

do anything possible to eliminate suffering and death due to cancer by the year 2015. Today I take a step in that direction.

Twenty-two States and the District of Columbia have protections in place to provide access to screening and early detection for colorectal cancer. It is time that the rest of the country has the same access that could save their lives.

Please join me and my friend from Texas, Mr. RALPH HALL, as we introduce the Colorectal Cancer Screening and Detection Coverage Act.

COLLECTIVE BARGAINING

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today the liberal leadership of this House will call up H.R. 980, the Public Safety Employee-Employer Cooperation Act.

It sounds harmless. But let's not mince words. This bill is not concerned with public safety. It's a payoff from the left to the powerful labor unions that finance many of their campaigns.

The liberal leadership already bowed to union pressure by passing legislation to strip workers of the right to vote in a private ballot election. Now they are attempting to federalize collective bargaining for public safety professionals.

The International Association of Chiefs of Police opposes the legislation because it would effectively take power from State and local governments during labor-management relations. I oppose it because it will likely make our communities less safe.

Mr. Speaker, there is a time and there is a place for politics, but not when our lives and the safety of our communities is at stake.

□ 1030

SENATE HAS A CHANCE TO TAKE ACTION TO CHANGE THE COURSE OF THE WAR IN IRAQ

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

Mr. ELLISON. Mr. Speaker, for weeks now, the Republican Senators have been coming forward saying that the status quo in Iraq cannot continue. They're right. This week they have an opportunity to act on those words. We'll see if they join us in changing the course of the war, or if they find another excuse as to why they must continue to support President Bush's failed policy. I would hope that they would stand by their words.

Senator LUGAR correctly stated, "The President and some of his advisers may be tempted to pursue the surge strategy to the end of his administration, but such a course contains extreme risks for United States national

security." Senator VOINOVICH correctly stated, "A policy of responsive military disengagement, with a corresponding increase in nonmilitary support, is the best way to advance our Nation's interests in Iraq and achieve our primary goals." Senator DOMENICI again correctly stated, "There's nothing to wait for."

We agree. That's why this House voted last week to bring most of our troops home by next April. The Senate has the chance to take that same action this week. I hope that these Senators will stand by their words and join us in changing the course.

BUSH ANNOUNCES THAT IRAQ HAS NOT MET ONE OF THE BENCHMARKS THEY PROMISED TO MEET

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

Mr. JOHNSON of Georgia. Mr. Speaker, last week, the President's preliminary progress report on Iraq showed no progress at all. In fact, the Bush administration admitted that the Iraqi government failed to meet any of its targets for political or economic progress.

You would think that this report would serve as a wake-up call to the Bush administration. It hasn't. It's clear that President Bush does not want to change a thing. In fact, the Washington Post reported that the administration is not considering a strategic change, but simply a shift in message.

Mr. Speaker, the failures in Iraq have nothing to do with message. President Bush promised that the Iraqi government would meet these benchmarks when he announced his troop escalation plan earlier this year. Many of us were skeptical that the Iraqis would actually follow through. And now that it's clear that the government has failed to meet any of the benchmarks, a shift in message is simply not enough.

Democrats have a plan to bring our troops home by April of next year. It's time for the Iraqis to take accountability for their own country. And that's why we passed the Republican Redeployment Act last week, and the Senate should follow our lead this week.

BOEHNER CALLING SENATORS "WIMPS"; HOUSE REPUBLICANS REFUSE TO CHANGE COURSE

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

Mr. PALLONE. Mr. Speaker, despite the fact that 70 percent of Americans support withdrawing almost all U.S. troops from Iraq by April, and despite a growing number of retired generals and senior Republican Senators joining Democrats in calling for a new strategy in Iraq, many House Republicans

remain staunchly in favor of the President's failed Iraq policy. In fact, just last week, the leader of the House Republicans referred to the Senate Republicans who have spoken out against President Bush's failed policy as "wimps." And it begs the question, doesn't the minority leader believe 70 percent of Americans and numerous retired generals are wimps as well?

It's a much easier thing to toe the line and keep rubber-stamping the President's failed Iraq policy, as many Republicans in this body continue to do. It's a lot easier to do that than break from your party and the will of our President to take a principled stand for what you believe. Those Republicans who are against the President's policies are the true patriots.

Mr. Speaker, despite the name calling, Democrats will continue to push for a responsible redeployment of U.S. troops from Iraq, and we hope that some of our Republican colleagues here in the House will join with us.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2007

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 980) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 980

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Safety Employer-Employee Cooperation Act of 2007".

SEC. 2. FINDINGS AND DECLARATION OF PURPOSE.

Congress finds the following:

(1) Labor-management relationships and partnerships are based on trust, mutual respect, open communication, bilateral consensual problem solving, and shared accountability. In many public safety agencies it is the union that provides the institutional stability as elected leaders and appointees come and go.

(2) State and local public safety officers play an essential role in the efforts of the United States to detect, prevent, and respond to terrorist attacks, and to respond to natural disasters, hazardous materials, and other mass casualty incidents. As the first to arrive on scene, State and local public safety officers must be prepared to protect life and property and to preserve scarce and vital Federal resources, avoid substantial and debilitating interference with

interstate and foreign commerce, and to protect the national security of the United States. Public safety employer-employee cooperation is essential in meeting these needs and is, therefore, in the National interest.

(3) The health and safety of the Nation and the best interests of public safety employers and employees may be furthered by the settlement of issues through the processes of collective bargaining.

(4) The Federal Government is in the position to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts through negotiations to settle their differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

(5) The potential absence of adequate cooperation between public safety employers and employees has implications for the security of employees, impacts the upgrading of police and fire services of local communities, the health and well-being of public safety officers, and the morale of the fire and police departments, and can affect interstate and intrastate commerce.

(6) Many States and localities already provide public safety officers with collective bargaining rights comparable to or greater than the rights and responsibilities set forth in this Act, and such State laws should be respected.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term "Authority" means the Federal Labor Relations Authority.

(2) The term "public safety officer"—

(A) means an employee of a public safety agency who is a law enforcement officer, a firefighter, or emergency medical services personnel;

(B) includes an individual who is temporarily transferred to a supervisory or management position; and

(C) does not include a permanent supervisory or management employee.

(3) The term "firefighter" has the same meaning given the term "employee in fire protection activities" defined in section 3 of the Fair Labor Standards Act (29 U.S.C. 203(y)).

(4) The term "emergency medical services personnel" means an individual who provides out-of-hospital emergency medical care, including an emergency medical technician, paramedic, or first responder.

(5) The term "law enforcement officer" has the same meaning given such term in section 1204(5) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(5)).

(6) The term "supervisory employee" has the meaning given such term, or a substantially equivalent term, under applicable State law on the date of enactment of this Act. In the absence of such State law on the date of enactment of this Act, the term means an individual, employed by a public safety employer, who—

(A) has the authority in the interest of the employer to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove public safety officers, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment; and

(B) devotes a preponderance of employment time exercising such authority.

(7) The term "management employee" has the meaning given such term, or a substantially equivalent term, under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual employed by a public safety employer in a position that requires or authorizes the individual to formulate, determine, or influence the policies of the employer.

(8) The terms "employer" and "public safety agency" mean any State, political subdivision of a State, the District of Columbia, or any territory or possession of the United States that employs public safety officers.

(9) The term "labor organization" means an organization composed in whole or in part of employees, in which employees participate, and the purpose of which is to represent such employees before public safety agencies concerning grievances, conditions of employment and related matters.

(10) The term "substantially provides" means substantial compliance with the rights and responsibilities described in section 4(b).

SEC. 4. DETERMINATION OF RIGHTS AND RESPONSIBILITIES.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Authority shall make a determination as to whether a State substantially provides for the rights and responsibilities described in subsection (b). In making such determinations, the Authority shall consider the opinion of affected employers and labor organizations. Where the Authority is notified by an employer and an affected labor organization that both parties agree that the law applicable to such employer and labor organization substantially provides for the rights and responsibilities described in subsection (b), the Authority shall give such agreement weight to the maximum extent practicable in making its determination under this subsection.

(2) SUBSEQUENT DETERMINATIONS.—(A) A determination made pursuant to paragraph (1) shall remain in effect unless and until the Authority issues a subsequent determination, in accordance with the procedures set forth in subparagraph (B).

(B) An employer or a labor organization may submit a written request for a subsequent determination, on the basis of a material change in State law or its interpretation. If the Authority determines that a material change in State law or its interpretation has occurred, the Authority shall issue a subsequent determination not later than 30 days after receipt of such request.

(3) JUDICIAL REVIEW.—Any person aggrieved by a determination of the Authority under this section may, during the 60-day period beginning on the date on which the determination was made, petition any United States Court of Appeals in the circuit in which the person resides or transacts business or in District of Columbia circuit, for judicial review. In any judicial review of a determination by the Authority, the procedures contained in section 7123(c) of title 5, United States Code, shall be followed.

(b) RIGHTS AND RESPONSIBILITIES.—In making a determination described in subsection (a), the Authority shall consider a State's law to provide adequate rights and responsibilities unless such law fails to substantially provide rights and responsibilities comparable to or greater than each of the following:

(1) Granting public safety officers the right to form and join a labor organization, which may exclude management and supervisory employees, that is, or seeks to be, recognized as the exclusive bargaining representative of such employees.

(2) Requiring public safety employers to recognize the employees' labor organization (freely chosen by a majority of the employees), to agree to bargain with the labor organization, and to commit any agreements to writing in a contract or memorandum of understanding.

(3) Providing for bargaining over hours, wages, and terms and conditions of employment.

(4) Making available an interest impasse resolution mechanism, such as fact-finding, mediation, arbitration, or comparable procedures.

(5) Requiring enforcement through State courts of—

(A) all rights, responsibilities, and protections provided by State law and enumerated in this subsection; and

(B) any written contract or memorandum of understanding.

(c) FAILURE TO MEET REQUIREMENTS.—

(1) IN GENERAL.—If the Authority determines, acting pursuant to its authority under subsection (a), that a State does not substantially provide for the rights and responsibilities described in subsection (b), such State shall be subject to the regulations and procedures described in section 5.

(2) EFFECTIVE DATE.—Paragraph (1) shall apply in each State on the later of—

(A) 2 years after the date of enactment of this Act; or

(B) the date of the end of the first regular session of the legislature of that State that begins after the date of the enactment of this Act.

SEC. 5. ROLE OF THE AUTHORITY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Authority shall issue regulations establishing procedures which provide the rights and responsibilities described in section 4(b) for public safety employers and officers in States which the Authority has determined, acting pursuant to its authority under section 4(a), do not substantially provide for such rights and responsibilities.

(b) ROLE OF THE FEDERAL LABOR RELATIONS AUTHORITY.—The Authority, to the extent provided in this Act and in accordance with regulations prescribed by the Authority, shall—

(1) determine the appropriateness of units for labor organization representation;

(2) supervise and conduct elections to determine whether a labor organization has been selected as an exclusive representative by a voting majority of the employees in an appropriate unit;

(3) resolve issues relating to the duty to bargain in good faith;

(4) conduct hearings and resolve complaints of unfair labor practices;

(5) resolve exceptions to the awards of arbitrators;

(6) protect the right of each employee to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and protect each employee in the exercise of such right;

(7) if the Authority finds that any State is not in compliance with the regulations prescribed under subsection (a), direct compliance by such State by order; and

(8) take such other actions as are necessary and appropriate to effectively administer this Act, including issuing subpoenas requiring the attendance and testimony of witnesses and the production of documentary or other evidence from any place in the United States, and administering oaths, taking or ordering the taking of depositions, ordering responses to written interrogatories, and receiving and examining witnesses.

(c) ENFORCEMENT.—

(1) PETITION BY AUTHORITY.—If a State fails to comply with a final order issued by the Authority, the Authority shall petition any United States Court of Appeals with jurisdiction over the parties or the United States Court of Appeals for the District of Columbia Circuit to enforce any final orders under this section, and for appropriate temporary relief or a restraining order. Any petition under this section shall be conducted in accordance with section 7123(c) and (d) of title 5, United States Code, except that any final order of the Authority with respect to questions of fact shall be found to be conclusive unless the court determines that the Authority's decision was arbitrary and capricious.

(2) RIGHT OF ACTION.—Unless the Authority has filed a petition for enforcement as provided in paragraph (1), any interested party shall have the right to file suit against any political subdivision of a State, or, if the State has waived its sovereign immunity, against the State

itself, in any district court of the United States of competent jurisdiction to enforce compliance with the regulations issued by the Authority pursuant to subsection (b), to enforce compliance with any order issued by the Authority pursuant to this section, or to enforce section 6 of this Act. The right provided by this paragraph to bring a suit to enforce compliance with any order issued by the Authority pursuant to this section shall terminate upon the filing of a petition seeking the same relief by the Authority under paragraph (1).

SEC. 6. STRIKES AND LOCKOUTS PROHIBITED.

Notwithstanding any rights or responsibilities provided under State law or under regulations issued by the Authority under section 5—

(1) a public safety employer may not engage in a lockout of public safety officers;

(2) public safety officers may not engage in a strike against such public safety employer; and

(3) a labor organization may not call for a strike by public safety officers against their public safety employer.

SEC. 7. EXISTING COLLECTIVE BARGAINING UNITS AND AGREEMENTS.

This Act and the regulations issued under this Act shall not be construed to invalidate a certification, recognition, collective bargaining agreement, or memorandum of understanding which has been issued, approved, or ratified by any public employee relations board or commission or by any State or political subdivision or its agents (management officials) in effect on the day before the date of enactment of this Act, or the results of any election held before the date of enactment of this Act.

SEC. 8. CONSTRUCTION, COMPLIANCE, AND ENFORCEMENT.

(a) CONSTRUCTION.—Nothing in this Act or the regulations issued under this Act shall be construed—

(1) to preempt or limit the remedies, rights, and procedures of any law of any State or political subdivision of any State or jurisdiction that substantially provides greater or comparable rights and responsibilities described in section 4(b);

(2) to prevent a State from enforcing a State law which prohibits employers and labor organizations from negotiating provisions in a labor agreement that require union membership or payment of union fees as a condition of employment;

(3) to preempt any State law in effect on the date of enactment of this Act that substantially provides for the rights and responsibilities described in section 4(b) solely because—

(A) such State law permits an employee to appear in his or her own behalf with respect to his or her employment relations with the public safety agency involved;

(B) such State law excludes from its coverage employees of a state militia or national guard;

(C) such rights and responsibilities have not been extended to other categories of employees covered by this Act, in which case the Authority shall only exercise the powers provided in section 5 of this Act with respect to those categories of employees who have not been afforded the rights and responsibilities described in section 4(b); or

(D) such laws or ordinances provide that a contract or memorandum of understanding between a public safety employer and a labor organization must be presented to a legislative body as part of the process for approving such contract or memorandum of understanding;

(4) to permit parties subject to the National Labor Relations Act (29 U.S.C. 151 et seq.) and the regulations under such Act to negotiate provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours;

(5) to require a State to rescind or preempt laws or ordinances of any of its political subdivisions if such laws substantially provide rights and responsibilities for public safety offi-

cers that are comparable to or greater than the rights and responsibilities enumerated in section 4(b) of this Act; or

(6) preempt any State law that substantially provides for the rights and responsibilities described in section 4(b) solely because such law does not require bargaining with respect to pension and retirement benefits.

(b) PARTIAL EXEMPTION.—A State may exempt from its State law, or from the requirements established under this Act, a political subdivision of the State that has a population of less than 5,000 or that employs fewer than 25 full time employees. For purposes of this subsection, the term “employees” includes each individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(c) ENFORCEMENT.—Notwithstanding any other provision of the Act, and in the absence of a waiver of a State’s sovereign immunity, the Authority shall have the exclusive power to enforce the provisions of this Act with respect to public safety officers employed by a State.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material relevant to H.R. 980 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I am proud to be sponsor of H.R. 980, along with my good friend from Tennessee, Mr. JOHN DUNCAN.

H.R. 980 extends to firefighters, police officers, corrections officers and other public safety officers the basic right to discuss workplace issues with their employers. Public safety officers, who risk their lives to protect us, deserve a say in decisions that affect their lives and their livelihood.

We have addressed concerns raised during the hearing held on the legislation in the Education and Labor Committee and strengthened this strongly bipartisan bill. This bipartisanship of this legislation is demonstrated by the 280 cosponsors of this bill and a 42-1 bipartisan vote in favor of this bill during the markup in the Education and Labor Committee.

I would like to thank Chairman MILLER, Chairman ANDREWS and the committee staff for all their support on this important legislation. I wish to also thank Ranking Member MCKEON and Ranking Member KLINE and their staff for their work with us on this legislation.

I first introduced this legislation more than a decade ago back in 1995. It has been a long journey to today, and

this legislation is long overdue for our Nation’s public safety employees.

I would also like to thank the groups that we have worked with on this legislation, including, among others, the International Association of Firefighters, the Fraternal Order of Police, the American Federation of State, County and Municipal Employees, the International Union of Police Associations and the National Association of Police Organizations.

The absence of the right to collectively bargain denies these public servants the opportunity to influence decisions that affect their work and their family. Our firefighters and police officers risk their lives to keep us safe, yet there are some States in this country that deny them the right to discuss workplace issues with their employers, a right most Americans have. At the very least, they should be allowed to negotiate for wages, hours and safe working conditions.

When I was in the State legislature in Michigan, I helped pass legislation that granted all public employees the right to collectively bargain. In Michigan, this has led to a working environment that effectively protects the public and that both employers and employees are proud of.

H.R. 980 would merely create a minimum standard that States have the flexibility to implement, regulate and enforce as they see fit. Many States, such as my own State of Michigan, have laws in place that go well beyond H.R. 980, and these States would not be affected by this legislation. Additionally, this legislation does not allow strikes or lockouts, and it preserves management rights.

Firefighters and police officers are very serious about their commitment to public safety. They deserve the basic right to sit down with their employers and discuss their work conditions.

The reasonableness of this legislation again is demonstrated by the wide bipartisan support it has from its 280 cosponsors. I urge my colleagues to join me in passing this legislation.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of this legislation. I’m proud to be a cosponsor of H.R. 980, the Public Safety Employer-Employee Cooperation Act of 2007.

Firefighters and police officers put their lives on the line to protect us, and they deserve the right to collectively bargain for safe working conditions and fair wages.

Recent events remind us of their heroism. It was a week ago today that a plane crashed into two homes in Sanford, Florida, just outside my hometown of Orlando, Florida. An off-duty firefighter named Ryan Cooper was nearby when he heard the plane roaring toward the houses. As the airplane smashed the two homes and exploded

them into flames, Ryan Cooper went into action. He rushed into the smoldering homes and brought out a 10-year-old boy and his father.

Firefighter Ryan Cooper is a true hero. From his hospital bed, where he was being treated for smoke inhalation, Mr. Cooper humbly said that any firefighter would have done the same thing.

Sometimes firefighters pay the ultimate sacrifice. Just last month, nine firefighters in Charleston, South Carolina lost their lives fighting a blaze at a furniture store. These acts of heroism highlight the dangerous nature of public safety officers' jobs.

This legislation gets the ball in the strike zone. On the one hand, it allows firefighters and police officers to collectively bargain for better working conditions and fair wages. On the other hand, it expressly outlaws strikes, and it does not overturn State right-to-work laws. In short, this bill is fair and reasonable and deserves our bipartisan support.

Finally, let me address the main concern raised by some folks about this legislation. They say that this legislation would mandate compulsory unionism in right-to-work States. That simply isn't the case. Section 8, subsections 2 and 3, specifically state that this legislation would not preempt State right-to-work laws. In other words, this legislation allows States to enforce laws that prevent employers and unions from requiring union fees as a condition of employment.

Many people confuse collective bargaining with right to work. The two can coexist. For example, firefighters currently enjoy collective bargaining rights in my home State of Florida, yet Florida is a right-to-work State.

In closing, I would like to thank the gentleman from Michigan (Mr. KILDEE) for all his hard work on this bill. Mr. KILDEE has been a tireless advocate for this legislation.

I would also like to thank the chairman of the Education and Labor Committee, Mr. MILLER, and the majority staff for working with the minority to make some changes and improvements in this bill, particularly those that address issues which were raised during consideration of this bill in committee. I would also like to thank the lead Republican cosponsor of this legislation, Mr. JIMMY DUNCAN from Tennessee, for his work.

I will be voting for H.R. 980 today, and I urge my colleagues to do likewise.

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

Mr. KILDEE. First of all, Mr. Speaker, I want to thank Mr. KELLER for his hard work on this bill. He has made it a joy working on the bill, and I thank him for that.

I now yield to the gentleman from New Jersey, the chairman of the Health, Employment, Labor and Pensions Subcommittee that had jurisdiction over this bill, such time as he may consume.

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

Mr. ANDREWS. I thank the gentleman for yielding.

I would like to begin by thanking Mr. KELLER for his strong statement of support of the legislation, Mr. DUNCAN for his very vigorous advocacy of this bill, Mr. McKEON for his cooperation in getting it here today, obviously Chairman MILLER for his leadership, and especially my friend and colleague from Michigan (Mr. KILDEE).

For Mr. KILDEE, this has been a 12-year effort, an endurance test, where he has built a coalition of all different kinds of groups across party lines and around the country for a very worthy piece of legislation. So Mr. Speaker, I would commend my good friend for his persistence and congratulate him on a job beautifully done on this legislation.

There is a strong bipartisan consensus for this legislation because it's all about common sense.

Mr. Speaker, most Americans would agree that, almost without exception, every American should have the right to bargain collectively and organize and join or not join a union. This legislation gives that right to our career firefighters, police officers, emergency service personnel, corrections officers, and other public safety officials.

□ 1045

There is a commonsense consensus that because of the significant work that these individuals do, they should not have the right to strike if there is a difficult contract negotiation. Under this bill they do not. There is not a right to strike created by this bill because we recognize the difficulty that strikes would create in the public safety field.

There is a commonsense consensus that there should not be a one-size-fits-all national rule to govern police officers, firefighters and public safety personnel in each of the 50 States and other jurisdictions. That is not what this bill does.

It creates a set of standards. It says that if a State and local jurisdiction meet those standards, then public sector collective bargaining laws stay in place without exception or change. But it says, in those States with the right to bargain collectively, the right to organize, the right to grieve are not fully recognized, where those States do not come up to standard, then there is a new Federal procedure that would guarantee men and women these rights.

The critics of this legislation say it is a threat to public safety. There is not a shred of evidence that that is the case. Not a shred. There is not a difference in crime rates where there is collective bargaining among public safety professionals. There is not a negative difference in absenteeism or other chain-of-command type of issues.

Frankly, we saw a dramatic example of just how wrong that point of view is.

On September the 11th, the police officers and firefighters and other public safety personnel in and around New York City, the Port Authority, the New York City Fire Department, the New York City Police Department, those public safety professionals who responded to this great crisis were all unionized. Many of them were in the middle of a difficult contract process where there was strong disagreement between the City of New York and the union as to what to do next.

Not one of those men or women failed to respond nobly and heroically to the crisis this country faced. Not one. When they went up the stairs in the towers as they were about to crumble, no one talked about whether they were in a union or not. When the New York City Fire Department lost more people in 1 day than it previously had done in months and years before that, no one talked about a contract dispute. These individuals responded nobly and heroically. So the suggestion that there is some corrosion of public safety because of unionization is unsupported by the evidence and just flat-out wrong.

Mr. Speaker, I congratulate Mr. KILDEE for the strong bipartisan coalition he has built. I would urge my colleagues to vote "yes" in favor of this bill.

Mr. KELLER of Florida. Mr. Speaker, I yield 4 minutes to my fellow east Tennessean, JIMMY DUNCAN, who is the lead Republican and original cosponsor of this legislation and has been a true champion of this issue.

Mr. DUNCAN. Mr. Speaker, I want to thank my good friend, the gentleman from Florida (Mr. KELLER), who very rightly claims east Tennessee as a home also. I am pleased to join with him. I want to commend him for his work on this legislation. I also want to especially commend the gentleman from Michigan (Mr. KILDEE) and the gentleman from New Jersey (Mr. ANDREWS) for their comments about this legislation.

I originally agreed to cosponsor H.R. 980 several years ago, several Congresses ago, at the request of firefighters and police officers from my district. I certainly am not anti-union, nor am I controlled by any union. I strongly believe, though, that no one should be forced to join a union. But I also feel that anyone who chooses to organize or join a labor union should have that right. Employees should be able to make this decision for themselves. In fact, I am a cosponsor, and have been in several Congresses, of H.R. 697, the National Right-to-Work Act. This legislation would prohibit compulsory union membership by applying the right-to-work laws that we have in Tennessee to the entire Nation.

In regard to H.R. 980, I want to emphasize four of the act's main points and then provide some additional details. First, this bill specifically prohibits strikes and lockouts by public safety employees and employers, as has been pointed out by previous speakers.

Second, the bill is not mandatory. It is totally voluntary and, therefore, is a right-to-work bill. Third, it does not federalize or nationalize this aspect of labor relations. The important details would still be governed by State law.

As has been pointed out by some other speakers, several States give their public safety employees more collective bargaining rights than this bill, and it certainly hasn't caused any problems that anyone knows of in those States.

Finally, this bill would simply give firefighters and police officers some, but not all, of the rights enjoyed by other workers. The legislation provides very limited collective bargaining rights and does not give State and local public safety employees the right to strike or numerous other rights that almost all other employees have.

Over the years, Congress has enacted a number of laws granting such rights to other workers and has expanded the scope of collective bargaining laws to govern private sector, nonprofit association, transportation and Federal Government employees.

Since the enactment of the Congressional Accountability Act, State and local public safety employees are the only workers left in America who do not have the right to enter into collective bargaining agreements with their employers. While most States provide collective bargaining rights for these employees, others do not.

When this legislation was being considered originally during the 105th Congress, local firefighters and police officers contacted me directly regarding the bill. Unfortunately, as local elected officials changed, these public safety workers have found that their benefits and wages have sometimes been subject to change, too. These firefighters and police officers feel that this legislation will help them establish consistency in their benefits between the administrations.

Firefighters and police officers have taken an oath to protect public safety. I believe that these individuals should have the opportunity to voice their concerns about issues affecting their livelihood. These brave people risk their lives for public safety every day and should have the same rights as workers in other fields.

Mr. Speaker, let me just mention, as others have, that the Fraternal Order of Police and other police of the National Association of Police Organizations are supporting this bill, and the International Association of Firefighters.

Mr. Speaker, finally, I will close just by emphasizing once again that this legislation would give firefighters and police officers an option to participate in collective bargaining discussions but would not require such action.

I think the good labor unions do not need compulsory unionism agreements. I believe that this is a bill that is encouraging and voluntary, and I urge its support.

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

Mr. Speaker, first of all I want to thank Mr. DUNCAN for his hard work on this bill. He is, as we all know, a study in civility, and civility certainly helps in this House. He also illustrates that we can sit down in a bipartisan way and seek solutions. I thank him for his work on this.

Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. Mr. Speaker, I thank the gentleman from Michigan, Mr. KILDEE, both for the time and for his leadership in this bipartisan effort. I am so happy as a new Member of Congress to be here to join him and support this legislation today, because it is about fairness for those on the front lines protecting our neighborhoods and communities, our firefighters and law enforcement officers.

This bill is about ensuring these public safety employees, these heroes, have the right to ensure their voices are heard in the workplace. Not only do they deserve this right, we owe it to these public servants who risk their lives and put their safety on the line every day to protect our families and our communities.

Our legislation simply gives them the same rights that so many other workers around this Nation retain. These people who put the public first deserve to be heard on the matters that affect their livelihood.

For our firefighters, police officers, EMTs and other public safety officers, let's rise beyond the words of support, pass this bill, and make it clear that we respect and admire the work and sacrifice of these brave men and women.

Mr. KELLER of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. I thank the gentleman for yielding me the time.

Mr. Speaker, I am opposed to this bill. I urge opposition of H.R. 980 because it will force unions' so-called representation on public safety employees.

Labor relations between States and their public employees have historically remained at the State level. H.R. 980 would impose Federal law on States that do not meet forced unionism standards defined in this piece of legislation. Furthermore, the bill fails to ensure a secret ballot election for public employees who would be given the right to unionize under this legislation.

H.R. 980 would deny thousands of police and firemen the freedom to negotiate directly with their employers. Those who attempt to negotiate on their own behalf could face fines and even firings. Unionizing a public sector workforce also requires hiring and training staff to negotiate with unions and administer union contracts which would impose unnecessary financial burdens on taxpayers.

Don't allow the Federal Government to impose costly and inappropriate re-

quirements on State and local governments. State and local governments are capable of managing their own public employees. I urge opposition to H.R. 980, to ensure each State's right to define labor laws for their own public employees.

Mr. KILDEE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER), my chairman and the chairman of the full Education and Labor Committee.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman very much for yielding. I want to thank Mr. KILDEE for his authorship of this legislation for over, I believe, 12 years now in support of this legislation, and Mr. DUNCAN, his cosponsor, for the same years, to try and provide for the organization of our public safety officers around the country.

I want to thank Mr. KELLER for his work on the subcommittee and Mr. ANDREWS for shepherding this bill through the committee. With the 280 cosponsors of this legislation, which obviously represents very strong bipartisan support, this legislation clearly demonstrates that this Congress is committed to protecting the rights and the livelihoods of our first responders, and this legislation stands in tribute to these dedicated men and women. I am proud that the Education and Labor Committee was able to pass H.R. 980 out of the committee almost unanimously by a vote of 42-1.

Firefighters, police officers, correction officers and emergency medical technicians risk their lives each and every day to protect our lives and this country. H.R. 980 will ensure that all public safety officers have a right to sit down with their employers and bargain over wages and working conditions.

While States and cities and towns have historically managed their own labor relations, approximately 28 States do not fully protect the collective bargaining rights of public safety employees. That is why this legislation is so necessary. This legislation would respect those States that already provide for collective bargaining rights for public safety employees, but it would extend those rights in all other States.

The bill would provide basic labor protections for State and local public safety workers, including the right to join a union, the right to have their union recognized by their employer, the right to bargain collectively over hours, wages, terms and conditions of employment, a mediation or arbitration process for resolving the impasse in negotiations, and enforcement through the courts.

H.R. 980 will give public safety officers a voice in issues like safety on the job and effective delivery of services. It will improve communications and cooperation between rank-and-file public safety employees and their employers, ensuring a more cohesive and coordinated operation.

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That's the crux of this legislation. This gives the rights of these negotiations, the rights of these discussions, the rights to have a union, to the very same people that we trust every day to protect our lives, to protect our communities, to protect our country, both before and after a terrorist attack, before and after a criminal act. These are the people that we trust to do this.

This legislation, under the authorship of Mr. KILDEE and Mr. DUNCAN, also suggests that we trust them to have a responsible say in their workplace conditions, in how they carry out their job, to make suggestions, to negotiate with their employers, to more effectively carry out their duties. I think it is a long time coming. I think this legislation and its very broad cosponsorship indicate this could have been done much sooner, but it is going to be done today. It is going to pass the House today. I believe it will pass with large bipartisan support. I urge all of my colleagues to support this legislation.

I also want to say that the fact that this legislation is here today, although 12 years late, is maybe a hallmark of Mr. KILDEE's career, and that is persistence. He doesn't give up on an idea because others disagree. He has pushed for this legislation year in and year out. He was not allowed to have it heard for passage, and this year we were able to accommodate him and Mr. DUNCAN. When we do that, we are also accommodating and supporting our first responders all across the country who need these rights to better do the job that we have handed to them, a very difficult, a very dangerous job. I would hope that the House would pass this legislation overwhelmingly.

Mr. KELLER of Florida. Mr. Speaker, before I yield to my next speaker, what is the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Florida (Mr. KELLER) has 11 minutes remaining and the gentleman from Michigan (Mr. KILDEE) has 7 minutes remaining.

Mr. KELLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Florida for yielding me this time.

There is no one who appreciates firefighters, police and other public safety personnel more than I do. However, I rise in opposition to H.R. 980 because public sector labor relations has never been and should not be an issue with which Congress meddles. Historically, the terms and conditions of employment for all State and local employees has been an issue decided on the State and local level. This is the way it should be.

Some States, such as my home State of North Carolina, have laws banning monopoly bargaining schemes, while others give unions total control over

public sector labor relations. Most States fall somewhere in the middle.

But in a move that chips away at States rights, this bill requires all States to set up systems to impose monopoly bargaining on all public safety workers, in effect nullifying the pre-existing laws of 27 States. A move like this is a virtually unprecedented infringement on States rights.

I want to be perfectly clear. Every worker in America, whether public or private, already has the right to form and join a union. That is not the question here. What the unions are asking for is the power to force their so-called "representation" on police and firefighters who do not want it. While some States have made what I view as the mistaken decision of giving unions that kind of power, that is their right under our Federal system.

This bill is flawed in that it takes away the right of States to make the decision on their own. At the end of the day, this issue does not belong in our hands. It should be left to the States. And, frankly, it is not Congress's business.

More than half the States in the country have refused to grant union bosses the complete monopoly control over public safety employment mandated by H.R. 980. They have done this not only as a rightful exercise of their States rights, but in the interest of keeping costs low for their taxpayers.

Studies have shown that monopoly bargaining increases costs for taxpayers. Multiplied across dozens of States, this would impose millions of new costs on taxpayers. State and local governments should have jurisdiction over their own employees, not the Federal Government.

The fact that this bill inserts the Federal Government into an issue that has always been one left to the States should give us pause, and it ought to make us wonder why it is being passed under suspension today. Any bill that makes this sort of dramatic change to public policy should be subject to the regular order of full debate and amendments.

Please, I ask my colleagues to join me in protecting the rights of States and vote against H.R. 980 today.

Mr. KILDEE. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, I support the Public Safety Employer-Employee Cooperation Act providing our first responders with a right that they deserve which has long been withheld, the right of collective bargaining. Many Americans have this right, and our first responders should not be left out.

In professions where working together can mean and does mean the difference between life and death for workers and citizens in our communities, cooperation in a healthy working environment is critical.

In my home State of Vermont, first responders have the right of collective

bargaining. We are very proud of them. That right should be extended to their colleagues across the Nation.

Last fall I had an opportunity to participate in firefighting training at the Vermont Fire Academy in Pittsford, Vermont. I suited up in jackets, pants, and oxygen mask. And you know what I learned, the work they do is hard. The work they do is dangerous.

We must make certain that they feel fully entitled to represent themselves at the bargaining table for safe and decent conditions.

Representative KILDEE and Representative DUNCAN, thank you for your leadership in this overdue legislation.

Mr. KELLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I want to thank my friend from Florida for yielding, and when I came to the floor today, I didn't come here to speak; but, you know, my father was a fireman for 26 years for the City of Atlanta. In fact, he died in an alarm. I know what it is like for these firefighters to answer the alarms. He suffered a heart attack while turning off an OS&Y valve in a pit. It was 18 degrees that December morning. I know what it is like for those firefighters. But, you know, my father never belonged to a firefighters union, and that is what this is. This is basically a union bill and payback to the unions.

But, you know, Georgia is a right-to-work State. We have a 10th amendment to our Constitution. I was very disappointed to hear from the chairman that this thing passed out of committee 42-1. That breaks my heart. That really breaks my heart that those Republicans were on that side. I don't know what the majority thinks about the 10th amendment, but I believe very strongly in it. This has something to do with States rights. And I am sorry and I am very disappointed that this House will do this under suspension and there won't be any opportunity for amendments or this thing to be looked at.

I hope that the majority of the Members here will realize what is going on, oppose this suspension and bring it up under regular order.

Mr. KILDEE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I wanted to respond to our friend from Georgia's comment about compulsory unionism and affirm something my friend from Florida said earlier about compulsory unionism.

Section 8(a)(2) of this bill says that nothing in this act or the regulations issued under this act shall be construed to prevent a State from enforcing a State law which prohibits employers and labor organizations from negotiating provisions in a labor agreement that require union membership or payment of union fees as a condition of employment.

This bill expressly preserves the rights of States to maintain so-called right-to-work laws in their State. I want the record to reflect that point, that the gentleman's concerns about the Georgia Constitution are met in this bill.

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

Mr. KILDEE. Mr. Speaker, at this time I have no further speakers, but I will say this. First of all, this has been a great example of bipartisanship on an issue that very often has divided us. This has brought us together. I think this is a great historical moment. Democrats and Republicans. It was 42-1 in committee, and I think that is something to be said in this body. I think this illustrates that on an issue that very often divides us, labor issues, when it comes to a specific group of these first responders, we can find a way to resolve that division.

Mr. KELLER of Florida. Mr. Speaker, I am prepared to close. I don't believe we have any other speakers.

Let me just begin by saying what this bill does not do to provide some reassurance to some of my Republican colleagues who may be concerned.

This bill expressly does not allow public safety officers to go on strike. This bill does not preempt State right-to-work laws. This bill does not require compulsory unionism. This bill does not require binding arbitration.

I think we all agree that firefighters and police officers risk their lives every single day and they are entitled to make fair wages and have working conditions that are as safe as possible. This legislation is fair and balanced, and that is why it has received such broad bipartisan support.

On the one hand it does allow firefighters and police officers to collectively bargain for better working conditions and fair wages. On the other hand, it expressly outlaws strikes and does not overturn State right-to-work laws. For those reasons, I urge my colleagues to do what I am about to do and vote "yes" on this important bipartisan legislation.

Mr. HARE. Mr. Speaker, I rise today in strong support of H.R. 980, the Public Safety Employer-Employee Cooperation Act. I commend my friend, Congressman KILDEE for bringing this legislation forward and I am honored to be a cosponsor.

As a former labor organizer, I know firsthand the importance of collective bargaining. I would not be here today as a Member of Congress if it were not for my union. Yet, 21 States do not fully protect the collective bargaining rights of public safety employees.

Firefighters, police officers and emergency medical personnel play a critical role in our Nation's homeland security. They are the first to respond to terrorist attacks, natural disasters and other mass casualty events. These workers deserve the same right to discuss workplace issues with their employer that the Federal Government already grants to most employees. Additionally, rank-and-file input improves communication and cooperation between employees and management for more

efficient and coordinated operations that are necessary in our post 9/11 world.

This bill would establish minimum standards that States must meet regarding the process of collective bargaining with public safety employees.

Mr. Speaker, it is vitally important to our national security, public safety, and the rights of our first responders to pass H.R. 980. I urge my colleagues to join me in supporting this legislation.

Mrs. CAPPAS. Madam Speaker, as a cosponsor of the Public Safety Employer-Employee Cooperation Act, I rise in strong support of the bill.

While most government employees enjoy the right to collectively bargain with their employer, many fire fighters, police officers and emergency medical personnel across the country are denied this right. We must take action to end this injustice.

The Public Safety Employer-Employee Cooperation Act would affirm the right of our Nation's State and local public safety officers to bargain collectively and work cooperatively with their employers. This critical legislation would do so by establishing minimum collective bargaining standards for all States. Such standards include: the right to collectively bargain over wages, hours and working conditions, establishment of a dispute resolution mechanism, and the enforcement of contracts through State courts.

Our public safety officers put their lives on the line every day to protect us. Yet, they are denied their right to collectively bargain to better protect themselves and their families. Collective bargaining leads to higher wages, greater access to health care and better retirement benefits. Furthermore, cooperation between public safety employees and employers reduces injuries and fatalities because first responders are more likely to have the safety equipment and resources they need. Studies also show that communities promoting communication between public safety officers and their employers enjoy more efficient and effective delivery of emergency services.

Over the years, we have expanded collective bargaining laws to protect private sector employees, non-profit association employees, transportation workers, and Federal Government employees. One of the few groups of workers not covered by these Federal laws is state and local public safety officers. They work tirelessly to protect us. We must take this opportunity to help protect them.

I urge my colleagues to vote "yes" on the Public Employee-Employer Cooperation Act.

Mr. SHAYS. Mr. Speaker, as a cosponsor and longtime supporter of H.R. 980, I am pleased this legislation is on the House floor today. This bill will take the important step of guaranteeing firefighters and police officers the right to discuss workplace issues with their employers.

It troubles me to know in many states, public safety employees lack basic collective bargaining rights.

Firefighters and police officers take seriously their oath to protect public safety and, as a result, they do not engage in work stoppages or slowdowns. The absence of collective bargaining denies these workers any opportunity to influence the decisions that affect their livelihoods.

H.R. 980 recognizes public safety officers' unique situation by creating a special collec-

tive bargaining right outside the scope of other federal labor law.

Mr. Speaker, I urge support of this legislation.

Mr. HOLT. Mr. Speaker, I rise today in support of H.R. 980, the Public Safety Employer-Employee Cooperation Act. I have been a cosponsor of this legislation in every Congress since I was first elected, and I am glad that under Democratic leadership, it has finally come to the floor of the House for a vote.

It is imperative that we do all that we can to assist the police and firefighters that sacrifice so much in order to protect us. This bill requires States to establish a collective bargaining floor to allow police and firefighters the chance to negotiate their labor agreements. Many States already have similar laws on the books, but for those that don't, this is a good starting point. Public safety officers should have just as much of a right as other workers to organize. When they do so, they not only benefit themselves, but also society as a whole.

We are not forcing unionization on States, nor are we doing anything here today that could in any way jeopardize public safety. We are simply allowing those brave men and women who provide for our safety the chance to negotiate a more livable wage, a better pension plan, and expanded health insurance coverage. We owe it to them, and I am glad that this body will finally take up this important bill. I urge passage of H.R. 980.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 980, which is designed to provide police officers, firefighters and other public safety officers with basic collective bargaining rights, without undermining State authority or existing State laws. I would first like to commend our distinguished colleague, Mr. KILDEE of Michigan, for introducing this important resolution. In light of the post-9/11 era of protecting America from terrorism, in which we are asking our police officers, firefighters, and other public safety officers, to take on more—and more dangerous—responsibilities than they had before, the least we can do is ensure they enjoy the basic right to bargain for better wages and benefits.

State and local public safety officers play an essential role in the efforts of the United States to detect, prevent, and respond to terrorist attacks, and to respond to natural disasters, hazardous materials, and other mass casualty incidents. As the first to arrive on scene, State and local public safety officers must be prepared to protect life and property and to preserve scarce and vital Federal resources, avoid substantial and debilitating interference with interstate and foreign commerce, and to protect the national security of the United States. Public safety employer-employee cooperation is essential in meeting these needs and is, therefore, in the Nation's best interest.

Public safety agencies benefit from constructive relationships with their public safety officers. In fact, local communities also benefit by a more efficient delivery of safety and emergency services. This type of cooperation is promoted by providing public safety employees with the fundamental right to bargain with their employers. Public safety officers deserve the same right to discuss workplace issues with their employer that the Federal Government already grants to most other employees.

The Federal Government needs to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions; and to make all reasonable efforts through negotiation to settle differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

Mr. Speaker, public sector membership gains are important because they demonstrate workers' willingness and ability to organize under conditions of relative management neutrality and non-interference. If the National Labor Relations Act had covered public safety officers 30 years ago—when health care and nonprofit entities were finally covered—it is likely that public sector unionization in the U.S. today would be at least 80 percent, strikingly similar to Canada, Europe, South Africa, Korea, Japan and every other democracy. Instead, the existence or scope of collective bargaining in half the States is still being determined by State legislators or Governors, who favor either no bargaining at all or limited "meet and discuss" arrangements.

If collective bargaining in public employment is indeed a public good, we need to focus more on explaining and defending that process, rather than just highlighting the obstacles that individual unions face while trying to boost their own membership. For example, in France, unions count only 10 percent of the workforce as dues-payers but unions negotiate in nearly all industrial sectors based on long-standing support for collective bargaining. Unions actively compete against each other—both for membership and votes for government-mandated workplace committee members open to all workers in the same workplace or firm. But the country's various labor federations then find ways to engage in common contract campaigns with management or the government; as a result, nearly 90 percent of French workers have collective bargaining agreements.

Mr. Speaker, this bill is very balanced. Given the unique responsibilities of the public safety community, the bill specifically outlaws strikes by firefighters, police officers, and other public safety personnel. The bill also does not interfere with State right-to-work laws; preserves the rights of volunteer firefighters; protects all existing certifications, recognitions, elections and collective bargaining agreements; and exempts all States with a State collective bargaining law for public safety officers equal to or greater than the bill's basic minimum standards.

Promoting collective bargaining is even more critical today, because the Nation is in much worse shape than half a century ago. What is the likelihood that we can address America's safety crisis, the collapse of retirement security, the threat of outsourcing, workplace safety and health hazards, or the growing income inequality without far more workers winning the right to bargain? We know the answer, and it is H.R. 980. For these reasons I strongly urge my colleagues to support this resolution.

Mrs. MILLER of Michigan. Mr. Speaker, throughout my career, I have been a strong supporter of workers' rights to bargain collectively with their employers. And while I believe

every worker should have the right to bargain collectively, I think there are few who have more earned that right than our Nation's first responders.

Historically, Congress has given States and localities wide discretion in determining how to negotiate with their public safety employees. The result of this has been a myriad of different rights for different workers depending on where they serve. Some States have very strong rules to protect collective bargaining. Other States have none at all.

Today, the Public Safety Employer-Employee Cooperation Act gives us an opportunity to ensure that our first responders have a minimum collective bargaining rights no matter what jurisdiction they serve.

This bill would ensure that police officers and firefighters have the basic rights to bargain over wages, hours, and working conditions. The bill also provides for a mediation or arbitration process to resolve disputes.

This legislation strikes the proper balance by prohibiting strikes and lockouts and does not infringe upon existing collective bargaining agreements.

Our Nation's police officers and fire fighters lay their lives on the line every day. At a moment's notice, they are ready to protect us from crime, fire, natural disasters, and, regrettably, from terrorists. And too often they offer their lives in the process.

Though we can never properly repay them for the things they do, this bill will ensure that their collective voice is heard at the bargaining table.

I urge my colleagues to support this legislation.

Mr. LOEBSACK. Mr. Speaker, I rise today in strong support of the Public Safety Employer-Employee Cooperation Act of 2007. I applaud Mr. KILDEE and Mr. DUNCAN for their impressive work on this bill and I'm proud to be a co-sponsor of this important legislation.

As a result of this legislation, public safety officers—police officers, fire fighters, and EMTs—will be able to discuss workplace issues and collectively bargain with their employers.

Public safety officers in Iowa and across our nation regularly put themselves in harms way and risk their lives so that we are safe. It's only right that they have a say in the decisions that affect their lives and their livelihoods. They should be able to negotiate for wages, hours, and safe working conditions.

This legislation has strong bipartisan support. It's the right thing to do and I urge my colleagues to support its passage.

Mr. WELDON of Florida. Mr. Speaker, I rise to express my concerns about H.R. 980. Unfortunately, this bill, like many under the new majority has come to the House floor under a closed process that prevents Members of Congress from offering any amendment to this bill.

Florida is a right-to-work State, and while the proponents of the legislation argue that this bill does not preempt states rights, the details of the bill simply do not match the rhetoric.

This bill, which is opposed by the National League of Cities, has the effect of forcing thousands of State and local governments to recognize union officials as the exclusive bargaining agents of public-safety officers. Under the process established in this bill—even in right to work states—if union organizers win

the representation of 50 percent of workers plus one, they are recognized as the sole bargaining representative of each and every public safety officer. This preempts State laws and strips tens of thousands of police and firemen of their freedom to negotiate directly with their employer. This is tantamount to compulsory unionizing. The bill amounts to an unprecedented federalization of collective bargaining; an area traditionally left to State and local governments. This issue was succinctly stated by R. Theodore Clark who testified on behalf of the National Public Employer Labor Relations Association during the Committee hearing on H.R. 980 when he said:

[My] opposition to federal collective bargaining legislation such as H.R. 980 is not because I oppose public sector collective bargaining, but rather because of my firm belief that the enactment of a federal collective bargaining law would severely limit the demonstrated innovative and creative abilities of the states and local jurisdictions to deal in a responsible manner with the many complex issues that the public sector collective bargaining poses.

Finally, concerns have been raised that H.R. 980 might endanger public safety by decimating volunteer fire departments that currently protect countless small communities across America. A fact well understood and opposed by small community mayors and volunteer firefighters across the country.

Our local cities and States are the best deciders of how to provide vital services to our citizens. We should not tie their hands by establishing a "one size fits all" Federal pattern that cannot hope to account for the unique conditions and structures that our states and localities face. It is for this reason and the decision by the majority leadership to deny the ability of members of Congress to address these shortcomings that I could not vote for final passage of H.R. 980.

Mr. KELLER of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and pass the bill, H.R. 980, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

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PROVIDING FOR CONSIDERATION OF H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 547 and ask for its immediate consideration.