no Presidential budget, then what was it we voted on the floor about 2 weeks ago in which the Republican leadership took great glee in putting on the floor and having everybody vote against it, calling it the President's budget? What is it that is being discussed in these 40 hours of negotiations? I hear figures coming back, somebody has come down on Medicare, somebody has come down on taxes, so clearly negotiations are taking place.

Mr. Speaker, the American people are smart enough to know whether there are good-faith negotiations, they are smart enough to measure the result. Do not punish the American people for the frustrations that may be on both sides.

Mr. SOLOMON. Mr. Speaker, I yield 2½ minutes to one of the real leaders of this House, the gentleman from Texas [Mr. DELAY], the whip for the majority. We would be interested in what he has to say.

Mr. DELAY. I thank the chairman and I appreciate the good work that he and his committee do, under terribly tough circumstances.

Mr. Speaker, I rise in support of this conditional continuing resolution. Republicans call this a conditional CR because it goes into effect based upon one simple condition, that the President present a certified budget that reaches balance in 7 years. I call this legislation the trust-but-really-verify temporary spending resolution.

We have tried other approaches before, as the people know, and those approaches have failed to dislodge this President from his defense of the status quo. All we are asking is for Bill Clinton to give fiscal responsibility a chance. But we have heard through the grapevine that the President will work to oppose this bill based on his opposition to a real balanced budget. If the President actively opposes this CR, he presents the American people a vivid contrast between his words and his deeds.

He of course has mouthed with numbing regularity his support for the goal of a balanced budget. But he has worked to kill every balanced budget initiative, including the balanced budget amendment to the Constitution and the coalition balanced budget with every ounce of his being.

President Clinton may think he can fool all the people all the time but if he fails to fulfill the conditions of this continuing resolution, he will finally be unmasked as the big-spending liberal that he really is.

The President has the ability to either put up a balanced budget or shut down the Federal Government once again.

I just urge my colleagues to give the President a chance to expose his true intentions. Pass this conditional CR and let us see if the President will ever present a real balanced budget.

Mr. GOSS. Mr. Speaker, I am happy to yield 1 minute to the distinguished gentleman from the home of the Independence Bowl, Shreveport, LA [Mr. MCCRERY], of the Committee on Ways and Means.

Mr. MCCRERY. I thank the gentleman for yielding me the time.

Mr. Speaker, it is hard to negotiate when one of the parties will not put on the table an opening offer.

Therefore, this House tonight will pass a resolution which will implicitly ask the question that the press and the media in this country should have been asking for the last several weeks:

Mr. President, where is your balanced budget?

Mr. President, where is your balanced budget?

Mr. President, where is your balanced budget?

Mr. President, where is your balanced budget?

Mr. President, where is your balanced budget?

Mr. BEILENSEN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. "Where is your balanced budget?" That is a nice speech, Mr. Speaker. It should make the news tonight.

Mr. Speaker, I just want to make one point. My friend from Texas in his closing remarks, he said the President puts a budget on the table and we can negotiate but what we are hearing coming out of negotiations, the conditions are set down that the Speaker has said that he will not let a budget come to the floor here that cannot get 218 Republican votes.

□ 1730

The majority leader says that there is no budget going to pass this House if the taxes are changed. So some negotiations you have got there.

And the gentleman from Texas says, "Mr. President, if you do not do what we want to do on our terms, we will shut the country down again." So what we are going to do, what we have here, you are going to have a recess where the gentleman from Georgia [Mr. GINGRICH] can go raise a lot of money and we are going to have the people dispersing, going on trips and what have you, and saying we have put the ball in the President's court, and then, "If you don't do it like we want it, we will shut the Government down and put people out of work and inconvenience the American public," and "that ain't right."

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. WALKER], vice chairman of the Committee on the Budget and chairman of the Committee on Science.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Back in November the President made a promise in law that he would produce a balanced budget, he would enact a balanced budget by January 3. That was a guarantee that we thought he meant. Maybe we were wrong. Maybe he did not really mean it. Maybe he thought that negotiations would suffice for producing a balanced budget, that maybe there were all kinds of confusions that resulted from this.

One of the confusions there should not be is nobody has ever suggested that the President needed to produce a balanced budget on our terms. All we have ever asked the President to do is produce a balanced budget that fits his terms. We want his balanced budget. We are willing to negotiate with him based upon what we say should be in a balanced budget and what he says is in a balanced budget. But you cannot negotiate with nothing.

We are asking the President in this CR to put forward his balanced budget. As soon as his balanced budget, scored by CBO, is certified at the desk, he will get a continuing resolution to do what he says is important, and that is to put the full operation of the Federal Government back in place until January 26.

If the President signed that law making a promise that he would produce a balanced budget, there should be absolutely no problem with him signing this CR and sending us his balanced budget. No problem at all. Why would there be a problem? All we are saying to him is, "Do what you told us you would do 45 days ago," and then the Government can be reopened, all the programs can be functioning, and there is no problem.

But if the President does not send a balanced budget and does not bring the Government back up, we will know that what he signed in November was simply a charade, that he had no intention of producing a balanced budget, that he has no intention in the future of producing a balanced budget.

If you vote against this rule and vote against this item, what you are saying is we have no intention of producing a balanced budget.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, I think everyone knows that this particular resolution is going absolutely nowhere. It will go to the Senate, and they will never consider it.

But I think we ought to tell the truth about what we are talking about. Balancing the budget in 7 years requires the reduction of expenditures of about \$750 billion, a doable amount. Where we really disagree is the method in which that money is subtracted from the budget.

The Republicans' priorities, as I read them, put the balance of the budget burden upon the elderly sick, the young sick, the elderly in general, upon the working poor, and to a certain extent upon middle-class America. The thing that is causing all of this trouble but no one will really admit is the proposal to reduce taxes by \$250 billion on the Republican side, and the President's mistake of reducing taxes about \$100 billion. That makes the balancing of the budget extremely cruel. You have got to do some things that you would not do if you were operating in a normal environment.

So both sides ought to throw on the floor and put behind them the reduction of taxes during this period of time. It is a shame that we are in this environment.

I do not think we ought to go home. I think we ought to stay here and continue working on the substance of all of this.

Mr. SOLOMON. Mr. Speaker, I yield 1½ minutes to the gentleman from San Diego, CA [Mr. CUNNINGHAM], a truly great American who has served in our Armed Forces.

Mr. CUNNINGHAM. Mr. Speaker, my colleagues on the other side of the aisle said that the contract was signed by both, and there are some things that we need to attend to in Medicare and education and so on.

Let me cover the education facts. As a subcommittee chairman on education, I think there is a difference on

what is really good. We increased student loans by 50 percent. We increased Pell grants to the highest level ever.

But what we did not protect is your precious bureaucracy that only allows 23 cents on a dollar to get down into the classroom because of that bureaucracy.

We eliminated the President's direct student loan program, that, according to GAO, cost a billion dollars more must to administer, and those fees are not even calculated on what it cost to receive those monies. You want the power here. We have eliminated the bureaucracy and the power.

Goals 2000, you say, "Well, look, you cut Goals 2000." On a Federal level where you have Federal control instead of the State, yes, we did. Goals 2000, there are 45 instances that say State will, and you have got to have groups and members in different groups that put together the requirements. It is only voluntary if you do not want the money.

But yet we send the money directly back to the State, and if a State wants to do Goals 2000, they can.

The Department of Education, \$32 billion in its budget, and the President's direct loan program would make it the largest lending institution, if he had this way, in the United States. That is wrong. We have protected education.

Your welfare system has failed education.

Mr. BEILENSEN. Mr. Speaker, I yield 1½ minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding this time to me.

Let me just say that I am going to vote against this rule and against this resolution because I consider this to be political chicanery of the worst kind, an arrogant attempt to tell the President, "Play by my rules or we won't play at all." That is what the majority party is doing. It is an attempt to trap the President, to rape the President, to say again, "If we think that you are doing what we deem you ought to be doing, then we will open the Government, but if we do not, then we will keep it shut."

You know, my colleagues, it took 12 years of Reagan and Bush budgets to get us into this mess of deficits, and it is going to take 7 years to get us out of it.

The President agreed to support a 7-year balanced budget as an end product of the negotiations. But the Republicans also agreed to protect Medicare and Medicaid and education and the environment, things that we believe are dead in their budget. Their budget kills Medicare and kills Medicaid and kills the environment and hurts working families and kills education.

We have not seen them change their budget. That was supposed to be part of their end of the deal.

So this is simply trying to change the rules. It is an attempt to shift the

dialog because the Republicans are taking a beating for shutting the Government down, and so they need to try to shift the dialog, and by trying to shift it, they are saying to the President, "We demand that you produce a balanced budget according to our rules, not as you agreed to the end game." We ought not to play by these games or by these rules.

This is only going to come out of both sides getting together, working together for a compromise.

Reject this nonsense, this chicanery. Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. ROGERS]. The State of Kentucky has a lot of outstanding Congressmen, as you know, sir, but the gentleman from Kentucky [Mr. ROGERS] is one who is very outstanding, our good friend from Somerset, KY, a member of the Committee on Appropriations, doing an outstanding job.

Mr. ROGERS. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, we have had enough of the blame game on who is to blame for shutting down the Government. You say it is our fault. We say it is your fault, the President's fault.

This resolution settles it all. This is the end game here. What this resolution says is regardless of who caused the shutdown, we are prepared to end it, Mr. President. All we want to do, as we have been doing for months now, is just put your offer on the table. How can you make a deal for a piece of land if you go to the owner and say, "I am willing to pay you \$1,000 an acre," and he says, "I want to sell it to you," and you say, "How much do you want for it," and he says, "I am not going to tell you." How can you negotiate if you cannot get the other party to put some offer on the table?

All this resolution does, Mr. Speaker, is to say we are willing to open up the entire Government, business as usual, provided, Mr. President, you tell us what your balanced budget proposal is. It does not matter how you come up with it so long as it balances in 7 years using CBO numbers. Then we can negotiate.

As it stands now, we simply cannot negotiate with you. You will not tell us what you want for your acre of land.

So this resolution is calculated to finally decide who is at fault with keeping the Government shut down. We are saying open it up entirely, and all you have got to do to do that, Mr. President, is just lay on the table your proposal for a balanced budget in 7 years so that we can negotiate in good faith. We are asking for good faith, Mr. President, and this is the only way we know how to do it.

If there is a better way, please tell us and we will try to do that.

Mr. BEILENSEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. DE LA GARZA].

(Mr. DE LA GARZA asked and was given permission to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, my colleagues, I am concerned that we are again dealing in a vacuum with numbers only. We are not attaching faces and places. The debate and the obsession about what the President did or did not do is leaving out what we should be discussing.

I am going to attach one name to this discussion. Her name is Elisa Izquierdo, a little girl that died in New York for lack of attention, that what we do here could take away from other children, and I quote from an article that I am putting at this point in the RECORD, "How Cold Is America Prepared To be? How much can you take from children who have so little?"

We should attach names, faces and places and get over this obsession of what the President did or did not do.

Mr. Speaker, concerning the debate on what we do as a Congress to protect the children of our country we share with you an article by Jonathan Kozol. I would like to strongly recommend the last paragraph which reads as follows:

Like most Americans, I do not tend to think of a society that has been good to me and to my parents as "evil." But when he said that "somebody has power," it was difficult to disagree. It is possible that icy equanimity and a self-pacifying form of moral abdication by the powerful will take more lives in the long run than any single drug-addicted and disordered parent. Elisa Izquierdo's mother killed only one child. The seemingly anesthetized behavior of the U.S. Congress may kill thousands. Now we are told we must 'get tougher' with the poor. How much tougher can we get with children who already have so little? How cold is America prepared to be?

Mr. Speaker, I am enclosing the article at this point, as follows:

[From the Time magazine, Dec. 11, 1995]

SPARE US THE CHEAP GRACE

(By Jonathan Kozol)

It is hard to say what was more shocking about the death of Elisa Izquierdo—the endless savagery inflicted on her body and mind, or the stubborn inaction of the New York City agencies that were repeatedly informed of her peril. But while the murder of Elisa by her mother is appalling, it is hardly unexpected. In the death zones of America's postmodern ghetto, stripped of jobs and human services and sanitation, plagued by AIDS, tuberculosis, pediatric asthma and endemic clinical depression, largely abandoned by American physicians and devoid of the psychiatric services familiar in most middle-class communities, deaths like these are part of a predictable scenario.

After the headlines of recrimination and pretended shock wear off, we go back to our ordinary lives. Before long, we forget the victims' names. They weren't our children or the children of our neighbors. We do not need to mourn them for too long. But do we have the right to mourn at all? What does it mean when those whom we elect to public office cut back elemental services of life protection for poor children and then show up at the victim's funeral to pay condolence to the relatives and friends? At what point do those of us who have the power to prevent these deaths forfeit the entitlement of mourners?

It is not as if we do not know what might have saved some of these children's lives. We know that intervention programs work when well-trained social workers have a lot of time to dedicate to each and every child. We

know that crisis hot lines work best when half of their employees do not burn out and quit each year, and that social workers do a better job when records are computerized instead of being piled up, lost and forgotten on the floor of a back room. We know that when a drug-addicted mother asks for help, as many mothers do, it is essential to provide the help she needs without delay, not after a waiting period of six months to a year, as is common in poor urban neighborhoods.

All these remedies are expensive, and we would demand them if our own children's lives were at stake. And yet we don't demand them for poor children. We wring our hands about the tabloid stories. We castigate the mother. We condemn the social worker. We churn out the familiar criticisms of "bureaucracy" but do not volunteer to use our cleverness to change it. Then the next time an election comes, we vote against the taxes that might make prevention programs possible, while favoring increased expenditures for prisons to incarcerate the children who survive the worst that we have done to them and grow up to be dangerous adults.

What makes this moral contradiction possible?

Can it be, despite our frequent protestations to the contrary, that our society does not particularly value the essential human worth of certain groups of children? Virtually all the victims we are speaking of are very poor black and Hispanic children. We have been told that our economy no longer has much need for people of their caste and color. Best-selling authors have, in recent years, assured us of their limited intelligence and low degree of "civilization development." As a woman in Arizona said in regard to immigrant kids from Mexico, "I didn't breed them. I don't want to feed them"—a sentiment also heard in reference to black children on talk-radio stations in New York and other cities. "Put them over there," a black teenager told me once, speaking of the way he felt that he and other blacks were viewed by our society. "Pack them tight. Don't think about them. Keep your hands clean. Maybe they'll kill each other off."

I do not know how many people in our nation would confess such contemplations, which offend the elemental mandates of our cultural beliefs and our religions. No matter how severely some among us may condemn the parents of the poor, it has been an axiom of faith in the U.S. that once a child is born, all condemnations are to be set aside. If we now have chosen to betray this faith, what consequences will this have for our collective spirit, for our soul as a society?

There is an agreeable illusion, evidenced in much of the commentary about Elisa, that those of us who witness the abuse of innocence—so long as we are standing at a certain distance—need not feel complicit in these tragedies. But this is the kind of ethical exemption that Dietrich Bonhoeffer called "cheap grace." Knowledge carries with it certain theological imperatives. The more we know, the harder it becomes to grant ourselves exemption. "Evil exists," a student in the South Bronx told me in the course of a long conversation about ethics and religion in the fall of 1993. "Somebody has power. Pretending that they don't so they don't need to use it to help people—that is my idea of evil."

Like most Americans, I do not tend to think of a society that has been good to me and to my parents as "evil." But when he said that "somebody has power," it was difficult to disagree. It is possible that icy equanimity and a self-pacifying form of moral abdication by the powerful will take more lives in the long run than any single drug-addicted and disordered parent. Elisa

Izquierdo's mother killed only one child. The seemingly anesthetized behavior of the U.S. Congress may kill thousands. Now we are told we must "get tougher" with the poor. How much tougher can we get with children who already have so little? How cold is America prepared to be?

Mr. BEILENSEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, let me simply urge my colleagues to vote "no" on the previous question.

If the previous question is defeated, we shall offer an amendment that would send a clean continuing resolution to the President immediately, stopping the delaying mechanism in the concurrent resolution unless House Republicans live up to their part of the deal and lay on the table a 7-year balanced budget that actually protects Medicare, Medicaid, education, agriculture, national defense, veterans and others. The amendment would put the budget negotiations on terms we believe are fair.

The majority would have to decide either to let the continuing resolution go forward without delay or delay it until both the President and majority submit a balanced budget that meets the terms of the budget negotiations that have already been agreed to.

Mr. Speaker, in ending, I am inserting at this point in the RECORD the amendment I intend to offer if the previous question is defeated.

The proposed amendment is as follows:

AMENDMENT TO THE RULE ON H.J. RES. 134

In section 2 of the resolution, after "House Concurrent Resolution 131", insert ", as modified by the amendment in section 4 of this resolution."

At the end of the resolution add the following:

"SEC. 4. At the end of the concurrent resolution self-executed by section 3 of this resolution, add the following new section:

"SEC. —. The preceding sections delaying the transmission of the joint resolution shall have no effect and the joint resolution shall be promptly transmitted to the President unless the Majority Leader, on behalf of all House Republicans, causes to be printed in the CONGRESSIONAL RECORD a new seven-year balanced budget in accordance with the strictures set forth in section 203 of Public Law 104-56 such that the Republican budget achieves "a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office and, unlike the reconciliation measure vetoed by the President, H.R. 2491, "protects future generations, ensures Medicare solvency, reforms welfare and provides adequate funding for Medicaid, education, agriculture, national defense, veterans, and the environment * * * [and] adopts tax policies to help working families and to stimulate future economic growth."."

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have spent a lot of time, both sides, throwing arrows at each other, blaming each other.

Let me quote from an editorial which is not Republican or Democrat. It is a liberal newspaper, usually. It is the Philadelphia Inquirer. The headline on this editorial says, "Your Turn, Bill. Clinton Must Offer the Serious Budget He Promised."

□ 1745

The text of the editorial goes on to say, "The country is still waiting for Mr. Clinton's plan."

The last paragraph of this editorial says, "Congress should pass stopgap funding as soon as the President provides the missing ingredient of serious bargaining: A credible White House plan to balance the budget in seven years."

Mr. Speaker, that is exactly what we are doing. The last paragraph of this editorial from a liberal newspaper in Philadelphia. We are offering a clean resolution, which is what everyone has been asking for.

This clean resolution puts all of the Government back to work, all of the employees, all of the functions of Government, but it holds that bill here at the desk until the President does what the last paragraph of this editorial says, until the President gives us a balanced budget certified to be balanced by the Congressional Budget Office in 7 years. It is as simple as that.

Our Speaker GINGRICH has bent over backwards trying to cooperate with the President. So has Senator DOLE. Yet no progress has been made. This gives all of them 21 more days without any problem in between to allow them to sit down, give each other their figures, and let us get down to some serious negotiations and do what the American people want.

Every day we stand here, the interest to pay on that national debt goes up \$667 million. That is so uncompassionate. Think what we could do for people with \$667 million a day extra if we did not have this deficit.

I ask Members to come and vote for the previous question, and then vote for this bill. I believe that Senator DASCHLE in the other body is going to accept this and send it on to the President. Let us not try to stop him from doing that.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BEILENSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 226, nays 183, not voting 24, as follows:

[Roll No. 9]
YEAS—226

Allard	Barrett (NE)	Bilbray
Archer	Bartlett	Bilirakis
Bachus	Barton	Bliley
Baker (CA)	Bass	Blute
Ballenger	Bateman	Boehkert
Barr	Bereuter	Boehner

Bonilla	Gunderson	Oxley	Johnson (SD)	Mink	Schumer
Bono	Gutknecht	Packard	Johnson, E. B.	Moakley	Scott
Brownback	Hall (TX)	Parker	Kanjorski	Mollohan	Serrano
Bryant (TN)	Hancock	Paxon	Kaptur	Moran	Sisisky
Bunn	Hansen	Petri	Kennedy (MA)	Murtha	Skaggs
Bunning	Hastert	Pombo	Kennedy (RI)	Nadler	Skelton
Burr	Hastings (WA)	Porter	Kennelly	Neal	Slaughter
Burton	Hayworth	Portman	Kildee	Oberstar	Spratt
Buyer	Hefley	Pryce	Kiecicka	Obey	Stenholm
Callahan	Heineman	Quinn	Klink	Olver	Stokes
Calvert	Herger	Radanovich	LaFalce	Ortiz	Stupak
Camp	Hilleary	Ramstad	Lantos	Orton	Tanner
Campbell	Hobson	Regula	Levin	Owens	Taylor (MS)
Canady	Hoekstra	Riggs	Lewis (GA)	Pallone	Tejeda
Castle	Hoke	Roberts	Lincoln	Pastor	Thompson
Chabot	Horn	Rogers	Lipinski	Payne (NJ)	Thurman
Chambliss	Hostettler	Rohrabacher	Payne (VA)	Torres	Torres
Chenoweth	Houghton	Ros-Lehtinen	Luther	Pelosi	Torricelli
Christensen	Hunter	Roth	Maloney	Peterson (FL)	Towns
Clinger	Hutchinson	Roukema	Manton	Peterson (MN)	Traficant
Coble	Hyde	Royce	Markey	Pickett	Velazquez
Coburn	Inglis	Salmon	Martinez	Pomeroy	Vento
Collins (GA)	Istook	Sanford	Mascara	Poshard	Visclosky
Combest	Johnson (CT)	Saxton	Matsui	Rahall	Volkmer
Cooley	Johnson, Sam	Schaefer	McCarthy	Rangel	Ward
Cox	Jones	Schiff	McDermott	Reed	Waters
Crane	Kasich	Seastrand	McHale	Richardson	Watt (NC)
Crapo	Kelly	Sensenbrenner	McKinney	Rivers	Waxman
Cremeans	Kim	Shadegg	McNulty	Roemer	Williams
Cubin	King	Shaw	Meehan	Roybal-Allard	Wise
Cunningham	Kingston	Shays	Meek	Rush	Woolsey
Davis	Klug	Shuster	Menendez	Sabo	Wynn
Deal	Knollenberg	Skeen	Mfume	Sanders	Yates
DeLay	Kolbe	Smith (MI)	Miller (CA)	Sawyer	
Diaz-Balart	LaHood	Smith (NJ)	Minge	Schroeder	
Dickey	Largent	Smith (TX)			
Doolittle	Latham	Smith (WA)			
Dornan	LaTourette	Solomon	Arney	Fields (TX)	Rose
Dreier	Laughtin	Souder	Baker (LA)	Hayes	Scarborough
Duncan	Lazio	Spence	Berman	Johnston	Stark
Dunn	Leach	Stearns	Bryant (TX)	Lightfoot	Stockman
Ehlers	Lewis (CA)	Stump	Chapman	Lofgren	Studds
Ehrlich	Lewis (KY)	Talent	Chrysler	Montgomery	Thornton
Emerson	Linder	Tate	Clayton	Myers	Wilson
English	Livingston	Tauzin	Fazio	Quillen	Wyden
Ensign	LoBiondo	Taylor (NC)			
Everett	Longley	Thomas			
Ewing	Lucas	Thornberry			
Fawell	Manzullo	Tiahrt			
Flanagan	Martini	Torkildsen			
Foley	McCollum	Upton			
Forbes	McCrery	Vucanovich			
Fowler	McDade	Waldholtz			
Fox	McHugh	Walker			
Franks (CT)	McInnis	Walsh			
Franks (NJ)	McIntosh	Wamp			
Frelinghuysen	McKeon	Watts (OK)			
Frisa	Metcalf	Weldon (FL)			
Funderburk	Meyers	Weldon (PA)			
Gallely	Mica	Weller			
Ganske	Miller (FL)	White			
Gekas	Molinari	Whitfield			
Gilchrest	Moorhead	Wicker			
Gillmor	Morella	Wolf			
Gilman	Myrick	Young (AK)			
Goodlatte	Nethercutt	Young (FL)			
Goodling	Neumann	Zeliff			
Goss	Ney	Zimmer			
Graham	Norwood				
Greenwood	Nussle				

NAYS—183

Abercrombie	Condit	Foglietta
Ackerman	Conyers	Ford
Andrews	Costello	Frank (MA)
Baesler	Frost	Frost
Baldacci	Cramer	Furse
Barcia	Danner	Gejdenson
Barrett (WI)	de la Garza	Gephardt
Becerra	DeFazio	Geren
Beilenson	DeLauro	Gibbons
Bentsen	Dellums	Gonzalez
Bevill	Deutsch	Gordon
Bishop	Dicks	Green
Bonior	Dingell	Gutierrez
Borski	Dixon	Hall (OH)
Boucher	Doggett	Hamilton
Brewster	Dooley	Harman
Browder	Doyle	Hastings (FL)
Brown (CA)	Durbin	Hefner
Brown (FL)	Edwards	Hilliard
Brown (OH)	Engel	Hinchev
Cardin	Eshoo	Holden
Clay	Evans	Hoyer
Clement	Farr	Jackson (IL)
Clyburn	Fattah	Jackson-Lee
Coleman	Fields (LA)	(TX)
Collins (IL)	Filner	Jacobs
Collins (MI)	Flake	Jefferson

ing standing committee of the House of Representatives:

To the Committee on Banking and Financial Services: Jesse Jackson, Jr. of Illinois.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1124) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and ask for its immediate consideration in the House. The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. DELLUMS. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman from South Carolina, is the unanimous-consent request that the gentleman is engaging in an effort to expedite going to conference on the DOD authorization bill as a result of the sustaining of the veto by the President?

Mr. SPENCE. Mr. Speaker, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from South Carolina.

Mr. SPENCE. Mr. Speaker, let me say, first of all, that I appreciate the gentleman's cooperation over the past several days in working to move this process forward. I also appreciate the leadership on both sides of the aisle making this possible.

Mr. DELLUMS. Mr. Speaker, reclaiming my time for a moment, I understand that the gentleman is beginning to move into a colloquy that we have agreed upon regarding the pay raise and the housing allowance of our military personnel, but I am simply asking the question prior to that.

Is the effort on the part of the distinguished gentleman from South Carolina to simply bring a Senate bill forward that would be an appropriate vehicle to expedite going to conference?

Mr. SPENCE. The gentleman is correct.

Mr. DELLUMS. Mr. Speaker, I just wanted my colleagues to understand that this is purely a procedural matter.

Further reserving the right to object, as many of my colleagues are aware, in the context of the DOD authorization bill conference report, it allowed for a 2.4-percent cost of living increase to our military personnel and a 5.2-percent housing allowance increase.

□ 1815

Because of the action taken in the body, we were not able to allow that cost of living increase and that housing allowance increase to go forward in the month of January. Therefore, I would

NOT VOTING—24

Baker (LA)	Fields (TX)	Rose
Berman	Hayes	Scarborough
Bryant (TX)	Johnston	Stark
Chapman	Lightfoot	Stockman
Chrysler	Lofgren	Studds
Clayton	Montgomery	Thornton
Fazio	Myers	Wilson
	Quillen	Wyden

□ 1806

The Clerk announced the following pair:

On the vote:

Mr. Arney for, with Mr. Johnston of Florida against.

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 336, House Concurrent Resolution 131 is considered adopted.

PERSONAL EXPLANATION

Mrs. CLAYTON. Mr. Speaker, During rollcall vote Nos. 8 and 9 on H. Res. 330 and H. Res. 336 I was unavoidably detained. Had I been present I would have voted "No" on each.

ELECTION OF MEMBER TO COMMITTEE ON BANKING AND FINANCIAL SERVICES

Mrs. KENNELLY. Mr. Speaker, by direction of the Democratic caucus I offer a privileged resolution (H. Res. 337) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 337

Resolved, That the following named Member be, and is hereby, elected to the follow-