

At the beginning of this year, the first piece of legislation that this Congress considered and, indeed, enacted and signed into law by the President was the Congressional Compliance Act that required Congress to abide by the same laws that apply to the rest of this country. I think that this legislation certainly reaffirms that policy and moves us in that direction. It is a matter of fairness. It is a matter of equity. It is right.

So with that, Mr. President, I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I want to join with my colleagues, the Senator from Maine and the Senator from California, in supporting this legislation to have Senators and Congressmen treated the same as all other Federal employees.

I agree with the Senator from Maine on everything she said but for one thing. If the majority leader of the Senate wanted this bill up, he could have brought it up tonight. That is the power of the majority leader. If the majority leader wanted this up tomorrow, he could have included it in the unanimous-consent request to bring it up tomorrow, and we would vote on it tomorrow.

So let us have no doubt about it, it is up to the majority leader whether or not we vote on this or not and no one else on this floor. With that one exception, I agree with everything else the Senator from Maine said.

She was right, as was Senator BOXER, that earlier this year one of the first bills we passed was a bill to make sure that all the laws that apply to other people apply to Members of Congress. We all applauded that, voted for that, that we all live under the same laws. People cannot understand why we had gone so long without doing that, but we did it. But there was one glaring loophole. When it comes to our pocketbook, we want to be treated differently than all other people and all other Federal workers.

As the Senator from California said, there are hundreds of thousands of Federal workers who went home today not knowing that they are not getting paid for the work they do. There are others who are not even going to work and not getting paid. But our pay is automatic. It is like an entitlement. We have an entitlement for our pay. No matter what happens, we continue to get paid.

We just finished a day of activity here, the last vote of the day. There are five Senators left on the floor. Everybody has taken off. They have gone home secure in the knowledge that no matter what happens, the paychecks we get next Monday will be full. We will get paid for every day that we are here.

That is kind of a nice thought, is it not, Mr. President? It is kind of a nice thought to go home in the evening after a long day's work and know that

when your next paycheck comes, you are going to get paid. Think about it, think about all those workers, think about our staff people here, think about all the Federal workers, think about the air traffic controllers if you will, Mr. President, who are out there working a very high-stress job, safely guiding aircraft through crowded corridors. It is a high-tense job. It is a job that requires a lot of skill, intense concentration, good judgment and decisiveness. Air traffic controllers put in a hard day's work. Just think, Mr. President, they are going home tonight knowing that next Monday when they get their pay, they will not be paid for the work they did today or the work they did yesterday or the work they did the day before.

How do you think that works on someone's mind? These are people like you and me. They have homes, mortgages, kids in school and illnesses. We are very smug around here, are we not? We are so smug around here because nobody can touch us. We get our pay; we do not care what happens.

I tell you, I think it is one of the grossest things that is going on today in Congress and in the Federal Government that we can shut it down, throw all these people out or force people to come to work, so-called essential people have to go to work but they are not getting paid. I thought we did away with slavery in this country. They have to come to work, but they are not going to get paid. It is just not justifiable.

So I think at least we ought to take up the bill and pass it. It just says if we are not doing our jobs, we do not get paid like other Federal workers until this bill passes. Apply the same rule that applies to air traffic controllers, drug enforcement agents, Medicare fraud investigators, FBI agents, Defense Department personnel—everyone else. Make the same laws apply to us.

You wonder sometimes why people in this country are so cynical about Congress. Well, you do not have to wonder too long when you see what is happening now. So smug around here, we can do all this. We do not care what happens. Send all these workers home. Make them come to work. Tell them they do not get paid.

I see our distinguished majority leader is back on the floor. I think we ought to take up the bill tomorrow and just pass it. I cannot imagine any votes against it. Who would be against applying the same laws to us as apply to other Federal workers so we do not get our pay the same way as anybody else in the Federal Government until this situation is resolved?

When this goes on, I can understand why people are so cynical about the Federal Government, cynical about Congress. All the good that we did earlier this year in passing that Congressional Accountability Act and applying laws to Congress that other people have to live by probably all got flushed down the toilet right now with this

kind of action, because people know that we are getting paid. Other people working for the Federal Government are not getting paid. It is not fair, and I think we ought to take up the Snowe bill tomorrow and pass it.

I ask unanimous consent, if I am not a cosponsor, to be added as a cosponsor of that bill. I think we ought to bring it up and pass it as soon as possible. I yield the floor.

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

The majority leader.

Mr. DOLE. Mr. President, I will just take a minute or two. The Senator from Delaware wishes to speak and then the Senator from Rhode Island, Senator PELL. Are there any other Members on that side who wish to speak? If not, I will put it on automatic pilot.

ORDER FOR RECESS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate stand in recess following the remarks of Senator BIDEN, Senator PELL and myself.

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

THE NO BUDGET-NO PAY BILL

Mr. DOLE. Mr. President, let me say, I am a cosponsor of the bill, and I agree we ought to figure out some way to get it passed. I hope that we can resolve that tomorrow. I must say there is opposition, some on each side. I think the American people would feel better about it—

Mrs. BOXER. Will the majority leader yield? I was not aware we had any opposition on our side of the aisle.

Mr. DOLE. Maybe there is none on that side. I will reserve that.

Mrs. BOXER. Because I have been working hard, and I have not come up with anybody who is opposed.

Mr. DOLE. I understand there may be some opposition on this side. We will try to see what happens tomorrow.

A BIPARTISAN MAJORITY

Mr. DOLE. Mr. President, I want to take just a moment to comment on the vote that we just had. It seems to me when the vote is 60 to 37, we pretty much replicated what happened in the House about midnight last night, where 48 Democrats joined Republicans in a bipartisan effort to open up the Government, take the lid off, put people back to work and balance the budget in the next 7 years.

It seems to me that is the best of both worlds. I am very proud of that strong bipartisan majority of 60 Senators who stood up tonight for our Federal workers and for a balanced budget which will mean a brighter future for our children and our grandchildren.

I think we keep losing sight of why we want to balance the budget and why should we be concerned. I must say, we

have to keep reminding ourselves, the language we use does not resonate because we keep talking about balanced budget, CR's, debt ceiling extensions, and it does not mean a thing to many people, but their children mean a lot to people and their grandchildren mean a lot, and that is what this debate is all about. It is not about numbers, it is not about a continuing resolution, it is not about a debt ceiling extension, it is not about any of us in this Chamber; it is about trying to do something for a lot of our young people who are going to want to find jobs.

I must say, as I read the Washington Post editorial again and again today—because I could not believe it; it was a good editorial—it talked about the real default, the default of leadership on the other side of the aisle.

I must say, as the Senator from New Mexico said earlier, when you do a lot of heavy lifting, you get a lot of criticism. We have been doing a lot of heavy lifting. We believe the American people gave us somewhat of a mandate to make fundamental change last November, and we have kept our word and our promise. We have worked together, and we have had some bipartisan support, just as we have had tonight. So it is not just a Republican effort. We had a number of Senators join us earlier this year on a balanced budget amendment. We lost by one vote. We hope to bring it up again.

Now, President Clinton says a lot of things at different times and in different ways. Yesterday, at a news conference or in a short statement, he mentioned the phrase "balanced budget" 16 times, by actual count. If the people who watched television last night saw the clips of what he has been saying in the last 2 years, he talked about a 5-year balanced budget when he was a candidate, then maybe 10 years, maybe 9, maybe 8, maybe 7.

Now, I think the President could indicate that he is in good faith by signing this bill. There is nothing in this bill that is going to hamstring the President of the United States. Nothing commits him to do anything, except it says we shall enact a balanced budget amendment in the next 7 years, using CBO estimates—updated CBO estimates—the very estimates that President Clinton asked us to use. CBO is the Congressional Budget Office, for those who do not understand these initials all the time. But when he first spoke to a joint session of Congress, he boasted about using CBO—Congressional Budget Office—figures in his budget and said they had been, as I recall, fairly accurate over the years. And they have been accurate over the years.

So we are not asking too much of the President of the United States. I am not one who advocates shutting down the Government of the United States. I would like to find some resolution, and if we cannot do it with this continuing resolution, maybe we can figure out a

way tomorrow to resolve the differences.

What harm does it do the President of the United States to sign a bill that says we will have a balanced budget by the year 2002? He said today on television that he did not mind the 48 Democrats voting with Republicans last night because it was not binding. Well, if it is not binding on the 48 Democrats, why should it be binding on the President of the United States if he signs it?

Again, I want to thank my colleagues tonight who said to our Federal workers that it is time to go back to work, and said to the President of the United States, it is time to balance the budget. Again, I say, as I said earlier today, I do not think it does a lot of good to have press conferences every day where we say one thing and the President says something else. Why do we not sit down together, without the press? We are all adults. I believe the American people are looking to all of us for leadership. So the Government has been shut down Tuesday, Wednesday, Thursday, and it will be shut down tomorrow. Is that enough time? I think it depends on the leadership that we can produce in the next 24 hours. If not, we are going to go into the next week and then into the next week. I do not see much opportunity next week to have any resolution.

So I say, first of all, Mr. President, sign this resolution. It is not a bad resolution. I am told that the only objectionable feature is the balanced budget language, which does not legally bind the President of the United States. It seems to me that we may be very close. If the President would sign that tomorrow, and we send it down tomorrow—and I assume we will—then everybody can come back to work on Monday, and we could go on about the Balanced Budget Act of 1995, which we hope to finish tomorrow night around 10, 11 o'clock, maybe a little later. And then on Saturday morning, we will take up a conference report or two, and then Members could be off with their families for Thanksgiving, as many would like to do.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, I ask unanimous consent to include the Senator from Illinois, Senator CAROL MOSELEY-BRAUN, who would like to speak for up to 5 minutes.

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

The Senator from Delaware is recognized.

THE SHUTDOWN

Mr. BIDEN. Mr. President, I would like to comment on three items. One, I compliment Senator BOXER and Senator SNOWE for their initiative to treat us like everyone else; that is, if we are working and other Federal employees are working, and they are not getting

paid, we should not get paid. Most of the public in our home States do not realize that all of us have voted for that already. We voted for that twice already. Unfortunately, the House of Representatives has either inadvertently or, in fact, refused to bring that up. I will not make a judgment about that. But we have been on record for some time.

I think it makes good sense. I just depart from one comment made by one of our colleagues who supported this initiative. I do not think the Congressmen and Senators are smug about this. The truth about this much of this is artificial. I have been here for 23 years and although we have never had this extent of a crisis, we have shut down for a couple of hours or a day. In every case, it has been standard operating procedure that everybody is made whole. The Federal employees—everybody is made whole.

So I do not think most of our colleagues thought that this sort of stupidity would go on as long as it has. Therefore, I do not think my colleagues sat there and said, "By the way, I know people like the stenographer here, who is working, and I know he is not getting paid, and I do not care; ha, ha, ha, he is not going to get his paycheck." I do not think anybody thought about that.

I want to make this clear. Sometimes, in our zeal, we make it sound like this place is a little more heartless than it is. The truth is that there is an artificial element to this and, in all probability, nobody is going to end up losing a cent in this—unless this does go on for weeks or a month, which none of us wish to happen, and I think probably none of us believe will happen.

Now, sometimes we do stupid things. Sometimes ego and pride and politics and partisanship get in the way and everybody wakes up one morning and says, "My Lord, how did we get here?" I am hopeful that will not happen. That leads me to my second point.

My second point. I have great respect—and I mean this sincerely—for Senator DOLE, the majority leader. I have served with him and next to him for 23 years now. You cannot be around somebody that long and not get some sense of the man, the person. I do not know anybody who is smarter in this place, and I do not know anybody who is a better legislator in this place, or that I have had any better relationship or dealings with than him. I make one distinction in what he said. When he said the President is not bound in any real way if he were to sign the continuing resolution that the Senate sent to him, and he then mentioned the CBO figures, Congressional Budget Office figures—and he did accurately say the President, in the past, had mentioned Congressional Budget Office figures. But whether the President said it in the past or not, we all say things that turn out not to make so much sense sometimes—at least I have.