

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1995

Mr. STUMP. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2394), to increase, effective as of December 1, 1995, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1995".

**SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) **RATE ADJUSTMENT.**—The Secretary of Veterans Affairs shall, effective on December 1, 1995, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) **AMOUNTS TO BE INCREASED.**—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) **COMPENSATION.**—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) **ADDITIONAL COMPENSATION FOR DEPENDENTS.**—Each of the dollar amounts in effect under section 1115(1) of such title.

(3) **CLOTHING ALLOWANCE.**—The dollar amount in effect under section 1162 of such title.

(4) **NEW DIC RATES.**—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) **OLD DIC RATES.**—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) **ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.**—The dollar amount in effect under section 1311(b) of such title.

(7) **ADDITIONAL DIC FOR DISABILITY.**—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) **DIC FOR DEPENDENT CHILDREN.**—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) **DETERMINATION OF PERCENTAGE INCREASE.**—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1995. Each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1995, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) In the computation of increased dollar amounts pursuant to paragraph (1), any amount which as so computed is not an even multiple of \$1 shall be rounded to the next lower whole dollar amount.

(d) **SPECIAL RULE.**—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

**SEC. 3. PUBLICATION OF ADJUSTED RATES.**

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1996, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased pursuant to section 2.

Mr. STUMP (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

Mr. MONTGOMERY. Mr. Speaker, reserving the right to object, I do not plan to object, and I yield to the gentleman from Arizona [Mr. STUMP] for an explanation of his request.

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Mr. Speaker, the only substantive difference is that the Senate bill does not include language regarding the basis for the DIC COLA.

This matter will be included in the budget reconciliation bill.

We are seeking unanimous consent because this bill must be enacted quickly.

The VA needs time to program their computer system so that veterans may receive the COLA in the January 1, 1996, benefit checks.

The Congressional Budget Office has indicated the bill reduces direct spending under the pay-as-you-go budget rules.

Mr. Speaker, I urge all of my colleagues to support this bill.

Mr. MONTGOMERY. Very briefly, the increases that have been mentioned by the chairman is 2.6 percent effective for service-connected veterans in December. Tomorrow is Veterans Day for all veterans who fought in the different wars, and this is for the disabled veterans. It will also go to the Gold Star wives, a cost-of-living.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arizona?

There was no objection.

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2394.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

**LEGISLATIVE PROGRAM**

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, at this time I would be pleased to yield to the distinguished majority leader for the purposes of apprising the House on the schedule for next week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, November 13, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business.

We plan to consider 11 bills under suspension of the rules. I won't read through the long list now, but a list of those suspensions will be distributed to Members' offices today and will appear in the RECORD.

The suspensions are as follows:

H.R. 2527, permitting electronic filing and preservation of Federal Election Commission reports;

H.R. 2204, the Defense Production Act;

H.R. 924, prohibition on certain transfers of national forest lands;

H.R. 657, extending Federal Power Act deadline for construction of three Arkansas hydroelectric projects;

H.R. 680, extending the time for construction of certain FERC licensed hydro projects;

H.R. 1011, extending Federal Power Act deadline for construction of an Ohio hydroelectric project;

H.R. 1014, authorizing extension of time limitation for a FERC-issued hydroelectric license;

H.R. 1051, providing for extension of certain West Virginia hydroelectric projects;

H.R. 1290, reinstating the permit and extending the Federal Power Act deadline for the construction of an Oregon hydroelectric project;

H.R. 1335, providing for the extension of a West Virginia hydroelectric project; and

H.R. 1366, authorizing the extension of time limitation for the FERC-issued hydroelectric license for the Mount Hope waterpower project.

Members should be advised that any recorded votes ordered on the suspensions will be postponed until 5 p.m. Monday.

On Tuesday, November 14, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. We will first take up two bills on the Corrections Day Calendar:

H.R. 2366, a bill to repeal an unnecessary medical device reporting requirement; and

S. 790, the Federal Reports Elimination and Sunset Act of 1995.

After consideration of the corrections day bills and for the balance of the week, the House will take up the following bills, all of which will be considered under rules:

H.R. 2539, the ICC Elimination Act;

H.R. 1058, the Securities Litigation Reform conference report;

H.R. 2126, the fiscal year 1996 Department of Defense appropriations conference report;

H.R. 1977, the fiscal year 1996 Department of the Interior appropriations conference report;

H.R. 2564, the Lobbyist Disclosure Reform Act;

House Resolution 250, the Congressional Gift Reform Act; and

H.R. 2491, the Seven-Year Balanced Budget Reconciliation Act of 1995.

Of course, Members should keep in mind that additional conference reports may be brought to the floor at any time.

Mr. Speaker, on Thursday, November 16, it is our hope to finish business on the budget reconciliation and recess for the Thanksgiving district work period until Tuesday, November 28. However, Members should keep their schedules flexible toward the end of next week as we may have to continue work on the important business of balancing the budget.

Mr. HOYER. Mr. Speaker, I thank the majority leader for going through that schedule.

Mr. Leader, when the President vetoes the CR, what do you plan to do on Monday to preclude the Government from shutting down on Tuesday?

Mr. ARMEY. Mr. Speaker, I appreciate the gentleman's comments.

As the gentleman knows, we have taken action on the continuing resolution. The Senate will consider that action. We should have action completed on the CR in ample time for the President to sign the bill in order to prevent any shutdown of the Government. Of course, we have every expectation that the President will do so.

Mr. HOYER. Mr. Leader, as the lawyers would say, assuming for argument's sake. I will not use the Latin, but—

Mr. ARMEY. I may dare say, the gentleman may find an argument without assuming it, the way things have been going today, but we will try not to.

Mr. HOYER. Mr. Leader, very seriously, we have been debating pretty hotly the question of whether or not the CR, in fact, will do what we want to do, I think most of us want to do, and that is keep the Government open.

In point of fact, it has to go to the Senate. The Senate has gone home; the Senate is not here, because we changed it over here. Presumably, they therefore cannot act on it until Monday morning. Presumably, from what the gentleman from Louisiana [Mr. LIVINGSTON] said, and I think the gentleman from New York [Mr. SOLOMON] also said, the Senate is going to take the amended CR, so they will send it to the President.

The President has said, without question, he is going to veto the CR as it stands now with the Medicaid premium increase.

My question, therefore, is assuming that that happens, and assuming that we do not want to shut down the Government, you have not indicated on there a timeframe in which we might continue to pass another CR which would provide for the Government's op-

eration on Tuesday, November 13. Is there such a contingency plan?

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his inquiry.

I had not understood that the President had stipulated that he would require to find Medicaid payment increases in the bill as a reason for his veto. Since there will be none found in the bill, I remain confident that the President will sign it and we will have no problems to deal with.

Mr. HOYER. Mr. Leader, I understand that we can be rhetorically cute with one another, and I think probably both of us could be reasonably good at that, but the fact of the matter is, I think it would be irresponsible for us, Mr. Leader, not to provide a contingency for this House to consider the possibility at the very least that we will have to act again on Monday on this legislation.

Mr. ARMEY. Mr. Speaker, if the gentleman will yield, I will try to be clear.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Mr. ARMEY. Mr. Speaker, as the gentleman addresses his question to me, I can tell the gentleman I have no reason to expect the President to veto the bill. I see no reason for me to speculate about what would be the behavior I would make with respect to a veto that has not been taken.

If the President should veto the bill, at that time we will make what preparation is necessary to deal with the President's veto, but the President has not vetoed the bill. I personally will assure the gentleman from Maryland that I have no expectation that the President will veto the bill. However, if he should, we will deal with his veto as we do in response to the President's veto message, which I expect perhaps in this case might tell us why he vetoes the bill, and I am sure we can respond.

Mr. HOYER. I am sure it will.

Mr. Speaker, if I could ask the gentleman, the gentleman indicates that the 7-year Balanced Budget Reconciliation Act of 1995, H.R. 2491, will be considered next week. Our conferees have not heard anything about a conference. Could you apprise us on this side of the aisle when a conference might occur on this legislation?

Mr. ARMEY. I would encourage your conferees to get in touch with the conference, and I am sure that they will have an opportunity to work on the material before we report the conference report to the floor.

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Mr. HOYER. I thank the leader for that comment.

Frankly our conferees have been looking for the conference and have been unable to find it. Can the gentleman tell us where it is?

Mr. ARMEY. I do appreciate the gentleman's difficulty. The gentleman's difficulty is understandable in that the Senate has not yet been able to appoint conferees pursuant to the threat of a filibuster by the minority in the Sen-

ate. We, of course, hope that that progress will be made and then the conference can be found.

Mr. HOYER. Is the scheduling of that bill contingent, I presume, on the fact that they will have a conference? We would not bring it to the floor without a conference?

Mr. ARMEY. We would, of course, remain optimistic as we do with respect to actions we expect from the gentlemen from the other side of the building.

Mr. HOYER. Mr. Speaker, all of us are concerned about what is going to happen next Thursday. Does the gentleman expect to get out next Thursday pursuant to the schedule?

Mr. ARMEY. Yes, I do. But of course I have learned over my 10 years here to be flexible in my expectations regarding when I will get out when we are in the end times.

Mr. HOYER. Mr. Speaker, two additional questions. We dropped the Istook amendment today by motion of the gentleman from Louisiana [Mr. LIVINGSTON].

In light of the fact that was the only thing holding up the Treasury-Postal bill, is it the gentleman's expectation the Treasury-Postal bill might move next week?

Mr. ARMEY. I am very anxious to get together with the conferees and see what they can work out.

Mr. HOYER. With respect to the Interior appropriation bill, does the gentleman have any information for us on that?

Mr. ARMEY. We are, of course, hopeful that that, too, will be worked out next week. The conferees are working on these bills.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

The SPEAKER pro tempore (Mr. DREIER). The Chair wishes to inform the gentleman from Maryland [Mr. HOYER] that his 1 minute is rapidly expiring.

Mr. HOYER. I thank the gentleman. I will keep close watch on the clock.

Mr. EDWARDS. Mr. Speaker, I have a very brief but I think important question to the gentleman. In a moment it is my understanding we will have an opportunity to vote for or against a motion to adjourn.

If that motion passes, is it my understanding that this House will be in recess the rest of Friday afternoon, all day Saturday, all day Sunday, and that this House will not go back into session until less than 12 hours before the Federal Government goes in default; is that correct?

Mr. HOYER. In answer to the gentleman's question, as I understand what the majority leader has said, there will be no votes expected until 5 on Monday. So it will be 7 hours before we shut down Government.