United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, FRIDAY, JANUARY 5, 1996 No. 3

Senate

(Legislative day of Wednesday, January 3, 1996)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, in the welter of human words, our souls cry out, ''Is there any word from the Lord?''

We wonder what You have to say about our present crisis. In our deepest hearts we know all too well. You call all of us to absolute honesty with You and with each other, and to mean what we say and to do what we promise. So often we speak across the cavern of contentious conflict, but do not listen to each other. You command all of us to humble ourselves and repent of the use of coercion because we have failed effectively to communicate our perception of truth or convince each other of the theories and programs we hold so dear. We meet, but sometimes there is not a meeting of minds because often our desire is to defeat those we consider to be the opposition and to rally the approval of our constituencies. Our attention to the polls keeps us poles apart. Pious attitudes mask petulant agendas.

O God, we all are accountable to You. We give up the human power struggle so that we may receive Your power to humbly move forward toward workable solutions. In the name of our Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator DOLE, is recognized.

SCHEDULE

Mr. DOLE. Mr. President, leaders' time has been reserved.

Mr. President, today we will be awaiting a possible House action on maybe one or two measures on returning Federal workers and also paying Federal workers who have not been paid.

We do not expect rollcall votes to occur during today's session. We do not know precisely what the form of the legislation will be when it comes from the House. We hope to be able to pass it by unanimous consent. So if anybody wants to object, they ought to be letting us know early because we will have to give 24-hour notice to get our colleagues back here sometime tomorrow for that vote.

I know that some indicated that they would have objected to the last UC while they were hundreds of miles away. So I want to be sure those people who may be out and around the country today understand that there may be another request for a unanimous consent, and if they wish to object, they had better hustle back here and do so.

I hope, with the House apparently trying to come together on a couple of proposals that would enable Federal workers to return to work with pay, that we would not engage in rhetoric here today that might discourage positive action by the House.

So it would be my hope that we would dwell on other matters, if necessary, and let the Senate then stand in recess subject to the call of the Chair awaiting House action. I do not think it is going to help anything if some of our colleagues on the other side of the aisle find it necessary to beat up House Republicans. It will only make it more difficult, and it should make it more difficult, frankly. So I hope we can avoid that rhetoric today.

ORDER FOR RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DOLE. Mr. President, I ask unanimous consent that following statements by the Senator from New Mexico, who is here, and the Senator from Virginia, that the Senate stand in recess subject to the call of the Chair.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER addressed the Chair.

The PRESIDENT pro tempore. The distinguished Senator from Virginia is recognized.

SENATOR DOLE'S LEADERSHIP

Mr. WARNER. Mr. President, I again wish to thank the distinguished majority leader for his leadership throughout this situation. I find a ray of encouragement here that Federal workers can return to work with pay.

I want to state for the record that the majority leader has stood steadfast on seeing that Federal workers who have been furloughed, and otherwise their pay stopped, will receive this pay.

It is an obligation of the United States of America and all citizens to see that those who have contracted with our Federal Government to be gainfully employed be compensated because they are in no way—absolutely no way—at fault on this situation.

THE RIPPLE EFFECT

Mr. WARNER. Also, Mr. President, I wish to inform my colleagues that throughout my State, and in many other parts of the United States, this problem is now working its way by ripple effect into the private sector such that many, many gainfully employed persons in an infrastructure supporting not only the Government but other private sector support are beginning to feel most severely this situation.

This morning on television here in the Nation's Capital was a picture of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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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

has vetoed these bills in an attempt to use rhetoric to place the burden on the shoulders of the U.S. Congress.

I ask unanimous consent, Mr. President, to have printed in the RECORD a dialog that occurred on CNN last night between Judy Woodruff, the anchor, and Brooks Jackson, a special assignment correspondent, that I thought would be appropriate to be in the CONGRESSIONAL RECORD.

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

EXECUTIVE SHUTDOWN STATISTICS MISS THE MARK

JUDY WOODRUFF, Anchor. If you are not one of the Federal workers staying home and worrying about bills, just how harmful are the effects of the partial government shutdown?

Our Brooks Jackson has some eye opening details.

BROOKS JACKSON, Special Assignment Correspondent. The shutdown—President Clinton calls it an unnatural disaster, but how bad is it? Let's check some facts.

The president ticked off some dire sounding consequences.

Pres. BILL CLINTON: This week, the Meals on Wheels Program for senior citizens will run out of money.

BROOK JACKSON: Federal money, yes, but in fact meals are still being delivered to seniors almost everywhere, paid for by state money or vendors extending credit.

Pres. BILL CLINTON: Yesterday, the Environmental Protection Agency shut down toxic waste clean-ups at 32 sites across America.

BROOKS JACKSON: This time Clinton underestimated. In fact, more than 450 clean-ups, including this one in Virginia are being halted. But there are 1,283 clean-up sites and work is continuing at many, maybe more than half, including the roughly 100 sites that pose any immediate threat.

Pres. BILL CLINTON: Funds to pay for drugs, food and supplies at veterans' hospitals run out today.

BROOKS JACKSON: Funds ran out but not the food. Patients in veterans hospitals are still being fed, still getting medication. The Veterans Administration says patients are unaffected and vendors are still working figuring they'll get paid eventually.

Pres. BILL CLINTON: Ten states have run out of the funding they use to run our unemployment insurance program and 15 more will soon do so.

BROOKS JACKSON: But, in fact, not a single jobless person has yet missed an unemployment check. The Labor Department confirms. Kansas did shut its offices briefly, but then came up with state money to continue benefits as other states are doing. Clinton was just wrong on one point.

Pres. BILL CLINTON: Half the Head Start Programs in the country will run out of money within the month.

BROOKS JACKSON: In fact, Head Start officials say only 200 programs will lose funding at the end of the month out of a total of more than 1,400, so it's way less than half. The Justice Department got one of its facts wrong too.

JAMIE GORELICK, Deputy Attorney General: There are companies that provide credit cards for gasoline, are starting not to honor those credit cards.

BROOKS JACKSON: Turns out, Federal drug agents in South Florida tried to use a card that expired in 1995—nothing to do with the budget fight. The White House said the Federal Emergency Management Agency might be unable to recall some furloughed workers if an earthquake hit.

MIKE McCURRY, White House Press Secy.: —some of those employees because they can't pay their bills and don't have phone service.

BROOKS JACKSON: FEMA says phone service has been cut off for about half a dozen Washington employees, but admits their bill paying problems probably began long before the budget deadlock.

Of course, a longer deadlock will produce more serious consequences, but for now, the shutdown looks less like a national disaster than it does a political fiasco.

Brooks Jackson, CNN, Washington.

Mr. CRAIG. It is an interesting dialog, Mr. President, because it confirms some of the things that I have been talking about and that have concerned a lot of Members of this Congress as to the rhetoric of the White House and what to believe over the course of the last good many weeks, when the President has seemed to be a constantly changing and moving target on the issue of the budget, to agree some weeks ago to a 7-year, CBO-targeted budget, now not to want to present it or not to appear to be interested in presenting it.

The dialog that the anchor at CNN last night went through with Brooks Jackson was interesting in the sense that it said the President said this, but in fact this is the case, the President said that, but in fact something else is the case. I think it goes along to show that the shifting sands at the White House are extremely difficult for this Congress to work with at this moment to try to resolve these kinds of issues. I thought it would be important that that become a part of the record because simply they have not, in my opinion, kept their word.

So it is important tonight for the Congress to intervene, as we are now doing. I use the word ''intervene'' to pull, if you will, these Federal employees off the hostage roster and put them back to work doing what they are responsible for doing and bringing them back into the real world because they have been in limbo, and that has created great frustration. And it should not be allowed to happen.

I am one for some weeks that has been critical of using our Federal employees as hostages, if you will, or pawns in this budget battle that we are in, and that, Mr. President, in no way lessens my interest or the interest of this Congress in achieving a balanced budget.

I have been an advocate for well over a decade that the Congress face the reality of their spending habits and balance the budget. I have pushed for a balanced budget amendment, and of course we know the history of that whole debate here in the House and in the Senate for the last good number of years.

But without question, the battle that we are engaged in is extremely fundamental. It is not business as usual, as some news reporters and observers of the Congress would argue that it is. We have not phonied the numbers. We have not used smoke and mirrors, because if we had, we would not be in session right now, we would be in adjournment, and we would have told the American people that the work of the Government was done and that the 1996 budget was in place, and that all was well with the world.

That simply has not been the case. And it should not be the case. We are dealing with real figures right now, trying to downsize the overall growth of Government or the rate of growth. And you, Mr. President, have been directly involved, as have others of our colleagues, in trying to face the reality of these tough choices. Now we are just simply trying to get the White House to face the reality of tough choices. And they have simply passed on occasion after occasion to do that.

What we are trying to say at this moment, and what I am pleased the House has been willing to say, is let us at least take the Federal employees out of this battle and set them to the side, allow them to do the work they were charged with doing. I hope we can get that done.

Now, that was the first CR that was passed. I hope that we would be able to consider a second resolution or continuing resolution that was passed by the House today. That would allow all of the Government to open up for at least a period of time through January 26. The reason I say that is important is because while we are allowing, I hope, the Federal employees to go back to work, we may not necessarily be giving them the tools to do their work.

Of course, that would be a bit of a hollow argument that we are allowing Government to continue to operate and turning as it should without giving them the total tools to do so. The House recognized that, but they have put a requirement on the President. That requirement is that the President send forth a balanced budget, scored by CBO, and that budget be in balance in the 7-year timeframe that the Republican Congress has asked and required by their actions, and that the same funding levels of the CR that expired on December 15, funds required at 75 percent of fiscal year 1995 levels, would operate the significantly impacted programs.

I hope that we can look at that continuing resolution tonight and that our colleagues on the other side of the aisle would agree with us on that. Then we could clearly say Government is fully back in operation, while we work with the White House to resolve this issue by the 26th of January.

Mr. President, those are key and important issues critical to all of us, but more importantly critical to our country. I think that the American people expect us to be able to operate the Government in a responsible way, but they have said very clearly that part of our responsibility is to bring this Government in balance, that a near $5 trillion debt and a $200 billion-plus deficit as

far as the eye can see are no longer acceptable, that while we must be concerned about programs that fund the present, we must also reflect our concern by our actions on programs that impact the future of our country.

That, of course, is what we attempt to do tonight. So, Mr. President, I hope that within minutes our leadership will be in place and we can consider these important CR's to move the Government forward, to allow the Federal employees out of hostage, if you will, and back to work by Monday morning.

I think it is important for our country that we do so. But while we do it, let us not lose focus on the reason we are here; and that is that the White House has flatly refused to produce a balanced budget. That is now their obligation to do so. We have done so. We have done so in a responsible manner. It may not be a balanced budget that all of us agreed to, but it was one that clearly for the first time in decades demonstrates the priorities of Government under the kind of spending limitations that we believe are clearly necessary to get our debt and our deficit under control.

I hope the Senate will act responsibly tonight, as I believe the House has done this afternoon. With those comments, I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

FUNDING THE OPERATION OF THE GOVERNMENT

Mr. FORD. Mr. President, I was interested in listening to my good friend from Idaho. And, you know, the devil is in the fine print. I have heard that earlier in my life: The devil is in the fine print. You can talk about the CR that comes over here. That is the continuing resolution that pays employees. I hope that we will put Federal employees back to work. Well, that is fine. I want them to go back to work, too.

I do not think anybody likes to pay people for not working. That was what the majority leader said the other day, that he grew up in Kansas, and he felt like if you worked you got paid, if you did not work, you did not get paid. So I support his position.

But in this continuing resolution that is coming over here we are going to pay the employees retroactively, and we are going to pay them for coming to the office. But we are not funding the necessary ingredients for them to work.

They talked about the DEA agent. They had a drug bust, and he wanted to go. They needed him—several of them. They did not have any money to buy gasoline to put in the car under this continuing resolution. That does not make sense to this country, boy, that you say, ''Go back to work. We're going to pay you, but you can't do anything.''

Look at the schedule of the leadership in the next 25 days: Iowa, New Hampshire, Minnesota, Texas, Florida, all over the country. I do not think that is working here, trying to work out the budget.

Let us just be sure that the American people understand what this continuing resolution does. It sends Government employees back to the office. It pays them retroactively, to sit there and do nothing. Employees cannot make a long-distance phone call, cannot buy gasoline for a car, cannot do the things that the American people would like for them to do, that they have been shortchanged in the last 21 days. In my opinion, I have never heard so much of a continuation of the same thing, same thing, same thing.

I watched the House as they spoke this afternoon, and all the President has to do is agree to a 7-year balanced budget with CBO figures and everything will be all right. Well, the President has agreed to a 7-year budget, balanced budget in 7 years. He has agreed to that. No. 2, he has agreed to CBO figures. There is no problem with that.

Now, what is the problem? The problem is, how do you get there?

My Republican friends want to cut or reduce—however you want to say it—Medicare by $270 billion. We think that is wrong. They want to reduce Medicare, want to reduce education, want to reduce the environment. To do what? To get to the point of giving a $245 billion tax cut. That is the whole fight—to give a $245 billion tax cut.

Now, who is going to get it? If you owe taxes, as I understand it, and you have children under 18, you can get a credit. But if you do not owe any taxes, you do not get any refundable tax. Therefore, you do not get anything. If you make too much money—hopefully, we will give some kind of tax break to those under $100,000. We stood here on the floor not too long ago and asked if you would put a limit in the bill giving a tax break to those that made a million or less. We even lost that.

Now, when you send the budget to the President, when he has agreed to balance the budget in 7 years, to be using CBO figures, but to get to a $245 billion tax cut, you put 80 percent of the cuts on 20 percent of our population, the lowest 20 percent, and you give 80 percent of the help to the upper 20 percent of income, Mr. President, as we say down in my part of the country, something about that ''ain't'' right.

I want to tell you, the so-called middle income—I know a family where the man worked for the railroad. He retired. They shifted that to a Social Security payment rather than a railroad retirement payment. He had a few thousand dollars in the bank, had a house with no mortgage on it, and Social Security checks coming for he and his wife. He thought he was in pretty decent shape. Lo and behold, he and his wife both had to go to a nursing home. They had too much money to draw Medicaid. So they kept paying and kept paying and kept paying, and finally they had nothing left. Nothing. They had to go on Medicaid.

Now, in this budget that the Republicans are attempting to pass and say the President ought to accept, it says to their children, ''You use up all your money to pay for mom and dad before we trigger in Medicaid.'' A lot of people around this country, Mr. President, that are making $35,000 to $45,000 a year, they have children, they are trying to educate them and all that, and lo and behold, their parents are in the nursing home, they are drawing Medicaid, they get the Social Security check. You take about all of it, with the exception of $10 a week for personal items, which is all the individual has left out of the Social Security check. You say to them that your kids have to pay, and they are trying to educate their children, trying to make ends meet, trying to pay a mortgage on the house and all that—the Republican budget did that. To get to what? For a $245 billion tax cut that will go to the upper 20 percent of income.

If that is the kind of budget that you want the President to sign, then I hope he never does, because there are too many people out there that would be hurt by this type of budget.

I represent Kentucky, born and bred there, and proud of it. We had a Senator that came here that made quite a mark. His name was Henry Clay. Henry Clay was called ''the Great Compromiser.'' He knew how to compromise. But Henry Clay said that compromise was negotiated hurt—negotiated hurt. If you are going to hurt a little bit, let everybody have a little bit of hurt instead of some having a whole lot and others not having any. Negotiated hurt—let everybody hurt a little bit. I do not think you would have any objection to that.

Just take the farmers in the next 5 years. The Senator from Idaho understands farming very well. But the President has offered a $4 billion cut and the Republican budget takes about $14 billion. Just take $10 million off of the tax cut, you still have $235 billion; instead of taking a $270 billion reduction in Medicare, just take the $89 billion that the President offered.

Talk about real numbers, let us put real numbers in front of real faces and real places. That is how you are going to understand the numbers. It is all numbers. It is all dollars. What will you do to the individuals and the families, the young and the elderly, by just looking at numbers? There are faces and places behind those numbers, and we have to have that part of the discussion when we come to talking about the budget.

When you talk about real numbers, let us talk about real people. Let us talk about real places. Let us talk about real hurt. Let us talk about being fair. Let us talk about being compassionate. That is the kind of country we are. That is the reason we are strong. We reach out not only to our own but to others. That has made us the leader of the world.

To come in here and say we are going to say to the President that we will

give him a clean CR when he sends us a budget that is certified balanced by CBO and signed off by the Speaker of the House, I know what Senator DOLE would say if he was President of the United States, and a Democrat Speaker over there—I know what he would tell him. I think you do, too.

So let us look at the budget that the Republicans gave us. If you were not using Social Security, you would be $106 billion short—$106 billion short—in the year 2002. But when you dig in and use the Social Security numbers, you get down to—I do not want to answer any questions.

Mr. CRAIG. Will the Senator yield?

Mr. FORD. Happy to yield for a question.

Mr. CRAIG. The question is, have not the Democrats used the Social Security trust fund figures in numbers just the way the Republicans are currently using them? We learned——

Mr. FORD. Not for the last 12 years.

Mr. CRAIG. Yes, you have, Senator.

Mr. FORD. The President of the United States signed—the President is responsible for that.

The PRESIDING OFFICER. The Senators will address through the Chair.

Mr. FORD. It is awful hard to address through the Chair.

Here on December 15—Mr. President, we talk about never wanting to offer anything. What bothers me is that on December 15, the President offered some numbers based on a budget he had submitted previously. He eased toward the Republican side on December 15; the Republicans eased toward the President on December 15. They moved closer to each other on discretionary cuts, on Medicare, on Medicaid, on welfare and EITC. I thought that was negotiation. That was on December 15.

Mr. President, we have agreed to a 7-year balanced budget. We have agreed to the CBO certification. Now let us get down to trying to figure out how we help our young kids and give them an education.

They talk about increasing the Pell grants. Sure they did, but they forget to tell you they cut off the bottom half. It is the way you use the words. So you increase Pell grants by $100, but you cut off from $600 down. A lot of people get by on $600. That is all they need. That is all they should be given. But if they do not need more than that, they do not get anything. They want to get an education; just need a few dollars.

So this is the kind of budget that the President of the United States has said no to, has said no to.

So, I hope we will just leave this rhetoric behind us and look at where we need to work, and that is Medicare, that is Medicaid, that is education, that is the environment; and that we put a face on it instead of the numbers and we put a place instead of the numbers. And once we decide the faces we want to help and the places we want to secure, then we can put the numbers with them. I think then we will have a budget.

But the President, in my judgment, is trying to protect those people who are being hurt so severely by the Republicans saying ''We won't give.'' It is not here, it is over on the other end of the Capitol Building, but ''We won't give unless we get the $245 billion tax cut.'' In April the Speaker of the House said, ''We're going to shut Government down.'' Lo and behold, it did. But we have had bills vetoed before under Republican Presidents and we have offered a continuing resolution, we have continued Government while we sat down and negotiated those things that were objectionable to the Republican Presidents and we finally arrived at something that could be sent to the President that we agreed upon and he could sign. That is where we ought to be now.

I yield the floor.

The PRESIDING OFFICER. The distinguished President pro tempore, the Senator from South Carolina.

Mr. THURMOND. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senate is in morning business. There is no pending business at this time.

THE CONTINUING RESOLUTION

Mr. THURMOND. Mr. President, I rise today in support of H.R. 1643, which will return all Federal Government employees to the workplace, and restore their paychecks. This bill will also reopen many important Government services which were closed due to President Clinton's veto of various appropriation bills.

It is regrettable that the President has permitted the budget situation to deteriorate. Let me remind my colleagues that this Congress enacted a balanced budget plan which the President also vetoed. At that point, he assumed an obligation to provide the Congress with his budget proposal. Yet despite his many promises to do so, and the statutory requirement of November 20, 1995, President Clinton has failed to submit a real balanced budget.

Mr. President, for years I have made speeches in this great Chamber, and cast my vote in support of a balanced budget. I have introduced balanced budget amendments in numerous sessions of Congress, including the 104th Congress. On July 12, 1982, a balanced budget amendment was brought to the floor. As chairman of the Judiciary Committee, I was pleased to sponsor and guide that important measure to passage. On August 4, 1982, 69 Senators voted in favor of the resolution. While a majority supported it in the House, it failed to receive the necessary two-thirds vote. In March 1986, the Senate voted on another balanced budget amendment. It was unfortunate that the Resolution failed by one vote. Last session, the balanced budget amendment again failed by one vote. However, I am confident that we will yet pass the balanced budget amendment during the 104th Congress and call on the President to support that effort.

With or without a constitutional amendment, this Congress will enact a budget which protects the security, health and safety of our Nation, provides quality Government services, and eliminates harmful deficits.

Mr. President, this bill brings employees back to work with back pay. It also provides targeted appropriations, through the end of fiscal year 1996, for critical Government services. Enactment of this measure will remove the issue of the Federal Government shutdown and allow us to focus on the larger objective of the balanced budget agreement.

Mr. President, in closing, I commend the majority leader, Senator DOLE, and Senator DOMENICI, the chairman of the Budget Committee, for their leadership and continuing efforts to resolve this important issue. I call on the President to keep his promise, to stop the gimmicks, and do the right thing for the future of our great Nation.

The PRESIDING OFFICER. The Senator from Virginia.

COMMUNICATIONS FROM CONSTITUENTS

Mr. WARNER. Mr. President, the Senate hopefully will be hearing from the distinguished majority leader and Democratic leader, as they are now returning from the White House. I am continuing to review the actions taken by the House. I am hopeful that these actions will reach a compromise, a position whereby the Government can return to provide the services to the people of this Nation. But I am going to withhold my approval until I read each word and study every comma and period in it. I am still working through that. But I felt at this time it would be appropriate for me to have printed in the RECORD a number of communications, just a sampling of the communications that I have received throughout this day in my office, together with, I think, some very fine editorial review by the newspapers in my State.

I will first include a letter written by a Mr. Paul T. Gernhardt, who writes:

> I know you and your staff are quite busy so I will keep this short and to the point. I am not at all pleased with your handling of the budget process. You are not helping anyone's cause and are directly responsible for a great deal of unnecessary harm. People are beginning to lose their businesses, homes, and financial standing as you squabble between yourselves. As a business owner I just cannot understand your actions—there is no justification whatsoever.
>
> As ''constitutional officers'' you have certain privileges, benefits, and opportunities (including protecting your own pay). However, you also have obligations. These include conducting the business of government in a professional and competent manner. At this point you are not fulfilling the responsibilities you agreed to assume. One of your primary duties is to pass a budget. This is not something that came up suddenly—waiting until well past the last moment solely for political gains is undignified and unprofessional.

I have to accept my share, as a Member of this body, of such criticism. I

still believe, however, that this debate has focused the Nation's attention on the need to get a balanced budget within a period of 7 years using certain criteria, namely the Congressional Budget Office figures in which the Congress of the United States places, I might say, a great deal of faith and credit. I am hopeful the final drafts, of what may be acted upon here momentarily, will make specific reference to that need, that the President should be forthcoming with such a budget using the 7-year criteria as well as CBO figures.

I hope we can resolve this tragic situation which has impacted my State, the Commonwealth of Virginia, as severely certainly as any other State, and in my judgment probably more severely than any other State in the Union, given the fact that we are privileged—and I say that—we are privileged to provide a home for so many Federal employees, a working place and an infrastructure to accommodate their needs, not only here in the northern Virginia area but, indeed, throughout the Tidewater of Virginia where we have the largest naval base in the world, one of the largest Air Force bases, several of the large Army bases, and, indeed, the industrial base which supports so much of our national defense.

As I have said here day after day on the floor, we are not only addressing the tragic plight of certain Government employees who have been furloughed, or others who are working but without pay. Also, the infrastructure that serves these Government employees—and vice versa, they serve the infrastructure, it works both ways—has been severely crippled. It has a ripple effect all throughout my State.

To compound the tragedy of the private sector, many of these employees being laid off in the private sector do not have any certainty that their loss of pay and benefits or other job security will ever be the subject of restitution.

Throughout this controversy I have worked with the distinguished majority leader. He has provided a letter to this Senator, as well as other Members of the House delegation from the greater metropolitan area of Washington, assuring us that he would fight very hard to see that all Federal pay is received eventually. As a matter of fact, S. 1508, the legislation which I cosponsored with Senator DOLE and the Presiding Officer, the senior Senator from Alaska, so provides specifically.

So, Mr. President, I really take very seriously these many communications. I myself have gone to our phones and received a number of the calls from my constituents, coming in from all over the State.

Let me mention another organization called Resource Applications, Inc. This is dated January 3, 1996.

DEAR SENATOR WARNER: As the partial shutdown continues into its third week, the economic damage is spreading fast, and the situation is becoming painful. The Government shutdown is having a ripple effect on people and is devastating their lives. Yesterday, the U.S. Environmental Protection Agency (EPA) sent home 2,400 of its Superfund workers and stopped work at over 600 sites across the Nation, throwing tens of thousands of contract employees out of work.

The letter goes on to explain the impact on his particular firm, Resource Applications, Inc. It says:

As President of RAI, an environmental firm, I am like a father figure for our employees; they look to me for job security. With the majority of RAI's business with EPA, I am seriously concerned about the financial welfare of more than 100 people and their families. While I agree with your stand on issues that are morally and ethically good for our people, particularly the elderly, and the integrity of the environment, I want to tell you, the situation is becoming very difficult for the working people. An early resolution of the budget impasse and Government shutdown issues would be in the best interest of the country.

Yesterday, I had the head of the Environmental Protection Agency in to see me on wide range of issues, Carol Browner. I serve on the committee which has oversight for that Agency, and I had to bring to her attention, among other issues, the fact that our State very proudly has a large manufacturing plant operated by the Ford Motor Company. They are turning out a brand-new pickup truck which is eagerly being awaited all across the United States. As a matter of fact, I purchased my pickup truck from the same plant in Norfolk in 1989. It has been very useful to me on my farm, and I have enjoyed it, and I am going to keep driving it. But I must say I am quite envious of this new model. But, Mr. President, the new model cannot go into circulation for the reason that the Environmental Protection Agency has not had the staff with which to make the proper certifications as to the fact that this truck, this particular new model, can meet the environmental standards. That is an important thing to do—to have the truck meet those standards before it goes on the road.

So that is just another example of the many problems that the State of Virginia is facing.

I ask unanimous consent that an editorial from the Roanoke Times of today be printed in the RECORD, a very balanced analysis of the problem.

And, again, it concludes with the last paragraph:

Dole was right, however, in judging the shutdown a poor means of exacting concessions. The House should end it today.

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

[From the Roanoke Times, Jan. 5, 1996]

TIME TO END THE SHUTDOWN

Political fault-lines underlying the partial shutdown of government shifted and rose closer to the surface this week, as the shutdown's effects began rippling more ominously across the land.

As if to confirm his reputation as one of Washington's grown-ups, Majority Leader Bob Dole on Tuesday pushed legislation through the Senate that would have reopened the government until Jan. 12, while Congress and the White House continued their budget talks.

The Senate reasonably, overwhelmingly approved the measure. Yet, egged on by a GOP vanguard of freshman militants, the House on Wednesday turned it down.

Now there's word the GOP leadership is changing its tune, and none too soon.

Keep in mind: Federal employees who were furloughed, as well as those working without pay, in the end will be paid. In the claimed pursuit of austerity, the shutdown is costing taxpayers, on top of other costs, huge sums to pay employees for work they weren't allowed to do.

Give credit, therefore, to Reps. Rick Boucher and L.F. Payne for their vote Wednesday to end the partial shutdown. Rep. Bob Goodlatte unfortunately joined with the GOP's House majority, initially refusing to consider the Senate-passed measure.

''Bob Dole made a huge miscalculation,'' grumbled one of the GOP tough guys, John Shadegg of Arizona. The partial shutdown, he and other House Republicans argued, is their best leverage for getting the White House to accept the basics of their balanced-budget plan. Shadegg called Dole's support for ending the shutdown ''an act of betrayal.''

But if Dole betrayed his party's zealots, he hardly betrayed his country—or his chances for the presidency. On Thursday, House leaders were conceding theirs was the miscalculation.

The shutdown has gone on long enough. Indeed, it is more likely getting in the way of, than moving along, the budget talks. Clinton might have discerned a self-serving political interest in continuing the standoff rather than try to end it.

''It is wrong * * * to shut the government down while we negotiate, under the illusion that somehow that will affect the decisions that I would make on specific issues.'' Clinton said. He's right.

It is wrong to hold Americans hostage to budget bargaining and partisan charade; Meals on Wheel clients, nursing-home residents. Head Start youngsters, vendors waiting to be paid, citizens wanting to visit national parks or to travel overseas, Americans depending on unemployment assistance or water-quality monitoring—not to mention 760,000 unpaid federal workers.

Congress has proposed measures that Clinton is right to veto—mean-spirited, counterproductive measures. But House Republicans are right when they criticize the president for failing to specify how he would balance the budget in seven years, given a common set of fiscal assumptions.

To bargain in good faith—while still sticking to principles that, in most cases rightly, he says he'll stand by—Clinton needs to be more forthcoming.

Dole was right, however, in judging the shutdown a poor means of exacting concessions. The House should end it today.

Mr. WARNER. Mr. President, let us hope that the relevant document delivered to the desk in the Senate by the Clerk of the House of Representatives contains the legislative initiatives that will enable us to resolve this.

Mr. President, seeing the distinguished majority leader, I yield the floor.

AGRICULTURE POLICY

Mr. DOLE. Mr. President, for the past several weeks, America has focused its attention on the budget talks

in Washington, and on the Government workers who have been hostages in this debate.

However, one of the faces not shown on the evening news as a hostage in these talks is that of the American farmer.

As I travel around rural America, farmers remind me that they are taxpayers too. And as taxpayers, farmers want a balanced budget.

Rural America realizes what this balanced budget means for them. For agriculture alone, spending on interest with a balanced budget is projected to decline by $15 billion over 7 years. And for a lot of family farmers who struggle to make ends meet, the money saved by reduced interest payments could make the difference between success and failure.

In addition, the Balanced Budget Act would provide much needed tax relief to millions of rural Americans; including an increase in expensing limits, death tax relief, an increased deductibility for the health insurance cost of the self employed, a capital gains tax cut, and operation of a medical savings account.

Mr. President, along with putting America on course to a balanced budget, there is something else that Congress must do to be fair to America's farmers.

I believe we have an obligation to announce by the end of February, if not sooner, the details of a farm bill so farmers can prepare this year's crop. Kansas farmers have already planted their winter wheat without knowing any program details.

In my view, Mr. President, Congress has three options from which we can choose.

Option No. 1 is to do nothing, and to simply let the 1990 farm bill expire, which would mean that permanent law would be in effect.

Anyone who knows anything about permanent law realizes such action would be bad for farmers and bad for America. Farm prices would reach parity levels which to many may sound attractive. However, the long-term ramifications to the marketplace and U.S. Treasury would be significant. Farmers would produce for the Government and not the marketplace.

Option No. 2 is to pass an extension of the 1990 farm bill. This in my view, would also be the wrong road to take.

Those who are advocating this choice are unwilling to modernize American agricultural policy as we prepare to move into the next century. The world population will grow by 50 percent by 2025. We must provide American agriculture with the tools to unleash our Nation's productive capacity to meet a growing world demand. An extension of current farm policy without addressing changes that have occurred and continue to occur, is unacceptable to a majority of farmers in this country.

If we are going to have an extension, it has to be at least for a couple of years. You have to give farmers flexibility, and you have to remove production controls.

Option No. 3—which is the correct choice—is to adopt the farm bill proposals contained in the Balanced Budget Act.

One year ago, I spoke to the American Farm Bureau Federation's annual meeting in St. Louis. While there, I outlined some of my goals for the 1995 farm bill. These goals included providing farmers with full planting flexibility, elimination of set-asides, program simplicity, and a farm policy that transitions farmers into the next century without disrupting the farm economy or land values. All of these goals are reached in the language contained in the Balanced Budget Act.

Unfortunately, that act was vetoed and we must now address how to best proceed. I am hopeful that provisions contained in the Balanced Budget Act can be retained and can be passed before the end of February.

Mr. President, American agriculture does not operate in a vacuum. Rural Americans share the Republican conviction that Congress must balance the budget. Rural Americans realize that there are important policies outside the farm bill that greatly affect their bottom lines. Republicans are actively working to provide the needed relief that rural Americans are asking for. And we will not stop.

Mr. President, there are those who claim there has been no public input into the agricultural provisions included in the Balanced Budget Act.

I disagree. Last year, the Senate and House Agriculture Committees held 33 hearings on the 1995 farm bill with over 350 witnesses. In my view, the public input has been significant.

I also hear some colleagues talk about the need for a vote on the Senate democratic proposal which would reduce the agriculture savings and provide and increase in marketing loans.

I would simply point out that Senator HARKIN offered this amendment during Senate consideration of the reconciliation bill. The vote failed 31 to 68 with 15 Democrats voting with Republicans to defeat the amendment.

The fact is that we have debated farm policy. And adopting the agriculture provisions contained in the Balanced Budget Act is right for our farmers and the right path for America.

Mr. President, I point out to my colleagues that the suggestion has been made that maybe there is an alternative plan. We had a vote on that plan, offered by Senator HARKIN. We voted 68 to 31 in opposition to that proposal.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER (Mr. WARNER). The minority leader.

Mr. DASCHLE. Mr. President, I did not have the opportunity to hear everything that the majority leader said. I understand he spoke about agriculture.

Let me just say that I do not know what the solution is, but I think the majority leader and I both agree that we have to do something. We have a lot of farmers who have already planted everything that they are going to plant for their winter wheat, for their crops. That will be ready for harvest by spring or late spring. We have to do something. If we cannot do it in 1 year, maybe a 2-year extension is something that we ought to look at. But I do not think that doing nothing ought to be an option that either party agrees to.

While there is very little support on the other side of the aisle for the so-called marketing loan concept, that marketing loan would allow farmers to be given at least the confidence that they are going to have a plan out there that is market-sensitive; that costs less for the Government; that provides us with the kind of opportunity in the farm program that many farmers feel they need. Virtually every national farm organization has said they support it.

So I hope we can work something out. I know that in working with majority leader in good faith, we can find a way to resolve what may now appear to be some very difficult challenges in agreeing on a farm policy. But we have to do it. I hope we can do it as early as next week. We cannot wait much longer.

Again, while I did not hear what the majority leader said, I am sure he shares the need to be as expeditious as possible in finding some resolution.

I yield the floor.

Mr. DOLE. Mr. President, let me indicate to my colleague that is sort of what I pointed out. There are, as I see it, three options. We talked about it to some extent today at the White House. But I appreciate that.

Of course, we need to do something because, as the minority leader indicated, our winter wheat farmers have already planted their wheat. They do not know what the program is going to be. They are taking a chance, as they do from time to time.

HOPEFUL SIGNS BETWEEN SYRIA AND ISRAEL

Mr. PELL. Mr. President, I wish to offer my strong support for the administration's recent, extraordinary efforts to broker a peace treaty between Israel and Syria.

I cannot overemphasize the importance of bringing Israel and Syria into a peaceful, normal relationship. Their conflict is virtually the last remaining obstacle to a comprehensive peace in the Middle East. If Syria and Israel are able to overcome their differences, sign an agreement, and establish diplomatic relations, it is nearly certain that other Arab states—Lebanon, Morocco, Tunisia, and Gulf countries—would soon follow suit. From that point forward, the region's prospects for political, economic, and social advancement would become almost limitless.

It is a sad irony that the peace talks being held in Wye, Maryland arose out

of the tragic assassination of Israeli Prime Minister Yitzhak Rabin. If the Wye talks succeed in producing an agreement, it will surely add yet another dimension to the Prime Minister's legacy as a peacemaker. I only lament the fact that the price would have been so dear.

It is too early to tell what result these talks may have, but already there have been suggestions from the participants that they are operating in an unprecedented environment of comity, seriousness, and creativity. While a positive atmosphere does guarantee success on the important questions of substance, it does lend hope to those who watched the failure of the previous, stale rounds of discussions.

In the next few weeks, it is expected that the Syrian and Israeli delegations will consult with their governments, Secretary of State Christopher will shuttle to the capitals of the Middle East, and the talks will reconvene. At the same time, everyone associated with the talks knows that the Israeli and American electoral cycles afford precious little time for a deal to be concluded. Under these circumstances—a high level of activity, a small window of opportunity, and a new spirit of cooperation—progress is likely to occur quickly or not at all.

Secretary of State Christopher and his Middle East peace team clearly understand their opportunities and their limitations, and have made every effort to steer Israel and Syria in the proper direction. While ultimately it remains the decision of the parties themselves to make peace, there is indeed a place for American leadership and engagement. Secretary Christopher, Ambassador Dennis Ross, and their colleagues at the State Department deserve the Nation's highest respect and gratitude for the energy, devotion, and intellect they have brought to the peace table.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, as of the close of business January 4, the Federal debt stood at $4,988,799,676,202.14, about $12 billion shy of the $5 trillion mark, which the Federal debt will exceed in a few months.

On a per capita basis, every man, woman, and child in America owes $18,937.57 as his or her share of that debt.

THE DEATH OF ADM. ARLEIGH A. BURKE, U.S. NAVY

Mr. THURMOND. Mr. President, on Thursday, January 4, 1996, the Nation paid its final tribute to a naval hero and patriot whose profound influence spanned more than 70 years and who laid down the blueprint of today's balanced fleet almost 40 years ago. I want to take this opportunity to honor the truly vital contributions made by that man, Adm. Arleigh A. Burke, who died on January 1, 1996, at the age of 94. He was buried on the grounds of the U.S. Naval Academy in Annapolis, MD where he graduated in 1923. At sea and on land he was among the finest leaders that our country has produced. He stood watch on active service to our country for more than 40 years, rising from a meager farm at the foot of the Colorado Rockies to serve as Chief of Naval Operations for an unprecedented 6 years during the bleakest days of the cold war.

Admiral Burke defined himself by an unwavering commitment to making the most of every opportunity presented and giving the best he had to every challenge that confronted him. When reminded of his earliest days of commissioned service, leading cleaning teams through the bilges of the USS *Arizona* (BB 39), he once observed, ''You have only one job. Very seldom do you get the job you want. Do the best you can with the job you have. If it isn't very important, do it better. When you do a job well, it makes itself important.'' This straightforward approach to life, combined with an unwavering commitment to those with whom he served, produced an exceptional naval officer and leader who, in the words of our current Chief of Naval Operations, Adm. Mike Boorda, ''—defined what it is to be a naval officer: relentless in combat, resourceful in command, and revered by his crews.'' He was a man who received all the honors a grateful nation could bestow during his lifetime, yet chose for his burial marker the simple phrase ''Sailor'' to capture the sum and substance of his life.

As commander of Destroyer Squadron 23, ''The Little Beavers'', during World War II, he carried the fight to the Japanese navy night after night in the Solomon Islands, earned the nickname ''31 Knot Burke'' from Admiral Halsey, and did as much as any man to turn the tide of battle against an Imperial Japanese Fleet that was flushed by an unbroken series of victories. Over a sustained campaign of 4 months, his squadron turned the tide of battle in the Solomons at Empress Augusta Bay, off Cape St. George. In ''The Slot'' and in 22 desperate engagements they produced a rich harvest of sunken ships and downed aircraft.

As commander of the ''Little Beavers,'' Admiral Burke showed a remarkable ability to absorb the lessons of experience and then distill them into battle orders and combat tactics that inspired his men and took maximum advantage of every weapon at his disposal. He taught his squadron to fight at night, to fight with stealth through the use of torpedoes over guns, to strike quickly with maximum power, and to seize the initiative in battle and never let it go. He instructed his commanders concisely that, ''The difference between a good officer and a poor one is about 10 seconds'' and set their priorities clearly, ''If it helps kill the enemy it is important. If it will not help kill the enemy it is not important.''

Serving on the Chief of Naval Operations staff after World War II, Arleigh Burke played an extraordinary and vital part in clearly explaining the pivotal role the Navy could have in preserving national security during the cold war. He was not a controversial man by nature, but he never shunned it when the needs of the Navy and our country made their demands. During a postwar period of intense and bitter interservice rivalry that almost cost him his career, Arleigh Burke was a clear voice of logic and sanity in stating the case for a Navy that time and again responded to emerging cold war crises worldwide.

It was my great privilege to have served as a member of the Armed Services Committee and worked with Admiral Burke during his tenure as Chief of Naval Operations. I speak from first hand experience when I reflect on the vision, forcefulness, intellect, and leadership that he brought to bear on his duties. From his razor sharp mind came the concepts of a balanced multimission Navy that could deal with crises on short notice yet stay for the long haul when needed, antisubmarine warfare and tactics as a top priority, the tremendous potential of nuclear power for naval ships, *Polaris* missiles at sea as an essential element of nuclear deterrence, and an unwavering commitment to ''training as we'll fight and fighting to win.''

Many able naval leaders have served our country well since Admiral Burke retired in 1961. I have worked with them all. They have been men of great talent and commitment, but they have all had the advantage of following a course that was clearly charted for them by Arleigh Burke, combat hero of World War II, a great naval leader of the cold war, a man who stepped down willingly when offered a remarkable fourth term as CNO to make way for younger men. He was a ''sailor's sailor.''

The Navy shares my admiration. It honored him in his lifetime by naming the most powerful class of surface combatant in the world, the *Arleigh Burke* class destroyer, for him. His legacy to the crew of the first ship was the simple observation, ''This ship was built to fight, you had better know how.''

I want to express my condolences to Mrs. Roberta Burke, Admiral Burke's widow and wife of 72 years. She cherished and sustained her husband in peace and war, a ''Sailor's Wife''. She has set a standard of service and commitment for thousands of naval families who must daily endure the stress of family separation that accompanies service at sea. Without the sacrifices that Mrs. Burke and many other spouses have shouldered, our Navy could not have been the force for freedom that has helped guard this country and support our allies for so many years.

I had the privilege of working with Arleigh Burke for several years. I came to admire him immensely. I always

knew where he stood and what he stood for. I was struck anew by his simple eloquence when I read the following words in his funeral pamphlet: ''Life has been good to me. I didn't did young. I wasn't killed in the war. I did most everything I wanted to do, and some things I didn't want to do. I had a job I liked and a woman I loved. Couldn't ask for more than that.'' Such a powerful summation of an extraordinary life.

Mr. President, I thank my colleagues for the time and I yield the floor.

VICTOR RIESEL AND WALTER SHERIDAN—''IN DEFENSE OF HONEST LABOR''

Mr. KENNEDY. Mr. President, the New York Times Magazine began a tradition a year ago of devoting its year-end issue to essays on the lives of some of the most interesting people who died during the year. The December 31, 1994 issue of the magazine contained reflections on 51 men and women who died last year. I commend all of these essays to my colleagues for their eloquence, grace, and insight. They make excellent and inspiring reading.

One of the essays, by Pete Hamil, paid tribute to Victor Riesel and Walter Sheridan for their leadership on behalf of American workers and the integrity of the American labor movement. Walter Sheridan worked with my brother Robert Kennedy in the Justice Department in the 1960's, and later spent many years on the staff of the Senate Labor and Human Resources Committee as one of the finest investigators the Senate has ever had. I believe the essay will be of interest to all of us in Congress who knew Walter, and I ask unanimous consent that it be printed in the RECORD.

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

[From the New York Times Magazine, Dec. 31, 1995]

IN DEFENSE OF HONEST LABOR

(By Pete Hamill)

They spent many years fighting the same fight; trying to give the American worker a fair shake and keep the unions clean. 1913–1995 Victor Riesel, in his newspaper column that run for more than 40 years and on his radio show, fearlessly exposed labor corruption (and paid dearly for it). 1925–1995 Walter J. Sheridan, as a government investigator with Robert Kennedy in the Senate and in the Justice Department, helped send Jimmy Hoffa to prison. In the end, neither Riesel nor Sheridan was able to stem the downward slide of the labor movement, but it can't be said that they didn't try.

When they died within days of each other in January, Victor Riesel and Walter Sheridan seemed like figures from a lost America. In their separate ways, they were shaped by that brief, romantic time when millions of Americans still believed that the labor movement would serve as the cement of the social contract.

The theory was relatively simple. Unions—not government—would establish hard limits on the powerful. Braided together into a mighty national force, unions would guarantee lives of security, decency and personal pride to ordinary citizens. Unions would provide a sense of community. And unions would be the ethical watch-dogs of the society, casting cold eyes on slippery politicians and predatory businessmen. Those ambitions were paid for with the blood of union members, from Ludlow, Colo., to Flint, Mich., and in hundreds of other places where a picket line was seen as a moral necessity.

By the time Riesel and Sheridan followed their separate trails into our social history, the union movement was a sewer. They knew it better than almost all others, for Riesel and Sheridan were among the few Americans who carried torches into that sewer and came back to tell us what they had seen.

Riesel was better known than Sheridan because for most of his adult life he was a labor columnist, first at The New York Post, where he began in 1942, and after 1948 at The New York Daily Mirror, with syndication in some 300 newspapers. It is one measure of how much our society has changed that even the job description ''labor columnist'' sounds as rare now as that of blacksmith.

Riesel came to his life's work with superb credentials. He was born in 1913 on Manhattan's Lower East Side, that nursery of union organizers, artists, prize-fighters and hoodlums. His father was a union activist whose work carried the family on the familiar journey to the more serene precincts of the Bronx when Victor was 13. He graduated from Morris High School just as the Great Depression was beginning and immediately went to work. Over the next decade, he managed to earn a bachelor's degree in the night school of the City College of New York, while working in hat factories and lace-makers' lofts and steel mills. He learned journalism on college and union newspapers.

As Riesel was starting his labor column, when American industry was gorged with wartime profits, the hoodlums were everywhere. Lepke Buchalter and Gurrah Shapiro had corrupted and terrorized the garment industry. The leaders of the waterfront unions were brutal and cynical in their alliances with the men who controlled the East Coast ports. Other unions were run as businesses by faceless men protected from scrutiny by the death of union democracy. Union treasuries were looted; pension funds were eaten by the mob. Dissidents had their heads broken or were dropped in swamps in New Jersey. In the postwar boom, union leaders began buying yachts. They played a lot of golf. They had become an oligarchy, as remote from the rank and file as the men who ran the great corporations. Riesel went after them in his column and on his radio program and would eventually pay a severe price.

If Riesel was formed by the Depression, Walter Sheridan's character was shaped by World WAr II. he was born in 1925 in Utica, N.Y. His father ran a small hotel called the Monclair and a restaurant named Sheridan's, and though the Sheridans were far from rich, the Depression did not force them into soup kitchens. At the Utica Free Academy, a public high school, Walter was senior class president and quarterback of the football team. He joined the Navy, quickly volunteered for the submarine service and was on board the U.S.S. Pargo in the Sea of Japan on the day the war ended.ter the war, he came to New York City and enrolled at Fordham on the G.I. Bill. In 1948, while a student, he married Nancy Tuttle; they had met in high school in Utica (and would go on to have 5 children and 14 grandchildren). After graduation in 1950, Sheridan briefly tried law school in Albany, then decided to enter the Federal Bureau of Investigation, where he would spend four disillusioning years. The F.B.I. was then in the iron control of J. Edgar Hoover, whose anti-Communist obsessions, private intelligence files and bureaucratic genius made him as permanent, a fixture in Washington as the average union leader was in Bayonne. I once spent an hour with Sheridan during Robert F. Kennedy's 1968 campaign and asked him casually why he'd left the F.B.I.

''Because Hoover was more interested in guys who were Communists for 15 minutes in 1931,'' Sheridan said quietly, ''than he was in guys who were stealing New Jersey.''

After resigning from the F.B.I., Sheridan joined the National Security Agency, where he refined his skills as an investigator. These included a willingness to endure tedium, a stoical tenacity when faced with dry holes or disappointment and, above all, an ability to gaze at often purposefully obscure documents and discover a story line. Most great investigators have two other qualities: a passion for anonymity and a belief in the righteousness of the enterprise. Sheridan, by all accounts, was a great investigator.

In 1957, his life was permanently changed when he was recruited by Robert Kennedy to join the staff of the Senate Select Committee on Improper Activities in the Labor or Management Field, better known as the McClellan Committee. The chairman was Senator John McClellan, a Democrat from Arkansas. John F. Kennedy was a member of the committee, and Robert Kennedy was the chief counsel. Sheridan established almost instant rapport with Bobby. They laughed when they discovered they were born on the same day—Nov. 20, 1925. Kennedy quickly recognized in Sheridan characteristics he admired in others who joined his team: tenacity, courage, a respect for detail and hard work and an absence of self-importance.

The basic task of the committee was to dig into the mob takeover of the unions. It quickly began to focus on the complex, gifted and corrupt Jimmy Hoffa and the Teamsters, which, with almost two million members, was the nation's largest and richest union. The hearings had been called, in part, because of widespread national revulsion the year before at what had been done to Victor Riesel.

On April 5, 1956, on his late-night radio show, Riesel attacked racketeering in Local 138 of the International Union of Operating Engineers, based in Long Island. He singled out William C. DeKoning Sr., recently released from prison after doing time for extortion, and his son, William C. DeKoning Jr., who had inherited the presidency of the local when his father was sent to jail. Riesel had also attacked Hoffa, who was maneuvering from his Middle Western base to take over the national leadership of the Teamsters.

After the broadcast, Riesel went to Lindy's, the most famous of the late-night Broadway restaurants of the era. He stepped outside at 3 a.m., was fingered by a shadowy figure and then a young man stepped up and hurled sulfuric acid into Riesel's face. He was permanently blinded.

The police learned that the acid thrower was a 22-year-old apprentice hoodlum named Abraham Telvi, who disappeared for a while. They arrested a second-level labor hoodlum—and Hoffa crony—named John DioGuardia (better known as Johnny Dio) and charged him with ordering the attack. But witnesses suddenly developed amnesia and Johnny Dio went free. When Telvi, who had been paid $1,175 by middlemen to do the job, understood the importance of his victim, he demanded more money. He was murdered on July 28 on the Lower East Side, not far from where Riesel grew up.

There is no record of Riesel and Sheridan working together, but in Sheridan's 1972 book, ''The Fall and Rise of Jimmy Hoffa,'' he relates a tale told to him by an honest

teamster named Sam Baron, who was in a hotel room with Hoffa one night in 1956:

Hoffa went into another room to take a phone call and then came back into the room where Baron * * * and others were gathered. According to Baron, Hoffa walked up to him and poked his finger in his chest, saying, ''Hey, Baron, a friend of yours got it this morning.''

''What do you mean?'' Baron asked.

''That son of a bitch Victor Riesel. He just had some acid thrown on him. It's too bad he didn't have it thrown on the goddamn hands he types with.''

Despite his blindness, Riesel continued writing his syndicated column until his retirement in 1990. Sheridan, who moved to the Justice Department when Robert Kennedy became Attorney General, continued pursuing Jimmy Hoffa, and the Teamsters leader finally went to prison in 1967. He served 58 months before being released by Richard Nixon. None of this was simple. The ''Get Hoffa'' squad, commanded by Sheridan, often seemed obsessive; even some liberals objected to its relentlessness. But Sheridan always denied that he and Kennedy were engaged in a vendetta. ''For Kennedy to have done less than he did,'' he wrote in his book, ''would have been a violation of his own public trust and a dereliction of duty.''

By the time Sheridan wrote those words, John and Robert Kennedy had been murdered. A few years later, on July 30, 1975, Jimmy Hoffa went to meet a guy in a restaurant outside Detroit and was never seen again. The labor movement hasn't vanished, of course, but by any measurement, it is greatly diminished. Not even the most giddy union idealist offers hope that it can become in the future what it should have been before the hoodlums cut into its heart. We do know this: Victor Riesel and Walter Sheridan spent years of their lives trying to save the labor movement from the enemy within, trying to help thousands of people who would never know their names.

Pete Hamill's journalism career began in 1960 at The New York Post, a union shop. ''Piecework,'' a collection of his articles, is being published this month.

TRIBUTE TO THE LATE MARSHALL B. WILLIAMS

Mr. THURMOND. Mr. President, last week, as most people visited family and friends, enjoying the especially festive days between Christmas and New Year's, hundreds of South Carolinians, including myself, were saddened to learn of the death of a truly remarkable and legendary person—Marshall B. Williams. For almost 50 years, this man faithfully served the people of the Palmetto State as a member of the South Carolina House of Representatives and the South Carolina Senate. His easy going style and desire to build consensus among his colleagues made him an especially effective legislator and helped to ensure his re-election year after year. As a matter of fact, his longevity in the South Carolina Senate earned him the distinction of not only serving as that body's President pro tempore, but the Nation's longest serving State official.

While I have known the Williams family much of my life, I did not really come to know Marshall until 1928 when he visited his sister who lived in Ridge Spring, SC. About 20 years later, in 1947, we both found ourselves serving in State government. I had just been elected as Governor of South Carolina and Marshall was in his first term as a member of the House, being close in age as well as single, we quickly became good friends. It was a friendship that I valued and one which literally lasted a lifetime.

Marshall was born of a different era and was the product of the values and traditions of the Old South, where manners and civility were stressed, and kindness was not an aberration. Such characteristics personified Marshall throughout his personal and public lives, he treated everyone with whom he came in contact with respectfully and kindly. His geniality and desire to build alliances and friendships earned him the respect and admiration of the men and women with whom he served, his constituents, and citizens throughout South Carolina. It also helped him to become an effective and strong leader within the South Carolina State House, where he chaired some of the most important and influential committees in the Senate. He was a figure who commanded deference and respect, both because of his position and seniority, and also because he accorded others those same courtesies.

With his bow tie and gentle manners, someone who passed Marshall on the street might confuse him for a professor or a retired accountant rather than a strong and capable political leader. During his tenure in the South Carolina Legislature, Marshall helped to create an era of unprecedented growth and change for our State, helping South Carolina become one of the leading centers for commerce and industry in the Southeast. It takes an especially unique man to be born in an era when most of the citizens of our State had little formal education and earned their living by farming, and in later years have the vision to help prepare South Carolina to compete in the high-technology global marketplace of the 21st century. It was the work of a handful of leaders—of which Marshall Williams was one—in the public and private sectors, that prepared South Carolina to meet the challenges of the future and Marshall can be proud of the legacy he left.

Mr. President, this past Saturday over 1,000 people gathered in Marshall's hometown of Orangeburg, SC, to pay their last respects to this man. I was among those who had the honor of eulogizing him and I began my remarks by noting that ''A giant has fallen''. This truly describes Senator Marshall Williams, he did so much for the State and Nation that created him. I know that his wife Margaret, and his children, his grandchildren, and a large circle of friends will miss Marshall a great deal, and I certainly join them in their mourning for this very special man. He touched the lives of thousands through his work and efforts, and South Carolina will never be the same place as a result of his passing.

THE IMPACT OF THE GOVERNMENT SHUTDOWN

Mr. KENNEDY. Mr. President, the irresponsible Government shutdown has brought havoc to the lives of millions of working Americans.

For the past 3 weeks, House Republicans held the Government hostage in an effort to force harsh and excessive cuts in Medicare, education, the environment, and other vital programs in order to pay for their lavish tax breaks for the wealthy.

From coast to coast, the repercussions from the shutdown were felt not only by Federal workers but by contractors who depend on the Government for their income, and by large numbers of other citizens and firms who depend on the Government for their livelihood.

Massachusetts was hit hard by the shutdown. Over 15,000 of the State's 32,000 Federal employees had either been furloughed or were working without pay since December 15.

The various stop-gap funding bills the Senate is now adopting will ease some, but far from all, of these problems. It will pay Federal workers through January 26 and permit a number of essential programs to resume. But many other important Federal services, which families have already paid for with their hard-earned tax dollars, will not to be funded under today's stop-gap bills.

The stop-gap bills still provide no funding for Head Start, which serves 2,000 children in Massachusetts. Nor does it provide assistance to low-income families to insulate their homes. The Foster Grandparents Program, community health centers, the Ryan White AIDS Program, and clean water inspection will also continue to go unfunded.

At the same time, the stop-gap bills will send thousands of Federal workers back to work—without the funding to administer these programs. Republicans talk about making work pay, but under their stop-gap funding bills, far too many Federal employees will be forced to sit idle at their desks while taxpayers demand these important services.

Republicans claim that they want to reduce the deficit and balance the budget, but the Office of Management and Budget has found that over the 3 weeks the Government has been closed, the Federal Treasury has lost $945 million—or $45 million a day. If that's not inefficient, I don't know what is.

Instead of these defective stop-gap bills, we should have passed an honest bill to reopen the Government while the budget negotiations continue. Responsible Republican leaders have tried in good faith to end this irresponsible shutdown, and I wish they had been more successful.

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I am going to ask about three unanimous consent requests. I will state them first and then if there are any objections, they can be heard.

MESSAGE FROM THE HOUSE ON H.R. 1643

I ask unanimous consent that the Chair lay before the Senate a message from the House on H.R. 1643, extending certain programs for the remainder of the fiscal year, and deems all Federal employees essential and pays those employees; that the Senate immediately concur in the House amendments, the motion to reconsider be laid upon the table, all without any intervening action or debate.

The message from the House is as follows:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1643) entitled ''An Act to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria'', with the following amendments:

In lieu of the matter inserted by said amendment, insert:

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. 101. (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 Act) 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 funded under the account heading ''Family support payments to States'' under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading ''Payments to States for foster care and adoption assistance'' under the Administration For Children and Families in the Department of Health and Human Services;

All administrative activities necessary to carry out the projects and activities in the preceeding two paragraphs;

All projects and activities funded under the account headings ''Dual benefits payments account'', ''Limitation on administration'' and ''Limitation on railroad unemployment insurance administration fund'' under the Railroad Retirement Board;

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, the John F. Kennedy Center for the Performing Arts, and the United States Holocaust Memorial; and

All projects and activities necessary to process visas and passports and to provide for American citizen services, 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 Act, 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 Act, 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 Act, the pertinent project or activity shall be continued under the 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. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 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. 104. No provision which is included in the appropriations Act enumerated in section 101 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 Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act 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 Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, 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, except for the projects and activities under the headings ''Family support payments to States'' and ''Payments to States for foster care and adoption assistance'', for which date shall be March 15, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this Act 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. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act 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 106(c) of this Act.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this Act 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. 110. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on December 16, 1995.

SEC. 111. Notwithstanding any other provision of this Act, except section 106, funds appropriated under section 101 for the payment of vested dual benefits under the Railroad Retirement Act shall be made available so as to fully fund the payments made on January 1, 1996, and the payments to be made within the period covered by this Act including those payments to be made on the first day of each month within the period covered by this Act. In addition to the funds appropriated under section 101 of this Act, $12,800,000 is appropriated to restore full funding for payments made for the period prior to January 1, 1996.

SEC. 112. Notwithstanding any other provision of this Act, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall remain in effect during the period of this Act, notwithstanding paragraph (3) of said subsection.

TITLE II

VETERANS AFFAIRS

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. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' 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. 202. Section 201 shall cease to be effective on September 30, 1996.

SEC. 203. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on January 4, 1996.

TITLE III

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. 301. Such amounts as may be necessary under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1995 for paying salaries of Federal employees excepted from the provisions of the Antideficiency Act (31 U.S.C. 1341 et seq.) who are continuing projects and activities conducted in fiscal year 1995 who work during periods when there is otherwise no funding authority for their salaries.

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 Act.

SEC. 305. Appropriations made and authority granted pursuant to this title of this Act 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 Act.

SEC. 306. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 26, 1996, whichever first occurs.

SEC. 307. Expenditures made pursuant to this title of this Act 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. 308. No provision in the appropriations Act for the fiscal year 1996 referred to in section 301 of this Act 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 Act.

SEC. 309. Appropriations and funds made available by or authority granted pursuant to this title of this Act 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. 310. ALL FEDERAL EMPLOYEES DEEMED TO BE EXCEPTED EMPLOYEES.—(a) IN GENERAL.—Section 1342 of title 31, United States Code, is amended for the period December 15, 1995 through January 26, 1996—

(1) by inserting after the first sentence ''All officers and employees of the United States Government or the District of Columbia government shall be deemed to be performing services relating to emergencies involving the safety of human life or the protection of property.''; and

(2) by striking out the last sentence.

SEC. 311. 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. 312. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.—Notwithstanding any other provisions of law, 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 deemed to be totally separated from Federal service and eligible for unemployment compensation benefits under subchapter I of chapter 85 of title 5 of the United States Code with no waiting period for such eligibility to accrue.

SEC. 313. For the purposes of this title, Federal employees returning to work under the provisions of section 310 shall be deemed to have returned to work at the first regularly scheduled opportunity after December 15, 1995.

SEC. 314. Appropriations made pursuant to section 301 are made notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), section 53 of the Arms Control and Disarmament Act, and section 10 of Public Law 91–672.

TITLE IV

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. 401. (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 Act) 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 Act, 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 Act, 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 not 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 Act, the pertinent project or activity shall not be continued except as provided for in section 411 or 412 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. 402. Appropriations made by section 401 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 403. No appropriation or funds made available or authority granted pursuant to section 401 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. 404. No provision which is included in the appropriations Act enumerated in section 401 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 Act.

SEC. 405. Appropriations made and authority granted pursuant to this title of this Act 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 Act.

SEC. 406. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, 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. 407. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act 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. 408. Expenditures made pursuant to this title of this Act 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. 409. No provision in the appropriations Act for the fiscal year 1996 referred to in section 401 of this title of this Act 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 406(c) of this Act.

SEC. 410. Appropriations and funds made available by or authority granted pursuant to this title of this Act 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. 411. Notwithstanding any other provision of this title of this Act, except section 406, whenever the Act listed in section 401 as passed by both the House and Senate as of the date of enactment of this Act does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 401 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 401 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 amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this Act bears to 366. For the purposes of this title of this Act the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 412. Notwithstanding any other provision of this title of this Act, except section 406, whenever the rate for operations for any continuing project or activity provided by section 401 or section 411 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 Act bears to 366.

SEC. 413. Notwithstanding any other provision of this title of this Act, except sections 406, 411, and 412, 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 Act that would impinge on final funding prerogatives.

SEC. 414. This title of this Act shall be implemented so that only the most limited funding action of that permitted in this title of this Act shall be taken in order to provide for continuation of projects and activities.

SEC. 415. 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 Act.

SEC. 416. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act shall be used to implement or enforce any system or registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose 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 Act 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 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.

HOUSE CONCURRENT RESOLUTION 131

Mr. DOLE. I ask unanimous consent that the Senate now turn to House Concurrent Resolution 131, directing the House to enroll and send to the President House Joint Resolution 134, after he has submitted a certified balanced budget using CBO numbers; that the concurrent resolution be immediately agreed to and the motion to reconsider be laid upon the table, all without any intervening action or debate.

HOUSE JOINT RESOLUTION 134

And I further ask unanimous consent that once the Senate receives the message from the House on House Joint Resolution 134, the House-initiated continuing resolution, conditioned on the President submitting a balanced budget, the Senate be deemed to have concurred in the House amendment and the motion to reconsider be laid upon the table, all without any intervening action or debate.

H.R. 1358

And finally, I ask unanimous consent that if the Senate receives the message from the House on H.R. 1358, containing additional programs not identified in H.R. 1643, the Senate be deemed to have concurred in the House amendment, and the motion to reconsider be laid on the table, all without any intervening action or debate, on the condition that the House amendment is identical to the text I now send to the desk. And I ask unanimous consent that it be printed in the RECORD.

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

TITLE I

At the end of the amendment add the following:

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. 101. (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 Act) which were conducted in the fiscal year 1995:

All allowances paid under section 5(b) of the Peace Corps Act, 22 U.S.C. section 2504, notwithstanding section 10 of Public Law 91–672, at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–295) on the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (H.R. 1868), as passed by the House of Representatives on October 31, 1995;

All activities, including administrative expenses, necessary to process single-family mortgage loans and refinancing for low-income and moderate-income families funded under the Federal Housing Administration's ''FHA-mutual mortgage insurance program account'' and ''FHA-general and special risk program account'' in the Department of Housing and Urban Development at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–384) on the Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;

All projects and activities directly related to the security of United States diplomatic posts and facilities abroad, notwithstanding section 15 of the State Department Basic Authorities Act of 1956 at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

Activities funded under the account heading ''Emergency food and shelter program'' in the Federal Emergency Management Agency: *Provided,* That, notwithstanding any other provision of this Act, the amount made available by this Act shall not exceed $46,000,000: *Provided further,* That not to exceed three and one-half percentum of the amount made available shall be for administrative costs;

All retirement pay and medical benefits for Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and

for medical care of dependents and retired personnel under the Dependent's Medical Care Act (10 U.S.C. ch. 55) and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)); at a rate for operations, notwithstanding any other provision of this Act, provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996 (H.R. 2127), as passed the House of Representatives on August 4, 1995;

All projects and activities of the Federal Bureau of Investigation, Drug Enforcement Administration, Interagency Crime and Drug Enforcement, Federal Prison System, U.S. Attorneys, U.S. Marshals Service, Federal Prisoner Detention, Fees and Expenses of Witnesses, Immigration and Naturalization Service, and the Executive Office for Immigration Review, necessary for the investigation and prosecution of criminal and civil offenses; national security; the apprehension, detention and removal of illegal and criminal aliens; the incarceration, detention, and movement of federal prisoners and detainees; and the protection of the Federal judiciary at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities of the Judiciary to the extent and in the manner and at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities necessary to provide for the expenses of State surveys and certifications under the account heading ''Program Management'' under the Health Care Financing Administration in the Department of Health and Human Services;

Trade adjustment assistance benefits and North American Free Trade Act benefits funded under the account heading ''Federal Unemployment Benefits and Allowances'' under the Employment and Training Administration in the Department of Labor;

Payments to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds under the account heading ''Payments to Health Care Trust Funds'' under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities necessary to provide for the expenses of Medicare contractors under title XVIII of the Social Security Act under the account heading ''Program Management'' under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities funded under the account heading ''Grants to States for Medicaid'' under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities of the National Institutes of Health in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, provided for in the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996, (H.R. 2127), as passed the House of Representatives on August 4, 1995;

All projects and activities necessary to carry out the Section 7(a) General Business Loan Guaranty program and the Section 504 Certified Development Company program, as authorized by law, under the Small Business Administration at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities funded under the account heading ''Surety Bond Guarantees Revolving Fund'' under the Small Business Administration at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities necessary to accommodate visitors and to provide for visitors services on the public lands managed by the Bureau of Land Management at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–402) on the Department of the Interior and Related Agencies Appropriations Act, 1996, (H.R. 1977), as passed by the House of Representatives on December 13, 1995;

All projects and activities funded under the account heading ''Disease Control, Research, and Training'' under the Centers for Disease Control and Prevention in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, not to exceed an annual rate for new obligational authority of $2,114,693,000;

All Self-Determination and Self-Governance projects and activities of tribes or tribal organizations (as that term is defined in Public Law 93–638) that are authorized by Public Law 93–638 under the account heading ''Operation of Indian Programs'' under the Bureau of Indian Affairs in the Department of the Interior or under the account heading ''Indian Health Services'' under the Indian Health Service in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–402) on the Department of the Interior and Related Agencies Appropriations Act, 1996, (H.R. 1977), as passed by the House of Representatives on December 13, 1995;

All projects and activities necessary to provide for the expenses of the Kendall Demonstration Elementary School and the Model Secondary School for the Deaf under the account heading ''Gallaudet University'' in the Department of Education;

Payments for benefits and interest on advances, together with expenses of operation and administration, under the account hearing ''Black Lung Disability Trust Fund'' under the Employment Standards Administration in the Department of Labor; and

Payments for benefits, together with expenses of operation and administration, under the account heading ''Special Benefits for Disabled Coal Miners'' in the Social Security Administration: *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 Act, 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 Act, 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 Act, the pertinent project or activity shall be continued under the 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. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 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. 104. No provision which is included in the appropriations Act enumerated in section 101 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 Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act 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 Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, 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. 107. Expenditures made pursuant to this title of this Act 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. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act 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 106(c) of this Act.

SEC. 109. Appropriations and funds made available by or authority granted pursuant

to this title of this Act 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. 110. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on December 16, 1995.

TITLE II

SEC. 201. YAVAPAI-PRESCOTT INDIAN TRIBE WATER RIGHTS SETTLEMENT ACT OF 1994.

(a) EXTENSION.—Section 112(b) of the Yavapai-Prescott Indian Tribe Water Rights Settlement Act of 1994 (108 Stat. 4532) is amended by striking ''December 31, 1995'' and inserting ''June 30, 1996''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of December 31, 1995, and with the consent of Prescott, Arizona, the contract referred to in such section 112(b) is revived.

SEC. 202. SAN CARLOS APACHE TRIBE WATER RIGHTS SETTLEMENT ACT OF 1992.

(a) EXTENSION.—Section 3711(b)(1) of the San Carlos Apache Tribe Water Rights Settlement Act of 1992 (title XXXVIII of Public Law 102–575) is amended by striking ''December 31, 1995'' and inserting ''December 31, 1996''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect as of December 31, 1995.

(2) LAPSED PROVISIONS OF LAW AND CONTRACTS.—The provisions of subsections (c) and (d) of section 3704, subsections (a) and (b) of section 3705, section 3706, subsections (a)(2), (c), (d), and (f) of section 3707, subsections (b) and (c) of section 3708, and subsections (a), (b), (c), (d), (e), (g), (h), (j), and (l) of section 3710 of such Act, together with each contract entered into pursuant to any such section or subsection (with the consent of the non-Federal parties thereto), shall be effective on and after the date of enactment of this Act, subject to the December 31, 1966, deadline specified in such section 3711(b)(1), as amended by subsection (a) of this section.

The PRESIDING OFFICER. Is there objection to the request by the majority leader?

SENATE CONCURRENT RESOLUTION 38

Mr. DASCHLE. Reserving the right to object, I have a fourth resolution I ask to be considered as part of this series, en bloc. I will simply read the resolution.

The President and the Congress shall enact legislation in the 2nd session of the 104th Congress to achieve a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office, and the President and the Congress agree that the balanced budget must protect future generations, ensure Medicare solvency, reform welfare, and provide adequate funding for Medicaid, education, agriculture, national defense, veterans, and the environment. Further, the balanced budget shall adopt tax policies to help working families and stimulate future economic growth.

The balanced budget agreement shall be estimated by the Congressional Budget Office based on its most recent current economic and technical assumptions, following a thorough consultation and review with the Office of Management and Budget, and other government and private experts.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Let me indicate we hotlined this on this side. As far as I know nobody has indicated any objection. I wanted to be sure we did that because after the action we took last week I know the Senator from Texas, Senator GRAMM, said he would have objected had he been here. I understand the Senator from Oklahoma, Senator INHOFE, and the Senator from Georgia, Senator COVERDELL, made the same indication. I am not certain about the Senator from Mississippi, Senator LOTT.

But everybody has been notified. If they want to make any objection now, wherever you are, now is the time to be heard.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request by the majority leader?

Mr. FORD. Mr. President, reserving the right to object, I need some explanation because of the resolution. Am I correct in my understanding that the so-called clean CR that has the proviso that says that when the President sends or submits a balanced budget in 7 years with CBO figures and is certified by the Speaker, then the clean CR would be released, that that legislation stays here and does not go to the White House until such time as the President submits that budget?

Mr. DOLE. The Senator is correct.

Mr. FORD. So therefore that piece of your unanimous-consent agreement will not go to the President, but it will stay here?

Mr. DOLE. Yes.

Mr. FORD. I thank the leader. I will not object.

● Mr. BOND. Mr. President, I rise in strong support of this latest version of a continuing resolution, and I commend the Majority Leader for his diligence in trying to bring an end to the budget impasse.

It's long past time to send government workers back to work, and ensure they receive full pay on time. We can wait no longer for the President to make good on his promise to submit a 7-year balanced budget. It's clear he never intended to honor this commitment. But we simply cannot hold our Nation's elderly, who depend on Meals on Wheels; our veterans, who depend on their monthly benefit check; those who need passports to travel; children, who depend on federal assistance; or federal workers, to name a few, hostage to the President's refusal to carry through on his commitment.

As chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee, my patience with this administration has completely expired. The White House has shown no willingness to negotiate in good faith to resolve their concerns with the VA–HUD bill. While I have expressed my willingness time and again to negotiate a compromise, the White House does not seem to understand the art of compromise.

Last month, OMB prepared a list totaling $1.9 billion which at the time represented the administration's list of what they wanted in additional spending for the VA–HUD bill. Earlier this week, I saw a new list which OMB had prepared, which had grown to almost $2.5 billion. Mr. President, this doesn't represent a good faith attempt to resolve the current budget crisis! The size of the list is going in the wrong direction!!

Let me highlight just a few items on the administration's so-called ''wish list'' for the VA-HUD Subcommittee which would make the bill ''acceptable'' to the President.

The list contains several pork barrel projects, including $62 million for the first phases of two brand new VA hospitals—at a time when the veteran population is declining, VA's existing 173 hospitals are underutilized, and GAO says these facilities are not needed.

The list includes $50 million for a new $280 million EPA laboratory, a project we just cannot afford at this time.

The list includes $1 million for the obsolete Office of Consumer Affairs, when we have 2 other consumer agencies which can take over OCA's activities at far less expense. While the President has said he's for streamlining and eliminating duplication, when the time comes to actually do it, he refuses.

For EPA's environmental technology initiative, the White House says we must put in another $62 million—despite the fact that this program has been a complete waste of taxpayer dollars and there is nothing to show for the millions we've already spent over the past 2 years.

For Boston Harbor, the White House says we need another $75 million, in addition to the $25 million included in the VA–HUD bill and on top of the $530 million already appropriated over the past several years for this pork barrel project. I say to the President, enough is enough! It's time to get real and begin good faith negotiations.

While my frustration with this administration is mounting even as I speak, I do not believe it's right to allow the American people, who depend on services provided by their Federal government, to be the victims of the President's intransigence.

Therefore, I support passage of this continuing resolution, returning workers to their jobs, and providing full year spending authority for such critical activities as veterans benefits, Meals on Wheels, child welfare programs, passport and visa services, and locally financed operations of the District of Columbia.

As chairman of the VA–HUD subcommittee, I'm particularly pleased that this continuing resolution will enable the Department of Veterans Affairs to provide payments to needy and disabled veterans in a timely manner. It will enable VA to pay its hospital workers—who have been working without pay for the past 3 weeks—and pay those who supply medicine, food, and

other critical supplies to its hospitals. This is extremely important and I strongly support the inclusion of this provision in the continuing resolution.

Let me make clear that while I support this measure, it is in no way a solution to the budget stalemate. There are many, many activities which will not be carried out even if this legislation is enacted. For example, while VA can begin processing new claims again, VA will not be able to make payments to new beneficiaries. EPA Superfund cleanup contractors will not get paid. FEMA's emergency food and shelter program will not receive funds—meaning that hundreds of people who find themselves in need of temporary housing assistance will not get help. And States will not receive grants to run their environmental protection programs or for the construction of wastewater treatment plants.

Mr. President, this measure also will not address a major problem with contractor provided services, particularly those provided by small businesses which typically have limited financial resources with which to weather-out delays in payments. This is a very large problem because over the last decade the Federal Government has emphasized contracting out of activities which could be more efficiently carried out by the private sector. Many activities which formerly were conducted by Federal employees have been converted over to the private sector. The employees of these contractors have been furloughed just like the Federal Government counterparts, but under the terms of this bill, they won't be returning to work. And, even when they do return to work, it won't be with the assurances of reimbursement that Federal employees are being given for their lost pay.

As Chairman of the Small Business Committee, I am particularly concerned over the adverse impact this budget impasse is having on cash poor small business contractors. These businesses cannot draw readily upon preexisting lines of credit or cash reserves that large corporations usually have available. So even where the Federal Government has determined that a function carried out by a contractor is critical or related to health and safety, the Government's inability to make timely payments jeopardizes the very existence of these small businesses.

While the VA–HUD bill Congress passed in December would have funded every one of these activities, the President decided the bill was not good enough and he vetoed it. He vetoed it because we could not breech the budget constraints and appropriate another $2 billion. If he had signed it, he could have sought supplemental funds in negotiations with the Congress and all of the hardships his veto caused could have been avoided.

But we are left with no choice but to enact this stop-gap measure. I urge the President and his advisors and all those involved in negotiations on the budget, to work in good faith to come to an agreement as soon as possible.

In conclusion, I again commend the Majority Leader for his hard work on this matter, and I urge its expeditious adoption.●

The PRESIDING OFFICER. Is there objection to the unanimous-consent request by the majority leader as amended by the minority leader?

Hearing none, without objection, it is so ordered.

So the motion to concur in the amendment of the House to H.R. 1643 was agreed to.

So the concurrent resolution (S. Con. Res. 131) was agreed to.

So the concurrent resolution (S. Con. Res. 38) was agreed to, as follows:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That the President and the Congress shall enact legislation in the 2nd session of the 104th Congress to achieve a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office, and the President and the Congress agree that the balanced budget must protect future generations, ensure Medicare solvency, reform welfare, and provide adequate funding for Medicaid, education, agriculture, national defense, veterans, and the environment. Further, the balanced budget shall adopt tax policies to help working families and stimulate future economic growth.

The balanced budget agreement shall be estimated by the Congressional Budget Office based on its most recent current economic and technical assumptions, following a thorough consultation and review with the Office of Management and Budget, and other government and private experts.

Mr. DOLE. That takes care of the Senator's request?

Mr. DASCHLE. Yes.

Mr. DOLE. I think the Senator from Alaska wants to comment, too. I think the Senator from Oregon, Senator HATFIELD, the chairman of the Appropriations Committee, has some concern about this process. In fact, I think the Senator from Alaska talked to the Senator from Oregon. But let us proceed. We need to work on some of these things.

Has anybody determined, once they look through the list—NIH will be approved for an entire year, in fact, a number for an entire year, some March 15. That takes those provisions out of other bills that may be pending or may have been vetoed. I think it does present some difficulty for the appropriators, particularly those who might be conferees when they try to salvage the rest of those proposals and get them passed. I will be happy to yield to the Senator from Alaska for further comments. I know he talked to Senator HATFIELD.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Chair.

It is my understanding that this bill is now for the full year for all of the subjects mentioned.

Mr. DOLE. In the second, yes.

Mr. STEVENS. The difficulty is—I have not spoken directly with the Senator from Oregon, but he has sent to me his concerns as chairman of the Appropriations Committee that what this does is it pulls out of some bills, as the leader said, provisions that may disturb really the synergy of the whole bills when we come back and try to get them finally adopted and sent to the President.

So he does really express great reservation to the procedure that is being used. So he wants me to indicate that the Appropriations Committee on this side will not pursue this procedure again.

Mr. DOLE. I do not disagree, obviously, with the Senator from Alaska or the Senator from Oregon. I think in the event we should reach an agreement with the President on a balanced budget we can take care of all the appropriations bills that are still around here, but otherwise it is going to present a real problem. But I would just say the House insisted that they be for 1 year or they not be included at all. So you had to make a judgment because some of these are very sensitive programs, very important programs.

So we yielded to the wishes of the House appropriators in this case. But I understand the Senator's concern.

Mr. STEVENS. Mr. President, just one comment further. It is my understanding that the figure is the House figure on those disputed items which are in conference with the Senate. That is the Senator from Oregon's real objection to this procedure.

Mr. DOLE. Some are the House figures and some are the conference figures. But the Labor-HHS, since that has not been completed that is the House figure in Labor-HHS.

Mr. STEVENS. Right.

Mr. DOLE. Let me thank all my colleagues. The House is still debating what we have completed. But we are going to—in case there should be any amendment, the Democratic leader and I agreed we would be here tomorrow so we could concur on any additional amendment, if we agree on it, concur in that amendment, because we want to be certain on Monday the money is available for whatever may be in that text that I sent up.

I do not think there will be any amendments adopted on the House side, but if so that will be taken care of tomorrow. And we will condition coming in tomorrow on whether or not there are any amendments added. If there are no amendments added, we will not be in session tomorrow, we will not be in session Sunday, we will come in about 2 or 3 o'clock on Monday, probably about 3 o'clock Monday.

I want to thank all my colleagues for their cooperation. In my view, we have a resolution now of a very thorny problem and one that unfairly punished a lot of good people, Federal employees in particular who were being paid for not working, not because they do not want to work—they were willing to

work—but they could not go to work. And this will see that they are paid.

In addition, we have provided money for a number of programs, as pointed out in the two sort of targeted appropriations bills that we passed this evening. Of course, the President now, if he decides to lay down a balanced budget, scored by CBO, over a 7-year period, then everything is going to be open until January 26.

I think by that time we will either have reached the budget agreement or not. That gives us 3 weeks in which to do that. And I hope that if we cannot come to some agreement that we are not going to go through this process again with a Government shutdown or partial shutdown. I know that the Speaker is working on some language that in the event this should happen again that I think every Federal worker would be deemed essential so they would still be coming to work, and some other provisions they are working on on the House side so there would not be a repeat of the 21- or 22-day shutdown, following the earlier 7-day Government shutdown or partial shutdown.

So I want to thank the Democratic leader. And I want to thank my colleague from Virginia who has been on the floor all week long, and others who have an interest in this matter, as we all do. I think now that we have completed action we can tell everyone to go back to work.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I share the satisfaction expressed by the majority leader about the opportunity now to send Federal workers back to work with pay, apparently now giving them also the authority and funding to do at least some of the things that they are being paid for. But I share the reservations expressed by the Senator from Alaska and the Senator from Oregon. This is not the way to run a Government.

The majority leader had it right on January 2. On January 2 this body passed a clean continuing resolution that did all that we should do. Now we are picking and choosing. Now we are picking winners and losers. Now we are still leaving unfunded a lot of very important programs including Head Start, JOBS, cops on the beat, virtually all the programs at the Commerce Department, NASA operations, the social services block grants, Violence Against Women grants, entire divisions of the Department of Justice—including the criminal, civil rights, and environmental divisions, among others—all Environmental Protection Agency contractor operations, low-income housing vouchers, and vocational rehabilitation. Many more agencies and activities, very important functions of Government, are still left without any funding, still left without any standing as we enter this new session of Congress in this new calendar year. American taxpayers have paid for these services, yet they will not be receiving them.

So no one should be misled. We have not solved everything here. We have solved only part of the problem. As I have said all day, we have come to the agreement that something is better than nothing. And nothing is what we would have had if nothing passed tonight. And so I am somewhat encouraged that we made some progress in all of this, although I wish we had done again tonight what we did on January 2—pass a clean continuing resolution to reopen the entire government and restore some normalcy to our governmental processes.

As for the 7-year budget issue, the reason we added the fourth measure to this en bloc unanimous consent request agreement is that the commitment to a 7-year balanced budget, Mr. President, was only half of the agreement Democrats and Republicans both made last November.

The other half of the agreement was that we were going to protect priorities. We all agreed we would negotiate toward a balanced budget if we could agree to one within a 7-year period of time, scored by CBO once finalized—after there was consultation with the Office of Management and Budget. But what we also agreed to was that we would protect those priorities that Democrats and some Republicans have indicated are very important if we are going to achieve a balanced budget: all the priorities I read earlier.

Those priorities include Medicare and making sure that people have every confidence that in the Medicare Program they are going to be protected. They include Medicaid and education and the environment. They include agriculture and veterans affairs—priorities that we feel every bit as strongly about as we feel the need to balance the budget in 7 years. We are unwilling to use those pools of resources to pay for tax cuts for those who do not need them.

So we felt the need to recommit ourselves and our colleagues to those priorities that we all agreed to last November.

Mr. President, I know others want to speak. Let me just close by reading a letter that I got from Amanda Munroe a couple of days ago. Amanda Munroe is a sixth grader from Sturgis, SD. She wrote a letter that is as poignant and as straight to the point as anything I have read. It is probably appropriate tonight that it be read and shared with my colleagues:

> I am 12 years old and in the 6th grade at Sturgis Williams Middle School. My mom and dad both work at Fort Meade Veterans Medical Center. Many kids at Sturgis Williams Middle School have parents that work at Fort Meade.
>
> In school I learned that the Government is of the people, for the people, and by the people. I thought the Government was supposed to make choices that help the Nation. The furlough does not only hurt Federal workers, it hurts the children also. I thought the children were the future.
>
> I think that the Democrats and the Republicans should each give a little and pass the budget. It would make the future of Federal workers and their children much brighter.
>
> Thanks for being the grinch that stole our Christmas.

There are a lot of children and others out there who did not have a very rosy Christmas as a result of an extraordinary experience they have had to endure. Let us hope it is now over. Let us hope at long last Federal workers can go back to work, pay their bills, run the Government and do the things that we have asked them to do. We will all be better for it. I yield the floor.

Mr. WARNER. Mr. President, I first want to express my great respect and appreciation for the majority leader of the U.S. Senate. In the 200-plus years that this institution has been serving the public of this great Nation, I doubt if there has been a chapter with parallel and complexity and such seriousness as the one we witnessed here of recent days.

The leadership exhibited by Senator DOLE throughout has earned him an indelible place in the history of this institution and in that category so named as a profile in courage for what he has done.

I join with Senator DOLE in his expression of appreciation to the minority leader and his leadership, together with the minority whip and his leadership. I have had the privilege here of being on the floor throughout the week with the distinguished Senator from Kentucky, and while we may have had differences of views, we have tried our very best to maintain a bipartisan approach to the solution, and I think that was achieved.

I also want to pay special recognition to Members of Congress from the greater Metropolitan Washington area: Congressman DAVIS, Congressman GILCHREST, Congressman WOLF, Congresswoman MORELLA. We have been meeting regularly, together with Congressman BATEMAN, who represents another section of the State of Virginia, to try and provide the leadership of the Senate and the House with our best judgment as to how this matter may be resolved.

I also wish to thank the Presiding Officer, the senior Senator from Alaska, a known expert on the complexity of appropriation measures. We counseled together throughout the evening on various aspects of the legislative messages coming from the House, and, indeed, I think through his wisdom, one or two problems were corrected at the last minute. I wish to commend him for the service he has rendered the Senate in that capacity this evening. Time is short and there was a need to move forward on this.

I know there are other Senators anxious to speak. I shall yield the floor. Again, my expression of appreciation to all the colleagues who worked together as a team, together with a very competent staff of this institution to make this possible and to put back to

work these individuals who were caught in the crossfire, in a very unfair manner, caught in a crossfire—not only those who are Government employees, but indeed the ripple effect throughout our State and other parts of the United States which involved either directly or indirectly many members of the private sector.

I hope we have learned by this experience, Mr. President, we have learned a lesson such as it will not be repeated again in the future. I yield the floor.

Mr. HEFLIN. Mr. President, I join in the remarks of Senator WARNER relative to the majority leader and minority leader and the minority whip, Senator FORD, and the person who has been serving somewhat of a similar capacity, Senator WARNER, on the floor, as well as other leaders, including the chairman of the Budget Committee in the Senate.

I think the Senate, basically, has endeavored to act very reasonably in approaching this issue pertaining to the shutdown of the Government, getting the Federal employees back on the job. I think Senator DOLE's speech on ''enough is enough'' was a remarkable speech and a remarkably courageous statement.

I think in the Senate we have shown that we can get together, be reasonable, work out these matters. We have differences as to what a balanced budget over 7 years should be comprised of, and a lot of differences. Nevertheless, there is a spirit here of cooperation in endeavoring to try to work together, to try to solve the problems that confront the Nation at this particular time.

I was really concerned about the bills that were coming over from the House relative to it, because in effect they were authorizing the employees to go back to work but in effect restricting what they could do by the use of funds. I sort of referred it to one of my friends as, you are sending them back to work, but you are putting them in a thumb-twiddling situation where they just have to sit around and twiddle their thumbs and they cannot do anything because of the restrictions. That still applies to a large number of the agencies and departments that are not covered. I am delighted that there is this second targeted appropriations continuing resolution and it takes care of a number of very important agencies and departments in Government.

During the day when we first started out, this was omitted, and I began to talk to a great number of people pertaining to a number that I felt were essential, that they ought to be continued, such as the National Institutes of Health. I talked to the Director of the National Institutes of Health during the day. Of course, there were real problems there that they would have on continuation of research, vital research, and the grants. He told me they had something like over a 3-month period, around 4,000 applications that they had to process.

There is also a very unusual program where people with rare diseases come within the ambit of the National Institutes of Health and are able to be treated, and they are given special treatment and special drugs. It has saved the lives of numerous individuals, and this would have had to be shut down.

The Center for Communicable Diseases and the Centers for Disease Control were in a situation where Senator NUNN made a very telling speech and very informative speech about yesterday. To me, it was essential that we continue to operate at full force and with full effectiveness the Centers for Disease Control. Monitoring flu, you never know exactly what is going to happen. There are diseases that occur and epidemics that could take place. This is extremely important.

To me, another very essential aspect was the conduct of the courts of the land. Our judiciary needed to be protected. I did some investigations and under the proposals that would have occurred until this last second targeted appropriations bill has now been approved by this body and will be brought up before the House later—and, of course, if they pass it, it will be deemed to have been adopted by the Senate under our resolution. There are an average of 4,500 individuals charged with Federal felonies each month. If the criminal trials are not held, public safety will be jeopardized, because under the Speedy Trial Act, criminal trials must be held within 70 days from the date the defendant is indicted or arrested, or charges are dismissed and the defendants will be released back into the community.

As evidenced by the bombing at Oklahoma City, and in recent instances in Chicago involving the murder of a court security officer, an attempted mail bombing, the safety of judges and judicial employees is also at great risk.

The lack of Federal funds to pay the contractors who operate the screening equipment and assist the U.S. marshals in providing security in Federal courthouses would result in undetected guns, explosives, and other weapons getting into courtrooms. Judges, especially those in high-risk areas, will not jeopardize the safety of court personnel, jurors, witnesses, and the public by holding trial in the absence of proper security. This could result in the possible dismissal of cases and release of defendants back into the community.

And then jury trials: No funds would have been available to pay jurors in civil and criminal trials. As a result, courts will be faced with the choice of either delaying important trials or compelling citizens to serve under the threat of imprisonment or fine without any promise of timely pay. Trials would be canceled or delayed because 60 percent of the court reporting and half of all of the court interpreting is performed by outside contractors. Court-appointed private attorneys, who represent almost half of all criminal defendants, would not be paid, jeopardizing the holding of criminal trials for their clients. This would lead to possible dismissal of cases and release of defendants back into the community.

Public safety throughout the country would be seriously impaired due to a lack of Federal funds to pay for drug testing, drug and mental health treatment, halfway house placement, home confinement monitoring, community supervision by judicial employees of 114,000 convicted criminals, the majority of whom have served sentences of incarceration, and those charged with Federal crimes and so on. I could go on. Even in the bankruptcy court there are matters that would have to be looked at, and this would cause problems relative to this.

I am delighted to see that the Department of Justice crime programs—the FBI, DEA, prisons, U.S. marshals, U.S. attorneys, U.S. Marshal Service, organized crime, and drug enforcement—are taken care of in regards to that. But there are other areas in the Department of Justice that are not taken care of.

So, I think we still have to look at this, in this situation of where people go back to work, but then, in effect, they are so restricted they cannot carry out their duties, raises the question of how rational and how wise such a measure is. Nevertheless, it is better than what we have had.

Again, I thank the leadership of the Senate for their work relative to this and in the reasonable approach they have used. Hopefully, some of that reasonable approach has rubbed off on the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I believe late on a Friday evening, with very few of the public listening or watching, the Congress of the United States is about to accomplish an extraordinary feat. We have passed, or are about to pass automatically, a series of resolutions which will solve the immediate crisis before us, a crisis in the day-to-day administration of many of the agencies of our Federal Government. It is that crisis, of course, which has occupied the minds and hearts and the time of many Members of Congress, of almost all of our Federal employees, and of much of the administration over the course of the last several weeks. And it is an accomplishment in itself, given the controversial nature of the issues before us.

From the perspective, from the point of view of the long-range interests of the people of the United States, however, that accomplishment pales by comparison with the near commitment we now have to a proposed balanced budget from the President of the United States, a goal we have sought unanimously on this side of the aisle, a goal sought by many on the other side of the aisle, for an extended period of time, for at least all of calendar year 1995. It is a goal which was, of course, not attained by the original budget the

President of the United States submitted to Congress, by the revisions last summer, or by any of the further revisions which have taken place during the course of this debate during the fall and winter of 1995 and in 1996.

Now, however, the full restoration of the administration of various departments of the United States depends upon the submission by the President of the United States of just such a balanced budget. These proposals do not require any particular content in that balanced budget, but they do require, and I believe will obtain, a set of proposals from the President which can be compared at that point by Members of Congress, by the news media, and by the people of the United States, with the various proposals the Republicans have made, including the Balanced Budget Act of 1995 recently vetoed by the President of the United States.

Just why it has taken this extended period of time, why the President has so resisted meeting us on common ground, a common ground from which we all hope a valuable compromise can be reached, is difficult to understand. Clearly Members of the Democratic Party can meet the challenge of proposing a balanced budget using honest figures which presumably meets each of the priorities on which they place so much weight with respect to health care, the environment, education, and the like. Conservative Democrats in the House produced such a budget many weeks ago. The leadership of the Democratic Party here in the Senate made such a proposal before the Christmas recess.

Now, much of the debate has revolved around the insistence of Republicans on a balanced budget using figures provided by the Congressional Budget Office. The overwhelming attention of the White House and of many of its supporters has been toward a list, included in the last balanced budget requirement, respecting adequate funding for Medicare, Medicaid, education, the national defense, and a number of other activities of the Federal Government.

But there is a very real distinction between those two parts of that November resolution. The determination of whether or not a proposed budget, whatever its specific content, is in fact balanced under the projections of the Congressional Budget Office is a pure question of fact. Either it is or it is not.

The Congressional Budget Office, basing its judgment on certain assumptions, makes a series of mathematical calculations and tells us whether, in its view, in the year 2002, the budget will be balanced. The answer is yes or no. There is, given the nature of the requirement, no valid difference of opinion as to whether or not a particular budget is balanced. The Balanced Budget Act of 1995 included such a balance. Later proposals by the Senator from New Mexico, the chairman of the Budget Committee, are balanced in that fashion.

The so-called bipartisan proposal set forth by Senators CHAFEE and BREAUX and a number of others reaches such a balance. The Democratic leadership proposal reaches that balance, as does conservative Democrats' budget in the House of Representatives. Whether or not a particular budget adequately funds Medicare, Medicaid, education, the national defense, or does the right thing with respect to taxes, with respect to working Americans, however, is a question of opinion. It is the view of this Senator and the view of the Senator from New Mexico that each of those goals was and is appropriately met by the Balanced Budget Act of 1995.

Members on the other side of the aisle and the President do not agree. Presumably, they feel that each of those goals is met by the Democratic leadership budget proposal. They feel, evidently, that it deals appropriately with the tax burden on middle-class working Americans, even though that proposal increases taxes overall in order to reach balance. I disagree with that proposition as they disagree with my views on various spending programs. But these are matters of opinion; these are matters which obviously are subject to compromise.

What we have gained at this point is the implicit agreement that the President of the United States, now for the first time, will join the conservative colleagues in his party in the House, his leadership in the Senate, and make his proposal, presumably with specific policy judgments with respect to each of these spending items—to the national defense, to our tax structure—that will meet the objective requirements of the Congressional Budget Office.

Only when we have these figures is there any real chance that we will succeed in reaching a middle ground that will objectively lead to a balanced budget by the year 2002 and subjectively, presumably in the minds of those Members of Congress who vote for it in both parties and the President who signs it, meet these other policy objectives as well.

So, Mr. President, I am not here to apologize and say that this is the best job we could do. I find it at least slightly amusing that we are accepting lock, stock, and barrel what the House of Representatives has proposed with respect to the specific language in these various resolutions. But, on the other hand, I think it is safe to say that we probably would not have reached this conclusion this quickly had it not been for the actions earlier this week and late last week by the distinguished majority leader in saying that we had to get out of the dilemma in which we found ourselves.

It does seem to me, however, that given the nature of the immediate crisis we face, as well as our overall goals of balancing the budget, that we have not done a slap-dash job, we have not done a second, or third-best job. We have done the job right. We will have solved the immediate crisis, and we will have made a gigantic step toward that magnificent goal of balancing our budget; of ending the practice of spending money today on things that we want and sending the bills to our children and grandchildren; of giving them higher incomes, as now is almost a common opinion of economists throughout the United States, by lowering the burden of debt which they will be required to carry; by making their futures brighter and making their futures brighter our own as well.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT—MESSAGE FROM THE HOUSE

The PRESIDING OFFICER. If the Senator from New Mexico will forbear for a moment, the Chair wishes to announce that under the order of September 6, 1995, the Senate, having received a message from the House on S. 1124, therefore disagrees with the House amendment, agrees to a conference with the House, and the Chair appoints the following conferees which the clerk will state.

The Presiding Officer (Mr. WARNER) appointed Mr. THURMOND, Mr. WARNER, Mr. COHEN, Mr. LOTT, Mr. NUNN, Mr. EXON, and Mr. LEVIN conferees on the part of the Senate.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

A CLEAN CONTINUING RESOLUTION AND BALANCED BUDGET ACT

Mr. DOMENICI. Mr. President, we are here tonight to talk about two important issues—one is the short-term outlook for the operation of the Federal Government, and the other is the long-term economic future of the Nation.

The Senate is now considering a continuing appropriations resolution [CR] that will reopen the Federal Government and put our Federal employees back to work with pay. This CR will operate the Federal Government for 3 weeks through January 26 and give the congressional leadership and the President the opportunity to again try to agree on a balanced budget plan.

This CR has a reasonable requirement that the President should now present a budget plan that reaches balance over 7 years using CBO estimates. The President committed to this goal when he signed the continuing resolution last November (H.J. Res. 122 Public Law 104–56), but he has yet to submit a balanced budget by CBO scoring.

CHRONOLOGY FOR BBA

Mr. President, the President submitted his fiscal year 1996 budget to Congress on February 6. At the same time, the new Republican Congress was undertaking the long overdue task of balancing the Federal budget.

Congress has worked for over a year now, Mr. President, to bring that goal to a reality. The Senate Budget Committee, which I chair, held 22 hearings on the budget through early August.

The Senate Budget Committee held 4 days of markup and considered 36 amendments in fashioning the balanced budget resolution. The Senate debated the budget resolution for the full 50 hours over 6 days during which time 76 amendments were offered.

To carry out the reconciliation instructions of the budget resolution to develop the Balanced Budget Act, 11 Senate committees drafted legislation. The reconciliation bill was considered by the Senate for 45 hours over 3 days, during which 66 amendments were offered.

After a conference on this significant legislation, the House and Senate approved the conference agreement on the Balanced Budget Act before Thanksgiving, and the President came back and vetoed the bill on December 6.

BBA NEGOTIATIONS

Mr. President, I am not one to give up on a difficult task, and the President's veto did not deter me. Since the veto, I have met with White House officials and congressional leaders to try to find common ground on a Balanced Budget Act.

I am not alone in this effort. Republicans have been willing to move toward the President's position on many major issues. In a proposal Republicans made to the President, we proposed providing another: $24 billion to medicare; $16 billion to medicaid; $12 billion to welfare-related programs, including the EITC; and $25 billion in funding for education, the environment, and other domestic priorities.

In total, Republicans offered to add back $95 billion to move toward meeting some of the President's concerns about the Balanced Budget Act.

Republicans have also made it clear that all issues are on the table for the negotiations. We have had discussions with the White House on the tax cuts included in the Republican BBA.

MEDICARE

Medicare spending in the Republican Balanced Budget Act grows at an average rate of 7.4 percent a year over the next 7 years, that's well more than twice the rate of inflation. Just 2 years ago, the President said that if you slow the growth of Medicare to twice the rate of inflation, you are not cutting Medicare.

Our Medicare savings are down from $226 billion over 7 years under CBO's reestimate of the BBA to $202 billion in our latest negotiations with the President. We would spend $1.7 trillion over the next 7 years on Medicare under this proposal.

In addition, the President expressed concern about the Medicare part B premium, and we have offered him a compromise on that issue.

Our goal is to make the entire Medicare Program sustainable in the long run, and Republicans believe our plan makes a significant start on this path. Under our plan, the Medicare part A trust fund would be solvent past the year 2017. Our plan would also slow the growth of part B spending to move it toward a sustainable path.

In all of these negotiations we have indicated our willingness to further discuss with the President the changes we propose to make to the Medicare Program to ensure its solvency.

MEDICAID

Medicaid under the Balanced Budget Act that the President vetoed, would grow at an average annual rate of 5.2 percent over the next 7 years. This translates into Federal spending of $700 billion over the next 7 years. When you add in State spending, that doubles to $1.4 trillion.

I think the issue in Medicaid is not the level of savings or the growth rate of Medicaid spending, but how much flexibility we are going to give the States to innovate within their own Medicaid programs.

The President says we are cutting Medicaid, but he ignores the fact that spending for Medicaid will go up each and every year under our budget plan.

The President has expressed concern about the need for Medicaid funding to adjust for changes in population and for economic fluctuations. I think the President has a good point, and I think it is worth looking at modifications to our Medicaid plan that can meet these needs.

WELFARE REFORM

On welfare-related programs, Republican's have added back $10 billion plus another $2 billion for the EITC.

For welfare programs, as for Medicaid, the President wants to keep more control here in Washington; we want to give that power back to the States and allow them to meet the real needs of their citizens by designing their own welfare and Medicaid plans.

OTHER BUDGET PLANS

In addition to the modified Republican BBA, the House Coalition, Blue Dogs Group, has offered its own balanced budget proposal, which meets the CBO test.

Senate Democrats have offered their own BBA—DASCHLE, SIMON, and CONRAD—as has the Bipartisan Senate Group—CHAFEE, BREAUX, and others—that all reach balance under CBO scoring—see attached table.

In addition 2 days ago, Senator MOYNIHAN offered his own balanced budget proposal, which would also get us to a balanced Federal budget.

Mr. President, the only party that has not met this challenge is the President of the United States.

It is now time for him to come forward, to present a balanced budget plan under CBO's scoring, to sign this continuing resolution to reopen the entire Federal Government, and join Congress in serious negotiations to balance the Federal budget for the Nation's future economic well-being.

FISCAL DIVIDEND

A balanced Federal budget is good for the country. In CBO's December update of the budget and economic outlook, CBO finds lower interest rates and more robust economic growth generated by a balanced budget yielding $282 billion in deficit reduction over and above specific policy savings.

Additional deficit reduction is generated because: real GDP will grow 0.1 percent per year faster than it would absent a balanced budget; corporate profits will reach 8.2 percent of GDP by 2002 compared to 7.1 percent without balancing the budget; short-term interest rates on Treasury bills will drop from a 1995 level of 5.5 percent to a 2002 level of 3.9 percent. Under the status quo, they would be 5.1 percent in 2002; and long-term interest rates on Treasury notes will fall from a 1995 level of 6.7 percent to a level of 5.5 percent. Without a balanced budget, the rate will remain at 6.7 percent.

Mr. President, this is only a broad brush of the CBO update, however, the new assessment represents a $112 billion increase over the $170 billion fiscal dividend included in the balanced budget resolution.

A balanced budget is good for all Americans. It will provide lower interest rates for home mortgages, college loans, car loans, and so forth, an increase in savings rates spurring real, job-producing investment, increased productivity, higher standards of living, a lower national debt and therefore lower Government interest costs, and less reliance on foreign borrowing.

It is time for Congress and the President to renew efforts to reach agreement on a balanced Federal budget by the year 2002 under CBO's scoring.

I ask unanimous consent that two tables and an explanation of how American families benefit from a balanced budget be printed in the RECORD.

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

CHANGES TO BALANCED BUDGET ACT OF 1995 [1]—GOP OFFER NO. 1

[In billions of dollars]

	1996	1997	1998	1999	2000	2001	2002	Total
December BBA reestimate	151	159	127	97	73	34	−3	
Changes to BBA:								
Nondefense discretionary	4	6	5	5	5			25
Medicare	3	6	5	4	3	3		24
Medicaid		2	5	4	4	1		16

CHANGES TO BALANCED BUDGET ACT OF 1995 [1]—GOP OFFER NO. 1—Continued

[In billions of dollars]

	1996	1997	1998	1999	2000	2001	2002	Total
Child care, social services, foster care, children's SSI, family support, and child nutrition	[3]	1	2	2	2	2	2	10
EITC	[3]	[3]	[3]	[3]	[3]	[3]	[3]	2
Technical changes [2]	−2	1	1	1	[3]	−1	−2	−2
Revenues	6	−6	[3]	−1	−1	−2	−2	−5
Subtotal policy changes	12	10	18	16	14	3	−1	71
Debt service	[3]	1	2	3	3	4	4	17
Resulting deficits	164	170	146	115	90	41	−0	.....

[1] As reestimated by CBO, December 12, 1995.
[2] Corrections of drafting errors, timing changes in FCC spectrum auction, foster care, and graduate medical education provisions.
[3] Less than $0.5 billion.

Note: Details may not add to totals due to rounding. Revenue increase shown as negative because it reduces the deficit.

Prepared by SBC/HBC Majority Staff, Dec. 15, 1995. Based on CBO estimates.

SEVEN-YEAR DEFICIT REDUCTION ALTERNATIVES—CBO ESTIMATES

[Deficit impact, 7-year totals, in billions of dollars]

	BBA I (HR 2491)	BBA 1 modified (12/15/95)	Clinton (12/15/95)	Coalition (12/19/95)	Senate Democrats (12/20/05)	Senate bipartisan (12/21/95)
Discretionary:						
Freeze	−258	−258	−258	−258	−258	−258
Additional	−151	−126	−1	−69	−39	−10
Subtotal discretionary	−409	−384	−259	−327	−297	−268
Mandatory:						
Medicare [1]	−226	−201	−97	−157	−90	−154
Medicaid	−133	−116	−38	−85	−51	−62
Welfare programs [2]	−87	−78	−38	−38	−44	−58
Other mandatory:						
Farm	−5	−5	−2	−4	.....	NA
Student loans	−5	−5	−4	.....	.....	NA
Civil Service [3]	−10	−10	−2	.....	−10	NA
Spectrum	−15	−15	−21	−21	−21	NA
Veterans	−7	−7	−4	−5	−7	NA
CPI change	.....	.....	.....	−29	−12	−63
GME/health care	14	14	26	.....	.....	.....
Other	−12	−12	−1	−18	−3	−52
Subtotal other	−39	−39	−8	−77	−52	−115
Subtotal mandatory	−484	−434	−176	−357	−237	−389
Revenues [4, 5]	222	217	70	−60	−56	58
Debt service	−80	−63	−47	−99	−69	−62
Total	−750	−663	−412	−843	−659	−661

[1] Coalition budget medicare savings include $127.3 billion in outlay reductions and $25.4 billion in revenue increases.
[2] Excludes EITC revenues. BBA I Modified shows preliminary CBO cost estimate of the conference agreement on H.R. 4. Clin * * * include medicaid impact (no estimate available).
[3] BBA I Modified and Senate Democrat include $3.5 billion in revenue increases.
[4] Includes EITC revenues for all plans. Excludes BBA I Modified and Senate Democrat civil service revenues. Excludes Coali * * * Includes Coaltion welfare reform revenues ($5.7 billion). Includes increased revenues from CPI change for Coalition ($21 bil * * * ($7 billion) and Senate Bipartisan ($47 billion).
[5] Clinton includes proposal to ''trigger-off'' tax cuts if balanced budget targets are not being met. JCT estimates savings of $29 b * * * $45 billion.
Note: Pereliminary CBO estimates—subject to change. Revenue reduction shown as positive because it increases the deficit. Details may not add to totals due to rounding. NA indicates not available or no agreement.

Prepared by SBC Majority Staff, Jan. 5, 1996.

HOW AMERICAN FAMILIES BENEFIT FROM A BALANCED BUDGET

Balancing the budget will provide direct and tangible benefits for American families—benefits they will be able to feel in their pocketbooks.

Economists agree that balancing the federal budget will lead to: Higher standards of living; Faster real economic growth; Drop in interest rates, including those that families pay on home for home mortgages, car loans, and student loans; An increase in savings rates, spurring real, job-producing investment; An increase in productivity; Lower national debt, therefore lower government interest costs; and Less reliance on foreign borrowing (more American ownership of assets).

Home mortgages

Mortgage rates will drop from 8.2 percent, to 5.5 percent (according to the National Association of Realtors using projections by DRI/McGraw-Hill).

A family buying a home in 1995 with a $100,000 loan and refinancing in 2002, when the budget is balanced, will save $2,576 a year.

A family who buys a home in 2002 will save $2,162 a year because of the lower interest rates. Over the 30-year life of the mortgage, the savings will total $64,860.

The value of existing home will grow by about 8 percent.

Household net worth will expand by $1.1 Trillion. The increased home values will not make homes less affordable because financing costs for a home will decline by 15 percent.

Demand for homes will increase. Families will ''trade up'' so existing home sales will rise by 11 percent by 2002. Construction will increase as new housing starts grow by 65,000 units.

Auto loans

Car loan payments decline by $180 annually, for a total savings of $900 for a typical loan (assuming a 2-percentage point drop in interest rates on a five year, $15,000 auto loan at 9.75 percent).

College loans

College loan payments will drop by $216 annually, for a total of $2,617 for a typical loan (assuming an $11,000 loan paid over 10 years starting at 8 percent).

Savings for these three loans total $2,558 annually (Car—$180, Student—$216, Mortgage—$2,162).

Interest rates

Federal funds rate lowered from baseline estimate of 5.2 percent in 2002 to 3.5 percent in that year. Thirty year treasury bond rates reduced from 7.2 percent to 4.5 percent in 2002.

National debt

In the current services baseline, outstanding national debt rises to $7.5 trillion by 2002, with an annual debt servicing cost of $290 billion. Budget Resolution would reduce total debt to $6.5 trillion in 2002, with a debt service cost of $182 billion. The savings in interest does half the work of balancing the budget, which means the Congress only has to do the other half.

The economy

Inflation is essentially unchanged. Real gross Domestic Product will increase relative to baseline by almost $100 billion per year by 2005. Balancing the budget by 2002 has a positive impact on the overall economy and the housing market. Eliminating deficits allows interest rates to decline and redirects the economy from government spending and consumption toward savings and private investment.

Mr. DOMENICI. Mr. President, the hour is late. Much has been accomplished today.

I want to extend my congratulations to the distinguished majority leader, Senator DOLE. The day before yesterday, all was not so pleasant for there were many who were second-guessing our majority leader who used the phrase ''enough is enough,'' and proceeded to send to the House a targeted appropriations bill which broke the ice and which brings us here tonight.

As I see it, we are now given 21 days without the problem of the Federal Government workers being out of work and unpaid—21 days, if the President of the United States will submit his first balanced budget using the Congressional Budget Office estimates. If he does that, all of Government will be

open for 21 days, which means for the next 3 weeks congressional leaders from both sides—the executive branch, the President, and others—can meet day and night if they like, as long and as hard as they want to work, and Government will be open. The people of the United States can focus on what we are doing in our efforts to get a balanced budget instead of on the current problems which, day by day, grow worse for many innocent people, including many Federal workers who are hostage to this crisis.

I personally believe, as one who is in the middle of all of these negotiations, that we can accomplish much more with the pressure of day-to-day problems of our Government being part closed, part furloughed and part working behind us. I believe we have an opportunity to use our good judgment to see if we can really come to an agreement with the Executive Branch and the Democrats on a balanced budget.

Mr. President, I have outlined the history of how we got to where we are tonight. I want to summarize a little bit of it.

First of all, after months of work, scores of hearings, scores upon scores of amendments on the floor of the Senate, both on a resolution and on a bill, we sent the President a balanced budget. He vetoed it. The full impact of what happened on that ominous day of veto was lost because we were already in the crisis of Government being half shutdown, half furloughed, and the attention of the American people taken away from that by the more daily crisis of our Government in crisis, our day-to-day Government operations in crisis. But when that budget was vetoed, we worked very hard to get the people back to work, and we passed a continuing resolution.

That continuing resolution we thought said that the President would produce a balanced budget using the Congressional Budget Office conservative numbers. But the President and his people construed it differently, and construed it to mean that finally and ultimately when we were all finished we would use the Congressional Budget Office. In that resolution, the Democratic leaders and the President said there is another part to it—that continuing resolution, that short appropriations for the continuation of Government—there is another portion of it that says you have to look at, or take another look at, education, the environment, Medicaid, Medicare, and myriad things amounting to about 10 specific items.

Mr. President, again, Republicans—and I was one that took the lead—did not want to give up on the balanced budget that was vetoed. So what we did was to ask the Congressional Budget Office at the particular time of year that they are supposed to look again at budgets to take another look.

Mr. President, they said the balanced budget has done such a good job that there is actually a surplus of $135 billion that you did not expect you were going to have because of changing economics and estimates. In response to that continuing resolution, we made another offer to the President of the United States. It got lost in the myriad of noises because the Government was in chaos.

What did we do with that? We took that $135 billion surplus and said, ''Mr. President, we take you at your word. You want us to change some of our balanced budget, and we changed it, Mr. President.'' In fact, we put in sufficient money to take care of the education concerns of the President, and that should no longer be an issue. It is still being touted, but we have already submitted an offer that puts back the money for education, for the environment, and for other appropriated accounts. We already did that. We put back $5 billion in outlays in the year 1996, which is more than has been sought for those particular programs and others. And then, Mr. President, we said, let us look back through our proposals and use some of that $135 billion to change the situation where it would move more in the direction of the President.

We put $25 billion into Medicare, $16 billion into Medicaid, $12 billion into related welfare programs, including EITC, $25 billion was the funding for education and environment, and other domestic programs. What was left of that $135 billion we put on the deficit, and we said, here is a new proposal.

Again, there are not 10 people that know that occurred, but it did occur. So we did relate totally and respond totally to our commitment under the continuing resolution that we would do better in these areas and at the same time have a balanced budget.

Mr. FORD. Mr. President, will the Senator yield for a question, a serious question?

Mr. DOMENICI. Sure. I am only going to be 5 more minutes. Is that your question?

Mr. FORD. No. It is my understanding that when you related to figures that you reduced the amount of reduction using $135 billion, that the White House on December 15th moved toward your figures—moved toward your figures on discretionary, moved toward your figures on Medicare, moved towards your figures on Medicaid, did not move toward your figures on earned income tax credit—you did come down $12 billion on that over the 7 years. I kind of thought that both sides were beginning to work together.

Mr. DOMENICI. I am not arguing about whether we did or did not.

Mr. FORD. I am not arguing with you either. But I want to be clear. I worked Saturday. I worked Sunday. I put in what I thought were long, hard days, and we moved toward you. And I congratulate you, you were moving toward us. I just thought we were on the right track rather than getting into the mess that Senator HATFIELD and others think we are in as it relates to appropriations bills.

Am I correct in my statement?

Mr. DOMENICI. No, the Senator is not correct.

Mr. FORD. What is wrong with it then, if I might ask?

Mr. DOMENICI. Whatever you submitted—and I do not have the numbers here, but the one missing part of it was you never got to a balanced budget. Whatever you submitted, you did not get to a balanced budget.

Mr. FORD. The Senator does not have one now either unless you use Social Security.

Mr. DOMENICI. Wait a minute now. I am not going to yield any longer. I yielded for a question.

Mr. FORD. That will be fine. But you are out here saying a lot of things.

Mr. DOMENICI. No, I am not.

Mr. FORD. I apologize; the Senator is saying a lot of things that I disagree with.

Mr. DOMENICI. Fine.

Mr. FORD. I do not want to leave it without having some opportunity to defend our side of the aisle.

Mr. DOMENICI. To my knowledge, the Senate will be open here for a few more minutes.

Mr. FORD. I am going to take time.

Mr. DOMENICI. I welcome the Senator's remarks. I really do. I just want to finish my thoughts because I wanted to get to a very simple point, that we have modified our proposal and we are still in balance under that proposal. And as my friend, Senator GORTON, who occupies the Chair now, clearly said, not only did we resubmit another balanced budget using the Congressional Budget Office, but the blue dogs in the House—that is a group of Democrats—have submitted one that gets to balance. A group of Senators, 20 in number, 10 from each side, has submitted the framework for one that is in balance using the Congressional Budget Office. Senator MOYNIHAN within the last 3 days has submitted one. And frankly, I think the House did us all a service when they sent us a continuing resolution that will open all of Government if just one simple thing is done, and that is if the President will join this litany of different institutions within our framework that have produced a balanced budget using CBO. If he will join us, then all of Government is opened and funded at reasonably good levels for 21 days from today.

Now, having said that, I wish to make sure that everybody understands I am not trying to say everything my way. I will state it as I view it and the Democrats can state it as they want to. But when they submitted a counterproposal, they did not move an inch on Medicare, an inch on Medicaid, in December from their June proposal.

That is the statement that I will stand by, and if the Senator can dig up a budget and say that that is not the case, then I will be glad to revoke this.

Now, I am here because I still believe the American people should know that this is not a mere philosophical difference between Democrats and Republicans. This is an issue of whether we

want to make America a better place in the future by balancing our budget sooner rather than later. It is a question of whether we want interest rates to come down and stay down, save millions and millions of dollars for average Americans in houses they buy and mortgage, in cars they buy and mortgage, in school tuition where they borrow money, in every aspect of America's life, to make it easier and better and make America grow stronger through the private-sector growth that a balanced budget will permit us to accomplish.

That is what this whole debate is about. And frankly, tonight I am grateful to our leader, Senator DOLE, to Speaker NEWT GINGRICH, who apparently had to argue loud and strong in the House to get these resolutions passed and get them to us here tonight, to rid us of the confusion of a half-open, half-closed American Government. I believe we have a real chance.

I do not know how close we are, Mr. President, and to those who are listening, I do not know how close we are to getting a balanced budget, but I tell you, everybody has to give. Everybody has to give. And I believe we are prepared to give. I will state once again that we already put $95 billion more on the spending side into the budget that the President vetoed—that is over 7 years—in areas that the President was concerned about. That has already been done as another marker of our good faith, of our movement in the direction that we have been asked to move in. Now, in the next week, 10 days, we will see if there is additional movement both ways. I hope there is.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Virginia.

Mr. WARNER. Mr. President, before the distinguished Senator from New Mexico leaves the floor, I would like to express my views, and I think I express them for Senators on both sides of the aisle, not only to the Senator but the Senator from Nebraska, the ranking member on the committee, Senator EXON, for their leadership in this crisis. I have been privileged to be in a number of meetings with the Senator, the majority leader, the Speaker of the House, and others, Mr. KASICH, his counterpart in the House, and I wish to commend the Senator.

Mr. DOMENICI. I thank the Senator very much.

Mr. WARNER. When the history of this unusual chapter in the 206-year life of the Senate, indeed, the Congress is written, there will be a prominent place for the Senator despite his humility.

Mr. DOMENICI. I thank the Senator.

Mr. FORD. Mr. President, may I join in. I do not want to leave the impression that I do not feel the same way about the Senator from New Mexico that the Senator from Virginia feels toward him——

Mr. DOMENICI. I thank the Senator.

Mr. FORD. Personally, his effort, the long hours and how hard he works. It is just like the distinguished Senator in the chair has indicated: We have a difference, and we need to let everything else go on while we settle that difference. And I thought—and I still sincerely believe it—that there was an offer to move toward you. The Senator says no. I say yes. And that seems to be the budget problem here.

But I do want people to know I like him personally. He is my friend. He works hard, and we are very close to being together. So I did not want the Senator to leave and the people viewing to think we had anything personal.

Mr. DOMENICI. I thank the Senator.

Mr. FORD. It was just a disagreement on how we are going to get to the balanced budget. I thank the Chair and the Senator for giving me an opportunity.

Mr. DOMENICI. Mr. President, I say to the Senator, the feeling is mutual. I thank the Senator for his kind words, and I extend the same to him. Thank you very much.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I also wish to include Congressman ARMEY, who was in most of the meetings in which I joined.

ARMED SERVICES AUTHORIZATION

Mr. WARNER. Now, Mr. President, I wish to also pay special recognition to the distinguished senior Senator from South Carolina, the President pro tempore of the Senate, Senator THURMOND.

Just minutes ago, when I had the opportunity to be the Presiding Officer, the Chair announced the appointment of conferees upon the receipt of the message from the House, conferees to resume negotiations between the Senate and the House for hopefully the adoption of the authorization bill for the armed services of the United States. Senator THURMOND, together with Senator NUNN, has worked tirelessly to put together an excellent bill. It was vetoed, and I shall not review the reasons. The President had his reasons, many of which I continue, not all, to disagree.

Nevertheless, that is history. It is behind us. The veto message is back. The veto message was carefully considered by Senator THURMOND, Senator NUNN, myself, and other members of the committee here yesterday and again today. Staffs are now diligently working on an agenda to be considered by the conferees, and I am very optimistic that we can produce a conference report which will be accepted by the Senate as well as the House and eventually the President.

Again, I wish to commend the leadership of the distinguished senior Senator from South Carolina and, indeed, the ranking member, the Senator from Georgia [Mr. NUNN], in bringing this matter back up, such that the second conference can hopefully produce a bill that will be accepted by the Congress and the President. It is essential to the Armed Forces of the United States.

There are key provisions in this bill, not the least of which are pay raises, well deserved by the men and women of the Armed Forces, key provisions relating to new programs which are essential for the modernization. And I want to express special tribute to the Secretary of Defense and members of his staff for informally working with the staffs of members of the Armed Services Committee of the Senate, for the majority and minority, in giving us guidance on how this conference report can embrace the views of both the President and the Congress such that it will become law.

Mr. President, I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

USING SOCIAL SECURITY FUNDS TO BALANCE THE BUDGET

Mr. FORD. Every once in a while you worry about whether you remember things right or not, and so you have to go back and check on it to be sure.

The distinguished Senator from Idaho and I were debating. I was speaking, and I said something about this budget that the Republicans had offered was not balanced in the year 2002 by $108 billion unless you used Social Security. And he asked me, had not Democrats used that before, and I told him I had not known that, but for 12 years we had Republicans who were President and they signed or vetoed legislation.

So now I have a little information I wish to put into the RECORD, or at least read into the RECORD, Mr. President. In response to Senator CRAIG on the use of Social Security trust funds, and more importantly for future reference I think, the following points I think are relevant.

It is the law—and let me underscore that now—it is the law. Both the Social Security law—it is attached to title XLII, section 911—and the Budget Act, title II, section 3631, mandate—and I underscore mandate—that ''the social security surplus shall not be counted in budget deficit calculations by the Congress.''

That is why the budget resolution passed earlier this year showed a deficit. You talk about honest figures. I have heard honest figures held out in front of me until it dripped. That meant my figures were dishonest. I do not particularly like that. But it showed a deficit of more than $100 billion under the Republican plan.

The Senate Democrats did—and I want to underscore did—offer a budget plan to balance the budget without using the Social Security Trust Funds, and not one that the Republicans supported. It was a 9-year budget, Mr. President, but we did not use the Social Security funds.

Just take a look at the budgets submitted by Presidents Bush and Reagan,

all calculated with on-budget and off-budget deficits. We will not have an honest balanced budget until the on-budget deficit is zero. So the budget that we are being told about here tonight is not an on-budget deficit, so therefore it is not a balanced budget in the year 2002 without using $108 billion of Social Security surplus.

Let me read the Budgetary treatment of trust fund operations. That is under Section 911(a)(1).

The receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund and the taxes imposed under section 1401, 3101, and 3111 of Title 26 shall not be included in the totals of the budget of the United States Government as submitted by the President or of the congressional budget and shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (Budget outlays) of the United States Government.

Under our budget act—I want to read that. I will just read one paragraph into the RECORD.

The concurrent resolution shall not include the outlays and revenue totals of the old age survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C.A. Sec. 401 et seq.] or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or any other surplus or deficit totals required by this subchapter.

Let me make one more point. The conference report on the budget that people have been beating their chest about around here tonight that is a balanced budget, the concurrent resolution on the budget for fiscal year 1996 and the conference report—all my colleagues have to do is just look on page 3.

Look on page 3 and see how you get a balanced budget. In the year 2002, the year it is supposed to be balanced, you are using $108,400,000,000 out of Social Security Trust Funds in order to balance that budget. I have heard enough about ''honest figures, honest figures.''

The CBO is just as honest as they can be, I am sure. But OMB is too. I think about the private people out there that give industry an analysis of the future. Are those dishonest figures? I do not think so. I think they are honest people giving their honest best projection.

So, Mr. President, I wanted in the RECORD tonight that we have been hearing a lot about the balanced budget, but on budget the Republican budget is not balanced. The on-budget deficit must be zero to have a balanced budget, and not use $108,400,000,000 out of the Social Security Trust Funds to balance the budget in the year 2002.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

ORDER OF PROCEDURE

Mr. WARNER. Seeing no other Senator seeking recognition, I will now proceed on behalf of the distinguished majority leader to make the following announcements.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 5 minutes each.

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

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on January 5, 1996, during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 1643) to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria, with amendments, in which it requests the concurrence of the Senate.

MESSAGES FROM THE HOUSE

At 7:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate.

H. Con. Res. 131. Concurrent Resolution establishing procedures making the transmission of the continuing resolution (H.J. Res. 134) to the President contingent upon the submission by the President of a 7-year balanced budget using updated economic and technical assumptions of the Congressional Budget Office.

At 8:14 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 1606) to designate the United States Post Office building located at 24 Corliss Street, Providence, RI, as the ''Harry Kizirian Post Office Building.''

The message also announced that the House insists upon its amendments to the bill (S. 1124) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. BATEMAN, Mr. WELDON of Pennsylvania, Mr. DELLUMS, Mr. MONTGOMERY, and Mr. SPRATT as the managers of the conference on the part of the House.

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–1771. A communication from the Executive Secretary of the Barry M. Goldwater Scholarship and Excellence In Education Foundation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1772. A communication from the Executive Secretary of the Barry M. Goldwater Scholarship and Excellence In Education Foundation, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC–1773. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1774. A communication from the Director of the Federal Mediation and Conciliation Service, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC–1775. A communication from the President of the Inter-American Foundation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1776. 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 Governmental Affairs.

EC–1777. A communication from the Executive Director of the Japan-United States Friendship Commission, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC–1778. A communication from the President of the National Endowment for Democracy, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for fiscal year 1995; to the Committee on Governmental Affairs.

EC–1779. A communication from the Chairman of the National Science Board, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1780. A communication from the Executive Director of the Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for 1995; to the Committee on Governmental Affairs.

EC–1781. A communication from the Executive Director of the Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1782. A communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1783. A communication from the Executive Director of the State Justice Institute, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for 1995; to the Committee on Governmental Affairs.

EC–1784. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1785. A communication from the Chairman of the Consumer Products Safety Commission, transmitting, pursuant to law, the annual report on the administration of the government in the Sunshine Act for calendar year 1994; to the Committee on Governmental Affairs.

EC–1786. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1787. A communication from the Office of the Public Printer, Government Printing Office, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1788. A communication from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1789. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1790. A communication from the Deputy and Acting CEO of the Resolution Trust Corporation and the Chairman of the Thrift Depositor Oversight Protection Board, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1791. A communication from the Acting Chairman of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1792. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the semiannual report on activities and accomplishments for the period April 1 through September 30, 1995; to the Committee on Labor and Human Resources.

EC–1793. 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–1794. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report entitled, ''Ability of Crewmembers to Take Emergency Actions''; to the Committee on Environment and Public Works.

EC–1795. A communication from the Librarian of Congress, the Archivist of the United States, and the Public Printer, transmitting jointly, pursuant to law, the final report to establish a National Policy on Permanent Papers; to the Committee on Governmental Affairs.

EC–1796. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports and testimony for November 1995; to the Committee on Governmental Affairs.

EC–1797. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1798. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC–1799. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the annual report under the Inspector General Act for fiscal year 1995; to the Committee on Governmental Affairs.

EC–1800. A communication from the Assistant Attorney General (Legislative Affairs), transmitting, a draft of proposed legislation entitled, ''Restoration of False Statement Penalties Act of 1995''; to the Committee on the Judiciary.

EC–1801. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the United States Government for fiscal year 1995; to the Committee on Finance.

REPORTS OF COMMITTEE

The following reports of committee were submitted:

By Mr. MURKOWSKI from the Committee on Energy and Natural Resources:

Report to accompany the bill (H.R. 1296) to provide for the Administration of certain Presidio properties at minimal cost to the Federal taxpayer (Rept. No. 104–202).

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

H.R. 629. A bill to authorize the Secretary of the Interior to participate in the operation of certain visitor facilities associated with, but outside the boundaries of, Rocky Mountain National Park in the State of Colorado (Rept. No. 104–203).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROBB:

S. 1516. A bill making appropriations to the Department of Health and Human Services for retirement pay and medical benefits for commissioned officers of the Public Health Service for the fiscal year ending September 30, 1996; to the Committee on Appropriations.

S. 1517. A bill to make appropriations for the Black Lung Disability Trust Fund for fiscal year 1996; to the Committee on Appropriations.

By Mr. BROWN (for himself and Mr. REID):

S. 1518. A bill to eliminate the Board of Tea Experts by prohibiting funding for the Board and by repealing the Tea Importation Act of 1987; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DASCHLE:

S. Con. Res. 38. A concurrent resolution restating the commitment to a seven year balanced budget; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB:

S. 1516. A bill making appropriations to the Department of Health and Human Services for retirement pay and medical benefits for commissioned officers of the Public Health Service for the fiscal year ending September 30, 1996; to the Committee on Appropriations.

RETIRED COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE LEGISLATION

● Mr. ROBB. Mr. President, I introduce legislation which would fund retirement and medical benefits through September 30, 1996 for the retired commissioned officers of the Public Health Service.

I do not know whether many of my colleagues know this, Mr. President, but retired PHS commissioned officers have not received their retirement pay since our first continuing resolution expired on December 15, 1995. While retired members of the Federal Civil Service have thankfully been able to receive their retirement checks during this time period, the benefits of retired PHS commissioned officers come through a direct appropriation contained in the Labor/HHS appropriations bill, a bill which we all know has not yet been approved by this body.

The roughly 3,600 beneficiaries of this program should not be victims of our budget battles, Mr. President. They served their country for many years and their country has made a commitment to them. This bill will allow us to meet the commitment.●

By Mr. ROBB:

S. 1517. A bill to make appropriations for the Black Lung Disability Trust Fund for fiscal year 1996; to the Committee on Appropriations.

THE BLACK LUNG DISABILITY PROGRAM LEGISLATION

● Mr. ROBB. Mr. President, I introduce legislation which would fund the Black Lung Disability Program administered by the Department of Labor through September 30, 1996, and the Black Lung Program administered by the Social Security Administration through the first quarter of fiscal year 1997.

I was deeply disappointed that the limited continuing resolution approved by the House of Representatives earlier today did not include the Black Lung Programs. They should have been included, Mr. President, but they were not. When an effort was made to add funding authority for black lung beneficiaries during floor consideration of the House bill, that amendment was objected to by the other side of the aisle.

Mr. President, I've been told by the Department of Labor that unless a continuing resolution which contains black lung funding is approved by January 12, 1996, the January 15 monthly payments to beneficiaries would not be issued. It is my understanding that the Social Security Administration needs a continuing resolution which contains

black lung funding to issue its February monthly payments as well.

Mr. President, as I introduce this bill, I know that efforts are underway to bring a third continuing resolution to the House floor—and I sincerely hope that the Black Lung Programs are included in that measure. If that is the case, this legislation will be unnecessary.

These programs are vitally important to thousands of disabled miners and their families and survivors in my State of Virginia and many other coal producing States. I hope we receive a continuing resolution from the House later this evening which will allow us to uphold our historic commitment to victims of black lung and their families and survivors.●

ADDITIONAL COSPONSORS

S. 837

At the request of Mr. WARNER, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from New Hampshire [Mr. GREGG], and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

S. 1058

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1058, a bill to provide a comprehensive program of support for victims of torture.

S. 1178

At the request of Mr. CHAFEE, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1178, a bill to amend title XVIII of the Social Security Act to provide for coverage of colorectal screening under part B of the Medicare Program.

S. 1419

At the request of Mrs. KASSEBAUM, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1419, a bill to impose sanctions against Nigeria.

S. 1484

At the request of Mr. NICKLES, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 1484, a bill to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations.

SENATE CONCURRENT RESOLUTION 38—RESTATING THE COMMITMENT TO A 7-YEAR BALANCED BUDGET

Mr. DASCHLE submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That The President and the Congress shall enact legislation in the 2nd session of the 104th Congress to achieve a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office, and the President and the Congress agree that the balanced budget must protect future generations, ensure Medicare solvency, reform welfare, and provide adequate funding for Medicaid, education agriculture, national defense, veterans, and the environment. Further, the balanced budget shall adopt tax policies to help working families and stimulate future economic growth.

The balanced budget agreement shall be estimated by the Congressional Budget Office based on its most recent current economic and technical assumptions, following a thorough consultation and review with the Office of Management and Budget, and other government and private experts.

AMENDMENT SUBMITTED

THE VA AUTHORITY EXTENSION ACT OF 1996

SIMPSON AMENDMENT NO. 3116

Mr. WARNER (for Mr. SIMPSON) proposed an amendment to the bill (S. 991) to amend title 38, United States Code, and other statutes, to extend VA's authority to operate various programs, collect copayments associated with provision of medical benefits, and obtain reimbursement from insurance companies for care furnished; as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1) Effective June 29, 1995, section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1997,''.

(d) NEGOTIATED INTEREST RATES.—Section 3703(c)(4)(D) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(e) MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.—Section 3710(d)(7) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(f) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(g) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f)(3) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(h) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—Effective March 31, 1995, section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(*l*) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(m) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1991 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1997,''.

(n) AUTHORITY TO MAKE GRANTS FOR ASSISTANCE IN FURNISHING SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—(1) Section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 106 Stat. 5136; 38 U.S.C. 7721 note) is amended by striking out ''fiscal years 1993, 1994, and 1995,'' and inserting in lieu thereof ''fiscal years 1993 through 1997,''.

(2) Section 12 of such Act (106 Stat. 5142) is amended by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(o) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996.

''(E) $10,000,000 for fiscal year 1997.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1997''.

(p) EFFECTIVE DATE.—Except as provided in subsections (a)(1) and (i), the amendments made by this section shall take effect on October 1, 1995.

(q) RATIFICATION OF ACTIONS.—The following actions are hereby ratified:

(1) The furnishing by the Secretary of Veterans Affairs of care and services by virtue of section 1710(a)(1)(G) of title 38, United States Code, during the period beginning on July 1, 1995, and ending on the date of the enactment of this Act.

(2) The furnishing by the Secretary of services in noninstitutional settings by virtue of section 1720C of such title during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(3) The use by any director of a Department of Veterans Affairs health-care facility of data on rates of compensation paid to certified nurse anesthetists in a labor market area under section 7451(d)(3)(C) of such title during the period beginning on April 1, 1995, and ending on the date of the enactment of this Act.

(4) The furnishing by the Secretary of care for homeless chronically mentally ill and

other veterans by virtue of section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(5) The furnishing by the Secretary of work therapy and therapeutic transitional housing by virtue of section 7 of Public Law 102–54 (38 U.S.C. 1718 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(6) Grants made by the Secretary to furnish services to veterans under section 3 of the Homeless Veterans Comprehensive Services Programs Act of 1992 (38 U.S.C. 7721 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

Amend the title to read as follows: ''To amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, and for other purposes.''.

ADDITIONAL STATEMENTS

THE CENTENNIAL OF EVERETT MCKINLEY DIRKSEN'S BIRTH

● Mr. SIMON. Mr. President, this week marks the 100th anniversary of the birth of one of the greatest leaders ever to have served in this body, the late Senator from Illinois and former Republican leader of the Senate, Everett McKinley Dirksen.

Everett Dirksen was born on January 4, 1896. He brought the small town values and the sense of civility of his native Pekin to his work in the Senate, where he combined these qualities with some of the finest oratorical and parliamentary skills that have been displayed on this floor in his or any era.

The Senate has honored his memory by naming one of its office buildings for him, and the Dirksen Congressional Center in Pekin continues his tradition of public service with its many ongoing research and in-service activities.

I call the attention of my colleagues to an insightful article about the Dirksen legacy, written by retired editor Charles Dancey of the Peoria Journal Star, and I ask that the article be printed at this point in the RECORD.

The article follows:

[From the Peoria Journal Star, Jan. 4, 1996]

DIRKSEN BROUGHT SENSE OF REALITY WHEREVER HE WENT

(By Charles Dancey)

One hundred years ago, fathers might have dreamed that a son born in a log cabin could become president. But no way could Johann Dirksen have imagined Jan. 4, 1896, that his baby boy's birthday celebrations one day would launch the social season in the nation's capitol.

Yet, Sen. Everett McKinley Dirksen's birthday bash, usually at the Mayflower hotel ballroom, was the opening ''must go'' event of the social season each year in Washington, D.C., even before he became minority leader of the Senate and a national figure beyond the Beltway. Everybody who was anybody, as the saying goes, attended from both political parties and from the administration and the congress.

Those glittering parties were a long way from the neighborhood in Pekin known as ''Beantown.'' Yet, growing up in Beantown may have been an important part of ''Ev'' Dirksen being the toast of the town in the nation's capitol.

Actually, the residents, themselves named it that—or rather in their own language, ''Bohnchefiddle.'' They were German immigrants who didn't indulge in euphemisms. They had a strong sense of reality. And the reality was that rich folks had flower gardens in their yards; immigrants grew beans. They were who they were, and saw nothing wrong with it. Beantown was just their American starting place.

In fact, most residents in Pekin, and millions more across America, gardened their yards. Even a narrow small-town lot was 50 feet front, 150 deep, and provided space for people who didn't own a horse and didn't need a barn. There was space for berry bushes along the lot line, half a dozen fruit trees set wide apart, orderly squares of garden vegetables, and a grape arbor.

There was a lot more than beans, and it all required care. Many folks kept a small flock of chickens by the back porch as well. At one time, in fact, the Dirksens raised a pig.

The bigger boys spaded the gardens and raked them smooth. Before he was old enough for school, the youngest son, Ev, could help punch holes in the prepared ground with the wooden split pegs used as clothespins keeping a straight line along the board on which he knelt.

Keeping clothes as clean as possible was important when washing them was a major weekly chore. As the produce grew, ripening in sequence, much of it had to be ''put up'' for the winter in fruit jars and glasses, sealed with hot paraffin or special lids, after being well cooked. Cabbage was chopped and salted and then pounded and pounded until it was soaked in its own brine to be kept for winter—sauerkraut.

The Dirksen boys took part, and it was the boys who peddled surplus vegetables door to door. The basics of life to the German families were food, clothes, shelter from the cold and cleanliness. So, before he learned to read and write, Everett Dirksen became part of a family team, doing his share in providing those basics, and grew up knowing from whence came the necessities of life. Somebody had to do the work to produce it.

Their father had a stroke in 1901 when Ev, the youngest, was only 5. By the time Ev was 9, Dad was dead. The boys were raised by their mother, and the team game of survival that they played put a solid foundation under his whole life.

In those circumstances and in the absence of radio, television, telephones or computers, he found school and learning downright fun. Learning was an adventure and a kind of game. He loved reading. He loved to discover a new big word and roll it off his tongue. In books, he could explore the far reaches of this world and of the world of ideas.

Thus in his youth, and progressively thereafter, Everett Dirksen combined those wonderful opposites, the contradictions of idealist and a realist. It fit the Lincoln tradition of central Illinois.

With his older brothers grown and earning money, the family could let young Everett go off to college. He worked nights while schooling at the University of Minnesota, until World War I interrupted.

Three years of ROTC there gave him a leg up on a lieutenant's bars. In France, he was an artillery man. His job was to ride a wicker basket under a rough, hydrogen-filled balloon, held by a cable and linked by a primitive telephone to the gun batteries, overlooking the battlefield. There he observed the fall of the artillery shells his battery mates were firing and tell them how to adjust there fire to bring it on target.

Of course, such balloons like his were sitting ducks, even for the primitive planes of the time.

When the war ended, the army found his ability to speak German useful and kept him in Europe. He remained overseas for 18 months in all much of the time interpreting for others, or dealing directly with the local German population. He also knew Paris, Berlin, other German cities, and visited England and Ireland. In Rome, the ambassador asked him to join his staff, but Ev was homesick for Pekin.

Thus, young Lt. Dirksen returned to Pekin and Bohnchefiddle at age 24, with an extraordinary range of experiences. He was now a college man, a combat veteran and an ex-officer who had traveled, often in very sophisticated circles, in postwar Europe.

Back home, he married a Pekin girl and launched his remarkable political career as the youngest person ever elected to the Pekin City Council.

As city councilman, he was a young man dealing with a rapidly changing world. Streets needed to be paved for the growing numbers of those new motor cars. The fire department needed trucks to replace the horse-drawn rigs. The aging streetcars, one car running back and forth on a single track, needed replacement with bus service.

Power plants were under construction, bringing electricity. The Edison revolution was on, and radio was waiting in the wings. These were not hypothetical or abstract problems to be solved abstractly for the young councilman. He was intimately involved with the reality of finance for technology and the even tougher reality of the effects and demands new technology and dramatic change made on the city workers, and the public.

When he grappled with these problems as a councilman, he also worked delivering his brothers' bread to 50 small groceries scattered about town. Everybody knew his route, and at many a stop he confronted people with problems to take to their councilman. Before he went to the national macrocosm, this man had a thorough and heavy dose of the microcosm.

Thus, the nature of the man was well-founded long before he became one of that city's best-loved figures, before he crated the Civil Rights Bill of 1964 and brought over the votes to pass it with him, before he won a Grammy for recording ''Gallant Men,'' before he was the confident of presidents both Republican and Democrat, and before he became a darling of the once-skeptical Washington press corps.

He brought to Washington the prestige of being the Congress' best orator, a skill founded and practiced in Pekin and which largely won for him his original seat in the House of Representatives in the first place.

He also brought the attention to detail, the realism, of Bohnchefiddle, and was, undoubtedly, the most skilled parliamentarian in the Senate of his time. He knew how the system worked in every detail, and he knew who was the person that counted, the person to talk to, not only in the Senate but in every department of the national administration.

Finally, he made many friends and no enemies in the best tradition of the small town where he grew up, and where some of his local political foes were also lifelong personal friends.

When Everett Dirksen died, the president of the United States gave the eulogy—proclaiming that Sen. Everett McKinley Dirksen had more impact on history than many presidents.

That he was, and he didn't learn that in Washington. That was the boy from Bohnchefiddle.●

ADMIRAL ARLEIGH A. BURKE

● Mr. MOYNIHAN. Mr. President, our Nation has lost one of its most distinguished Naval heros, Adm. Arleigh A. Burke. Had World War II continued beyond September 2, 1945, I might have served in the Pacific under ''31 knot Burke,'' as he was nicknamed for his exploits against the Japanese. Admiral Burke was awarded 13 decorations, including the Distinguished Service Medal, the Navy Cross, the Legion of Merit, the Silver Star, and our Nation's highest civilian honor, the Medal of Freedom. In 1991, for the first time in Navy history, the man for whom a ship—U.S.S. *Arleigh Burke*—was named was on hand to see her commissioned.

Mr. President, I ask that the obituary of Arleigh A. Burke from the New York Times of January 2, 1996, be included in the RECORD.

The obituary follows:

[From the New York Times, Jan. 2, 1996]

ARLEIGH A. BURKE DIES AT 94; NAVAL HERO OF WORLD WAR II

(By Robert D. McFadden)

Adm. Arleigh A. Burke, a battle-decorated Chief of Naval Operations whose combat exploits against Japanese naval forces in the South Pacific made him the Navy's most celebrated destroyer squadron commander of World War II, died yesterday at Bethesda Naval Hospital in Bethesda, Md. He was 94 and lived in Fairfax, Va.

Admiral Burke, who retired in 1961 after 42 years in the Navy, including a record six-year tenure as the Chief of Naval Operations in the Administration of President Dwight D. Eisenhower, died of complications of pneumonia, said a Navy spokesman, Lieut. Comdr. Ed Austin.

In a career that took him from Annapolis to Washington via the high seas, Admiral Burke, a stocky pipe smoker with an easy smile, served in battleships and aircraft carriers, was a member of the United Nations truce negotiations team in the Korean War and in Washington became a strong advocate of a powerful nuclear fleet for the Navy, including its missile-launching Polaris submarines.

But he was best known as ''31 Knot Burke,'' a nickname supplied by Admiral William F. Halsey, for his exploits as the commander of Squadron 23, a pack of eight destroyers that staged high-speed torpedo attacks that devastated enemy warships in the Solomon Islands in late 1943 and early 1944.

''Stand aside! Stand aside! I'm coming through at 31 knots,'' Mr. Burke, then a Captain, radioed darkened American troop transports as his squadron, named Little Beavers for a comic-strip character, steamed up the slot at boiler-bursting speed to attack a Japanese task force off Bougainville on the night of Nov. 1, 1943.

In a widely heralded action, the squadron covered the landing of thousands of American troops while attacking enemy vessels and aircraft. When the battle of Empress Augusta Bay ended the next day, the Japanese toll was horrendous. A cruiser and four destroyers lay on the bottom, and two cruisers and a pair of destroyers had limped away heavily damaged.

Later that month, the squadron engaged another Japanese task force off Cape St. George, New Ireland, and sank three destroyers without taking a hit. In 22 engagements from November 1943 to February 1944, the Navy said, Capt. Burke's squadron was credited with sinking one cruiser, nine destroyers, one submarine and nine smaller ships, as well as downing approximately 30 aircraft.

Later, Mr. Burke became a chief of staff to Vice Adm. Marc A. Mitscher, whose carrier task forces attacked the Japanese at Iwo Jima, Okinawa and Tokyo. Mr. Burke was aboard the flagship Bunker Hill and later the Enterprise when they were hit by Japanese suicide planes off Okinawa.

In 1949, during interservice disputes that followed the unification of the armed forces, Mr. Burke fell into disfavor with some officials of the Truman Administration by heading a group of high Navy officers that campaigned for supercarriers and against a strategic reliance on the Air Force's B–36 bombers.

His role in what was called the Admiral's revolt seemed to scuttle his chances for promotion. But his name went back on the lists a year later, when he became a rear admiral, and in 1951, he became a member of the allied cease-fire commission in Korea for six months.

In 1955, he was selected by Eisenhower over 92 more senior officers to be Chief of Naval Operations. In that post, he advocated a balanced and versatile fleet, new antisubmarine technology, the development of Polaris submarines and other nuclear systems, and new aircraft designs. He served three two-year terms, but insisted on retiring in 1961, when President John F. Kennedy offered him a fourth term.

Arleigh Albert Burke was born on a farm near Boulder, Colo., on Oct. 19, 1901. his parents were of Swedish and Pennsylvania Dutch stock, his paternal grandfather having changed the name from Bjorkegren. He graduated from the United States Naval Academy in 1923, and after five years of sea duty, earned a degree in chemical engineering at the University of Michigan in 1931.

He was an inspector at a naval gun factory in Washington when World War II broke out. He immediately applied for sea duty, but his application was not granted until 1943, when he was sent to command destroyers in the Solomons. For his ensuing exploits, he was awarded 13 decorations, including the Distinguished Service Medal, the Navy Cross, the Legion of Merit and the Silver Star.

In January 1977, he was awarded the nation's highest civilian honor, the Medal of Freedom, by President Gerald R. Ford. In 1984, the Navy named a class of missile-launching destroyers for him. And in 1991, it launched the U.S.S. Arleigh Burke, an $864 million destroyer, and for the first time in Navy history, the man for whom a ship was named was on hand to see her commissioned.

Mr. Burke is survived by his wife, the former Roberta (Bobbi) Gorsuch, to whom he was married for 72 years.●

LANDMINES: A DEADLY PERIL TO ALL THE WORLD'S CREATURES

● Mr. LEAHY. Mr. President, I have often spoken of the danger landmines pose to civilians and combatants around the world. There are an estimated 100 million of these hidden killers in over 60 countries, each one waiting to explode from the pressure of a footstep.

The State Department estimates that 26,000 people are killed or maimed by landmines annually. That is 72 people each day, or one every 22 minutes. The overwhelming majority are innocent civilians, who if they are lucky enough to survive face a lifetime of physical and psychological trauma. American service men and women are also the victims of these indiscriminate killers. It is no surprise that the first American casualty in Bosnia was from a landmine. There are 3 to 5 million landmines there, hidden under snow and mud. After our troops leave, millions will remain for years, taking their toll among the civilian population. Few people know that landmines caused a third of the American deaths in Vietnam, a quarter of the American deaths in the Persian Gulf war, and over a quarter of American deaths in Somalia.

Landmines are a global humanitarian catastrophe, but humans are not the only victims. Any living creature, wild or domestic, that weighs as much as a small dog, is a potential landmine victim. There have been many instances when a family lost its only means of livelihood when a cow or water buffalo stepped on a landmine, but there are undoubtedly countless other instances of wild animals that have died from mines. Virtually any animal that triggers a mine suffers terrible injuries and dies from loss of blood.

Mr. President, this may seem unimportant, but it is not. Landmines are insidious because they indiscriminately kill and maim the innocent, and that includes animals as well as people. There have even been reports that the Pentagon is considering using sheep to clear mines, by sending them into minefields to trigger the mines. Not only would this fail to detonate all the mines, but anyone who has seen the horrifying injuries landmines cause would be repulsed by the sacrifice of defenseless animals that way.

Mr. President, landmines are causing a humanitarian catastrophe. Even if not a single new mine were laid the 100 million unexploded mines in the ground would go on killing for decades. We must do all we can to locate and remove them. I have sponsored legislation to appropriate funds to improve the technology for doing that, and to help support mine clearing efforts around the world. Those funds are being used. It is not enough, not nearly enough, but it is a start.

To those who care about innocent life, whether human or non-human, landmines are a scourge that must be rid from the world. Ultimately, the only way to do that is to ban them altogether.●

A SPECIAL HOLIDAY SEASON IN NEW YORK

● Mr. D'AMATO. Mr. President, I rise today to celebrate the true spirit of the holiday season and pay special tribute to Trans World Airlines (TWA) for its generosity in helping to make Christmas a truly special time for one of my constituents, Mr. Mouris Astafanous.

To have a chance of survival, doctors told Mr. Astafanous that he would need a bone marrow transplant. Tests had indicated that his sister, Ms. Wedad Astafanous of Cairo, Egypt, met the incredible 20,000 to 1 odds of finding a

perfect match. However, State Department red tape prevented Ms. Astafanous from flying to America to help her brother. Because of these bureacratic hurdles, Ms. Astafanous was being denied the opportunity to help save her brother's life. At the request of the Astafanous family, I contacted the American Amdassador in Cairo who guaranteed his personal assistance in helping Wedad, and less than 24 hours later, she was granted the necessary visa.

Once a visa was secured, it was necessary to obtain an airline ticket for the trip to New York. TWA responded to my request for help in this situation. TWA CEO and president, Jeff Erickson, ensured that Ms. Astafanous' travel plans were arranged in a proper and timely manner. TWA then flew Ms. Astafanous from Egypt to New York so that she would be able to give her critically ill brother one of the greatest gifts of all, the gift of hope. Mr. Erickson's actions, along with the cooperation of TWA employees, have helped to provide the support the Astafanous family needs in this critical time.

Ms. Astafanous arrived in New York on the morning of Christmas Eve and immediately went to her brother's hospital bedside for a joyous reunion. Mouris' spirits have been immeasurably lifted by the arrival of his sister as have the spirits of all who have been touched by this wonderful family. I have had the honor of meeting Mouris and the entire Astafanous family. They are a family of great strength and courage. My prayers, and I am sure the prayers of all my colleagues, are with Mouris Astafanous, his sister Wedad, and the entire Astafanous family.

Thank you, Mr. President.●

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

TRIBUTE TO MR. DAVID COLE

● Mr. PRYOR. Mr. President, I rise today to commend Mr. David Cole for his outstanding 34-year career with the Immigration and Naturalization Service.

Mr. Cole is currently Officer in Charge at the I&NS office in Memphis. I was recently informed that he will be retiring very soon. In fact, I believe his retirement party is set for January 13. I wanted to take this opportunity to thank David Cole for the outstanding work he has done in this difficult and often frustrating profession.

Unfortunately, Mr. President, the public discourse on immigration and immigrants is largely negative. We do not hear enough about the success stories that occur everyday as a result of the hard work of people like David Cole.

David Aaron Cole began duty as an Immigration Patrol Inspector on August 15, 1961, at Laredo, TX. Following several years of front-line work, Mr. Cole was promoted and transferred to Boston, MA, as a records and information specialist. In 1970, he assumed the post of officer in charge at Memphis, where he has worked to the present day.

Although the Memphis office does not directly serve Arkansas, I know that David Cole's work has impacted my State. Mr. Cole has helped hundreds of impoverished immigrants get their new lives off to a postive start. I would guess that a good number of those immigrants eventually made their way to Arkansas, where they have been productive members of my State.

Mr. President, the mission of the I&NS is not just enforcement, it is not just about keeping people out of the country. It is also about helping the legal immigrants who come here to assimilate into American society. David Cole has always understood that mission, and we will certainly miss his work at the Immigration and Naturalization Service. I know all my colleagues join me in wishing Mr. Cole the best of luck in the future.●

HARRY KIZIRIAN POST OFFICE BUILDING DESIGNATION ACT OF 1996

Mr. WARNER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 1606, a bill to designate the U.S. Post Office building located at 24 Corliss Street, Providence, RI, as the ''Harry Kizirian Post Office Building.''

The President Office laid before the Senate the following message from the House of Representatives:

Resolved: That the House disagree to the amendments of the Senate to the bill (H.R. 1606) entitled ''An Act to designate the United States Post Office building located at 24 Corliss Street, Providence, Rhode Island, as the 'Harry Kizirian Post Office Building' ''.

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate recede from its amendments and the motion to reconsider be laid on table.

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

DAVID J. WHEELER FEDERAL BUILDING

Mr. WARNER. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from the further consideration of H.R. 2061, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2061), to designate the Federal building located at 1550 Dewey Avenue, Baker City, Oregon, as the ''David J. Wheeler Federal Building.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements on the bill be placed in the RECORD as if read.

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

The bill (H.R. 2061) was read the third time and passed.

VETERANS' MEDICAL BENEFITS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now turn to consideration of calendar 264, S. 991.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1)(A) Effective June 29, 1995, section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(B) Any hospital or nursing home care or medical services furnished by the Secretary of Veterans Affairs by virtue of section 1710(a)(1)(G) of title 38, United States Code, during the period beginning on June 30, 1995, and ending on the date of the enactment of this Act is hereby ratified.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(d) DEMONSTRATION PROJECT TO GUARANTEE ADJUSTABLE RATE MORTGAGES.—Section 3707(a) of such title is amended by striking out ''fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''fiscal years 1993 through 1997''.

(e) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(f) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—(1) Effective March 31, 1995, section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''December 31, 1999''.

(2) The use of any director of a Department of Veterans Affairs health-care facility of data on rates of compensation paid to certified nurse anesthetists in a labor market area under section 7451(d)(3)(C) of title 38, United States Code, during the period beginning on April 1, 1995, and ending on the date of the enactment of this Act is hereby ratified.

(g) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(h) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by

striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(j) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1961 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1997,''.

(k) AUTHORITY TO MAKE GRANTS FOR ASSISTANCE IN FURNISHING SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—(1) Section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 106 Stat. 5136; 38 U.S.C. 7721 note) is amended by striking out ''fiscal years 1993, 1994, and 1995,'' and inserting in lieu thereof ''fiscal years 1993 through 1997,''.

(2) Section 12 of such Act (106 Stat. 5142) is amended by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(l) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1996''.

(m) EFFECTIVE DATE.—Except as provided in subsections (a)(1) and (f)(1), the amendments made by this section shall take effect on October 1, 1995.

Mr. SIMPSON. Mr. President, I am pleased to rise to comment briefly today, as chairman of the Veterans' Affairs Committee, on an important and, I think, non-controversial piece of legislation to extend the effective dates of certain legal authorities under which the Department of Veterans Affairs [VA] operates. Several of these authorities have expired recently. Except as I will discuss in a moment, each of these ''extender'' provisions was approved by the Veterans' Affairs Committee, by a unanimous voice vote, when the Committee marked up S. 991 on September 20, 1995, and ordered that that bill be favorably reported without written report.

In explaining this bill, Mr. President, let me first itemize the provisions of the bill as reported by the Veterans' Affairs Committee on September 20, 1995. Then I will explain the amendments to those provisions contained within a substitute amendment which I have offered today with the concurrence of the committee's ranking minority member, Senator JAY ROCKEFELLER. To summarize, I introduced S. 991 as a ''by request'' bill on behalf of the administration on June 29, 1995. It was reported in amended form by the Veterans' Affairs Committee on September 20, 1995. The bill would be further amended today—to incorporate, for example, extender provisions contained in legislation introduced in the other body—in order to facilitate the other body's approval of this legislation before the current year ends.

As for the bill as approved by the Veterans' Committee on September 20, the first section of that bill would extend through next year extant legal authorities which grant to so-called ''environmental veterans''—specifically, those who were exposed to ionizing radiation during service; those who served in the Republic of Vietnam and who are, therefore, presumed to have been exposed to dioxin; and those who served in the Persian Gulf war and who are thought, therefore, to have been exposed to toxic substances and other environmental hazards—to priority access to VA hospital care services. That section would also extend through this year a similar ''priority access'' provision applicable to outpatient care services that applies to Persian Gulf veterans due to the apparently extraordinary—and, to date, still inadequately understood—maladies suffered by those veterans.

The Veterans' Affairs Committee intends to hold extensive hearings in 1996 on an issue that is commonly referred to as ''eligibility reform,'' that is, the proposed recodification—and, we hope, simplification if possible—of very complex rules which presently govern which veterans shall have priority access to which categories of health care services. A number of eligibility reform proposals have been advanced—by the other body; by the VA; and by Veterans Service Organizations—all of which would, in some way, effect the relative priority given now to ''environmental veterans'' who have priority access to VA health care services under the rules we would extend today.

My thinking on the question of moving now to change substantively the eligibility rules for ''environmental veterans''—an action which the other body would apparently like to take now in isolation from other eligibility reform issues—is this: the committee will be looking into this question, and related questions, in considerable depth in 1996 when it takes up the broader issue of eligibility reform. That being the case, it is appropriate for us now to extend for one year the current rules as they are currently in force until we have a chance to study the House proposal to scale back special eligibility rules for some, or all, ''environmental veterans.'' That study will be part of the analysis which we will undertake on the entire gamut of health care eligibility issues.

While I think it is appropriate to defer consideration of environmental veterans' eligibility rules for a period, I also think it would be wholly inappropriate for the Congress now to allow some or all of these priority access rules to ''die a quiet death'' by simply declining to consider extending them further. Allowing these special access rules to expire—or making significant amendments to them—may be appropriate actions for the Congress to take. But they will not be appropriate until the Senate Veterans Affairs Committee has given such proposals the serious and thoughtful consideration they merit.

The Senate Committee will arrive at its own judgments on eligibility reform matters after it holds hearings, builds a record, and debates the issues. It will not take up such issues prematurely. And it will not take up such issues prematurely. And it will not take them up on a piecemeal basis. There will be time in 1996 to study the current rules governing access to VA health care by Persian Gulf, Vietnam and radiation-exposed veterans. In the interim, we should extend the current standards until such time as that study can take place.

The other provisions of law which we would extend today are far less controversial than those pertaining to the relative access of some classes of veterans to health care services. This bill would also, for example, extend VA's legal authority to contract for drug and alcohol abuse treatment services. It would, in addition, extend a number of legal authorities under which VA either itself provides, or contracts for others to provide, health care and other services to homeless veterans. It would extend VA's current pilot program on noninstitutional alternatives to nursing home care. Finally, it would extend: VA's Health Professional Scholarship Program; VA's authority to use local pay surveys to determine the appropriate level of locality pay for VA nurse anesthetists; and VA's authority to enter into certain property leasing transactions.

As I have noted, Mr. President, these provisions are relatively non-controversial. All on the Committee were willing, at minimum, to allow the programs authorized by these provisions of law to continue—at least for a period while they are subjected to further analysis. The Senate Committee is unwilling at this time to ''kill'' any such provision of law, through inaction, as opposed to making an affirmative determination that the program ought to be terminated.

There has been, however, one unanticipated exception to the ''rule'' that the Veterans Committee would not terminate programs or benefits by declining to extend legal authorities previously enacted. That exception is the extension of VA authority to guarantee adjustable rate home mortgage loans (so-called ''ARMs'') which was approved by the Committee at markup but which would be excised from the bill under the amendment that I offer today.

The Congress approved a 3-year ''demonstration project'' in 1992 which authorized VA, for the first time, to include adjustable rate mortgages in its home loan guaranty program. It appears that the program has been a success, and I had hoped, therefore, to extend it. As distinguished from the other body, however—which proposed to make VA's authority to guarantee ARMs permanent—I had proposed when I introduced S. 991 to extend the ARM

''demonstration project'' for 2 more years before considering giving it permanent status so that the committee might have an opportunity to view the performance of such loans over a wider range of interest rates. The Veterans' Committee concurred with that judgment when it approved such a 2-year extension on September 20.

When the committee acted, however, it was relying on a preliminary, informal cost estimate provided by the Congressional Budget Office [CBO]. That informal cost estimate indicated, in effect, that adjustable rate mortgages—at least the relatively conservative adjustable rate mortgages guaranteed by VA—are not significantly more likely than fixed rate mortgages to go into default and that, therefore, an extension in VA's authority to guarantee such loans would not subject the Government to significantly higher exposure to loss—and, in turn, costs—than fixed rate home loans.

CBO, however, reconsidered its preliminary, informal view on the potential cost of VA guarantees of adjustable rate mortgage loans. By letter issued on October 25, 1995—which I request, Mr. President, be made part of this RECORD in its entirety—CBO concluded as follows:

> Adjustable-rate mortgages involve a greater subsidy cost to the federal government than fixed rate mortgages (FPMs) because they have a higher likelihood of default. ARMs are more risky than FPMs, not only because interest rates can rise, but because home buyers with a given amount of income usually can qualify to borrow more money with an ARM than with a FPM, thereby becoming more financially leveraged. Thus, borrowers with the greatest risk can opt for an ARM over a FPM. This greater risk results in higher delinquency and foreclosure rates.

Based on this analysis, Mr. President, CBO estimated that an extension of VA's authority to guarantee ARMs would cost VA $36 million in fiscal year 1996 and $33 million in fiscal year 1997.

I was surprised, Mr. President, to learn of this cost estimate from CBO, especially since CBO did not so ''cost'' the legislation that enacted the ARM guarantee ''demonstration project'' just 3 years ago. As I understand it, VA guaranteed ARMs have more conservative underwriting standards than other ARMs. In addition, the monthly payments to be made by borrowers using VA guaranteed adjustable rate financing fluctuate less than payments under other ARMs since annual interest rate increases on VA-guaranteed ARMs are ''capped'' at 1 percent, rather than at 2 percent as is common practice. In light of these distinctions, the Veterans Affairs Committee has operated under the belief that VA guarantee ARMs would ''perform'' better than other ARM's—and that the Government, therefore, would not be exposed to inordinate loss. We had hoped to extend this ''demonstration project'' to see, through a review of VA's actual loss data, if that belief was well grounded.

Be that as it may, Mr. President, CBO's cost estimate makes such an extension impossible for all practical purposes. If this legislation were to propose an extension in this ''demonstration project,'' it would also have to propose money-saving legislation to ''offset'' the costs which CBO estimates would be incurred if the ARM extension were to be enacted. The committee has no such legislation to propose at this time; all cost-saving measures the committee was able to approve are already contained in the Veterans' Committee's portion of the budget reconciliation Balanced Budget Act now before the Congress. Accordingly, the chairman's amendment which I have proposed today would remove the ARM extender from S. 991.

There is another aspect of my substitute amendment that merits explanation. As I have discussed, the substitute would remove one home loan provision—the one which would have extended VA's ARM authority—but one which would have extended VA's ARM authority—but it would also add to the bill four other home loan-related authorities. These provisions are drawn from legislation introduced in the other body. They are not controversial.

First, my amendment would extend for a 2 year period VA's authority to guarantee home loans having interest rates negotiated by the borrower with the lender. Until 1992, VA established, by administrative action, maximum permissible mortgage interest rates to be allowed on VA guaranteed mortgages are a given point in time. VA attempted to ''track'' market-set interest rates, but despite its best efforts, there often were differentials between market rates and VA-set rates, if only due to delays in administrative action.

Such differentials did not necessarily result in veteran-borrowers getting a ''good deal.'' More typically, when VA ceilings were set below prevailing rates, the ''spread'' was offset by the charging of so-called ''points.'' Those points were assessed to the seller—not the veteran-borrower—but again, that did not mean that the veteran got a ''good deal.'' Sellers' points were typically recovered by sellers through increases in the selling prices of homes. In short, they were ''passed through'' to the veteran-buyer; veteran-buyers gained no advantage, typically, even though the interest rates they were being charged appeared to be ''below market.'' Rather, they paid for the interest rate differential ''up front'' through higher purchase prices. My amendment's extension of the allowance of market-set interest rates—as is the result when rates are negotiated by the borrower in today's competitive marketplace—eliminates such distortions.

My amendment, in addition, would extend VA authority to guarantee ''energy efficient'' mortgages. Most would agree that improvements to homes to achieve energy efficiency are desirable. Since 1992, VA has permitted the costs incurred in adding such improvements to a home—which improvements can, and often do, enhance the value of a property in the marketplace—to be ''rolled in'' to the mortgage loan-financed costs of the home. This program appears to have had some social utility, and insofar as the committee has been able to determine, it has not resulted in losses to the Government. Therefore, I propose today that this program be extended for 2 more years.

My amendment would, in addition, extend for 2 years VA's authority to allow lenders access to appraisals on the properties they finance. This provision, of course, is only reasonable; there is no reason for lenders not to have access to such information.

All three of these extenders—an extension in VA's authority to guarantee marketplace-set interest rate loans; an extension in VA's authority to guarantee ''energy efficient'' mortgages; and an extension in VA's allowance of access to property appraisals by lenders—seem, perhaps, to be ''no brainers'' to use a current vernacular. They are extensions of law, however, that rely on analysis that the Senate Committee has not had opportunity to evaluate. In addition, they are ''extenders'' which VA-proposed legislations—S. 991 as introduced by me on June 29, 1995, on the administration's behalf–did not request. I expect that the committee will study these provisions over the next 2 years. At that time, I expect that the committee will be in better position to consider permanent authorizations. In the meantime, I would suggest that these measures, which CBO has concluded would have no significant budgetary impact when it ''costed'' them for the other body, ought to be extended for 2 years.

My proposed amendment would also extend, for a 1-year period, VA's ''enhanced loan asset sale authority.'' This authority—which, in summary, facilitates the marketing of instruments by which sales of foreclosed VA-owned properties are financed—has already been approved by the committee, and the Congress, as part of the Balanced Budget Act. This provision, which will save the Government $35 million over a 7-year period, will expire at the end of the year. We surely hope that the Balanced Budget Act will be approved before then, and that that legislation will affect an extension in this authority. Because, however, a lapse in such authority would be disruptive to VA's efforts to ''bundle'' and sell its mortgage-backed securities, my amendment would extend that authority through this legislation while the Congress considers further changes in the Balanced Budget Act.

Finally, Mr. President, my amendment would modify four of the expiration time frames approved by the Senate Committee when it considered this legislation in September. It would propose to extend through 1997—rather than through 1996, as approved by the committee—VA's pilot program for

noninstitutional alternatives to nursing home care. It would extend VA's authority to survey local communities for appropriate comparability pay data for nurse anesthetists through 1997 rather than through 1999. It would extend VA's Health professional Scholarship Program through 1997 rather than through 1996. And it would extend the McKinney Act's Homeless Veterans' Reintegration Project through 1997 rather than through 1996.

The purpose of these modifications, Mr. President, is to conform our bill more closely to the time frames approved by the other body and, thereby, to promote the prospects for agreement. I might also note that the fourth of these time frame modifications—the expansion of the McKinney Act's Homeless Veterans' Reintegration Project extension from 1 year to 2 years—is a matter that I know is one of deep personal concern to my good friend, the Senator from Minnesota.

In closing, Mr. President, let me say that I hope the Senate will approve S. 991 as favorably reported by the Veterans' Affairs Committee on September 20, 1995, and as further amended today. Let me say, as well, that I hope the other body will approve it expeditiously. It is good, sound legislation; there should be no controversy on it. Other matters can be resolved in this new year—and they will be resolved—so long as all who are concerned about the needs of the Nation's veterans continue to approach this serious business in the cooperative spirit that has been so productive in the past.

Mr. President, I appreciate the time that has been afforded me.

I ask unanimous consent a CBO cost estimate and an October 25, 1995, cover letter from June O'Neill be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 25, 1995.

Hon. ALAN K. SIMPSON,
Chairman, Committee on Veterans' Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office (CBO) has reviewed S. 991, a bill to amend title 38, United States Code, and other statutes to extend VA's authority to operate certain programs, collect copayments associated with provision of medical benefits, and obtain reimbursements from insurance companies for care furnished, as ordered reported by the Senate Committee on Veterans' Affairs on September 20, 1995.

The bill would affect direct spending and thus would be subject to pay-as-you go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985. The bill would not affect the budgets of state of local governments.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 991.

2. Bill title: A bill to amend title 38, United States Code, and other statutes to extend VA's authority to operate certain programs, collect copayments associated with provisions of medical benefits, and obtain reimbursements from insurance companies for care furnished.

3. Bill status: As ordered reported by the Senate Committee on Veterans' Affairs on September 20, 1995.

4. Bill purpose: The bill would extend certain expiring authorities of the Department of Veterans Affairs. Contrary to the title of the bill, it would not affect copayments or reimbursements from insurance companies.

5. Estimated cost to the Federal Government: The following table summarizes the estimated budgetary impact of S. 991.

[By fiscal years in millions of dollars]

	1995	1996	1997	1998	1999	2000
DIRECT SPENDING						
Spending Under Current Law:						
Estimated budget authority	37	0	0	0	0	0
Estimated outlays	37	0	0	0	0	0
Proposed Changes:						
Estimated budget authority	0	36	33	0	0	0
Estimated outlays	0	36	33	0	0	0
Spending Under S. 991:						
Estimated budget authority	37	36	33	0	0	0
Estimated outlays	37	36	33	0	0	0
SPENDING SUBJECT TO APPROPRIATIONS ACTION						
Spending Under Current Law:						
Budget authority [1,2]	177	25	0	0	0	0
Estimated outlays	190	46	2	0	0	0
Proposed Changes:						
Estimated authorization level	0	144	79	13	0	0
Estimated outlays	0	117	93	26	0	0
Spending Under S. 991:						
Estimated authorization level [1,2]	177	168	79	13	0	0
Estimated outlays	190	163	95	26	0	0

[1] The 1995 figure is the amount already appropriated.
[2] Amounts for fiscal years 1996 through 2000 are authorizations subject to appropriations action.

6. Basis of estimate: The estimate assumes enactment of the bill and appropriation of the authorized amounts for each fiscal year. CBO used historic spending rates for estimating outlays. The following section-by-section cost analysis addresses only those sections of the bill that would have a significant budgetary impact.

DIRECT SPENDING

Section 1(d) would give VA authority to guarantee adjustable-rate mortgages (ARMs) through 1997; previous authority expired on September 30, 1995. CBO estimates that this extension would cost $36 million in 1996 and $33 million in 1997.

Adjustable-rate mortgages involve a greater subsidy cost to the federal government than fixed-rate mortgages (FRMs) because they have a higher likelihood of default. ARMs are more risky than FRMs, not only because interest rates can rise, but because home buyers with a given amount of income can usually qualify to borrow more money with an ARM than with a FRM, thereby becoming more financially leveraged. Thus, the borrowers with the greatest risk can opt for an ARM over a FRM. This greater risk results in higher delinquency and foreclosure rates.

CBO bases its esimate on recent loan delinquencies reported by the Federal National Mortgage Association (Fannie Mae), the federal agency that has the most experience tracking the performance of adjustable-rate mortgages. Although data regarding the rate at which Fannie Mae forecloses on mortgages are not available, the delinquency rate for the ARMs Fannie Mae had purchased has been almost 2.5 times that of fixed-rate mortgages over the past 12 months. Because of VA's supplemental servicing program, the easy conversion option to a fixed-rate program, and the lower cap on annual interest rate increases (1 percent compared to 2 percent for Fannie Mae), the difference in foreclosure rates between VA ARMs and FRMs is likely to be less than the difference in delinquency rates between Fannie Mae ARMs and FRMs. CBO estimates that VA ARMs have a foreclosure rate 1.75 times the rate for VA FRMs. We also assume that the percentage of ARMS guaranteed by VA would be the same as it was in 1994, about 12 percent of all VA originations. Based on a baseline foreclosure rate of 10.3 percent for FRMs for 1996, the estimated foreclosure rate for VA ARMs would be 18 percent. Thus, the subsidy cost for VA ARM loans would be about $36 million in 1996 and $33 million in 1997 based on annual loan volumes of 27,000 and 23,000 in 1996 and 1997, respectively.

VA has had the authority to guarantee ARMs only since 1993, and as a result, the available data are not very useful for projecting defaults. Recent data from the Federal Housing Administration (FHA), the model for the VA ARM program, shows that the ARMs it guarantees have foreclosure rates similar to those of FRMs it guarantees. Nevertheless, there is strong reason to believe that this is a short-term phenomenon and that FHA ARMs, like Fannie Mae ARMs, will prove to have higher foreclosure rates than FRMs. First, the data from FHA are too sparse to use for estimating relative foreclosure rates. FHA has been guaranteeing ARMs for ten years but only in the last few years have these loans made up a significant portion of FHA's originations. Second, during this period, mortgage rates have been quite low by historical standards.

SPENDING SUBJECT TO APPROPRIATIONS ACTION

This bill contains several provisions that would be subject to appropriations action.

Medical Treatment for Persian Gulf Veterans. Section 1(a) would extend from December 31, 1995, to December 31, 1996, VA's authority to provide medical treatment to veterans who may have been exposed to toxic substances while serving in the Persian Gulf War. Since 1992, about 180,000 veterans have sought outpatient care for ailments believed to have resulted from exposure to toxic substances while serving in the Gulf War.

Based on estimates from VA, the cost of treating and testing these veterans would be $60 million for the final nine months of fiscal year 1996 and $20 million for the first three months of 1997.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	60	20	0	0	0
Estimated outlays	52	28	0	0	0

Drug and Alcohol Abuse and Dependence. For about 15 years VA has been authorized to contract with third parties to treat veterans suffering from alcohol and drug abuse. Section 9(b) would extend authority to provide contract care from December 31, 1995 to December 331, 1997. At the discretion of the Secretary of Veterans Affairs, VA would be able to contract with halfway houses and other community-based organizations to provide short-term care and therapeutic services to veterans with alcohol and drug dependencies. In 1994, VA spent almost $9 million on contracts with organizations that helped veterans suffering from substance abuse. Under this section, VA would spend over $6 million in the last three quarters of 1996 and help more than 6,000 veterans during the entire fiscal year.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	7	9	2	0	0
Estimated outlays	6	9	4	0	0

Noninstitutional Alternatives to Nursing Home Care. Section 1(c) would extend until December 31, 1996, a pilot program on nursing homes that allows the Secretary of Veterans Affairs to pay for alternatives to nursing home care. At present, VA can contract with private and community providers of non-institutional nursing home care to provide homemaker and home health services to eligible veterans. Certain criteria must be met by veterans in order to qualify for the program. In general, veterans with a service-connected rating of more than 50 percent and veterans needing nursing home care for service-connected disabilities have priority in receiving this care. Participants must be at least 75 years old and meet other specific requirements pertaining to health and ability to live independently. The cost of non-institutional care cannot exceed 65 percent of what it costs VA to provide each individual nursing care at its facilities ($32,371 in 1994).

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	18	5	0	0	0
Estimated outlays	16	7	0	0	0

In 1994, VA spent almost $10 million and provided noninstitutional care to 1,500 veterans. The number of veterans participating in the program is expected to grow to 2,700 in 1996 and would cost $18 million for that year.

Health Professional Scholarship Program. In 1994, VA awarded scholarships to 374 VA nurses and other health professionals. These competitive scholarships allowed VA health care professionals to enroll in a full-time course of study leading to either an associate, baccalaureate, or master's degree. Award winners receive payments for tuition, educational expenses, and a monthly stipend—all tax free. The program helps VA recruit and retain nurses and other health care professionals, particularly for health care disciplines in which VA is experiencing recruitment difficulties. In return for the award, recipients incur a service obligation of two years to the VA.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	8	3	0	0	0
Estimated outlays	8	3	0	0	0

Section 1(g) would extend the authorization of the program from December 31, 1995, to December 31, 1996. For 1996, the cost of the program would be almost $8 million for the last nine months of the year. VA anticipates that this amount of funding would pay for 427 awards.

Enhanced-Use Leases of Real Property. Section 1(h) would extend for two years the authorization for VA to use enhanced-use leases of real property and would result in no significant costs. Enhanced-use leases of real property allow VA to enter into contracts with private companies to develop or employ underutilized land or other assets under the control of VA. In most instances, VA would allow a private developer to build on property owned by VA, and in return the developer would allow VA partial use of the newly developed facility at below market price. In the past, VA has contracted for child care centers and cafeterias where VA received below market prices for its employees who use the facility.

With the exception of leases made to provide child-care services, no more than 20 enhanced-use leases may be entered into at any one time. Current law permits VA to make payments only for those enhanced-use leases that provide space or services for which funds have been appropriated in advance.

Community-Based Residential Care for Chronically Mentally Ill Veterans. In 1994, VA spent just over $24.5 million to provide 9,000 Homeless Chronically Mentally Ill (HCMI) veterans community-based residential care. The HCMI program began in 1987 and has been reauthorized periodically. The program operates out of 71 VA facilities and targets homeless veterans with psychiatric or drug abuse problems. VA estimates that the number of homeless veterans on any given night varies from 150,000 to 250,000. Case workers seek out these veterans at homeless shelters or on the street and help them find appropriate health care and social services. These veterans are usually placed in community programs under contract with VA. The average cost of providing this service was $39 per day per veteran in 1994. The average stay was 71 days.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	28	29	8	0	0
Estimated outlays	25	28	11	0	0

VA anticipates that in 1996 it would be able to help almost 9,700 of the several hundred thousand homeless veterans at a cost of over $28 million. Section 1(i) would extend this program through December 1997.

Compensated Work Therapy and Therapeutic Transitional Housing (CWT). Section 1(j) would continue a demonstration program aimed at helping eligible veterans with severe mental illness and drug and alcohol problems return to mainstream society. The program offers veterans treatment while employed in the CWT program. This program differs from therapy programs because veterans pay rent to offset the cost of acquiring and maintaining the property in which they reside. VA has purchased 46 residences which will have 404 beds when fully operational. An additional four residences with a total of 60 beds are planned. Expansion beyond 50 residences would require a change in current law. To serve 316 veterans in 1994, VA spent about $3 million.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	4	4	1	0	0
Estimated outlays	3	4	1	0	0

Grants for Assistance in Furnishing Services and Assistance to Homeless Veterans. Section 1(k) expands VA's authority to work with community and public groups to provide services to homeless veterans. This program provides seven comprehensive homeless shelters, authorizes placement of counselors in 12 homeless shelters, allows for grants to public and community organizations to provide transitional assistance to veterans, and authorizes VA to make per diem payments to organizations eligible to receive grants. This program would be authorized until December 31, 1997. Reauthorization of the program is needed only to continue the homeless grant and per diem programs.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization level	9	9	2	0	0
Estimated outlays	7	9	4	0	0

In 1994, $8 million was appropriated for this program, $5.6 million of which was used for the grant program. The number of veterans affected by the program is uncertain, and VA is developing a plan to evaluate its effectiveness. CBO estimates the cost of the program in 1996 would be about $9 million.

Homeless Veterans Reintegration Projects. Section 1(l) would authorize appropriations for Homeless Veterans Reintegration Projects. The provision specifies an authorization level of $10 million in 1996.

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000
Authorization level	10	0	0	0	0
Estimated outlays	1	4	5	0	0

7. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. The bill would have the following pay-as-you-go impact:

[By fiscal years, in millions of dollars]

	1996	1997	1998
Change in outlays	36	33	0
Change in receipts	[1]	[1]	[1]

[1] Not applicable.

8. Estimated cost to State and local governments: None

9. Estimate Comparison: None

10. Previous CBO estimate: On October 5, 1995, CBO prepared a cost estimate for H.R. 2289 as ordered reported by the House Committee on Veterans' Affairs (HVAC) on September 20, 1995. The estimate included the cost of extending permanently the VA ARM program and extending for three years the homeless veterans job training program. CBO's cost estimate for H.R. 2353 as ordered reported by HVAC on September 20, 1995, included estimates for several other provisions that are also part of S. 991.

11. Estimate prepared by: Michael Groarke.

12. Estimate approved by: Paul N. Van de Water, Assistant Director, for Budget Analysis.

Mr. ROCKEFELLER. Mr. President, as the ranking minority member of the Committee on Veterans' Affairs, I urge the Senate to give its unanimous support to the pending measure, S. 991, legislation that would extend a variety of veterans programs and authorities that have expired. The proposed extensions are relatively short-term ones—1 or 2 years—to ensure that the program or authority remains in place while the committee takes the opportunity to review the various issues in more detail.

Consideration of this measure was sought late last month so that it might have been enacted before a number of the programs and authorities actually expired, but we were blocked from acting at that time by an objection unrelated to any provision in the bill. I truly regret that the Senate was delayed in considering this measure, but am pleased that we are now about to act on it. My sincere hope is that our colleagues in the House will take it up as soon as possible so as to remove any question about the programs and authorities covered by this legislation.

Mr. President, this measure was ordered reported, without written report, by the Veterans' Affairs Committee on September 20, 1995, and comes before the Senate today with an amendment offered by the committee chairman, Senator SIMPSON. The chairman's amendment, which I support, deletes one provision from the bill as ordered reported—relating to VA's authority to guarantee home loans involving adjustable rate mortgages—because of unanticipated costs being attributed to the enactment of that provision by the

Congressional Budget Office. In addition, his amendment adds four additional extension provisions—all relating to VA's home loan guaranty program—that came to the committee's attention after the committee meeting in September.

There is no objection as far as I know to any of the provisions in the bill as it will be amended, and I urge its swift enactment so that it can reach the House as soon as possible for action in that Chamber.

SUMMARY OF PROVISIONS

Mr. President, the bill, as amended, contains 16 provisions which would provide for the following extensions of programs and authorities:

First, extend until December 31, 1996, the special eligibility for VA inpatient care which is accorded to certain veterans—those exposed to ionizing radiation from nuclear weapons tests or the occupation of Japan following World War II; Vietnam veterans exposed to herbicides during their service; and Persian Gulf war veterans exposed to environmental hazards during their service. Any care furnished to veterans exposed to radiation or herbicides pursuant to this authority between its expiration on June 30 of this year and the date of enactment of this measure would be ratified.

Second, extend until December 31, 1996, the special eligibility for VA outpatient care accorded to Persian Gulf war veterans.

Third, extend until December 31, 1997, VA's authority to contract for community-based drug and alcohol care.

Fourth, extend until December 31, 1997, VA's pilot program of non-institutional alternatives to nursing home care.

Fifth, extend until December 31, 1997, VA's authority to guarantee loans which bear an interest rate negotiated between the veteran and the lender.

Sixth, extend until December 31, 1997, VA's authority to guarantee loans that include costs related to making energy efficiency improvements to the dwelling that is the object of the loan.

Seventh, extend until December 31, 1996, VA's enhanced loan asset sale authority pursuant to which VA guarantees the timely payment of principal and interest to purchasers of real estate mortgage investment conduits.

Eighth, extend until December 31, 1997, VA's authority to permit a lender who is authorized to make loans which are automatically guaranteed to review appraisals.

Ninth, extend until December 31, 1997, VA's authority to enter into agreements with nonprofit organizations and State and local governments whereby such entities acquire real property, or the use of such property, from VA in order to furnish services to homeless veterans.

Tenth, extend until December 31, 1997, VA's authority to use data on compensation paid to nurse anesthetists who work on a contract basis for non-VA entities in determining appropriate locality pay for nurse anesthetists who work for VA.

Eleventh, extend until December 31, 1997, VA's Health Professional Scholarship Program.

Twelfth, extend until December 31, 1997, VA's authority to enter into enhanced-use leases with non-VA entities.

Thirteenth, extend until December 31, 1997, VA's program of community-based residential care for homeless chronically mentally ill veterans.

Fourteenth, extend until December 31, 1997, VA's authority to carry out a demonstration program of compensated work therapy and therapeutic transitional housing.

Fifteenth, extend until September 30, 1997, VA's authority to make grants to entities for the purpose of furnishing services and assistance to homeless veterans.

Sixteenth, extend until September 30, 1997, the Department of Labor's homeless veterans' reintegration projects and authorize appropriations of $10 million for this program.

CONCLUSION

Mr. President, this legislation would extend a number of important authorities and programs, and I urge all of my Senate colleagues to support it. As I noted at the outset, our consideration of this bill was delayed because of unrelated concerns and it is vital that we act as quickly as possible to reauthorize the various programs and authorities.

Mr. President, I express my appreciation to the chairman of our committee, Mr. SIMPSON, and all other members of the committee, for their work on this measure. I look forward to working with my colleagues in the Senate, as well as members of the House Committee on Veterans' Affairs, on its enactment.

Mr. President, I urge the Senate to give its unanimous approval to this measure.

Mr. WARNER. Mr. President, I ask unanimous consent that the amendment I now send to the desk be agreed to, the committee substitute, as amended be agreed to, the motion to reconsider be laid on the table, and the bill then be read a third time.

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

The amendment (No. 3116) was agreed to as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1) Effective June 29, 1995, section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1997,''.

(d) NEGOTIATED INTEREST RATES.—Section 3703(c)(4)(D) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(e) MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.—Section 3710(d)(7) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(f) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(g) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f)(3) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(h) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—Effective March 31, 1995, section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(*l*) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(m) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1991 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1997,''.

(n) AUTHORITY TO MAKE GRANTS FOR ASSISTANCE IN FURNISHING SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—(1) Section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 106 Stat. 5136; 38 U.S.C. 7721 note) is amended by striking out ''fiscal years 1993, 1994, and 1995,'' and inserting in lieu thereof ''fiscal years 1993 through 1997,''.

(2) Section 12 of such Act (106 Stat. 5142) is amended by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(o) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996.

''(E) $10,000,000 for fiscal year 1997.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1997''.

(p) EFFECTIVE DATE.—Except as provided in subsections (a)(1) and (i), the amendments made by this section shall take effect on October 1, 1995.

(q) RATIFICATION OF ACTIONS.—The following actions are hereby ratified:

(1) The furnishing by the Secretary of Veterans Affairs of care and services by virtue of section 1710(a)(1)(G) of title 38, United States Code, during the period beginning on July 1, 1995, and ending on the date of the enactment of this Act.

(2) The furnishing by the Secretary of services in noninstitutional settings by virtue of section 1720C of such title during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(3) The use by any director of a Department of Veterans Affairs health-care facility of data on rates of compensation paid to certified nurse anesthetists in a labor market area under section 7451(d)(3)(C) of such title during the period beginning on April 1, 1995, and ending on the date of the enactment of this Act.

(4) The furnishing by the Secretary of care for homeless chronically mentally ill and other veterans by virtue of section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(5) The furnishing by the Secretary of work therapy and therapeutic transitional housing by virtue of section 7 of Public Law 102–54 (38 U.S.C. 1718 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(6) Grants made by the Secretary to furnish services to veterans under section 3 of the Homeless Veterans Comprehensive Services Programs Act of 1992 (38 U.S.C. 7721 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. WARNER. Mr. President, I now ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 2353, that the Senate proceed to its immediate consideration, that all after the enacting clause be stricken, and the text of S. 991, as amended, be inserted in lieu thereof, that the bill as thus amended be passed, and the motion to reconsider be laid upon the table, and S. 991 be then returned to the calendar.

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

So the bill (H.R. 2353), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2353) entitled ''An Act to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes.'', do pass with the following amendments:

Strike out all after the enacting clause and insert:

SECTION 1. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1) Effective June 29, 1995, section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1997,''.

(d) NEGOTIATED INTEREST RATES.—Section 3703(c)(4)(D) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(e) MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.—Section 3710(d)(7) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(f) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(g) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f)(3) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(h) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—Effective March 31, 1995, section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(l) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(m) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1991 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1997,''.

(n) AUTHORITY TO MAKE GRANTS FOR ASSISTANCE IN FURNISHING SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—(1) Section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 106 Stat. 5136; 38 U.S.C. 7721 note) is amended by striking out ''fiscal years 1993, 1994, and 1995,'' and inserting in lieu thereof ''fiscal years 1993 through 1997,''.

(2) Section 12 of such Act (106 Stat. 5142) is amended by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(o) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996.

''(E) $10,000,000 for fiscal year 1997.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1997''.

(p) EFFECTIVE DATE.—Except as provided in subsections (a)(1) and (i), the amendments made by this section shall take effect on October 1, 1995.

(q) RATIFICATION OF ACTIONS.—The following actions are hereby ratified:

(1) The furnishing by the Secretary of Veterans Affairs of care and services by virtue of section 1710(a)(1)(G) of title 38, United States Code, during the period beginning on July 1, 1995, and ending on the date of the enactment of this Act.

(2) The furnishing by the Secretary of services in noninstitutional settings by virtue of section 1720C of such title during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(3) The use by any director of a Department of Veterans Affairs health-care facility of data on rates of compensation paid to certified nurse anesthetists in a labor market area under section 7451(d)(3)(C) of such title during the period beginning on April 1, 1995, and ending on the date of the enactment of this Act.

(4) The furnishing by the Secretary of care for homeless chronically mentally ill and other veterans by virtue of section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(5) The furnishing by the Secretary of work therapy and therapeutic transitional housing by virtue of section 7 of Public Law 102–54 (38 U.S.C. 1718 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(6) Grants made by the Secretary to furnish services to veterans under section 3 of the Homeless Veterans Comprehensive Services Programs Act of 1992 (38 U.S.C. 7721 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

The title was amended so as to read: ''To amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, and for other purposes.''.

MEASURE READ FOR THE FIRST TIME—S. 1518

Mr. WARNER. Mr. President, I understand that S. 1518 introduced today by Senator BROWN is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1518) to eliminate the Board of Tea Experts by prohibiting funding for the Board and by repealing the Tea Importation Act of 1897.

Mr. WARNER. I now ask for its second reading.

Mr. FORD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. WARNER. I thank the Chair.

AUTHORITY TO SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. WARNER. I ask unanimous consent that the Senator from Virginia Mr. [WARNER], be allowed to sign duly enrolled bills and joint resolutions.

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

ORDERS FOR MONDAY, JANUARY 8, 1996

Mr. WARNER. I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 3 p.m. on Monday, January 8; 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 until the hour of 3:30 p.m., with Senators permitted to speak for up to 5 minutes each.

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

PROGRAM

Mr. WARNER. For the information of all Senators, rollcall votes are not expected to occur during Monday's session of the Senate. The Senate could, however, turn to any executive or calendar items cleared for action.

ADJOURNMENT UNTIL MONDAY, JANUARY 8, 1996, AT 3 P.M.

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

Thereupon, the Senate, at 9:45 p.m., adjourned until Monday, January 8, 1996, at 3 p.m.