

governing the capabilities of strategic missile systems. This certification shall be accompanied by a report to the Senate of the United States indicating how U.S. National Technical Means, including collection, processing and analytic resources, will be marshalled to ensure effective monitoring. Such report may be supplemented by a classified annex, which shall be submitted to the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services and the Select Committee on Intelligence of the Senate.

The PRESIDING OFFICER. The Chair would note that under the previous order those amendments are now agreed to.

So the amendment (No. 3111) was agreed to.

Mr. LUGAR. I thank the Chair.

Mr. STEVENS. Will the Senator yield?

Mr. LUGAR. I am happy to yield to the Senator.

Mr. STEVENS. Was there a summary of those amendments and an explanation along with the Senator's submission?

Mr. LUGAR. I respond to the distinguished Senator that a summary was not included with the text.

Mr. STEVENS. I ask unanimous consent that we be permitted to insert in the RECORD an explanation of each of the provisions within that amendment.

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

AMENDMENT SUMMARIES

Amendment No. 1: Nothing in START II changes the rights of either party to the Anti-Ballistic Missile (ABM) Treaty.

Amendment No. 2: Adds the condition that the U.S. shall not implement START II reductions until the Treaty has entered into force.

Amendment No. 3: Requires the President to report yearly on symmetrical nuclear weapons reductions.

Amendment No. 4: Calls upon the President to consider whether to seek only those strategic future reductions consistent with U.S. National Security interests.

Amendment No. 5: States the compliance expectations of the Senate and asks for periodic updates from the administration on compliance issues.

Amendment No. 6: States the requirement for Senate advice and consent to any possible future amendments to START II.

Amendment No. 7: Discusses the compatibility of offensive deterrence and defenses against ballistic missiles, and calls upon the United States and Russia to implement the Bush/Yeltsin Joint Statement on a Global Protection System.

Amendment No. 8: Requests that the President suspend licenses for the use of foreign excess ballistic missiles until he submits a report to the Congress on the implications of the licensing approval on the American space launch industry and on non-proliferation efforts.

Amendment No. 9: Declares the United States commitment to ensure the safety, reliability, and performance of its nuclear forces. This includes declaring support for a new production source of tritium and maintaining the capability of resuming underground nuclear testing if there is a national decision to do so.

Amendment No. 10: Reviews Intelligence Committee issues.

Mr. LUGAR. Mr. President, one more point of parliamentary inquiry. Is the

status now of the START II Treaty proceedings at a point at which no further amendments are in order and the next stage of activity will be when the Senate is next in executive session and this is called forward, that 6 hours of debate plus potential unlimited time allotted to Senator THURMOND would be in order at that time?

The PRESIDING OFFICER. The Senator is correct, to the Chair's understanding.

Mr. LUGAR. Followed by disposition of the treaty.

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. LUGAR. I thank the Chair.

I ask my distinguished colleague if he has further comment?

Mr. PELL. No, no further suggestions. Just to congratulate you, Mr. Chairman, and Senator STEVENS, on guiding this legislation through. I thank my own staff, Bill Ashworth, very much indeed.

Mr. LUGAR. I join the distinguished Senator in thanking the minority staff. Of course I thank Kenny Myers and Lindon Brooks, who has been an able backup negotiator of this treaty.

In particular, my colleague from Alaska, Senator STEVENS, who, in his cochairmanship of the Arms Control Observer Group, did a remarkable job in pulling this together for four sessions, with many Senators from both sides of the aisle, to think through the implications of this treaty, to refine the language of the managers' amendment that has been submitted and adopted today.

Does Senator STEVENS have further comment?

Mr. STEVENS. No, Mr. President. I do not have. I am grateful for the comments of my two friends. I do have another statement if we are finished with this matter, though.

Mr. LUGAR. Is it relevant to START II?

Mr. STEVENS. No.

Mr. LUGAR. Mr. President, for the moment I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Let me ask the Chair, is it proper now to make statements on another matter?

The PRESIDING OFFICER. The Chair will inform the Senator the Senate is still in executive session.

LEGISLATIVE SESSION

Mr. STEVENS. I ask unanimous consent the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate returns to legislative session.

Mr. DORGAN addressed the chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 10 minutes as if in morning business.

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

THE FURLOUGH OF GOVERNMENT WORKERS

Mr. DORGAN. Mr. President, I have always been enormously proud of serving in the U.S. Senate, and am proud today of my ability to be here to represent my constituents and to make judgments on the part of this country in the public sector and on public policy issues. But there are days when one shakes their head and wonders, what on Earth is this institution, or the institution of Congress, doing or thinking? How can we look as foolish as we look sometimes when the mix of different viewpoints in the House and the Senate between conservatives and liberals produces a gridlock that then produces a bizarre Byzantine result.

I am speaking today of the circumstance when about an hour or two ago, I was on the floor asking a question of the Republican whip. I just watched the other body vote for a resolution of adjournment, and they apparently have now left town and are having no further votes. There will be no additional rollcall votes in the Senate.

We have a circumstance where there will be a continuing resolution, or a funding bill, coming over from the House that provides sufficient funding so that veterans checks that have been written and are now sitting in a warehouse somewhere in this metropolitan area, will be able to be delivered—late, however, but, nonetheless, delivered—and a number of other payments that are important will be made despite the fact that the continuing resolution has not been passed to provide funding for all of the Government's activities.

So some things will get taken care of this afternoon, I assume, by a unanimous consent in the Senate to accept the limited funding resolution provided for by the U.S. House. But some things will not be taken care of. Let me describe what is left undone.

Today, there are 270,000 Federal workers who stayed at home. They stayed at home yesterday and the day before. They are prevented from coming to work. The law prevents them from coming to work because there is no funding for them. And, in fact, those who want to come to work are told they cannot come to work. Two hundred and seventy thousand people are at home today who should be working.

The Speaker of the House said they will be paid anyway as they were during previous shutdowns.

In addition to the 270,000 who are not working, you have another 500,000—one-half million—Federal workers who are working. All of these folks, nearly 800,000 people, get only one-half of a

paycheck during their pay period. And if a continuing resolution is not enacted by January 3, they will get no pay during the next pay period because there is not enough money to do that. It has not been authorized by the Congress to do that.

So what you have are nurses who work in veterans homes, prison guards, law enforcement officials, and others, some of whom make very little money, who during this pay period now before Christmas will receive half of a paycheck. And if something is not done within the next week and a half, on January 3 will receive zero.

Some say, "Well, we will restore that. We will make sure they all get their money." Is that much solace to one who works on relatively low income, trying to make the payments for heat, food, rent, and to buy Christmas presents?

I hope those who sink their teeth into their turkey on Christmas day, and who serve in the Congress and who do not allow us to pass a clean continuing resolution in order to put people back to work to get the Government operating again, those folks who eat turkey on Christmas Day who prevented that from happening will think about the families that are disadvantaged by this.

Think about the nurse at the veterans home who only gets half of a paycheck. I hope they will think a little bit about the prison guards who get half of a paycheck and think about the 270,000 people who have had to explain to their neighbors why they are not at work, which the Speaker of the House says they will get paid for anyway.

Sometimes you just do not have the foggiest understanding why someone does something.

How on Earth can anybody believe that any leverage is provided for anyone to say, "Well, all right, if there is not a balanced budget resolution completed by this evening, Friday night, we will insist that the shutdown remain in effect"?

Ted Koppel asked five Members of the other body the other evening on his program twice, and they could not answer this question: What leverage does it give you to tell 270,000 Federal workers, "You cannot come to work, you stay home, and we will pay you"? What leverage is that? Is that not saying to the American taxpayers that we are going to penalize you in order to pay for work that is not done, we are going to do that so we have some leverage? Ted Koppel says, "What leverage do you have?"

The other day I said that it is sort of like having an argument with your uncle. "All right, I am angry at my uncle. So I will walk across the street and punch my neighbor."

What on Earth are they talking about, penalizing the American taxpayer by telling 270,000 workers, "You cannot come to work, you stay home, we insist on it, and we are going to demand that you be paid"?

What is happening is that the House of Representatives has just adjourned, or passed an adjournment resolution. They are leaving. No more votes. This Senate is going to have no more record votes. We have 270,000 people not working, and the Congress is not coming back—probably not next week at all. Maybe the House comes back in the middle of the week.

So is the assumption here that these 270,000 people who are not working are going to continue not working next week, or maybe the start of the week after? Is the assumption that the American taxpayer is going to keep paying them? Is the assumption that those 270,000 people and the other half million people do not matter because they only get a half a paycheck, and they probably will get no paycheck on January 3rd?

Is not the assumption that the Federal workers, the half million people who are working today, do not matter very much and do not matter to anybody here if they only get a half a paycheck? Does it not matter if they have rent payments to make or food to buy or presents for their children? It does not matter, I guess.

The questions I asked an hour or two ago were, are there conditions under which by the end of today somebody might start thinking a little bit and saying, "Yes, OK, so we have this big fight going on. Let us at least let these people go back to work and make sure that they are working and that we pay them for working. Let us at least do that."

It does not make much sense to penalize the American taxpayer for our stubbornness or intransigence. I guess it is an easy thing to say that if we cannot reach an agreement, we will penalize the American taxpayer. It hardly makes any sense to me. I guess I do not understand exactly what is at work.

I watched the proceedings of the other body about an hour ago. I saw an enormous amount of anger, people standing on the floor of the House shouting at each other—I mean literally shouting on both sides. I understand. But, you know, this anger, in my judgment, is aimed in the wrong direction. So, Members of Congress are angry? So what do we do? We say to the American people, "We will get you. What we will do is we will tell 270,000 people not to come to work, and we will still pay them." That is quite a way to manifest your anger.

Can you imagine a city council in this country, they are sitting around the table in their small town in the city council chamber and they say, "Boy, we cannot agree. We are having a heck of a fight here. We just cannot agree. So do you know what we will do? What we are going to do is we are going to tell all of the city workers to stay home. 'Do not come to work.' We want to keep paying them, but say to all city workers, 'We cannot agree, so you sit at home and we will pay you for

doing nothing.'" Can you imagine how long the residents of that city would take to tell the city council members to take a hike?

I just hope all of those in Congress who decided to prevent us from passing a clean appropriations bill to put these people back to work and to stop this goofy shutdown, I hope that they will find a disguise of some sort, because, frankly, if the people who decided we are not going to have Government up and operating but we will pay 270,000 people for doing nothing and we are going to tell these lower income paid Federal workers you get a half paycheck and will probably get no paycheck January 3, I hope nobody recognizes them because I think somebody is going to give them a piece of their mind when they get back home.

I suppose some of them will say, well, I hope the piece of their mind that we get would be stand firm for a balanced budget.

Well, so stand firm. Let us all stand firm for a balanced budget. Let us fight for a balanced budget in the right way. Let us balance the budget the right way, protecting priorities.

But should we, because we cannot agree yet on the specific recipe for balancing the budget, decide to continue a Government shutdown? I understand why people are angry with Congress. This is a decision that makes no good sense for anybody. It gives no advantage for Republicans or Democrats or conservatives or liberals. It provides only disadvantage for the American taxpayer and for the Federal workers who are the pawns—270,000 of whom will stay home and still get paid and a half a million of whom will get a half a paycheck despite the fact that they worked the full pay period.

Now, Mr. President, let me ask for one additional minute.

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

Mr. DORGAN. The Senate is still in session today. And I do not know whether the House is yet out of session. They have said they will have no votes. I still hope and I would still ask everyone who serves in this Congress to think a little bit. Just think a little bit. Does this make any sense at all or is this not totally and completely irrational? Is this the way to end the year in 1995? Is this the spirit of charity? Is this the Christmas spirit? Is this the spirit of compromise to say we are going to use Federal workers as the pawns and say to the American taxpayer, you pay the bill?

I tell you, Mr. President, if the House and the Senate adjourn and quit and say here is the condition under which we quit—a Government shutdown—paying people for not working and for those who work deciding they are not going to get the pay for which they worked, the American people have every right to say, what on Earth are you people thinking of? Could you not begin thinking like the rest of the American people and think through this and do the logical, rational thing?

I just hope that by the end of today the leaders and other Members of Congress will step aside and agree to a clean CR to keep this Government up and operating. Let us start doing what the American people expect us to do.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DORGAN. Mr. President, I am tempted to offer unanimous consent for a clean CR, but I shall not do that. I hope that it will be done by someone and not objected to in the next couple of hours, and with that I yield the floor.

Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

Mr. SANTORUM. I ask unanimous consent that I be able to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SANTORUM. Thank you, Mr. President.

THE WELFARE REFORM BILL

Mr. SANTORUM. Mr. President, I would like to make a few comments about the vote today on the welfare reform bill. Several people have talked to me about it and have expressed concern that we did not receive the bipartisan support in this piece of legislation that we had in the original Senate bill. I want to reflect on that for a few moments and discuss how we might be able to bridge the gap and what kind of gap it is that now keeps us apart on the welfare issue.

First, I would like to thank the Members of the Senate on both sides of the aisle who supported the conference report. I think they will be very proud of the vote they cast as a real step forward for moving this country toward a kind of reform in the welfare system that the American public and the people who are now in the welfare system or may find themselves at some point in time in their life to be in need of the welfare system have been asking for for a long time.

My impression of what went on—just from listening to the debate and the comments of Members who eventually voted against the legislation—was that for the most part Members who voted against this legislation, on the other side of the aisle in particular, were people who felt that they had to vote against it and they were sort of looking for a reason why.

You say, what do you mean they had to vote against it? The President came out yesterday morning and said he was going to veto the legislation. I think I

understand why the President did that. I am not too sure I think that the President is vetoing this legislation because he substantively disagrees with it on so many counts, but more that I think he sees welfare as being included in these negotiations that are going on right now in the budget package, and to sign a separate welfare bill sort of takes welfare off the table in the bargaining between all the other programs that are being considered in trying to balance the budget.

I think what the President wanted to do—and I think many Members on the other side agreed with it—is they wanted to keep welfare in play in the greater negotiations, and to sign off on one package without having the interaction of the other programs yet to be determined would, in their estimation, be an unwise move. So I will say to them, it is my firm belief that is what is going on here—I will explain that later—that this was more of a tactical move in opposition to this legislation than it really was a substantive move that this legislation somehow did not meet the test of welfare reform as defined by most Members on both sides of the aisle.

It was interesting for me to note that the people who debated the welfare reform bill here on the floor the last day, last night and today, by and large were the 12 people who voted against the legislation when it first came through.

So the principal opponents, at least the most vocal opponents, on the other side of the aisle were all people who voted against the Senate-passed bill, which got 87 votes; and in fact, the only two people that I can recollect who debated the bill this morning who had previously supported the bill did so on very narrow and limited grounds.

In fact, I have had discussions with those Members subsequently—at least one of them—and think some of the grounds on which they base their opposition actually did not square with the facts. I am not saying that the Senators misrepresented the facts. I am not saying that at all.

I think in this case, because this bill was moved over here so quickly, a lot of the factual information that was in the bill did not get out in proper fashion, and there were changes made to the bill in the last couple of days that were simply not disseminated to the other side. I think there was some misunderstanding, particularly in the area of child care funding, and a look at the facts, I think, would satisfy some of the concerns of Members on the other side of the aisle.

I want to go through the points that were made about the welfare bill as reasons for opposing it and try to explain why those concerns may not have been as legitimate as some would have originally suggested. Some, I believe, are legitimate.

I think there was one concern in particular that I know concerned Members on this side of the aisle and, I think, was the result of the two negative

votes over here and, I think, concerned many Members and could be a legitimate reason to, in a sense, hang your hat on opposition to this proposal and actually speaks for including welfare in the larger budget package. What I am referring to is the Medicaid portion or the Medicaid reference in the welfare bill.

It was asked by the Governors and others who were negotiating the Medicaid portion of the Balanced Budget Act that we, for purposes of welfare, do not guarantee anyone who is on AFDC, guarantee them coverage under Medicaid automatically. That is current law, that if you qualify for AFDC, mothers and children automatically qualify for Medicaid.

Governors have said that now they are in the process during this budget debate of working out amongst themselves and Members of Congress to give some more flexibility in establishing who must qualify for Medicaid and allowing them the flexibility to make some of their own determinations.

So they asked, for purposes of this bill, do not lock them in quite yet on guaranteeing Medicaid coverage for AFDC recipients when, in fact, they are negotiating that very issue in their Medicaid discussions. So, as a result, because this bill moved ahead of the rest of the package, we left that provision out and said that is to be negotiated with Medicaid, not with welfare.

As a result, many Members seized upon this and said, "Oh, what we're doing here is unprecedented. It was not in the House bill, it was in the Senate bill. We are cutting off, in the welfare bill, all these people from Medicaid." Well, in a sense that is not completely true. But it certainly makes for a very good reason to vote against this bill even though you can make several arguments against that point.

One is the obvious one I think I have already made in detailing what the problem was; that that decision is going to be made later, and, in fact, it may very well say in the Medicaid bill that AFDC recipients are covered. That is a decision that is going to be made later. It is not that we are making the decision here affirmatively; it is a decision that will be made, but this was not the appropriate vehicle to make it. That does not soothe, I know, a lot of people, but it is in a sense an accurate description of what is going on.

The other point is—or several other points—according to the Congressional Budget Office, all of the children who are on AFDC today would otherwise qualify for Medicaid even if the current legislation which just passed here were signed by the President. That is, children, poor children, would qualify under the Medicaid statute, not under the AFDC statute, and therefore would be eligible for Medicaid even if they were not automatically eligible as a result of receiving AFDC. So children would have been covered anyway.

So to say, as some Members said, we are cutting off children by this is not