

CALL AN END TO THE GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. MORELLA] is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, I say, as has been stated before, enough is enough. We have got to get this Government up and running again.

Federal employees, Federal contractors, and American citizens are needlessly suffering. It is a time to put an end to this.

Frankly, I applaud the Senate for passing a continuing resolution yesterday, and I do hope that this body and the House of Representatives will have an opportunity to vote on that continuing resolution for a limited period of time. I believe, as the other Members of this House do on both sides of the aisle, judging from the votes we have had, that we can have a balanced budget in 7 years scored by CBO, and let us let the President present his budget to the negotiators so we can move ahead with a continuing resolution.

But, you know, I want to point out that this shutdown has a human side. It has a human side. We have got 280,000 Federal employees who are furloughed. There is pain out there, there is suffering out there, there is anguish and anger out there.

Some 760,000 Federal employees received partial paychecks. They are anxious about their next paycheck they fear may be empty.

Countless Federal contractors, many who are in this region, have been forced to lay off employees due to stop-work orders on contracts that are current and the uncertainty of future contracts. This work and these wages will never be recouped.

I received countless calls from Federal employees and contractors who are concerned about paying this month's mortgage and even buying food. I have heard from a man in my district who works for an agency that is shut down, as does his wife. Not only are they having trouble paying this month's mortgage, their daughter's \$13,000 college tuition bill just arrived.

I heard from a railroad retiree who received notice his retirement benefits will be cut 67 percent in January due to a lack of appropriations from the U.S. Treasury.

I have heard from a woman who works for Computer Data Systems, a Federal contractor. They furloughed employees, forcing them to take leave in order to pay them.

Not only are employees' summer vacations now being used up, soon their leave will run out, and they may be furloughed without reimbursement.

I heard from another Federal contractor, who has begun laying off employees, not just furloughing them. If he is able to rehire them, they will have to wait 9 months to 1 year before being covered by the company's health insurance, again due to a preexisting condition clause.

I have heard from a constituent whose niece is in the Peace Corps in Kenya. Due to the shutdown, she did not receive her allotment of money to buy a plane ticket home.

The local economy has suffered tremendously. Restaurants have been forced to lay off employees. Travel agencies are losing business by doing that which they usually get at this peak time. And the local tourist industry has been crippled.

Just some statistics: Each day of the shutdown, over 260 small businesses are not receiving SBA guaranteed financing, totaling over \$40 million of loans. Each day of the shutdown, 95 percent of workplace safety complaints are going unanswered. Each day of the shutdown, an average of 383,000 people cannot visit National Park Service facilities. Campgrounds, monuments, visitor center are closed in 155 national forests.

Each day the State Department cannot process 23,000 applications for passports it would receive. Each day the State Department cannot issue 20,000 visas to visitors who normally spend an average of \$3,000 on their trips.

All EPA non-Superfund civil environmental enforcement actions have stopped, costing \$3 million a day in fines or injunctive relief against polluters.

We heard that just this week toxic cleanup in Superfund sites has run out of money and that will not be happening.

We could go on and on with the fact that 20,000 people have not been able to get Federal college loans because of the shutdown, 2,500 home purchase loans with FHA have not been awarded because of the shutdown.

All of this, and NIH, as a matter of fact, which is in my district, 2,000 grants have not gone out, leaving grantees with a break in their funding system, uncertain whether or not they can continue research. That is research to isolate the colon cancer gene, the breast cancer gene, working on Alzheimer's, Parkinson's, all of the various diseases and ailments where they can and are working and trying to come up with cures.

I further feel that it is so unfair to these Federal employees to not let them receive a check for work they have done or work that they want to do that they cannot do; therefore, finally, Mr. Speaker, I have said that my salary that would be comparable to the period of time when Federal employees are not being paid will be withheld, because I am a Federal employee and I should be treated the same way.

It is time to call an end to this shutdown and go on with the balanced budget.

ORDER OF BUSINESS

Mr. DURBIN. Mr. Speaker, I ask unanimous consent that I may be recognized in the place of the gentleman from West Virginia [Mr. WISE] for 5 minutes.

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

There was no objection.

THIS IS PERSONAL RESPONSIBILITY?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DURBIN] is recognized for 5 minutes.

Mr. DURBIN. Mr. Speaker, I thank the gentlewoman from Maryland for her comments. I hope that she can rally 19 of her Republican colleagues. That is all we need to reopen this Government, and I hope that we can vote on that before there is any suggestion that this Congress leave for another 3 weeks.

Another Republican, the gentleman from Virginia, said earlier Congress is about to set out on another paid vacation, another 3 weeks away from Washington, while this Government is shut down. If it happens, and I sincerely hope it does not, I hope that my colleagues, particularly my Republican colleagues, who have endorsed this strategy, the Gingrich strategy of Government shutdown, will go home and listen to what the people on the street have to say about what we are doing.

This morning I stood at the Jefferson Park CTA stop in the city of Chicago for about an hour and a half, and as a thousand people came by, I took my poll, and I can tell you people across this country are damn disgusted with what is happening here in Washington. They cannot countenance how we can allow 280,000 Federal workers to be furloughed and three-quarters of a million workers to have their pay in jeopardy.

You see, they listened to the Gingrich rhetoric about personal responsibility, personal responsibility, and yet they see the same leaders who are sending Federal workers home unpaid and underpaid, taking their full congressional paychecks every single day. They hear these pious pronouncements about personal responsibility while Members of Congress with full pay go home for a Christmas vacation content in the knowledge they will be able to make next month's mortgage payment while hundreds of thousands of Federal workers do not have that certainty and have a bleak Christmas and holidays as a result of it.

The gentlewoman from Maryland referred to the National Institutes of Health. My brother, who is a retired Federal employee, swims every morning with some doctors from the National Institutes of Health. They were hopping mad this week because Members of Congress are still referring hardship cases to the National Institutes of Health while they fail to fund that agency adequately. In other words, we want them to continue performing their services, and yet will not make their paychecks whole. We will not treat them as an agency of great importance, which they are.

Personal responsibility, Mr. GINGRICH? It is not even close. It is arrogance.

And we also heard this talk about a family-friendly Congress. That is a hoot. That is a real hoot for Members here.

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You see Members dropping out in droves because of this schedule and the madness that we have gone through for the past year.

But forget us for a moment. Think about the innocent families that are being disadvantaged by this shutdown. Think about those families and the impact that they feel. A young woman calls me, a college student, had a chance to go on a mission for a church to Haiti over Christmas. That was going to be her gift to poor people, and she could not get a passport. Another family called, having tried to sell a home in their family estate for month after month, had to cancel the closing because the Veterans' Administration cannot process papers because of the Gingrich shutdown.

Now the Gingrich folks say this is a matter of personal responsibility. It is a matter of principles. Let me tell you, it is not a matter of principle if it is somebody else's paycheck on the line. It is a matter of principle to put your own paycheck on the line.

The reason I became so angry and objected a minute ago to the District of Columbia appropriation is because the bill that should have been brought to the floor would include a bill from the Senate that has my bill in it, "no budget, no pay." A bill that says when the budget shuts down, we stop issuing congressional paychecks.

You know what would happen if Members of Congress did not get their paychecks? This crisis would be over in a heartbeat. Over in a heartbeat. You would start counting the case for these paid vacations and recesses and realize you are not going to get paid. I have given up my congressional salary during the shutdown. It is painful for me and my family.

I guarantee you if every Member of Congress did it, if Speaker GINGRICH did it, if Mr. DELAY, who considers him some constitutional officer of some kind, or Mr. ARMEY did it, they would think twice about another recess while this Government is shut down. They would think twice about congressional junkets and trips. They would think about doing the business of this country.

Why in the world are we taking it out on all of these innocent people, hundreds of thousands of people? If you have a problem, show your statement of principle, show your character, put your own paycheck on the line. Do not take it out on the innocent people across this country.

Let me close by saying this: We are seeing the face of modern Republicanism, the face of Gingrich Republicanism, and it is a mean face. It is a face

that looks for innocent victims. Is it any wonder that the Democrats and President Clinton have second thoughts about the Gingrich budget plan? We see what they will do with the Government shutdown. Imagine what they will do if they get to write this budget for the next 7 years.

FUNDAMENTAL ISSUE OF SEPARATION OF POWERS

The SPEAKER pro tempore (Mr. KINGSTON). Under a previous order of the House, the gentleman from Georgia [Mr. BARR] is recognized for 5 minutes.

Mr. BARR. Mr. Speaker, in all of the debate and the rancor over the current budget problems that we are facing, some other more fundamental problems seem to be being lost. One of those I was reflecting on today and would like to bring to the attention of this body, and that is a pattern of conduct on the part of this administration, an attitude, if you will, on the part of this administration, to disregard constitutional powers involving the separation of powers between the different branches of government, namely the Congress of the United States and the presidency.

Mr. Speaker, since assuming my seat in this Congress last year, I have witnessed a series of constitutionally suspect acts and pronouncements by the current administration, beginning with the administration's unilateral and unauthorized bailout of the Mexican peso, through the White House's cavalier approach to Congressional authorization for approval of U.S. troop deployment in Bosnia, to the recent pattern of circumventing Congressional authority over the government's power to borrow.

I have seen, Mr. Speaker, a deeply disturbing and troubling trend, raising the specter of an administration overstepping the proper and constitutional bounds of executive power.

It is no secret, Mr. Speaker, that from the beginning many of us in this Congress viewed the administration's Mexican peso bailout as unwise monetary policy. The practical legacy of that ill-advised decision will reverberate to the national detriment through the financial community, and indeed our local communities, for many years to come. These problems will occupy me and me colleagues on the Committee on Banking and Financial Services in the coming months.

What troubles me, Mr. Speaker, from a constitutional perspective, is the way in which the administration finessed the underlying legal issue of whether the President and the Treasury Secretary had the authority to jeopardize our national treasury in the first instance.

When I wrote to Treasury Secretary Rubin questioning the legality of using U.S. resources to guarantee the government securities of another country, I received assurances from his general counsel that "This is a consideration of

monetary and foreign policy," and that it is "an area that is properly left to the discretion of the President and, acting with the President's approval, the Secretary of the Treasury."

Mr. Speaker, such a response does worse than insult the intelligence, it ignores the Constitution. The administration's attitude on executive prerogative was demonstrated again during the debate over the deployment of troops to Bosnia. In the November 23, 1995, edition of the Tampa Tribune, for example, Clinton spokesman McCurry was asked about the funding for this mission. He said "The importance of the mission that we must undertake here will not be circumscribed by funding." He then assured, Mr. Speaker, reporters that the President "Will figure out how to pay for it, one way or another."

Mr. Speaker, I worry greatly that "One way or another" is a thinly veiled reference to move in a way that is constitutionally impermissible. Mr. Speaker, it is black letter constitutional law that with the Congressional power of appropriation in Article I goes right to specify how appropriated monies shall be spent, a congressional and parliamentary understanding more than 300 years old.

This cavalier attitude by the President and his staff on Congressional approval represents an entirely unaccountable shift in the constitutional understanding that has governed the relationship between the several branches of the Federal Government for over 250 years. This problem with the abuse of executive power has most recently been demonstrated by the administration's approach to the debt limit and the misuse of government trust funds in violation of Congressional power to set borrowing limits, power vested in the Congress by the Constitution. The use of government funds by the Thrift Savings Board clearly demonstrates, Mr. Speaker, that this Executive Branch is issuing new debt instruments and thwarting Congress' exclusive power to control the national debt.

In light of this pattern of conduct, Mr. Speaker, I strongly urge that this body, this Congress, and its appropriate oversight responsibility, initiate hearings and begin to take strong measures that will restore the proper balance between these two branches of the government. This looming notion of "Government by Executive" has plainly gotten out of the control, and the people of the United States, in Congress assembled, should not tolerate these such usurpations of their authority vested in them by the Constitution.

CONGRESS SHOULD TAKE THE RESPONSIBILITY TO KEEP GOVERNMENT RUNNING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.