

Fairness, equity, common sense, and, most importantly, the original intent of President Kennedy's program, all tell us that farmers and fishermen should and must be a part of the Trade Adjustment Assistance Program.

So as Senator CONRAD did this morning, I strongly urge my colleagues to support this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

ACROSS-THE-BOARD SPENDING CUTS: IRRESPONSIBLE BUDGETING

Mr. KENNEDY. Mr. President, we are almost a month into the new fiscal year and Congress still has not passed an appropriations bill for the Departments of Education, Labor, and Health and Human Services. The work of these Departments touches the lives of nearly every American, yet the Republican leadership has been unable to work out an acceptable budget for them which will enable them to carry out their responsibilities fully and effectively.

The majority has used an extraordinary array of gimmicks, such as bogus emergency spending designations, and an unprecedented level of advance fundings. But even those budgetary slights of hand were insufficient to do the job.

They considered reneging on Congress' commitment to provide TANF moneys to the States but backed off under pressure from the Republican Governors.

They proposed increasing taxes on the working poor by changing the reimbursement rules for the Earned Income Tax Credit. Even the leading Republican Presidential candidate denounced that as "balancing the budget on the backs of the poor." Again, the Republican leadership was forced to retreat from an outrageous proposal. The fact that these cuts were even considered shows how out of control the budget process is.

In desperation, the Republicans have now proposed that we indiscriminately cut all Government programs by 1 percent across the board. In other words, they would treat essential health and education programs no differently than special interest pork barrel projects. They ignore the reality that some of the programs are far more important than others. This type of mindless cut is an admission of total budgetary failure.

They pretend such a cut will not have any impact on the programs, but they are terribly wrong. The human cost of such an across-the-board cut would be very high. It would hurt many of our most vulnerable people:

Some 5,000 fewer preschoolers in Head Start;

2,800 fewer children in the child care programs;

74,000 fewer babies receiving nutritional supplements;

2,775,000 fewer meals brought to the elderly and disabled;

120,000 fewer disadvantaged students helped;

6,000 fewer job opportunities for youth;

10,000 fewer work-study grants for college students;

10,000 fewer children helped to read;

3,000 fewer children immunized;

20,000 fewer homes for low-income families.

Each one of these is an unacceptable price to pay for the Republicans' inability to produce a fair and fiscally sound budget.

That was with a 1% cut. Now CBO has made available to us a letter that was sent to the Honorable JOHN SPRATT, who is the ranking Democratic member of the Committee on the Budget in the House, with copies also to Mr. KASICH and Mr. DOMENICI.

The conclusion of these letters is that the 0.97% cut that will be included in the conference report, which perhaps we will consider later, is going to be insufficient, according to the latest calculations of CBO, to avoid tapping social security funds this fiscal year. Their estimate is, it would have to be not 0.97 percent but a total of 5.8 percent. If you were to eliminate defense, military construction, veterans programs, it would be in excess of 11 percent.

So here on this chart are the cuts with 1 percent. And the CBO says, if you are going to do the job and follow the pathway that is being recommended by the Republican leadership, it will have to be a 5.8 percent cut.

So you can multiply all of the cuts to programs needed by our most vulnerable citizens by 5.8, which yields a much more devastating impact. Those are the circumstances we are in.

The fact is that the President and the ranking Democrats on the various committees say: Why don't you go back and cut out the pork you put in and cut out the excesses you have added, and send us something that is responsible? Then we can have true negotiations.

But that isn't the way the Republican leadership is moving. They are just favoring across-the-board cuts, which will cut valuable, helpful programs that are indispensable to needy people, for infants and for children, for education, and for health—the same amount as the pork programs that have been added by the Republicans.

These consequences are all the more deplorable because they are unnecessary. President Clinton and the Democrats here in Congress have proposed fiscally responsible measures to keep our hands entirely off Social Security money even while we make the critical investments needed to strengthen our Nation in the coming year.

But the Republicans repeatedly said "no." "No" to a cigarette tax that would prevent teen smoking while paying for children's health initiatives; "no" to making oil companies pay royalties they owe the Federal Govern-

ment; "no" to reducing corporate welfare; "no" even to military officers when they ask to defer or delay programs the Republicans want in their districts.

By consistently declining opportunities to reduce a balanced budget, Republicans are on a course to raid Social Security, regardless of this proposed 1 percent cut.

Why have Republicans proposed this latest gimmick? To avoid using this year's Social Security surplus to pay for this year's Government spending, they tell us. But what Republicans don't say is that the gimmicks they have already voted for guarantee that the Social Security money will be used in the budget this year. That is what the latest CBO report that has been given to the leaders today has indicated.

I have but one simple question for anyone who would disagree: Where will the money come from to pay for the census, which Republicans have suddenly declared to be an emergency? This money must be paid to contractors and staff this budget year, yet it cannot be found anywhere except in the Social Security trust fund.

By simply calling a \$4 billion entirely foreseeable program an "emergency," Republicans cannot escape the fact that they will certainly spend Social Security surpluses this year, regardless of whether there is an across-the-board cut. The census gimmick is but one of many instances in which Social Security funds have already been spent by Republicans this budget year. When all the smoke and mirrors produced by the Republicans are removed, we can see that the true goal of their 1-percent cut is not to preserve Social Security surpluses but to gut Government spending on core education, health, and criminal justice programs. Republicans in this Congress are returning to the time of Speaker Gingrich when they proposed abolishing the Department of Education, only now they are dismantling it piece by piece.

Today's Republicans have proposed a \$288 million cut for the Department of Education—continuing their long-standing assault on our children's futures. Let's not forget that when Republicans first assumed the control of Congress in 1995, their top agenda item was to rescind \$1.7 billion in education funding that had already been enacted into law by the Democratic Congress. Then, in the first full funding cycle subject to Republican control, their appropriators in the House socked the Department of Education with a \$3.9 billion proposed cut—almost 20 percent. They tried again in the budget year 1997 when Senate appropriators sought a \$3.1 billion cut to the President's request for education programs.

Democrats in the Congress, together with President Clinton, successfully resisted each one of these Republican cuts in education.

So since 1997, Republicans have sought more modest education cuts of

\$200 million or more below the President. Today's proposed \$288 million cut is consistent with the Republicans' longstanding goal of decreasing support for education. It is wrong. It is shortsighted. It is not what the American people want or deserve.

Of course, Senator NICKLES and Representative DELAY want us to believe their 1-percent cut won't hurt a bit. It might not hurt the oil companies they want to protect from paying full royalties to the Government this year, but it will hurt the real people I described when I listed some effects of their proposed cut. The cut might not affect the tobacco companies, now that the Republicans have rejected President Clinton's plan to raise cigarette taxes, but it will hurt those who rely on the programs Republicans want to cut.

In conclusion, I want to just point out—on this other chart—what the current situation is with regard to the Head Start Program.

Today, we have, for the Early Head Start Program, only 1 in 100 eligible children who are actually enrolled. This is what the Carnegie Commission and virtually all recent studies show is probably the wisest investment of funds of any other Government program because these are the earliest years of confidence building among children. And as all of the research has demonstrated, the earliest intervention in these years, in the first, second, third, and fourth years of life, has enormous consequences in the child's cognitive development and future education. Only 1 in 100 eligible children are presently enrolled in Early Head Start. In the Head Start Program, which has been tried and tested, evaluated and strengthened and improved, only 2 in 5 eligible children are enrolled now; 3 out of 5 are financially eligible, and cannot enroll in the program.

The Child Care Development Block Grant program only assists 1 in 10 eligible children. Education for the disabled, only 1 in 4 eligible children are assisted. This is the current situation. It is against that background we are going to see tens of millions, hundreds of millions of dollars in reduction in those programs because the Republican leadership, over the course of the year, have added a lot of boondoggle programs of their own in these other appropriations.

I indicated what those reductions would be if they were going to be 1 percent. Now we know it is going to be 5.8 percent, according to the CBO.

The proposed cut is wrong. It is an abdication of their duty to state what they believe the nation's priorities should be. It is irresponsible. I hope our colleagues would vote in the negative on this.

Mr. REID. Will the Senator yield for a question?

Mr. KENNEDY. I am glad to yield.

Mr. REID. I ask my friend from Massachusetts, is he aware, in addition to this latest scheme—that is what I call

it—this across-the-board cut, in this one-a-week program the Republicans have come up with, they also wanted to do a number of other things, such as extend the year a month? Are you familiar with that?

Mr. KENNEDY. I am.

Mr. REID. That didn't sell very well. Are you aware it was determined even by the very conservative Wall Street Journal they had two sets of books they were trying to keep in an effort to hide the spending of Social Security moneys? Is the Senator aware of that?

Mr. KENNEDY. I remember the discussion on the floor, an article by Mr. Rogers, I think. It was an excellent article and a very accurate one. It was included in the RECORD. I hope our colleagues will read that.

Mr. REID. In addition to having two sets of books, in addition to extending the year another month, as my friend from Illinois has said—that is great, because in doing that, we will never have a Y2K problem; we just keep adding months to the year—are you aware also that the earned-income tax credit, the program Ronald Reagan said was the best antiwelfare program in the history of this country, they tried, as one of their schemes, to take that money away from the working poor in America so they could balance their so-called budget? Is the Senator aware of that?

Mr. KENNEDY. I was aware of it. The particular need for that program is to provide help and assistance for low-income working families who have children. This is basically the children. That program benefits the children of working poor, to try to give some assurance they will at least have some measure of quality of life. That was the program targeted by the Republican leadership in the House of Representatives to be undermined, that program and the resources in that program, in order to offset the other benefits they had given to their special projects.

Mr. REID. As part of their scheme-of-the-week program to have this blue smoke and mirrors, is the Senator also aware—I know he answered this question, as he so aptly pointed out—that now they want an across-the-board cut, saying they want to eliminate waste and fraud, but that across-the-board cuts are indiscriminate; it doesn't go to any one pocket; it cuts programs across the board? Is the Senator aware of that?

Mr. KENNEDY. The Senator is absolutely correct. It does not, for example, even give the military, give the Chairman of the Joint Chiefs of Staff and the commanders, the range of options they could have in order to meet their responsibility. We are up to 270-odd billion dollars in terms of defense appropriations; 1 percent is \$2.7 billion. As a member of the Armed Services Committee, we heard from the Joint Chiefs that it would be a devastating cut in terms of personnel and in terms of readiness. They don't give the flexibility to any of the administrators to

be able to do it. They are just mandating the requirement right across the board. That is the most inefficient way of doing it.

Mr. REID. I ask the Senator, is he aware that instead of their scheme of the week, they have now done two schemes this week? So maybe next week they will use one of the old ones. Is the Senator aware that one of the latest schemes is to withhold money from the National Institutes of Health for 11 months of the fiscal year so all the money comes in the 12th month? It helps their bookkeeping. Is the Senator aware of this scheme they are floating around here?

Mr. KENNEDY. Well, I had heard that, that they were going to hold some \$7.8 billion. Maybe they could, with \$1 billion, hold for some period of time. NIH might be able to deal with that. They are talking about \$7.8 billion, effectively undermining the most significant and important basic research that is taking place any place in the world at a time of extraordinary possibility and breakthroughs in terms of health, in order to fund a number of military pieces of equipment that were never requested by the military and other special projects that were never requested by the administration. They don't want to cut those out, but they want to tamper with the greatest research center in the world, which is the NIH, doing so much on so many of these diseases that affect every family in America, whether it is cancer, whether it is on the issues of Alzheimer's, whether Parkinson's disease, you name it, lupus, whatever it is, osteoporosis that affect our senior citizens. They are tampering with those funds. I have seen a lot of shenanigans in the budgeting of the Federal budget, but I would certainly agree with the Senator that tampering with the NIH funds in the way this is done would have a dramatic adverse impact in our whole basic research programs at the NIH and would cause enormous harm. I welcome the Senator's observation, because, if there weren't other problems in this report, that in and of itself would justify the rejection of it.

Mr. REID. If the Senator is going to yield the floor, I would like to claim the floor.

Mr. DORGAN. I would like to ask the Senator a question.

Mr. REID. I wanted to ask the Senator from North Dakota a question, but please proceed. I have the floor, and I yield to the Senator from North Dakota.

Mr. HOLLINGS. If the Senator will yield, we have been going back and forth. So please be short, if you can. We want to have that comity continue.

Mr. REID. I ask my friend from South Carolina, are we in a hurry around here?

Mr. HOLLINGS. It is the comity and not the time. Please talk until tomorrow, when we vote.

Mr. REID. The Senator from Massachusetts still has the floor then.

Mr. KENNEDY. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I have the floor. We will speak very shortly so the Senator from Illinois can be recognized.

Mr. DORGAN. The Senator from Illinois should be recognized. If I could ask for forbearance, I wanted to ask the Senator from Massachusetts a question. Since he doesn't have the floor, let me at least propound the question.

Mr. FITZGERALD. Mr. President, I would like to have unanimous consent to speak for a couple of minutes on our departed colleague, John Chafee, after which I have to preside. I will just take a couple minutes.

Mr. REID. I say to the Chair, I am happy to yield my time for 2 minutes to the Senator from Illinois. I will reclaim the floor.

The PRESIDING OFFICER. Without objection, the Senator from Illinois is recognized.

IN HONOR OF SENATOR JOHN CHAFEE

Mr. FITZGERALD. I take this opportunity to express my great sense of personal loss on the passing of our colleague from the great State of Rhode Island, John Chafee.

I have only been in the Senate for under a year now. I got to know Senator Chafee while I was running for the Senate about a year ago. Even in that short period of time, I came to have great admiration and respect for Senator Chafee. I can only imagine the great sense of grief my colleagues and others who have known him several decades feel at his passing.

Of all the people I have known in my lifetime, I have to say that Senator Chafee had more of an aura of goodness, kindness, gentleness, and of fineness than just about anybody I had ever encountered in my life.

In many ways, he was a quintessential New Englander. He was modest; he was often taciturn. He did not complain about the health problems he had in the last few months. In fact, he didn't wish to talk about that. He was very hard-working. Others have spoken about his distinguished career in the Senate, as Governor of Rhode Island, and as our Secretary of the Navy. But for all of us who knew him personally, he was a great and fine gentleman. He embodied the best of his State, of his region, of our country, and certainly of this institution.

I just wanted to say now how much I appreciated John Chafee for the warm welcome he gave me as a freshman Senator. I regret that I did not have the chance to thank him while he was still with us. We used to share the elevator rides after we voted. We were on the fifth floor of the Dirksen Building, and we would be riding up to that top floor together after practically every rollcall vote in the Senate. I got to know Senator Chafee quite well in the last few months. He was always very

kind and interested in me as a freshman. He was always offering to help. When I took a trip earlier this year to give a speech in Rhode Island, he wanted to know beforehand exactly where I was going and my itinerary in his State, and he quizzed me about it afterward.

He was a Theodore Roosevelt Republican who was concerned about the preservation of our environment, enhancing it for future generations, and he did a marvelous job as chairman of the Environment Committee.

I express my condolences to his wife Virginia, his five children, and most especially to his staff. Senator Chafee's office is right next door to my office in the Dirksen Building. I know that he had a very loyal staff who loved him dearly. Many of his legislative assistants had been with him for 10 years or more, which bespeaks the sense of loyalty and affection they had for him. I know they have suffered a great loss, and we extend our condolences to them. John Chafee will be missed by me and by all of us in the Senate and by the great State of Rhode Island and by our country.

I yield the floor.

SENATE AGENDA

The PRESIDING OFFICER (Mr. FITZGERALD). Under the previous order, the Senator from Nevada is recognized.

Mr. REID. Mr. President, I extend my appreciation to the Chair. I yield now to the minority leader, with the agreement that I will have the floor when he completes.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DASCHLE. Mr. President, I thank my colleague, the assistant Democratic leader, for his willingness to allow me the opportunity to talk a little bit more about why we are here.

We are stalled for one reason: The majority leader has again, for the seventh time now, filled the tree, precluding 45 Democrats from offering amendments. That is why we are here. And on two other occasions this year, the majority leader preemptively filed cloture on measures immediately after calling them up—and then proceeded to other business in order to prevent amendments or debate. So nine times so far this year, the majority leader has said, well, we are going to decide which amendments are offered, we are going to decide which amendments are passed, we are going to decide what kind of role you as Senators ought to have, and we will tell you that you are not going to be able to offer amendments. We are going to decide, in other words, whether to gag you and to lock you out of the legislative process to which you were elected as a representative of the people.

It began on March 8, 1999, on the so-called Education Flexibility Act. The bill was offered, the majority leader was recognized, and the tree was filled, locking out every single Democrat

from their right to offer amendments to the Education Flexibility Act.

He chose to do it again on April 22 on the Social Security lockbox. He said: We are going to have an up-or-down vote, and it is going to be our lockbox or none at all. We said: What about Medicare? What about locking up the Medicare trust fund? They said: No, you can't offer that amendment; we are going to fill the tree and preclude you from offering amendments on the Social Security lockbox. And, again, the issue was shelved.

On April 27, 1999, the Y2K Act, an extremely complex and very difficult issue, the majority leader came to the floor and filled the tree, precluded Democratic amendments, and said it is take it or leave it.

April 30, again he apparently tries to make the point that Social Security lockbox is important to Republicans—as long as Democrats don't have the opportunity to offer an amendment. Again, we said: We would like to offer an amendment on Medicare. Again, our Republican colleagues said: It is our bill or no bill. At that point, it went from becoming the Republican lockbox to, as our colleague from Maryland, Senator MIKULSKI, said this morning, the Republican "squawk box."

On June 15, 1999, the "squawk box" was debated again. Again, the majority leader offered the bill, filled the tree, precluded Democratic amendments, and the lockbox was shelved.

On July 16, Republicans used the "squawk box" approach again, claiming to be interested in getting the bill passed, precluding Democratic amendments on Medicare.

On June 16, in a similar situation, they did it again. They called up a House bill, the Social Security and Medicare Safe Deposit Act, filed cloture, and went off the bill to other business. And then, on September 21, the most recent effort by the majority leader and the majority to lock out Democratic amendments, they brought up the bankruptcy reform bill, filed cloture, and moved on to another bill, precluding Democratic amendments.

I only recite the litany of occasions when the majority leader filled the tree in order to make clear how objectionable this coercive tactic really is. For those who are not familiar with parliamentary jargon, "filling the tree" is a procedure that the leader can use to offer multiple amendments and thereby fill all of the available amendment slots that a bill has under the Senate rules, precluding any Senator from offering an amendment. That is what filling the tree is all about. Together with the practice of preemptively filing cloture, which has the same effect, it has been done now on nine separate occasions. The sad thing about it being done on this bill is that it plays right into the hands of the opponents of the legislation.

The opponents are very grateful to Senator LOTT and the majority for filling the tree because it certainly makes