

again that I cannot even maintain where I am. I do not think it is fair, you are not treating me fairly, and I am going on strike, which I am allowed to do under the law.

It amazes me why we are even having this fight. When is the last time any of the people in this Chamber picked up a paper and read about how unions and organized labor have taken such horrible advantage of people? All they have done for the last 10 to 12 years is given concessions and increased their productivity. And now, we have reached the point that—to steal a phrase from Mr. Stockman, who commented on the Reagan tax policy—these folks are like pigs in a trough now. They not only want them to continue to give at the office, but they want to take away the last thing they have under the law. I, quite frankly, did not ever think this would be a debate we would be having on the floor of the U.S. Senate.

Again, look at all the strikes that are taking place nationwide. Look at the effects of the strikes taking place nationwide. Look at what is being requested by those strikes that are taking place nationwide. I will lay you 8 to 5 that 85 percent of the people would say what is being asked is reasonable. They may or may not agree, but it is reasonable.

No one is even making the claims anymore, I say to my friend from Massachusetts, that this is some muscle-bound organized labor, who is just out there ripping off everyone and intimidating companies. This is just people who are just trying to be in a position where they can—to use the expression of my friend from Massachusetts—“keep their heads above the water.” And now they are being told they do not even have a right. What prompted me to say all this was the word used by the Senator from Connecticut: Fear. Can you imagine the fear and intimidation of an individual who, in today's circumstances, thinking that after roughly 60 years of practice under the NLRB, they are going to be put in the position if they even stand up and try to stop further erosion, that the alternative for them in an environment where there are no other jobs is that they lose their job permanently? That is simply not fair.

Our former colleague from California, the present Governor of California, ran an ad I remember seeing. He was talking about immigration, but I will take the words he used and apply it here, because I disagreed with his view on immigration. He said something like this: Some people are playing by the rules. They are doing it the American way. Other people are not playing by the rules and they are being rewarded for it. That is not the American way.

Striker replacement in circumstances where there is no evidence that there has been a violation of the labor laws is not the American way.

It is a reflection of greed, the greed and avarice of those who want to make a fundamental change that working women and men are put into their proper place, from their perspective. I think it is, quite frankly, outrageous.

The Senator said, “Who is going to stand up and fight for them?” Well, I know of no two people who have been better champions of their cause in making sure they are never left unspoken for than the Senator from Massachusetts and the Senator from Connecticut, and I compliment them.

Mr. KENNEDY. Mr. President, I thank the Senator from Delaware for his comments and for his historical perspective. I think the Senator has, in his brief but I think pointed comments, reflected what this issue and what this battle is really all about. In the last day or so, as we focused on it, there have been those who say, We do not understand why we are talking about these broader themes of equity, about fear, about the real America. This is really just an Executive order.

The Senator has stated very clearly and effectively what really is at issue on the floor of the U.S. Senate and why this battle is so important. I thank the Senator for his statement and for his excellent support for working families, which has been a trademark of his career in the Senate.

Mr. BIDEN. Mr. President, I ask unanimous consent to be able to go into morning business for the purposes of discussing an issue totally unrelated to this, the introduction of a bill.

The PRESIDING OFFICER (Mr. CRAIG). Is there objection? Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I thank you.

(The remarks of Mr. BIDEN pertaining to the introduction of S. 564 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

ORDER OF PROCEDURE

Mrs. BOXER. Mr. President, I plan to speak about the striker replacement amendment that is before the Senate. But before I do, I ask unanimous consent that I may speak on another matter for about 15 minutes without losing my right to the floor.

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

Mrs. BOXER. Thank you very much, Mr. President.

THE CALIFORNIA DISASTERS

Mrs. BOXER. Mr. President, before I get into the issue that my colleague, Senator KENNEDY, and others have addressed for the past few legislative days, I felt it is important to discuss briefly the disasters that have hit my State of California. I will tell you that one wonders when we are going to stop seeing these floods and these earthquakes, fires, and droughts. It seems as if our State is for some reason just get-

ting much more than its share of these natural disasters. But it was interesting today that the Senate task force presented its report on disaster funding. I am a member of that task force, and we have been working hard to come up with some solutions as to how are we going to deal with these future disasters.

I want to say that the President moved very quickly to declare 39 counties disaster areas eligible for both individual and family emergency grants, and for infrastructure repairs. Federal Emergency Management Director James Lee Witt once again has proved that he is someone who wants to cut through the redtape that used to accompany FEMA wherever it went in this country. The President sent him out along with Acting Agriculture Secretary Rominger, and with Leon Panetta, the Chief of Staff who is so familiar with California. They saw for themselves the damage that we are facing.

I have to say that when Leon Panetta saw Monterey County, which he represented in Congress for many years, I am sure his heart stopped for a minute because so much damage greeted him. We have infrastructure problems there. We have communities shut off. We have crop damage to fruits and vegetables which is going to cause a lot of financial harm to the farmers. But also we are going to feel it in our pocketbooks—as consumers when we go to the stores.

We have already seen 2,900 applications for assistance from the storms that started on January 3. That was the first one, and then we had the one February 10. Those resulted in 90,000 applications for assistance. More than \$51 million in emergency housing assistance checks have been mailed for the first disaster. In addition, \$40 million in Small Business Administration loans have been approved for 2,000 people for losses to homes and businesses.

I cannot count how many times I have stood in this U.S. Senate and in the House telling my colleagues about these disasters. It just does not get any easier.

Interstate 5, a major north-south economic artery in the West, is still closed. I think many people saw the tragic photographs of cars that plunged into the waters and were swept away when a bridge failed. And we are trying very hard to get a temporary bridge constructed there.

We are looking at crop losses of about \$300 million or more. This storm was very, very harsh on the crops. I talked about the fruits and vegetables. To be specific, the severe losses are lettuce, broccoli, cauliflower, almonds, and strawberries. California is the salad bowl of our Nation, and we got hit very, very hard. We have had damage to vineyards of \$11.5 million. I have spoken to local elected officials in Monterey County, in Napa County, throughout the southern California region, and the Los Angeles area.

I have told them that we are going to do everything we can here. We will be getting an emergency supplemental to deal with this problem. We are working now on a defense emergency supplemental bill. But unfortunately—and I say this really from the heart—the House has chosen to use this needed emergency spending to relieve the suffering of the people in California, and I might add, other States who are recovering from other disasters, to rush through a \$17 billion budget cut, rescissions of \$17 billion, onto a bill that is about a \$6 billion emergency relief bill.

I want to tell you that I intend to fight that bill, and I am not going to go into too many of the details other than to say that it wipes out many important programs, including summer youth job programs. It is very interesting, because today I received a letter from the Los Angeles Board of Supervisors and they have a lot of damage, of course, left over from the earthquake, and yet they are saying we should oppose that rescissions bill. They wrote to House Speaker GINGRICH and House Majority Leader ARMEY, and the county supervisors basically say that this bill, which would fund the disaster relief, but also offset it with very devastating cuts, is not the way to go.

People used to complain that we would load down these emergency bills with extraneous spending items, and that was true, and we stopped doing it. Why should we see it loaded down with rescissions of programs that are so very important? For example, on the one hand, the House says, California, we know you need money to rebuild. Yet, they cut emergency highway funding in the same bill, which could well be used to repair freeways and to make them safe from future earthquakes.

So I am very hopeful that when this bill gets into the U.S. Senate, we will look at it a little differently here. I am often reminded about what our Founders said about the U.S. Senate, that we act like the "saucer" and the House is the "cup." When the legislation comes over here, it cools down and people get a chance to look at it. This is certainly one that we have to look at.

Well, I will say, Mr. President, we need disaster reform. We do not have the perfect way to pay for disasters, that is for sure. I am working with my colleagues, really, from all over the country. This is a bipartisan task force that was set up here. Senators BOND and GLENN head it up, and I am on that task force. We are going to look at all of the ways we can to prepare here for the next disaster, to make sure that we can meet the needs of our people when our people cry out after an earthquake, flood, fire, or volcano, wherever that might be. And during the debate on the balanced budget amendment, I remember bringing to the floor photographs of disasters from all over the country, and truly there is not a place in America that is immune from a flood or

some natural disaster that could lead to an emergency.

So, Mr. President, that concludes my remarks on the update on the disaster. (Mr. THOMPSON assumed the chair.)

EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mrs. BOXER. At this time, I will speak about the business before us. I think some very important issues have been raised in this debate. I often try to put myself in the position of an average American turning on the television set, looking at the U.S. Senate, and seeing a Senator speak from either side of the aisle and wondering why is a Senator speaking about this issue or that issue, when on the schedule it says we are taking up a defense emergency supplemental bill.

In fact, that is what we are doing. We have been asked by the Pentagon to meet their needs because they are engaged in some foreign operations for which they did not have a budget, and for which there were costs that they need to be reimbursed for. So in the middle of this debate that we are having on this very important defense emergency supplemental appropriations bill, there is an amendment offered which has absolutely nothing to do with the bill before us, not even in the most remote sense of the word.

I try to make some type of connection between the amendment that is pending and the bill that is pending, too. And unless I am missing something, I cannot see a connection, because the bill is about reimbursing the Pentagon for items that were needed for this country to engage in military or peacekeeping assignments. And the Kassebaum amendment before us, which has been before us for days now, deals with a worker issue, a workplace fairness issue, an Executive order that has to do with replacing legally striking workers. It has nothing to do with the military emergency supplemental bill.

I heard Senator FEINGOLD make this point, and I think it is worth repeating. It is interesting that the Republicans are in charge of this bill; they brought it out of the committee, and now they are amending it with a very controversial amendment which has nothing to do with the bill. They are slowing down their own bill.

One has to ask oneself why this would be. I have looked at that, also. I tried to look at the merits of it. They said, well, the President signed this Executive order and he now says that the Government should not do business with companies that permanently replace legally striking workers. The President said that. And so the argument is that he has no right to do that; he is trampling on the rights of the Congress. Yet, as you go back in history—and I will bring this out later—I

never heard one Republican come to the Senate floor and complain that President Bush was overstepping his bounds when he made similar moves. So that is not an issue here.

So I come down to this: I think it is a way to slap working people, to put them in their place, to tell them that they do not have rights. And I think that is very sad. I do not see how—and I try intellectually to be fair about this—you can look a worker in the eye, whether it is a nurse or whether it is a construction worker, whether it is someone whose fingernails are dirty or clean, and say to that worker: You, my friend, have a right to strike; you, my friend, have a right under the laws of the United States of America to withhold your labor if you feel you are being treated unfairly. That is your ultimate human right. How could you look that worker in the eye, male or female, young or old, rich or poor, and say to that worker: You have the right to strike; and yet, in the same breath say: However, if you go out on strike, your boss can permanently replace you, even if you are out on strike legally and you have done everything right and you want to negotiate.

This is a very simple issue. You do not have the right to strike if you know the minute you step out the door you do not have a job.

What really interests me is that during the heyday of the Soviet Union, when we were all so excited about the fact that the Wall could come down, the Soviet Union would break up, and countries like Poland could be free at last, Republicans embraced the union movement in Poland called Solidarity.

I will never forget it. Lech Walesa came here. Republicans and Democrats alike said, "Solidarity. Show your strength. Stand up against the Communists. We support you. You are right. The Communists are not treating you fairly. They are treating you brutally."

Everyone embraced Lech Walesa and everyone invited him to speak. Republicans and Democrats here in America, we were united for Solidarity.

But, wait a minute. What happened? What happens in our own country when workers asked for that same dignity in this Nation? You get amendments like this one, amendments like this one that are so hurtful to people who believe they have a right to strike, to people who want to work but who want to know that they have that ultimate leverage.

I wish to compliment the President, because he looked at this issue and he knew that for many years we had a majority in this U.S. Senate which would have outlawed the permanent replacement of these striking workers. We did not have 60 votes, so we fell victim to filibuster.

He knew he had the ability to do something about this. And the Republicans do not like it. But he did it. He signed an Executive order. Guess what?