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|---------------|---------------|---------------|
| Chapman | Johnson (SD) | Peterson (MN) |
| Clay | Johnson, E.B. | Pickett |
| Clayton | Kanjorski | Pomeroy |
| Clement | Kaptur | Poshard |
| Clyburn | Kennedy (MA) | Rahall |
| Coleman | Kennedy (RI) | Rangel |
| Collins (IL) | Kennelly | Reed |
| Condit | Kildee | Richardson |
| Costello | Klecza | Rivers |
| Coyne | Klink | Roemer |
| Danner | Levin | Rose |
| DeFazio | Lewis (GA) | Roybal-Allard |
| DeLauro | Lowey | Rush |
| Dellums | Luther | Sanders |
| Dingell | Maloney | Schroeder |
| Dixon | Manton | Schumer |
| Doggett | Markey | Scott |
| Dooley | Martinez | Serrano |
| Doyle | Mascara | Sisisky |
| Durbin | Matsui | Skelton |
| Engel | McCarthy | Slaughter |
| Eshoo | McDermott | Spratt |
| Evans | McHale | Stark |
| Farr | McKinney | Stenholm |
| Fattah | McNulty | Stokes |
| Fazio | Meehan | Stupak |
| Fields (LA) | Menendez | Tanner |
| Flake | Mfume | Taylor (MS) |
| Foglietta | Miller (CA) | Tejeda |
| Frank (MA) | Minge | Thompson |
| Frost | Mink | Thornnton |
| Furse | Moakley | Thurman |
| Gedjenson | Mollohan | Torres |
| Geren | Montgomery | Torricelli |
| Gonzalez | Moran | Towns |
| Gordon | Nadler | Trafficant |
| Hall (OH) | Oberstar | Vento |
| Hall (TX) | Obey | Visclosky |
| Hamilton | Olver | Volkmer |
| Hastings (FL) | Ortiz | Ward |
| Hefner | Orton | Waters |
| Hilliard | Owens | Watt (NC) |
| Hinchey | Pallone | Williams |
| Holden | Pastor | Wilson |
| Hoyer | Payne (NJ) | Wise |
| Jackson (IL) | Payne (VA) | Woolsey |
| Jackson-Lee | Pelosi | Wynn |
| (TX) | Peterson (FL) | Yates |

NOT VOTING—58

| | | |
|--------------|---------------|--------------|
| Abercrombie | Ford | Lofgren |
| Ackerman | Fowler | Manzullo |
| Army | Gallely | McIntosh |
| Baker (LA) | Gephardt | Meek |
| Berman | Gibbons | Mica |
| Bevill | Green | Murtha |
| Bilirakis | Gutierrez | Myers |
| Bunning | Harman | Neal |
| Buyer | Hastings (WA) | Quillen |
| Callahan | Hayes | Quinn |
| Calvert | Hoke | Ros-Lehtinen |
| Collins (MI) | Jacobs | Sabo |
| Conyers | Jefferson | Shadegg |
| Cramer | Johnston | Shaw |
| de la Garza | Kasich | Studds |
| Deutsch | Kolbe | Velázquez |
| Dicks | LaFalce | Waxman |
| Edwards | Lantos | Wyden |
| Fields (TX) | Lincoln | |
| Filner | Lipinski | |

□ 1343

Messrs. FARR, BECERRA, and BISHOP changed their vote from "yea" to "nay."

So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1834

Mr. FORBES. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1834.

The SPEAKER pro tempore (Mr. DREIER). Is there objection to the request of the gentleman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 136, FURTHER CONTINUING AP- PROPRIATIONS, FISCAL YEAR 1996

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from the further consideration of House Joint Resolution 136, making further continuing appropriations for the fiscal year ending September 30, 1996, and for other purposes; and that it shall be in order at any time to consider the joint resolution in the House; that the joint resolution be debatable for not to exceed 20 minutes, to be equally divided and controlled by myself and the gentleman from Wisconsin [Mr. OBEY]; that all points of order against the joint resolution and against its consideration be waived; and that the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit.

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

□ 1345

Mr. OBEY. Mr. Speaker, reserving the right to object, I do not intend to object. I simply want to again reinforce what the gentleman from Louisiana just said; that this is a way to deal with the CR issues without taking the full hour of debate which would ordinarily be taken in the interest of accommodating Members.

I would ask, however, that we could have a modicum of attention so that we do not lose that time by having the Chair gavel people to silence while we are trying to wade through it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. DREIER). Is there objection to the request of the gentleman from Louisiana?

Mr. HOYER. Mr. Speaker, reserving the right to object, I do so only to ask if my understanding is correct that we may well have additional votes?

Mr. OBEY. Mr. Speaker, If the gentleman would yield, I would inform the gentleman there will be two additional votes.

Mr. HOYER. Two additional votes. So that Members who may have thought that that was the last vote, ought to be apprised of the fact that there are at least two additional votes that can be expected.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. SOLOMON. Mr. Speaker, reserving the right to object, I want to clear something up here. It was my understanding that there was an House Joint

Resolution 134 that was going to come back over here that was going to include veterans benefits along with these. I do not see those in here. What is happening?

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

Mr. SOLOMON. Continuing my reservation of objection, I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, I would say to the gentleman from New York that the matter is pending in the Senate, and I would tell the gentleman that it is pending objections in the Senate because there was an attempt to put additional extraneous material on this motion. So this matter goes forward on the House's initiative.

Mr. SOLOMON. Mr. Speaker, continuing my reservation, is there any chance that this might pass the Senate and the veterans CR be held up?

Mr. LIVINGSTON. Mr. Speaker, if the gentleman would continue to yield, that is strictly up to the Senate. At this point the Senate has complete jurisdiction over that motion. We are hopeful that they will send it over here and we can take quick action. Or if they would accept what we did, we would not have to, we could just send it to the President.

Mr. SOLOMON. So there is the possibility they will accept both of these, then?

Mr. LIVINGSTON. That is correct.

Mr. SOLOMON. Mr. Speaker, I have some reservations about this, because I worry they may possibly accept this and then turn down the veterans CR over there, but I guess we have to take them at their good faith. And let us give them a warning they had better pass them both.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 136, and that I may include tabular and extraneous material.

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. LIVINGSTON. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 136), making further continuing appropriations for the fiscal year 1996, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 136

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

AID TO FAMILIES WITH DEPENDENT CHILDREN AND FOSTER CARE AND ADOPTION ASSISTANCE

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporation 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 joint resolution) which were conducted in the fiscal year 1995:

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; and

All administrative activities necessary to carry out the projects and activities in the preceding two paragraphs:

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 joint resolution, 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 joint resolution, 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 1996.

(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 joint resolution, 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 joint resolution.

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

SEC. 106. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, 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 3, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this joint resolution 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 joint resolution 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 joint resolution.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution 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.

TITLE II

DISTRICT OF COLUMBIA

That the following sums are hereby appropriated, out of the general fund that enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 201. (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 joint resolution) 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 grant-

ed 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 joint resolution, 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 joint resolution, 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 joint resolution, the pertinent project or activity shall not be continued except as provided for in section 211 or 212 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. 202. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 203. No appropriation or funds made available or authority granted pursuant to section 201 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. 204. No provision which is included in the appropriations Act enumerated in section 201 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 joint resolution.

SEC. 205. Appropriations made and authority granted pursuant to this title of this joint resolution 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 joint resolution.

SEC. 206. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, 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 3, 1996, whichever first occurs.

SEC. 207. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution 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. 208. Expenditures made pursuant to this title of this joint resolution 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. 209. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this title of this joint resolution 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 206(c) of this joint resolution.

SEC. 210. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution 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. 211. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the Act listed in section 201 as passed by both the House and Senate as of the date of enactment of this joint resolution, 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 201 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 201 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 resolution bears to 366. For the purposes of this title of this joint resolution the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 212. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the rate for operations for any continuing project or activity provided by section 201 or section 211 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 resolution bears to 366.

SEC. 213. Notwithstanding any other provision of this title of this joint resolution, except sections 206, 211, and 212, 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 resolution that would impinge on final funding prerogatives.

SEC. 214. This title of this joint resolution shall be implemented so that only the most limited funding action of that permitted in this title of this resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 215. 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 joint resolution.

SEC. 216. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appro-

priated under this title of this joint resolution shall be used to implement or enforce any system of 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 joint resolution otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1995.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 10 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume, and I assure Members that I do not intend to use all the time allotted to me, and I would hope that all Members would restrain themselves so that we might expedite this process and move forward.

Mr. Speaker, I bring to the floor House Joint Resolution 136, a joint resolution making further continuing appropriation for two activities in the Department of Health and Human Services and for the District of Columbia. This is a short-term CR, a continuing resolution. It lasts only until January 3, 1996, for the activities covered under this continuing resolution. The activities provided for in HHS include aid to families with dependent children and foster care and adoption assistance.

Mr. Speaker, House Joint Resolution 134, the continuing resolution for certain veterans activities, is, as we have stated earlier, pending in the Senate. Its passage, combined with the current continuing resolution that we are now considering, will provide important benefits for certain parts of the Government.

Mr. Speaker, the activities provided for in this continuing resolution are extremely important. I would urge all of our Members to consider heavily the impact of not passing this continuing resolution. We need to make provision for the continued funding now of these activities, and I urge all the Members to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, the majority party of this Congress has insisted that Government be selectively shut down, and in that process they are trying to leverage the President of the United States into swallowing their budget outline.

Yesterday, the majority voted to open only a part of the Veterans' Ad-

ministration when that legislation was on the floor. At that time we asked that they open all of Government. We asked that they allow workers to voluntarily come in and work, since the Speaker had announced they will be paid anyway; and we asked that we allow all of Government to be open so that taxpayers can receive all of the services to which they are entitled because they have already paid for them. We were refused in all three of those efforts.

Now the legislation which was passed is bogged down in the other body and we have a new proposition before us, which, once again, tries to do everything that was done earlier plus open the Government for AFDC payments and for Medicaid and for the District of Columbia.

Mr. Speaker, I know that we have a lot of interests in all of those items, but on this side of the aisle we want all of Government to be reopened so that we can provide all of the services to taxpayers to which they are entitled. We want Government workers to be paid for working, not to be paid for not working.

I want to make clear, this debate is not about whether there is or should be a balanced budget. In my view, it is about political arrogance, it is about political bullying, and it is about political childishness.

Mr. Speaker, you will find a good many of us on this side of the aisle who will be prepared to vote for a balanced budget, but we will not be blackmailed into voting for a specific kind of budget outline that moves us inevitable into accepting the idea of cutting the amount that Medicare will pay for each beneficiary 7 years down the line by \$1,700 per person. We will not be blackmailed into accepting a situation in which, when you combine what is happening with Medigap and what is being suggested by the majority party on Medicare premiums, that seniors will be asked to pay \$1,000 more out of their own pocket for health insurance. We will not be blackmailed into dumping defenseless children out of health care insurance under Medicaid. And we will not be blackmailed into gutting the Government's long-term ability to provide a decent educational opportunity for every kid in this country or to provide protection for the environment.

Mr. Speaker, I think it is ironic that especially at the Christmas season we are seeing an act of consummate arrogance on the part of the majority of this House. We are being told that this is all necessary because of their vision that somehow if we just pass their version of a balanced budget over 7 years, that somehow they can guarantee to the taxpayer that there will, in fact, be a balanced budget. I think their own past record in producing on their promises would dictate rather more humility and rather less arrogance than I have seen so far.

I would point out that the first time we were told to sacrifice all of our

judgment and swallow our promises was in 1981, when we were told that if we just passed the Reagan budget that the deficit would decline from \$55 billion to zero over 4 years time. Instead, the deficit went up to \$185 billion.

Then we were asked to swallow another multiyear promise in Gramm-Rudman I. Our Republican friends told us they would guarantee us the deficit would go down from \$172 billion to zero if we would just swallow their budget prescription. The Congress did. They only missed the deficit reduction target by \$220 billion.

Then the Republicans passed Gramm-Rudman II, and they said if we do that, we will take the deficit down to zero over a 5-year period of time—represented by these green lines on the cart. Instead, unfortunately, they only missed by \$290 billion.

It would seem to me, given the past track record of the majority party in producing results that match their promises, that we have a right to take with some skepticism their promises that this time around they are going to hit better targets and actually get us to zero.

Having said that, Mr. Speaker, let me say that all of those arguments there are irrelevant. Their judgment may be correct; it may not be. Our positions may be right; they may not be. I do not know. But the one thing I do know is that we should not hold hostage 300,000 Government workers just for them to be able to prove a point.

There is something very, very wrong with the attitude of people in this House that says we should go home to Christmas with the comfort of our families, but, meanwhile, we should continue to disrupt the Christmases of 300,000 Government workers and their families. There is something wrong, Mr. Speaker, with saying we should go home to our families for Christmas, but, by the way, taxpayers who have already paid out the money for these services, taxpayers who have already bought their tickets to see the Washington Monument or see Yellowstone, or whatever, that they should have to have their vacations ruined just so that the Speaker and the majority party can prove a political point.

I think there is something wrong with that attitude. It makes a mockery of representative democracy. It makes a mockery of the sentiment that is supposed to pervade in this holiday season. I would urge my colleagues, therefore, when the motion to recommit comes—and I am not asking anyone to vote against the basic bill—but I am asking that when the motion to recommit comes, I am asking my colleagues to vote for it because that will be a motion to recommit which, if passed, would open the entire government until January 3.

I would urge support for the recommitment motion.

□ 1400

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished

gentleman from New York [Mr. WALSH] chairman of the Appropriations Subcommittee on the District of Columbia.

Mr. WALSH. Mr. Speaker, I would like to thank all of those who worked together to bring this to the floor on a unanimous consent. It gives us the opportunity to allow the operation of the District government to continue. But I would remind my colleagues all this, as far as title II of this resolution is concerned, is with the District's own money. There is no additional Federal appropriation going to the District under this CR.

Mr. Speaker, title II, again, regarding the District of Columbia, would allow them to spend their own money until January 3. On the few issues that are dealt with in this CR regarding abortion, there will be no funds for abortion. Domestic partners, there would be current law, meaning no funds to enforce that law. The funding level would be at the lower of the 2 houses.

Mr. Speaker, the bill is silent on the issue of education reform. I would assure my colleagues, however, that this issue is not dead by a longshot. The discussions are ongoing. This will buy us some time to work these issues out with the Senate. I do believe that the last meeting that I had with Senator JEFFORDS and the gentleman from Wisconsin, Mr. GUNDERSON, did lead me to be a little more optimistic about getting this issue resolved in a positive way, something that I think both Houses of Government could support. However, Mr. Speaker, it is yet to be worked out.

Mr. Speaker, this will give us some additional time, and at the same time it will give the District the opportunity to continue to operate and provide services to its constituents. I regret that we do not have funding for all of the rest of the Government, but I remind my colleagues that it was three vetoes by the President that brought the Government to a stop on the other appropriations bills.

Mr. Speaker, I thank my colleagues and urge their support.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Speaker, I rise to support H.R. 136 and to say to my colleagues that if we really want to put Government back to work, the motion to recommit will do it. It is unfortunate that the District of Columbia is in this situation, because in my opinion they are acting in violation of law at the existing moment, and it is for that reason that I would support this resolution.

Mr. Speaker, I would also point out that it extends past the existing law of the District in that it prohibits them from using their own money, which is the only money involved in this, for abortion. We are here because the Senate Republicans and the House Republicans disagree about vouchers. I hope that issue can be resolved by January

3, but I do think it is necessary that we pass this resolution.

Mr. LIVINGSTON. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, on a bipartisan basis, I urge support of this resolution. Members have heard me on the District of Columbia. I plead also for those on welfare. I do not believe we should go home and leave these two matters outstanding. I do not believe any Member of this body wants to do so.

Mr. Speaker, I am very disappointed at the length and breadth of the resolution; I would be far more disappointed if we were to say all or nothing. We are trying to get to a resolution that all can agree upon. I appreciate, frankly, that we have been able to pierce the iron wall to at least reach the most needy.

Mr. Speaker, this is a test our rhetoric, those of us who rise often to say we are doing what we are doing for those most in need. Those most in need at the moment happen to be an entire city, the District of Columbia, as well as those who, if they miss a welfare check, may be in very dire straits. It is a test of our rhetoric and a test of our bipartisanship.

Mr. Speaker, I ask this to be handled as if it were what it really is: An emergency.

Mr. OBEY. Mr. Speaker, it has been brought to my attention, there is a technical problem with this bill which the majority leader's office would like to correct. For the purpose of facilitating that, I ask unanimous consent that debate be extended by 3 minutes on each side, until it can be worked out.

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

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when the gentleman from Wisconsin took the well, he said that we are blackmailing the other side into accepting what we all agree is a very important measure. This particular bill funds for the next 2 weeks all of the welfare payments under the AFDC or Aid for Dependent Children Program. It funds money for foster care and adoption services. It provides authority for the District of Columbia to use its own money.

Mr. Speaker, it does all of those things in an expedited fashion in an effort to try to resolve these immediate problems during the holiday season when, frankly, a lot of people who are not to blame for the impasse, might be adversely impacted.

This is not blackmail. This is an attempt simply to try to accommodate the needs of the most needy of our society; the people that really have no other alternatives.

Mr. Speaker, I would have to say that this is, indeed, a meaningful and critical debate, and I hope it could be expedited. Evidently, there is some concern about not including what we did a couple of days ago for the veterans in this joint resolution and how that has been treated in the Senate, and we will try to resolve that fairly soon. We hope, though, that a compromise can be concocted that will accommodate not only the people listed in this bill, but the veterans as well.

Mr. Speaker, I have to say that the President has been less than forthcoming on the regular appropriations bills for some of these programs. The Labor-HHS bill has been hung up in the Senate because of a filibuster by the minority. Some of these programs come under that bill. The veterans benefits fall within the VA-HUD bill, which was vetoed by the President.

Likewise, the President has vetoed the Commerce, Justice, State, and Judiciary bill, and the President has vetoed the Interior bill. Now, the Interior bill covers all of the National Parks, the National Gallery of Art, where they have the Vermeer exhibit, which is the first time since, I think, that so many of the Vermeer paintings have been accumulated and assembled under one roof. They are on display at the National Gallery of Art, but it is closed.

Mr. Speaker, we have heard a lot of Members from the other side complain about that fact. The fact of the matter is, it is closed because for some reason the President saw fit to veto that bill.

I have been told recently that a lot of parks around this country are closed, with the exception of the State of Arizona. The State of Arizona is funding the national parks in its State even though the Federal Government is not functioning or not paying for the conduct or the opening of those parks.

Mr. Speaker, it just so happens, the State of Arizona is the home State of the current Secretary of Interior. My colleagues would think that if his own State is funding parks, that he would applaud the use of State funds to keep other parks open around the rest of the country, but that is not true.

Because the Interior Department bill has been vetoed, and for some reason the Secretary of Interior and the President of the United States agree that it should have been vetoed, still the Secretary of Interior, who is from Arizona and who has his own parks open, is saying to the rest of the Nation, "No, you cannot open your parks. You cannot use your own money." That seems to me extraordinary.

Mr. Speaker, we have had one objective in the larger negotiations and that is basically to balance the budget; balance it within 7 years as scored by the Congressional Budget Office, so that we are using real figures. No smoke, no mirrors, no false promises.

We said that is what we wanted 6 weeks ago, and we thought the President had come halfway and said that is

what he wanted, even though he had been for a 5-year balanced budget, and a 10-year balanced budget, and a 9-year balanced budget, and a 7-year balanced budget. And even in his balanced budget proposal earlier in November, he had said that he did not want a balanced budget any time from now until the cows come home because that proposal was still out of balance. He had \$200 billion in deficits every single year.

Finally, the President came to the table about 6 weeks ago and said, OK. Then just earlier this week, when Speaker GINGRICH and majority leader of the Senate, Mr. DOLE, went to the White House, they thought they had an agreement that we were going to get a balanced budget by the year 2002 as scored by the Congressional Budget Office, and they said, "Doggone it, we have gotten it again" and then the Vice President walks down to the press office and tells the American people by way of a press conference, "Oh, no, that is not what they agreed to at all."

So, Mr. Speaker, we find ourselves in an extraordinary situation here where one side thinks that they bargain in good faith and set certain goals and the other side says "Oh, no, that is not what we agreed to at all."

Now we find ourselves with the last few minutes of a particular bill that covers people that really need assistance under the AFDC program or the foster care program or the District of Columbia, and we have already passed a bill which covers the veterans, and we find that for some reason it is not working its way out because there are differences between the House and the Senate. Meanwhile, we are getting no particular help from the White House, and then we get blamed for being the cause of the entire impasse.

Mr. Speaker, we are not to blame for the impasse. If the President had not vetoed the VA-HUD bill, the Commerce, Justice, State, and Judiciary bill, if he had not vetoed the Interior bill, funding for all of the functions of those particular bills would have been enacted into law, and the 620,900 people that are covered under the jurisdiction of those bills would be working and would have a happy Christmas without regard to what we do, because they would not need to be covered by these continuing resolutions. They would not have to worry about it.

Even though today we are considering limited continuing resolutions, there are still a lot of people who are not covered by them and they have reason to be concerned because evidently the President has not seen fit to come to the table and reach an agreement on a balanced budget.

Mr. Speaker, we are committed to a 7-year balanced budget as scored by the Congressional Budget Office, but evidently that is not the case with the President. We still have these remaining bills that we are negotiating: The foreign operations bill; the District of Columbia bill, which would be short-term funded by this bill; and, the Labor-HHS bill.

Mr. Speaker, we would hope that we would be able to get those out of the way pretty quickly, but in the meantime, this joint resolution, this continuing resolution is extraordinarily important. I would hope that we would be able to come together, reach an agreement, and go home for Christmas knowing that we took care of the most needy of the needy.

Mr. Speaker, I reserve the balance of my time.

Mr. DIXON. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore (Mr. DREIER). The gentleman from Louisiana [Mr. LIVINGSTON] has 2 minutes remaining, and the gentleman from California [Mr. DIXON] has 4 minutes remaining.

Mr. DIXON. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I would like to make a point to the gentleman from Louisiana [Mr. LIVINGSTON], my good friend and the chairman of the Committee on Appropriations, and I sit on that committee. One of the problems is that we did not get our work done on time. It is all nice to sit and trash the President and accuse him of all the problems, but frankly the White House is not smart enough to cause all of these problems. It has to be shared by this body.

□ 1415

All the speakers that have on this side of the aisle made the speech, what we are going to do is balance the budget in 7 years, we can put these people back to work until January 3. We are not going to balance the budget between now and January 3. The talks are going to continue.

In the meantime, I am a strong supporter of veterans ever since I have been in this body. I have voted for aid for dependent children when I have been here. I do not know how many Members on this side have. But let me make this point. There are other people out there that are being affected. It is just as important to them as these other programs are. So I am saying to my colleagues they are not going to stop the balanced budget by continuing this resolution until January 3. So why not let these people have a merry Christmas? Open up the Government and support the motion to recommit that will open up this Government.

Mr. DIXON. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, of course we need to get benefit checks out to veterans and of course we have got to get the benefit checks to 13 million welfare recipients. For most of them, they have nothing else to live on. They have got to pay their monthly rents. If we do not do this, they will not even have food to put on the table for their children.

Of course we have to get \$11 billion out to the States in Medicaid payments. The States need that money.

My problem is, how many other problems exist out there that we are not aware of? One problem is that 500,000 Federal employees are only going to get half their paychecks currently. The next paycheck they get is zero.

I talked to a Federal employee last night. He has been working 14-hour days. His colleagues who want to come in and help him are told it is against the law to even volunteer to help him out. This is ridiculous. These Federal employees want to work. We are locking them out of their jobs. We are locking the American public out of their Government. That is why we need a full continuing resolution, at least through the Christmas holidays, if we are going to go back with our families and enjoy the holidays. We have got to open this Government. To do anything else is a shame on us and a real travesty for the American people.

Mr. DIXON. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, we really do need to put the people back to work in this city. The Federal Government being out of work costs the taxpayers millions of dollars. The crowd across the aisle says they want to run this place like a business. You do not pay people not to work in a business.

Federal workers are ready, willing, and able to go to work. They ought to go to work. We ought to get the welfare checks out, the AFDC checks out, the veterans checks out, and we ought to make Government work like a business. We are losing something equally precious. We are losing productivity. There are going to be backlogs, even when the Government employees go back to work. We cannot recover that time. Let us put the Government employees back to work.

Mr. DIXON. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas [Mr. THORNTON].

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

Mr. THORNTON. Mr. Speaker, we have heard a lot about who is to blame, whether it was the failure to enact appropriations on time or whether it was vetoes, I am not here to assess blame but to determine whose responsibility, duty and power it is to correct the situation.

I refer to the Constitution of the United States, which says in enumerating the powers of Congress that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law." All appropriations are the responsibility of the Congress. The President has no power to appropriate funds. No one has power to correct the absence of appropriations but a majority of this House of Representatives. The majority party has shown that they have the power to correct the shutdown of Government by bringing forward and passing continuing resolutions. They have done so whenever they choose to do so. The failure to ex-

ercise power can be an abuse of power, and I submit that their failure to act is an abdication of the constitutional responsibility which they have the duty to perform.

AMENDMENT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Speaker, I offer an amendment and I ask unanimous consent it be agreed to.

The Clerk read as follows:

Amendment Offered by Mr. LIVINGSTON: Insert at the end of the resolution the following:

TITLE III VETERANS AFFAIRS

That the following sums are hereby appropriated, out of 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. 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 payments 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. 302 SECTION 301 SHALL CEASE TO BE EFFECTIVE ON JANUARY 3, 1996.

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

The SPEAKER pro tempore (Mr. DREIER). Is there objection to the request of gentleman from Louisiana?

Mr. SOLOMON. Reserving the right to object, Mr. Speaker, I most likely will not object, but I would like to hear the explanation.

I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, what I have done is offered an amendment by unanimous consent that includes the text of House Joint Resolution 134, which passed this House of Representatives 2 days ago and which covers the full veterans' benefits that passed the House. This would provide veterans' funding only to January 3, not the full year. That is a difference between what passed here the other day and is in this text. But it complies, it complies with what is in the Senate bill, which is working its way through right now.

We are on a shortage of time here. We are trying to accommodate the Senate. Trying to accommodate the majority and the minority and get everybody together, trying to accommodate those who wish to have the AFDC and the foster care money as well as the District of Columbia money and the veterans' benefit payment checks. So this complies with what is in the text of the Senate bill and would not necessitate the need of taking up additional action after we conclude this business.

Mr. SOLOMON. Mr. Speaker, continuing my reservation of objection, I would say to the gentleman that I was over in the Senate. Indirectly, I participated in the debate whereby what the gentleman is stating is absolutely true. This would mean that the veterans' checks would go out tomorrow, and that is really what we were looking for, along with all of the others that are included here.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I want to get this straight. We were given one proposition by the majority a day ago which refused to keep most functions of the Government open except those that they delineated in that proposal. That went to the Senate. It has been screwed up in the Senate and so now we are asked to pass a second selective reopening of the Government.

In the middle of the discussion of what should be reopened, we are now being asked to reopen yet another series of functions. I think that indicates the absolutely chaotic way that decisions are being made in this House, but I would ask the gentleman a question, under my reservation of objection. I would ask the gentleman whether as long as his language is attempting to deal with some of the shutdown problems at the VA, I would ask if the gentleman would be willing to deal with all of the shutdown problems at the VA so that we can deal with pending claims for pension and benefits, the employees who work on that backlog are furloughed, so that we can deal with new applications for pension and benefits that are accelerating at the rate of 2,000 a day, so that we can deal with the backlog and new applications for certificates of eligibility for VA

home ownership loans and loan guarantees. There are approximately 200,000 Veterans Health Administration employees who are working with the promise of pay once this crisis is resolved but without the assurance of their normal payday.

If we are going to selectively deal with the problems of veterans, I would urge that the gentleman allow us to add the following language:

(3) all other authorized activities of the Department of Veterans Affairs, including processing of existing new applications for benefits and pensions, processing of certificates of eligibility for home ownership loans and loan guarantees, and payment of salaries of Federal Government personnel providing health care for our Nation's veterans are continued at a rate for operations not to exceed the rate in existence on December 15, 1995.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I totally sympathize with what the gentleman is trying to accomplish. All of the purposes the gentleman just described are noble and worthy. However, we acted as we did 2 days ago and that bill, without the gentleman's language, in fact by a vote of the House without the gentleman's language, went to the Senate.

They have since acted on AFDC. They have acted on foster care. They have acted on the District of Columbia, and they have acted on their own bill which does not include the language that the gentleman has within the single bill that they are sending back to us.

If we incorporate the amendment that I have offered by unanimous consent, then we have a bill to send to the President of the United States. If we acted on the gentleman's amendment, it means that we have another disconnect and that we are not likely to get any of this stuff out of here. I would respectfully object to the entrance of the gentleman's language.

Mr. OBEY. Mr. Speaker, continuing my reservation of objection, let me simply say that despite the unreasonable position of the majority, I will not object because I do not think that one act of childishness, I do not mean on the part of the gentleman from Louisiana but on the part of the majority in general, I do not think that that justifies an act of childishness on this side of the aisle.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. HOYER. Reserving the right to object, Mr. Speaker, I will not object. Because of the selective irresponsibility, there are some Members, apparently, who get their objectives accomplished and, therefore, want the rest of us to keep quiet about other objectives. I understand that. I am not going to object. But this is selective irrespon-

sibility. It is selective favoritism for very important objectives. But there is no excuse, not one, for not having a CR between now and when everybody in this body expects to come back to this town, January 2. Nobody expects to come back before that, and the gentleman and I know it.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to agreeing to the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON].

There was no objection.

The amendment was agreed to.

Mr. LIVINGSTON. Mr. Speaker, I yield to 1 minute to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, let me associate myself with my colleagues from the metropolitan area who favor keeping Government open. This area has taken a huge hit during this time period, but let me talk today about what is possible, and that is the District of Columbia appropriations bill and the continuing resolution for that.

The city is unique in that 85 percent of its money does not come from the Federal Government. Right now, because of our inaction in Congress, they are barred from spending even their own money, even their own money to keep the city open, to keep the libraries open, to keep the rec centers open for the youth, collect the trash, keep foster care going. This will ensure that the city workers will have been paid for the time period they have been working over the last week which they have been doing in a sense with a wink and a nod. This will also help the city get its fiscal house in order and start the planning and start downsizing the city. This will fund the control board. The last shutdown cost the city \$7 million. They did not have any productivity. This will keep the city up and running for a short period of time until we can work out the appropriation level. Let us stop the rhetoric. Let us pass this resolution.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON], and the gentleman from Wisconsin [Mr. OBEY], each has 1 minute remaining.

Mr. OBEY. Mr. Speaker, I yield myself the balance of my time.

I again want to repeat that the motion to recommit will be a motion to open all of the Government so that workers who are being paid will be paid for working rather than not working.

Mr. LIVINGSTON. Mr. Speaker, I ask all the Members to vote for the concurrent resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. Under the order of the House of today, the previous question is ordered.

The question is on engrossment and third reading of the concurrent resolution.

The concurrent resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the concurrent resolution in its present form?

Mr. OBEY. Mr. Speaker, I think it is pretty obvious by my comments.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the joint resolution to the Committee on Appropriations with instructions to report the resolution back to the House forthwith with the following amendment: at the end of the resolution add the following new title:

TITLE IV

SEC. 401. Section 106 of Public Law 104-56 is amended by striking "December 15, 1995" and inserting "January 3, 1996".

Mr. OBEY. Mr. Speaker, I simply want to say that the effect of this motion would be to end this childish partial Government shutdown. It would open up not just the functions that are contained in the base resolution. It would open up all remaining functions of Government so that taxpayers are not forced to look at the silly situation in which their taxpayers' money is being used to pay Government workers who are not being allowed to actually work for the money they receive.

Mr. Speaker, I yield to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I have said before that people sent us here to exercise common sense, fiscal responsibility.

□ 1430

I am one of those who has no problem standing because I have voted consistently for the objective that many of us in this body seek, and that is a balanced budget.

The objective that many seek, that is to balance the budget in 7 years and honestly score that balance so it is real or at least as real as we can make a 7-year projection.

This vote now, for the first time, is going to give us the opportunity of doing what it seems to me from a non-partisan, bipartisan, nonpolitical perspective makes common sense, and that is to have Government work while we are in recess or adjourned, probably in recess until January 2.

There will be no greater pressure on the negotiators if Government is shut down. After 13 days of shutting down the Government, we ought to understand by now that the principles held by both parties are held strongly and are deemed to be in the best interests of America and our people. Those negotiators, who are the highest leaders of both our parties, I think are going to be working in good faith.

There are real differences, but I suggest to Members on both sides that it

makes no common sense to hold hostage the operation of the people's Government. We are attempting to selectively reduce the adverse consequence of that irresponsible action for veterans, for those in need of AFDC health, for the District of Columbia government to run as every one of our governments expects to run, without us arbitrarily and capriciously telling them they cannot spend their own money.

But I would ask everybody on both sides of the aisle to vote for this motion to recommit, and I would tell my friends that I have thousands of non-Federal employees who have been laid off as a result of this action who are not going to be reimbursed. Look at the front page of the papers. There are contractors in every city in America, large and small, who have been told, "Sorry, you better tell your employees to go home," and they are not Federal employees. And they are in Oklahoma, and they are in Florida, and California and New York, and, yes, they are in the Washington metropolitan region where, by the way, we only have 15 percent of the Federal employees. Eighty-five percent are throughout America.

Contractors are saying to me, "What are you people doing? You have asked me to do a job. I have entered into a contract with you, and now you are telling me I cannot do the work that you have contracted me for."

My colleagues, the American public expects us to make common sense. I ask all of my colleagues, not just for Federal employees, not just for those who have contracts with the Federal Government, but for every American who would like to believe that it can send us here to Washington to make policy rationally, reasonably, and with equity and openness with one another, to vote for this motion to recommit. Put the Government back to work, continue our negotiations. And I will come back here with you, as I have this year and in years past, and support policies to affect what all of us believe are important for our children and for our grandchildren, getting our fiscal house in order. But putting it out of order by this unwise policy ought to be rejected.

Vote for the motion to recommit. It makes common sense.

The SPEAKER pro tempore (Mr. DREIER). The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Speaker, this is the VA, AFDC, FC, and D.C. CR that I hope my colleagues will vote for ASAP. We have amended it. In fact we have changed courses and gears as we have been debating this simply because the other side of the Capitol has changed gears as well.

I really hope that nobody will vote against this measure. We should all vote for it. However, I urge you to vote against the motion to recommit. If my

colleagues voted for the motion to recommit, I tell my colleagues on this side they would be undoing virtually everything that we have fought for in the last several tough weeks.

As my colleagues know, 34 days ago the President of the United States agreed in principle to a 7-year balanced budget scored by the Congressional Budget Office without smoke or mirrors, without false promises. My colleagues know that as recently as 2 days ago the Speaker of the House and the majority leader were sitting in the White House and came to what they thought were at least some constructive parameters, and a few minutes later the Vice President of the United States stood up before the press and said that nothing they said was agreed to.

Now that has been the problem. Every time we think we have an agreement, it turns out we do not have an agreement. I would have to say in response to what the gentleman who preceded me in the well said, you want rational government, well, then, yes, rational government is the coming together, the compromising, the meeting of the minds, coming up with a single legislative agenda, passing it, and not vetoing it.

We passed the VA-HUD bill, the Interior bill, the Commerce, State, and Justice bill. These went through the regular routine legislative process and should have been signed. But the beginning of this week, in the middle of this holiday season that we have enjoyed so much, the President vetoed all three bills. In fact he vetoed another bill. He vetoed the thing called the securities litigation bill, and 2 days ago the House overrode his veto, and today the Senate overrode his veto, and that one is now law.

Now the American people are going to begin, if they have not already, to understand that this is a tough negotiation. This is tough bargaining, and we use what tools we have. We are sorry for the people that have been inconvenienced by this whole effort, but what we have is a fundamental philosophical difference. We differ with those who have a fundamental philosophy who believe, in intransigent, unyielding government, with a large bureaucracy, an unyielding and rapidly taxing and spending central government. We believe that Government should be smaller. We need to do the people's business by balancing our books. We need a balanced budget within 7 years, and we are going to get there.

We have told the President of the United States we want to get there, and he has promised us "oh, he does, too," but everything he does contravenes that thought. We have not gotten to the table yet to confect that balanced budget. Until we do that, until we get that binding agreement, we have no choice but to adopt this continuing resolution for the next 2 weeks. But to keep up the fight, to

keep the faith, to make sure that we stay on track and we tell the American people we are not going to back down. We need the 7-year balanced budget.

My colleagues, as Winston Churchill said, "We will never, never, never give in." We will stay here until doomsday.

Defeat this motion to recommit, and pass this continuing resolution, and merry Christmas.

The Speaker pro tempore. Without objection, the previous question is ordered on the motion to recommit.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. OBEY. Is it possible, after the last speech, the American people finally understand what we are up against?

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 200, not voting 72, as follows:

[Roll No. 885]

AYES—161

| | | |
|--------------|---------------|---------------|
| Abercrombie | Fazio | Menendez |
| Andrews | Fields (LA) | Mfume |
| Baesler | Flake | Miller (CA) |
| Baldacci | Foglietta | Minge |
| Barcia | Frank (MA) | Mink |
| Barrett (WI) | Frost | Moakley |
| Becerra | Furse | Mollohan |
| Beilenson | Gejdenson | Moran |
| Bentsen | Gephardt | Morella |
| Bishop | Gonzalez | Nadler |
| Bonior | Gordon | Oberstar |
| Borski | Hall (OH) | Obey |
| Boucher | Hamilton | Olver |
| Brewster | Hastings (FL) | Ortiz |
| Browder | Hefner | Orton |
| Brown (CA) | Hilliard | Owens |
| Brown (FL) | Hinchey | Pallone |
| Brown (OH) | Holden | Pastor |
| Bryant (TX) | Hoyer | Payne (NJ) |
| Chapman | Jackson (IL) | Payne (VA) |
| Clay | Jackson-Lee | Pelosi |
| Clayton | (TX) | Peterson (FL) |
| Clement | Johnson (SD) | Peterson (MN) |
| Clyburn | Johnson, E.B. | Pickett |
| Coleman | Kanjorski | Pomeroy |
| Collins (IL) | Kaptur | Poshard |
| Condit | Kennedy (MA) | Rahall |
| Costello | Kennedy (RI) | Rangel |
| Coyne | Kennelly | Reed |
| Danner | Kildee | Richardson |
| Davis | Kleczka | Rivers |
| DeFazio | Levin | Roemer |
| DeLauro | Lewis (GA) | Rose |
| Dellums | Lowey | Roybal-Allard |
| Dicks | Luther | Rush |
| Dingell | Maloney | Sabo |
| Dixon | Manton | Sanders |
| Doggett | Markey | Sawyer |
| Dooley | Martinez | Schroeder |
| Durbin | Mascara | Schumer |
| Engel | Matsui | Scott |
| Eshoo | McDermott | Serrano |
| Evans | McHale | Sisisky |
| Farr | McKinney | Skaggs |
| Fattah | Meehan | Skelton |

Slaughter
Spratt
Stark
Stenholm
Stokes
Stupak
Tanner
Tejeda
Thompson

Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Visclosky
Volkmer
Ward

Waters
Watt (NC)
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates

Quinn
Ros-Lehtinen
Roth
Roukema
Seastrand

Shadegg
Shaw
Studds
Taylor (NC)
Thornberry

Velázquez
Vento
Wamp
Waxman
Wyden

□ 1459

The Clerk announced the following pairs:

On this vote:

Ms. Harman for, with Mr. Quinn against.
Mr. Jefferson for, with Mr. Quillen against.
Mr. Filner for, with Mr. Bilirakis against.

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DREIER). The question is on the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LIVINGSTON. Mr. Speaker, on that I demand the yeas and nays.

Mr. Speaker, I withdraw my request.

The SPEAKER pro tempore. The gentleman withdraws his request.

The joint resolution was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment a joint resolution of the House of the following title:

H.J. Res. 134. Joint Resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I take this time to determine from the distinguished majority leader the remainder of the schedule for today and perhaps for the rest of the year, and maybe into the next year. I would be happy to hear from the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, let me begin by saying to our colleagues, this is the last vote of the day, and perhaps the last of the year, but certainly for a while. So those of our colleagues that are anxious about their airplanes are released, may go, and have a merry Christmas.

Mr. FAZIO of California. Mr. Speaker, could the gentleman further elaborate on the schedule? I have some questions that perhaps he wants to take them up on his time.

Mr. ARMEY. Mr. Speaker, if the gentleman will yield.

Mr. FAZIO of California. I would be more than happy to yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I have just come back from the White House where I can say to my colleagues that things

are going well. I think there is a very healthy rapport that is being established. The gentleman from Missouri [Mr. GEPHARDT] I see is back as well, and I think he would agree with me that we have a good beginning.

We have reason to be optimistic, but as everybody knows, there are a great many points to these negotiations, and we do not necessarily expect them to be completed soon.

We are able now, I think, to go into a recess that will take us until Wednesday evening. I do not expect that we would have business that would demand any votes on Wednesday evening. I would expect that we would be able to perhaps renew the recess period until Saturday.

I would ask Members to please be in touch on Tuesday morning with your whip phone. We will try to keep you updated, but I do believe at this point, unless you receive information to the contrary, that you should be able to expect that there will be no business that would be compelling enough to bring you back from your districts and your constituents prior to next Saturday.

If, in fact, things pick up with the budget negotiations, obviously we would give everybody ample notice and get everyone back. But we have no other business rather than the budget that I know of at this time that would make us feel constrained to call Members back.

Mr. FAZIO of California. Well, if I could further ask the leader to elaborate, so when we come in to session on December 27, on Wednesday; on Saturday, December 30, and perhaps again on January 3, we would not be having any business on those occasions; except perhaps if the majority chooses to extend the recess, there would be no procedural votes, nor would there be any substantive matters coming before the body. Is that the understanding that the gentleman can leave us with?

Mr. ARMEY. Well, if the gentleman would yield, I am very confident that there would be no procedural votes from our side of the aisle, and of course I would feel much more comfortable if I could have the same assurance from the gentleman from California. I would expect none from your side as well, since it would be, I think we would all agree, a terrible inconvenience to the Members who might try to get something done in their district.

Mr. FAZIO of California. Would the gentleman indicate once again how much notice he thought we could obtain as Members who might be at some distance from this town in order to get back if any votes are required?

Mr. ARMEY. The Members should be aware that they would get a minimum of 12 hours notice. We would certainly try to do better than that, and I will try, beginning on Tuesday, to see to it that there is an updated information on the whip notice for all of the Members.

Mr. FAZIO of California. In an earlier dialog, the gentleman indicated that he

NOES—200

Allard
Archer
Armey
Bachus
Baker (CA)
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Burr
Burton
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa

Funderburk
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Martini
McCollum
McCrery
McDade
McInnis
McKeon
Metcalf
Meyers
Miller (FL)
Molinari
Montgomery

Moorhead
Myrick
Nethercutt
Neumann
Ney
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Sensenbrenner
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souders
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Thomas
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—72

Ackerman
Baker (LA)
Ballenger
Barton
Berman
Bevill
Bilirakis
Bunning
Buyer
Callahan
Calvert
Cardin
Clinger
Collins (MI)
Conyers
Cramer
de la Garza
Deutsch
Doyle

Edwards
Ensign
Fields (TX)
Filner
Ford
Fowler
Gallegly
Geren
Gibbons
Green
Gunderson
Gutierrez
Hancock
Harman
Hastings (WA)
Hayes
Jacobs
Jefferson
Johnston

Klink
Kolbe
LaFalce
Lantos
Lincoln
Lipinski
Lofgren
Manzullo
McCarthy
McHugh
McIntosh
McNulty
Meek
Mica
Murtha
Myers
Neal
Norwood
Quillen