

their herds down in South Carolina I finally located some up in Massachusetts. I called over to the White House, as other Senators were calling, and the White House said, "Senator, there is no hay for you." "There is no plane for you." I said, "Come on, Senator so and so." "You do not understand, Senator, there is no plane for you."

I said heavens above, I commented in the cloakroom to a few of my colleagues, that was a heck of a note. I had the hay. I had the cattle that were starving and the farmers that were ready. But the phone rang and there was a fellow named Freddy Smith from Federal Express. He had heard about it and we called, and the next thing you know, he had two planes, Federal Express planes, bring it down one Sunday.

I had my commission of labor—the 4-H Club, and all of us there, my wife and myself—and we unloaded the hay all Sunday morning and afternoon. I said, "I will never forget that fellow." So when they told me about the innocent mistake and told me it involved Freddy Smith, I got a very, very strong feeling about this.

I am not going to yield to the nonsense and mythical chicanery that is coming about here because they have the political clout. I know he said Republican. No Republican put this in. Democrat HOLLINGS put it in. It was not sneaked in or jammed in. We discussed it several times. It was an appropriate measure for it. In the conference, it was 8 to 2 in the vote to put it in. It passed by a strong vote on the House side.

He is trying to make it a partisan thing, which is unfortunate, because right is right and wrong is wrong. Here is the intent put in there, and I am going to get the decisions made because I have been called over now. I didn't think we were going to have to try to cave in for the truth around here. But right this minute as they talk about that case, the mediation board back in November 1995 ruled against them. It isn't trying to try a new practice. If you can get a choke point in one little town and close down a whole thing, you have no express service. And in the interest of express service, that is what is intended by the Congress. We are not trying to get anything new. We are trying to get something contained and maintained in the law that has allowed this particular airline carrier to flourish and grow. There is nothing new about this. We are trying to get it back.

As stated in the statute itself—I emphasize by reading it the second time—the enactment of the ICC Termination Act of 1995 shall neither expand nor contract coverage of employees and employers by the Railway Labor Act.

Now, who is trying to sneak in or jam or get something changed? If it is HOLLINGS, he is trying to get it for the truth. He is trying to get back to the facts. He is not trying to get an advantage or disadvantage. He is trying to get back to the intent of Congress.

We were there. The Senator from Massachusetts is not on that committee. He is not on that conference. But he talks like now we are jamming it, and everything else of that kind. I am not going to let that rat-a-tat go by on this floor. I have got good time here. I know about the FAA. It is on my committee. I can tell you that right now. The FAA has not only its grants given to the airports, it has its trust funds to operate in a certain measure the airports. It has its trust funds for the safety devices and otherwise in there.

So I can tell you, it is not done for one company, and we have to have hearings. Come on, that ought to be ashes in their mouths. Have hearings? When did they have hearings to delete? Who called the hearings? Name the Senator. Name the House Member. Name the committee. They have the unmitigated gall to come here and act like it is orderly procedure; now let us get hearings when they have done the sneaking and they have done the jamming. They ought to be ashamed of themselves.

I yield the floor.

OMNIBUS CONSOLIDATED APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER (Mr. GRASSLEY). The Chair recognizes the Senator from Indiana.

Mr. COATS. Mr. President, I defer to the chairman of the Appropriations Committee.

Mr. HATFIELD. If the Senator will withhold for a moment, we want to get a unanimous consent so we can adopt the appropriations bill.

Mr. COATS. I yield to my opportunity to be recognized by the Chair. I would be happy to withhold for a moment while the chairman of the Appropriations Committee and the ranking member discuss it.

Mr. HATFIELD. I thank the Senator.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. HATFIELD. Mr. President, the majority leader and the minority leader have worked out a unanimous-consent agreement.

The ranking member of the Appropriations Committee, Senator BYRD, and I have gone over this. And we also concur.

So, at this time, Mr. President, with Senator BYRD's presence on the floor, I would like to propound the unanimous-consent request.

I ask unanimous consent that final passage of H.R. 4278, the omnibus appropriations legislation, occur no later than 6 p.m. today, with the time between now and 6 p.m. equally divided between the two leaders, or their designees; and, further, that no amendments, motions, or points of order be in order.

The PRESIDING OFFICER. Is there objection?

Mr. COATS. Mr. President, reserving the right to object, I am wondering if I could slightly amend to allow this Senator no more than 5 or 6 minutes to speak on the matter that I was recognized for before the request occurred.

Mr. HATFIELD. I yield the floor for that purpose.

I would like to get the agreement first.

Mr. COATS. But, as stipulated, it would preclude my opportunity to do that. I am just wondering if the Senator would amend his unanimous-consent request so that this Senator, who had been recognized before the unanimous-consent request, would be allowed to speak as if in morning business for up to 8 minutes.

Mr. BYRD. Mr. President, reserving the right to object, the Senator will have no trouble getting time from his leader. The time is equally divided between the two leaders.

Mr. COATS. That would be acceptable to this Senator. I am not speaking on the continuing resolution. So I will speak as if in morning business. I want to make sure that I have the opportunity to get that time.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. I reserved the right to object.

Was this other matter resolved?

The PRESIDING OFFICER. I am sorry.

The Senator from West Virginia.

Mr. BYRD. Was the matter resolved to the satisfaction of the Senator from Indiana?

Mr. HATFIELD. We do not want to cut out the Senator from Indiana.

Mr. COATS. I want to make sure I have the opportunity to speak.

Mr. HATFIELD. I can assure the Senator from Indiana, as we have been speaking as if in morning business, with the colloquy that was just going on which the Senator from Indiana would like to engage in, I will have no objections to whatever parliamentary request he has to make in order to speak.

Mr. COATS. That is more than acceptable to this Senator.

Mr. KENNEDY. Mr. President, reserving the right to object —

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I believe that the minority leader will give me 5 minutes. But it is not on this related matter of the continuing resolution. It is from the minority leader's time. I wanted to have a continuing discussion on that measure. I need maybe 4 minutes or 5 minutes sometime.

So I would be glad to do whatever. The measure which they are managing is of the utmost importance. I wanted to get 5 minutes just to respond quickly to the matter. So I am glad to do it in whatever way the two leaders want to proceed.

The PRESIDING OFFICER. Is the body ready to put the question?

Mr. KENNEDY. Mr. President, I hope maybe that—reserving the right to object—out of that time we are going to

have the leader to be designated to have 5 minutes.

Mr. BYRD. I hope that the distinguished Senator will include that in his request.

Mr. HATFIELD. Could I include the same as I did for the Senator from Indiana?

Mr. KENNEDY. That would be fine.

Mr. HATFIELD. That the Senator from Massachusetts be recognized to make whatever motions necessary to get the 5 minutes after we get this approved.

I would have no objection.

Mr. BYRD. Do I understand the Senator wishes to have his 5 minutes on the continuing resolution?

Mr. KENNEDY. No, just on the earlier matter being discussed. I do not want to interrupt the two chairmen on this very, very important matter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, I further ask unanimous consent that following the vote on H.R. 4278, the Senate proceed to vote on the adoption of the DOD appropriations conference report, all without further action, and that all points of order be waived.

Mr. BYRD. Mr. President, reserving the right to object, I shall not object, I very much advocate both of these requests. I did so in the conference earlier today, conference among Democrats. I feel that there should not be any amendments to the continuing resolution. I am not satisfied with everything that is in the resolution, but I do think the time has come to adopt the resolution without a great deal of debate this afternoon and without amendments because amendments would simply mean that the continuing resolution would go to conference, and I presume that the leader would probably take that continuing resolution down and call up the conference report, which is not amendable and therefore not conferenceable.

So it seems to me that the integrity of the Senate, the integrity of the legislative process within the Senate, the integrity of the Senate's right to amend and right to debate are all protected here, and that is what I am most interested in. We could offer amendments to the continuing resolution if we wanted. Consequently, any Senator could have objected to the request. We could debate at some length. I am sure that we Democrats do not want to be accused of shutting the Government down.

Therefore, it seems to me in the interest of all concerned—and as I say, in full view of the fact that the integrity of the process and integrity of the Senate's right to debate an amendment and amend have been fully protected—I have no objection, and I congratulate the Senator from Oregon and I also congratulate both leaders.

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

Mr. HATFIELD. Finally, Mr. President, I ask unanimous consent that of the time allocated to Senator LOTT, 10 minutes be allocated to Senator MCCAIN.

Mr. BYRD. Mr. President, reserving the right to object, does the distinguished Senator wish to include Mr. COATS in that request? And I will ask that the Senator from Massachusetts be included.

Mr. HATFIELD. I would be very happy to incorporate 5 minutes to the Senator from Indiana.

Would the Senator like to include 5 minutes for the Senator from Massachusetts?

Mr. BYRD. I would like to have Mr. KENNEDY accorded 5 minutes in the request, from the time under the control of the minority leader.

Mr. HATFIELD. That would be then 10 minutes for Senator MCCAIN, 5 minutes for Senator KENNEDY, and 5 minutes for Senator COATS.

The PRESIDING OFFICER. Is there any objection?

Mr. PRYOR. Mr. President, reserving the right to object—I do not want to object—I do not think that I am going to ask to speak for 5 minutes, but at least if I could reserve 5 minutes in this process for myself I would appreciate very much the distinguished manager allowing me to speak.

Mr. BYRD. Include 5 minutes to come out of the time under the control of the minority leader.

Mr. HOLLINGS. Is that all right, 5 minutes also here for the Senator from South Carolina?

Mr. HATFIELD. Another 5 minutes for Senator PRYOR and 5 minutes for Senator HOLLINGS.

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

Mr. HATFIELD. I thank the Chair.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BYRD. Mr. President, I thank all Senators and particularly those who have been so courteous as to yield allowing this request to be granted.

The PRESIDING OFFICER. Who seeks recognition?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

APPLICATION OF CIVIL RIGHTS AND LABORS LAWS TO THE WHITE HOUSE

Mr. COATS. Mr. President, I would actually like to speak briefly on a nonrelated CR matter or a nonrelated FAA matter. This is something that I was fully of the understanding would be cleared on both sides and become law after it was sent to the President in final closing action of the Congress. I have sponsored a bill along with Representative HORN from the House designed to eliminate a very dubious double standard that remains in the application of our civil rights and labor laws. That double standard was elimi-

nated relative to this body in this Congress by application of the civil rights and labor laws which we had previously excluded ourselves from, that application now applicable to the U.S. Congress.

For too long and to the general disgust of the American people, in the laws which we passed requiring them to comply with the civil rights laws of the land and the labor standards of the land, we crafted an exemption for the Government. We said it is good enough for you but not for us. You comply with it subject to both civil and criminal penalties, but we are going to exempt ourselves.

I am proud that under Republican leadership in this Congress, we finally remedied that inequity that existed for so many years because now that same list of laws which applies to every American worker and every American under the civil rights laws and under the labor laws of this country now applies to us. The theory here is that if we have to be subject to those same requirements, perhaps we will be a little more careful before we impose egregious regulations on the American people.

I remember attending a closed meeting of Senators while we were debating this, and a Senator walked in and said, "You mean we are going to have to live by this? It is impossible. Our office cannot comply with the OSHA laws. Our office cannot comply with all these fair labor standard laws. We cannot do this." We said, "Well, now you know what the American people are complaining about. They are saying they cannot do it either. Sometimes they even conflict with each other. And maybe if we feel the pain ourselves, then we will be a little more careful when we impose that pain on others."

What I have attempted to do, along with Representative HORN, is simply apply this same standard to the White House. Today, the only exempted entity in America is the White House. The White House does not have to comply with the laws that the Congress now complies with and every other American complies with.

I was encouraged because the White House sent us a statement of administration policy which said that they support the bill offered by Representative HORN and myself, and I read this statement of administration policy which says, "We support H.R. 3452 that would apply civil rights and workplace laws to the Executive Office of the White House."

They, however, had a couple problems with that. They did not want an inspector general because they thought it raised constitutional issues, and they did not want equitable relief too, which really leaves a double standard in place, but the only way we could get this through before the conclusion of this Congress was to remove those. I did not want to remove them. Representative HORN did not want to remove them. But we were assured by the