

emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Romania and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning emigration laws and policies of Romania. You will find that the report indicates continued Romanian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 3, 1996.

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on January 3, 1996, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 2808. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until March 31, 1996, and for other purposes.

#### MESSAGES FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the resolution (H. Res. 326) informing the Senate that a quorum of the House is present and that the House is ready to proceed with business.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1750. A communication from the Secretary of the Judicial Conference of the United States, transmitting, a notice relative to funding of the Judiciary; to the Committee on Appropriations.

EC-1751. A communication from the Chairperson of the Defense Environmental Response Task Force (DERTF), Office of the Under Secretary of Defense, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Armed Services.

EC-1752. A communication from the Deputy Chief (Programs and Legislation Division), Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a notification relative to the contracting of work currently performed at Newark Air Force Base (AFB), Ohio; to the Committee on Armed Services.

EC-1753. A communication from the Director of the Office of Management and Budget, the Executive Office of the President, transmitting, pursuant to law, the report on appropriations legislation within five days of enactment; to the Committee on the Budget.

EC-1754. A communication from the Chairman of the Civil Tiltrotor Development Ad-

visory Committee (CTRDAC), Office of the Assistant Secretary of Transportation, transmitting, pursuant to law, the final report; to the Committee on Commerce, Science, and Transportation.

EC-1755. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report on the state energy conservation program for calendar year 1994; to the Committee on Energy and Natural Resources.

EC-1756. A communication from the Deputy Associate Director for Compliance, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1757. A communication from the Deputy Associate Director for Compliance, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1758. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report on the Trans-Alaska Pipeline Liability Fund; to the Committee on Energy and Natural Resources.

EC-1759. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to the Assistance to support Nigeria and other states participation in the peacekeeping mission in Liberia; to the Committee on Foreign Relations.

EC-1760. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-1761. A communication from the Executive Director of the Japan-United States Friendship Commission, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Foreign Relations.

EC-1762. A communication from the President of the National Safety Council, transmitting, pursuant to law, the report on internal controls and financial management systems in effect during the fiscal years ending June 30, 1995, and 1994; to the Committee on the Judiciary.

EC-1763. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the Office of Minority Health; to the Committee on Labor and Human Resources.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1371. A bill entitled the "Snowbasin Land Exchange Act of 1995" (Rept. No. 104-201).

#### INTRODUCTION OF BILLS AND JOINT RESERVATIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. CRAIG:

S. 1515. A bill for the relief of Benjamin M. Banfro; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COCHRAN (for himself and Mr. LOTT):

S. Res. 207. A resolution to congratulate Brett Favre, a native of Kiln, Mississippi, for winning the 1995 National Football League Most Valuable Player Award; considered and agreed to.

By Mr. DOLE (for himself, Mr. HATFIELD, and Mr. BYRD):

S. Res. 208. A resolution commending J. Keith Kennedy; considered and agreed to.

#### SENATE RESOLUTION 207— RELATIVE TO BRETT FAVRE

Mr. COCHRAN (for himself, Mr. LOTT, Mr. FEINFOLD, and Mr. KOHL) submitted the following resolution; which was considered and agreed to:

S. RES. 207

Whereas Brett Favre, a native of Kiln, Mississippi, is a professional football player with the Green Bay Packers;

Whereas Brett Favre has demonstrated extraordinary skills as an athlete and has proven himself a leader and top performer in the National Football League;

Whereas Brett Favre has been named the Most Valuable Player of the National Football League for 1995: Now therefore be it

*Resolved*, That the Senate of the United States congratulates Brett Favre for the outstanding season he has had as quarterback of the Green Bay Packers and for being named the Most Valuable Player of the National Football League for 1995.

#### SENATE RESOLUTION 208— COMMENDING J. KEITH KENNEDY

Mr. DOLE (for himself, Mr. HATFIELD, and Mr. BYRD) submitted the following resolution; which was considered and agreed to:

S. RES. 208

Whereas J. Keith Kennedy has served as majority or minority Chief Clerk and Staff Director of the Committee on Appropriations since January 3, 1981;

Whereas he has ably served the Senate in various other roles since September of 1972;

Whereas he has served as Clerk of the Legislative Branch Appropriations Subcommittee, in which capacity he has endeavored to provide for the welfare and benefit of the entire U.S. Senate and its employees;

Whereas he has overseen the modernization and streamlining of the day-to-day operations of the Senate Appropriations Committee;

Whereas he has ably represented the interests of the Appropriations Committee and the Senate in all budget negotiations since 1981;

Whereas he has upheld the high standards and traditions of the Senate with abiding devotion; and

Whereas he has earned the respect, affection and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That on this fifteenth anniversary of his tenure, the Senate express its commendation, appreciation and gratitude to J. Keith Kennedy for his continuing service and for jobs well done.

## AMENDMENTS SUBMITTED

FEDERAL EMPLOYEES  
LEGISLATIONDOLE (AND WARNER) AMENDMENT  
NO. 3114

Mr. DOLE (for himself and Mr. WARNER) proposed an amendment to the bill (S. 1508) to assure that all Federal employees work and are paid; as follows:

In lieu of the House amendment, insert:

**SEC. 2. 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. 3. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.**

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 eligible for unemployment compensation benefits with no waiting period for such eligibility to accrue. With respect to any person who is eligible for such benefits by reason of the preceding sentence, any such benefits received shall be subject to repayment in the same manner and to the same extent when eligibility by reason of the preceding sentence ceases as if such cessation were an end to the period of unemployment.

## TITLE II

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. (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 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 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, and the John F. Kennedy Center for the Performing Arts; and

All projects and activities necessary to process passports, 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 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 considered under that 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. 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 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 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) September 30, 1996, whichever first occurs.

SEC. 207. 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. 208. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 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. 209. 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 III—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. 301. (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 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 311 or 312 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. 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 title of this joint resolution.

SEC. 305. 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. 306. 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) September 30, 1996, whichever first occurs.

SEC. 307. 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. 308. 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. 309. No provision in the appropriations Act for the fiscal year 1996 referred to in section 301 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 306(c) of this joint resolution.

SEC. 310. 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. 311. Notwithstanding any other provision of this title of this joint resolution, except section 301, whenever the Act listed in section 301 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 of operations for an ongoing project or activity provided by section 301 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 301 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 account 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. 312. Notwithstanding any other provision of this title of this joint resolution, except section 206, when ever the rate for operations for any continuing project or activity provided by section 301 or section 311 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. 313. Notwithstanding any other provision of this title of this joint resolution, except sections 306, 311, and 312, 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. 314. 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. 315. 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. 316. Notwithstanding any other provision of this title of this joint resolution, except section 306, none of the funds appropriated under this title of this joint resolution shall be used to implement or enforce any system or registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but limited to registration for the purposes 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 IV—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. 401. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERAN'S 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. 402. Section 401 shall cease to be effective on September 30, 1996.

#### 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.”

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ORDERS FOR THURSDAY,  
JANUARY 4, 1996

Mr. COCHRAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 11 a.m. on Thursday, January 4, 1996; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be re-

served for their use later in the day, and there then be a period for morning business until the hour of 12 noon, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

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PROGRAM

Mr. COCHRAN. Mr. President, for the information of all Senators, negotiations will continue tomorrow on the Balanced Budget Act by the year 2002. However, rolcall votes are not ex-

pected during Thursday's session of the Senate.

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RECESS UNTIL 11 A.M. TOMORROW

Mr. COCHRAN. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in recess under the previous order.

There being no objection, the Senate, at 3:46 p.m., recessed until Thursday, January 4, 1996, at 11 a.m.