

have added to the deeming provision which would have defined the scope of employment once back to work. We are told that the Justice Department, or whoever would make that determination, would probably conclude that they could go back into almost normal duties. We were prepared to at least look at that provision. In fact, I ask unanimous consent that that provision be printed in the RECORD.

There being no objection, the provision was ordered to be printed in the RECORD, as follows:

SEC. . SCOPE OF EMPLOYMENT.

Employees excepted from furlough during any period in which there is a lapse in appropriations for the activity in which the employee is employed shall engage in the normal activities of their position, including the obligation of necessary operating expenses, but not including entering into new program obligations such as grants or contracts.

Mr. DOLE. Mr. President, it was not made part of the technical changes. The White House had some concern with it, too. In any event, we need to end the impasse. That is what I have been about and what the Senator from South Dakota has been about, and the Senator from North Dakota, along with a number of my colleagues. I met this morning with Congresswoman MORELLA from Maryland and Congressman DAVIS from Virginia, and I have been in contact with Congressman WOLF from Virginia and Senator WARNER from Virginia. They have a lot of Federal employees in their States and districts. We believe they ought to be paid. They should not be hostages or pawns. We ought to end this. It has gotten to the point where it is a little ridiculous, as far as this Senator is concerned.

We are going to keep trying. Hopefully, on Tuesday, if we cannot do anything else, we may pass whatever it takes on the Senate side, I say to my colleague from South Dakota.

In the meantime, I must object.

The ACTING PRESIDENT pro tempore. Objection is heard. The Democratic leader.

**UNANIMOUS-CONSENT REQUEST—
HOUSE MESSAGE ON S. 1508**

Mr. DASCHLE. Mr. President, I said this on the floor yesterday afternoon, and I will repeat it this afternoon. I know that the distinguished majority leader wants an agreement as much as I do, and I do not hold him personally responsible for the fact that we are not able to overcome this impasse. I commend him for his efforts at trying to do so again today.

Let me try one other option. We have already been unable to agree to a continuing resolution that would have put all Federal employees back to work with pay. We have been unable to agree to something that we agreed to last Friday, the 22d of December, which would have at least sent them back to their offices without pay. Perhaps we can try this.

I ask unanimous consent that the Senate proceed to the message from the House on S. 1508, that the Senate concur in the House amendment with a substitute amendment that includes the text of Senator DOLE's back-to-work bill, and the House-passed expedited procedures shall take effect only if the budget agreement does not cut Medicare more than necessary to ensure the solvency of the Medicare part A trust fund and, second, does not raise taxes on working Americans, does not cut funding for education or environmental enforcement, and maintains the individual health guarantee under Medicaid and, third, provides that any tax reductions in the budget agreement go only to Americans making under \$100,000; that the motion to concur be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DOLE. Mr. President, I want to say a few words. But I will object.

We are working on a lot of these things in our meetings at the White House, where we have both been for a number of hours. I think we have made some progress. We are a long way from any solution yet.

I think all of the things listed by the Democratic leader are areas of concern in the meetings we have had. And the meetings will start again on Tuesday. But it seems to me that it would not be appropriate to proceed under those terms, and therefore I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

VETOED APPROPRIATIONS BILLS

Mr. DOLE. Mr. President, I know there is an effort here by both sides to make a record. Even though we both agree that something is going to be done, I think we have Members on both sides of the aisle who may have different views. I am not going to ask consent that we reconsider all the appropriations bills that the President has vetoed. I have here a consent form prepared.

But I think we must keep in perspective that the reason many Federal employees are not working is because the President has vetoed the Interior bill, the State, Justice, and Commerce bill, and the HUD-VA bill; and, also the fact that Labor-HHS has been tied up on the Senate floor—I say this in no disrespect—because my colleagues on the other side of the aisle refuse to allow us to bring it up. We need 60 votes to do that. We only have 53.

So I want to continue to make the record that many Federal employees would be working today had the President signed the bills.

In the meantime what we thought we might do—we tried to do this one other time and it was objected to—is in essence—we are in these very serious negotiations, good-faith, bipartisan negotiations—send the bills back to the President, which he vetoed, and then

see if he will sign those bills, put people back to work, not temporarily but on a permanent basis, and then make the changes in this big agreement we hope to reach on each of those bills. But Senator LEAHY objected to that.

And then I was prepared to go through them one at a time and just say, Well, let us send the Interior bill, and let us send the next bill and the next bill, for a total of six bills. But I am certain those would be objected to.

But I just want the record to reflect that while we are not in agreement yet, I believe the White House, and I certainly believe the Democratic leader, Senator DASCHLE, and I know this Republican, and I know the Presiding Officer because he expressed his views earlier to me, would like to see this thing ended and Government employees go back to work and get paid. That is not going to happen, unfortunately, today. So it is not going to be a happy new year.

But we will meet the day after New Year's Day, on the 2d, and hopefully by then we will have some agreement that will pass the House, and they can start work by midweek.

Mr. DASCHLE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. DASCHLE. Mr. President, I share the view of the distinguished majority leader that it is important to come back on Tuesday and make our best effort to resolve the impasse. I am confident that at least on this side that can be done.

I would only remark very briefly that the President has indicated the way in which those bills could be signed. There is no reason why we would have to have the impasse. We can negotiate our differences on those bills just as we are negotiating our differences on the budget resolution. I hope we can do that sooner rather than later. We do not need the impasse on these appropriations bills.

With that, I yield the floor.

Mr. DOLE. Mr. President, I thank my colleague.

**ORDERS FOR TUESDAY, JANUARY
2, 1996**

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Tuesday, January 2d; that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there then be a period for morning business not to extend beyond the hour of 12:30 p.m., with statements limited to 5 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.