

an entrepreneur who runs a small business—simply a bakery—which provides food for individuals, and they had to furlough three-quarters of their work force today. But that is by the tens of thousands throughout Virginia in the private sector.

The tragedy, Mr. President, is that there is no back pay coming to those private sector employees who are being laid off as a consequence of this partial shutdown of the U.S. Government.

So I extend to my colleagues here in the U.S. Senate a most fervent plea that they allow the Senate leadership, most particularly the majority leader, to pass today those matters that will be coming from the House by a voice vote such that they can become law after the President's signature.

It is my fervent hope that the President will recognize the problems throughout this Nation today and that he will come forward with a balanced budget, as is his obligation, so that we can quickly come to closure on this matter.

I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDENT pro tempore. The distinguished Senator from New Mexico.

Mr. BINGAMAN. Mr. President, before the Senator from Virginia leaves the floor, I wanted to just ask in a very straightforward way if he had any more information than I have been able to get about what might be in the bill which would be coming to the Senate from the House of Representatives on several different issues. And I would ask the President pro tempore at this time if the Senator from Virginia would be able to respond to my question on this issue.

Mr. WARNER. Mr. President, the answer to that rests in a meeting that is now taking place by the Speaker of the House together with the Republican colleagues. I would not want to venture any speculation as to what might emerge. I think the reports today in the press are reasonably accurate as to the framework of what would come about by this.

So I have been in consultation with the Republican Members of the greater metropolitan area of Washington, primarily Congressmen DAVIS and WOLF and Congresswoman MORELLA, this morning. As yet, I would not want to try to speculate as to the final action.

I know essentially it is in two parts. One is to try to restore the Government across the board in terms of people returning to their work with pay for the future and backpay, and then the possibility of coupling another provision which would be contingent on the President of the United States being forthcoming with a balanced budget, which has always been the bottom line. It seems to me that it is a very reasonable request by the Republican leadership of the House and the Senate.

Mr. BINGAMAN. Mr. President, I appreciate that response.

I guess what caused me to come to the floor today was an article which came out in our paper in New Mexico today saying that "The Federal budget deadlock has caused depleted drug cupboards at the Veterans Administration hospital in Albuquerque. The hospital's procurement division has warned pharmacists that drug stocks soon will be exhausted."

Then they go on to say, "What is the Government thinking about these people who fought for their country?"

I was wondering if the funding in the bill that would come from the House would provide money to the Veterans' Administration to buy drugs for the VA hospital in our State. I have a one-page summary of what might be passed by the House. It says here veterans' compensation, pensions, and education programs would be covered. But it does not say anything about the VA hospital functions and the expenses for drugs for veterans. I do not know if the Senator from Virginia has any information on that.

Mr. WARNER. Mr. President, at this time I do not have the specific answer to my distinguished colleague, who, by the way, serves with me on the Senate Armed Services Committee, and I, like the Senator from New Mexico and, indeed, the Presiding Officer, feel very strongly about this Nation's obligation to its veterans. I will try to get a very prompt answer.

Mr. BINGAMAN. Mr. President, if the Senator would be able to get answers to two other questions, I will just pose those and then yield the floor.

One pertains to our Department of Labor in New Mexico. This is another article that was in our papers there. It says that the Department of Labor employs State workers but they use Federal funds to pay their salaries. I gather that is a normal practice all around the country in the Department of Labor. They operate the unemployment compensation program and a variety of programs there, and the State workers are paid with Federal funds.

Does the bill which is being considered in the House contemplate that there would be funds to pay the State workers who are paid with Federal funds as well as the Federal workers, or does the Senator from Virginia know?

Mr. WARNER. Mr. President, I do not have the specific answer. I will get it and provide it to the Senator. But I hope that this measure would cure that situation because a great many State workers are dependent on some Federal source as a means of being able to continue with the performance of their duties.

Mr. BINGAMAN. I thank the Senator very much.

There is a similar article about the Bureau of Indian Affairs activities in our State and how that agency has had trouble buying food, heating oil, trucks, and other equipment in order to perform their responsibilities on the reservations.

I hope we can get information as to whether or not those items would be covered by this kind of a bill which is coming to us.

I say to my colleagues, the information that I have been given is that there would not be funds made available for anything other than the salaries of the Federal workers. Obviously, that becomes a problem if your job as a Federal worker requires you to drive a vehicle and you have to have funds to buy gasoline for that vehicle.

The other issue on which I hope we can get an answer relates to an article I saw that the Government shutdown has delayed the construction of a fence at the United States-Mexican border. I had the occasion a few weeks ago when I was in Dona Ana County in my State near El Paso to get a tour of the area for the planned construction of a fence that would go along the southern part of the Anapra area between the United States and Mexico. This is a priority for the law enforcement officers of that region. It is a law enforcement issue. They feel the incidence of crime across the border has increased very dramatically and they need to get this fence up. The article I saw indicated that because contract officers responsible for obtaining building materials have been furloughed, work on that project has had to stop.

I hope very much that when we get the bill from the House of Representatives it will contain funds, authorization and appropriation of funds, for those items as well. So I will not delay the Senate further at this point, Mr. President. I do think that there are a great many activities going unattended, a great many needs going unaddressed which I hope this House action today will correct.

Again, I have spoken several times on the Senate floor this week commending the majority leader and other Senators, all Senators, Republican and Democratic Senators, for the continuing resolution that was passed earlier this week and sent to the House. In my opinion, that was the correct and responsible way for us to proceed. It demonstrated and reflected the recognition that the Congress as well as the President have a shared responsibility to maintain a functioning Government. I think that is the essential issue: Do we agree that we in Congress share in that responsibility to maintain a functioning Government? I feel very strongly that we do. I think all Senators indicated their belief that we do by agreeing to that continuing resolution. I hope the action by the House reflects the same recognition of that responsibility.

Mr. President, I yield the floor.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER (Mr. WARNER). Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, at 11:15 a.m., the Senate recessed subject to the call of the Chair.

The Senate reassembled at 4:07 p.m. when called to order by the Presiding Officer (Mr. WARNER).

#### ORDER OF PROCEDURE

Mr. DOLE. Mr. President, we are waiting on the Senate side for, I think, three bills to come over from the House which would in effect put Federal workers back to work, and which is targeted, to a certain extent—two of the bills cover many of the agencies that the Presiding Officer has been concerned about as has this Senator and others on both sides of the aisle. Then there is the third bill which would be the one with the CR until the January 26 date, if the President submits a balanced budget as scored by the Congressional Budget Office.

As I understand, they passed one. They are now on the second. It may be another hour, 2 hours, 2½ hours.

#### RECESS

Mr. DOLE. For the benefit of staff who must sit here, I move the Senate stand in recess until 6:30 p.m.

The motion was agreed to, and the Senate, at 4:08 p.m., recessed until 6:29 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. STEVENS).

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

#### RECESS

Mr. CRAIG. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate now stand in recess until the hour of 7:30 p.m.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, reserving the right to object—I will not object—could the distinguished Senator give us some idea of what the schedule will be for the rest of the evening?

Mr. CRAIG. Mr. President, it is my understanding that when the majority leader and the minority leader return from the White House, where they are now meeting with the President, the Senate will reconvene at 7:30 in an effort to bring up the resolutions that have now been passed by the House.

Mr. FORD. We still have some others that are yet to be passed that we are to receive tonight, I understand.

Mr. CRAIG. I understand that is the case. It is our belief that they will attempt to handle the business at that time under unanimous consent.

Mr. FORD. As I understand it, will they be coupled together en bloc, or will we be able to work on them one at a time?

Mr. CRAIG. I am advised that it is the intent of the leader to attempt to

do the two pay bills, or spending bills, if you will, en bloc.

Mr. FORD. That is the one that directs the President for a continuing resolution if he lays down a budget that is certified by the Congressional Budget Office and the Speaker of the House.

Mr. CRAIG. I believe that to be the case.

Mr. FORD. I thank the Senator. I have no objection.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, could I inquire of the distinguished acting majority leader: We will have a period of time in which to examine these?

Mr. CRAIG. That is certainly the intent of leadership. The two continuing resolutions have passed the House. They are now in the Senate and can be examined at this time, as I understand it, while the Senate will stand in recess for the next hour.

Mr. WARNER. Mr. President, I have not had the opportunity to examine those. I wanted to make sure.

Mr. CRAIG. I think all Senators who are present would want to examine those before they are considered.

Mr. WARNER. Mr. President, I thank the distinguished Senator.

The PRESIDING OFFICER. Is their objection to the request?

There being no objection, the Senate, at 6:31 p.m. recessed until 7:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. STEVENS).

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate be allowed to proceed in morning business until the return of our leaders.

The PRESIDING OFFICER. Is there any objection? Without objection, it is so ordered.

#### THE BUDGET DILEMMA

Mr. CRAIG. Mr. President, it is my understanding, and I think the understanding of most of the Senators present, that the majority leader and the minority leader are at the White House at this moment once again meeting with the President as we try to unravel and resolve the budget issue that we are now in that has brought a portion of our Government to a standstill.

I, like many of my colleagues, am tremendously frustrated by the process of the last several weeks which has failed to produce a resolution that appeared to be a resolution committed to by the White House some weeks ago, that we would negotiate on the terms of a 7-year balanced budget reviewed by CBO figures. That simply has not materialized. And, of course, over the course of the last several weeks, with well over 200,000 Federal employees unemployed by failure to act, it is now time for the Congress to move to the issue of those Federal employees and resolve it.

As many of us know, the House earlier today passed a resolution that would allow those employees to come back to work for a period of time which results hopefully in the ability then of the Congress to move toward a balanced budget and resolve that issue and for us to be able to conclude the budget and get on with the business of operating this Government as I think the American people expect us to do.

I find it ironic that we are yet fumbling with the issue of a budget when we are nearing a statutory deadline that the President must agree to for the submission of a 1997 budget.

Here we are having failed to complete a 1996 budget that is balanced, that honors the commitment that we believe we hold with the American people to produce a balanced budget over the course of the next 7 years, and it will be on February 5, exactly 1 month from today, that the President by law is responsible for submitting the 1997 balanced budget, a product of the 1974 Budget Act.

Why are we in this dilemma at this moment? I think, except for the HHS, Education appropriations bill that my colleagues on the other side of the aisle have refused to allow us to debate and to bring to a vote and to send to the President, the Congress has done its homework. It has done what it is responsible for doing under the Constitution in submitting to the President the appropriate appropriations bills.

The President's only action has been to veto, veto, veto the bills that would have kept the veterans' hospitals fully up and running, that would have kept the veterans' programs alive and operative; instead of being subject to the criticism we now hear, that the pharmaceutical shelves at some of our veterans' hospitals may be growing empty if we fail to act responsibly in a short period of time.

The President's actions, if he had not vetoed, would have kept the national parks and the forests and the museums opened and would have funded the Department of Justice and given law enforcement block grants to the States, would have allowed numerous agencies to continue and to complete their obligations to small business contractors and suppliers and provide passport services, and so on and so forth.

That is exactly what has happened. We have watched this President as he