

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.

□ 1115

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.

The Clerk read the resolution, as follows:

H. RES. 547

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3043 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California (Ms. MATSUI) is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, House Resolution 547 provides for consideration of H.R. 3043, the Labor, Health and Human Services and Education Appropriations Act for 2008 under an open rule. Under this rule, all Members of the House are afforded the opportunity to offer any amendment that is germane and otherwise complies with House rules.

Mr. Speaker, the phrase most often associated with this bill has been "feast or famine." For instance, Congress first doubled funding for the National Institutes of Health between 1999

and 2003 and then flat-lined the agency's funds since then. It was actually cut for the first time in history in fiscal year 2006.

In contrast, this year's bill sticks to the principle of sustainable growth in strategic areas: health research, worker safety and education. I would like to applaud Chairman OBEY and Ranking Member WALSH for their hard work in crafting this fair and responsible blueprint for our Nation's future.

Nowhere is this broader strategy of sustainable growth more evident than at the NIH. The underlying legislation provides a modest 2.6 percent increase over last year's level. Such an increase is critical to maintaining America's global leadership in biomedical research. This research will expand the boundaries of human knowledge and keep America at the forefront of the field.

Unfortunately, low or frozen funding levels resulted in almost 1,300 fewer grants from 2003 to 2006. But this year's sustainable increase will allow those grants to expand responsibly.

In particular, I would like to thank the committee for its continued support of the National Children's Study. Its budget within the NIH is very modest, but its impact to children and families will be great. The study will examine environmental effects on childhood development, including autism, asthma and premature birth. For several years, I've been working with the committee and other Members to provide the study with proper support. I'm happy to report that the study has now received widespread and bipartisan support.

I'd also like to highlight the full funding of Ryan White AIDS programs within the bill. Cities and towns all across the country rely on these funds to provide vital health services to individuals with HIV or AIDS. With this funding, the victims of HIV and AIDS will have increased access to medications, primary care and home health care.

In addition to ensuring health care access and advancement, this bill also plans for our children's educational future.

We all realize that the cost of a college education is not getting any cheaper. In fact, it's growing by thousands of dollars a year. So I commend the committee's increase in the maximum Pell Grant by \$390 to \$4,700. It will permit over 5.5 million students to take advantage of this critical assistance, and it does so without having to reduce other student financial assistance programs, as the administration had proposed.

The underlying legislation also acts responsibly to prepare our Nation's students before they get to college by ensuring better performance at the K-12 grade levels.

Title I grants support schools in high-poverty areas, and they are the engine behind No Child Left Behind. Nonetheless, these grants have been

flat-funded or even reduced in the past two school years. This has hindered the ability of title I schools to assist low-performing students. I commend the committee for increasing this fund so that nearly 55,000 title I schools can invest in their young people.

Make no mistake, in a world that increasingly depends on highly skilled employees, this legislation is an investment in the future of our students and in the future competitiveness of this Nation.

In conclusion, I urge all Members to support this rule and the underlying bill. It deals responsibly with the needs of our health care sector, our education system, and the labor market.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentlewoman from California (Ms. MATSUI) for yielding me the customary 30 minutes.

Mr. Speaker, this proposed rule would provide for consideration of the Labor-Health and Human Services-Education appropriations bill, the seventh out of 12 appropriation bills to be considered by the House this year.

Mr. Speaker, I'm pleased that for the seventh time we are considering this appropriations bill under an open rule that allows every Member of the House the opportunity to come to the floor and to offer his or her amendment to the bill. Except for in the instance earlier this year when the House considered the final fiscal year 2007 spending bill, which allocated \$463 billion of taxpayer dollars while denying all Members of the House the opportunity to amend the bill, this rule continues a long-standing tradition of openness on spending bills.

Mr. Speaker, the Labor-Health and Human Services-Education appropriations bill provides over \$607 billion to support the Federal Government's role in labor, health and education programs. Of this total, over \$455 billion, or 75 percent, is comprised of spending for government programs that grow automatically every year with little congressional review. For the next fiscal year alone, these programs will increase by an estimated \$54 billion, nearly 12 percent, which I might add, Mr. Speaker, is three or four times the rate of inflation.

Without question, these programs pose the largest threat to our long-term economic health because they essentially run on autopilot with little accountability to the taxpayers writing the checks. If we want to get spending under control, it is vital that we take a hard look at these programs sooner rather than later.

The remaining money in this appropriations bill is set by Congress each

year. For the last fiscal year, \$144 billion was provided to support the Federal Government's role in labor, health and education programs, but for the upcoming fiscal year, the underlying bill provides for \$151 billion, an increase of \$7 billion.

Mr. Speaker, while I support some of the increases in the bill, such as an increased funding for the Individuals with Disabilities Education Act, I do have concerns with the overall increased spending level in this difficult budget year. I believe that Congress must always stop and remember that we are spending the American taxpayers' money when considering appropriations bills. Each time a decision is made to spend more money, taxpayers face a higher tax bill or the deficit faces an increase in leaving our children and grandchildren to foot the bill. Therefore, we must take a balanced approach that provides for the general welfare of our Nation while reducing the deficit.

It's important that taxpayers are aware that under the Democrat majority's budget plan, each taxpayer faces an average \$3,000 increase in their Federal tax bill in order to pay for the Democrats' spending spree over the next 5 years, as reflected in their budget.

Throwing money at all of our Nation's problems will not make them go away. The American people expect more of Congress. They expect us to tackle the difficult issues, make tough decisions and lower the deficit through fiscal restraint.

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

Ms. MATSUI. Mr. Speaker, I'd just like to make a few comments before I yield to the next speaker.

I'd like to say that the President's budget would have cut education programs, health care programs, energy assistance for seniors, avian flu by some \$7.6 billion below last year after adjusted for inflation. This bill rejects most of those arbitrary cuts. As a result, some Members have criticized it.

But the bill only increases these funds by a modest 3 percent after adjusting for inflation and population growth. This increase puts the bill a full \$2.9 billion below its funding level in 2005. It is interesting logic that when you're spending less than you did 2 years ago, it's out-of-control spending.

The subcommittee's ranking member testified to the Rules Committee last night that he would have written a very similar bill as Mr. OBEY did had he been in the chairman's seat. And most of the amendments offered in committee were by the minority seeking to increase various funding levels in the bill.

This bill funds our Nation's health care, education and worker protection programs in a responsible, sustainable manner.

Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. I thank the gentlewoman from California.

Mr. Speaker, this Congress faces the challenge of acting on the direction of the American people, as expressed in the vote of November 2006, and that is to change the direction of this country and to restore a domestic agenda that serves all Americans.

We began, and again on a bipartisan basis, with 100 hours, raising the minimum wage, reversing wasteful subsidies to the big oil companies, and instead funding renewable energy, requiring price negotiations so our taxpayers didn't get ripped off in prescription drug prices, making college more affordable.

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These measures are a down payment, but just a beginning. Today, the House takes up the eighth of 12 appropriation bills. This bill, under the leadership of Mr. OBEY, more than anything else, is going to put a stamp on a new direction that this Congress is moving in.

It's a direction that says all Americans have to be included, not just the wealthy, not just those who can afford corporate lobbyists. All Americans have a right to affordable education, to quality health care, to safe working conditions and to a financially secure retirement. Getting from here to there is a challenge, but this is the road that this bill takes us on.

Let me mention just four different areas. First, the legislation restores \$7.6 billion in funding to vital programs that have been cut by the administration. At the same time, it saves \$1.1 billion from lower priority programs. There is a commitment here to fiscal responsibility.

We must invest in America's future generations, and the bill does that.

Second, again, I will just mention a few things that are important to us in Vermont. We have had unfunded mandates. Special Ed, No Child Left Behind are the poster children of that. This bill increases funding for No Child Left Behind by \$8.6 billion over fiscal year 2007.

This bill invests in vital rural health care programs, something that we in Vermont are very familiar with, by increasing funding by \$307 million. That provides real services to real people with real health care problems. This bill increases funding for the vital Low Income Heating Assistance Program. That was cut in the administration proposal by \$379 million, or 17.5 percent, below last year's level. That's simply not sustainable. That's going to inflict real harm on people who have no ability to control the price of home heating oil.

This bill is taking us further on the road of having a Congress who is committed to the needs of all Americans.

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

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

Mr. Speaker, House Resolution 547 is an open rule providing for consideration of the fiscal year 2008 Labor, Health and Human Services, and Education appropriations bill.

The underlying legislation puts many of this Nation's most critical agencies on a responsible and sustainable funding path. Chairman OBEY and Ranking Member WALSH should be commended. As the Rules Committee heard in their testimony yesterday, they worked in a cooperative manner without partisan rancor to balance many competing needs funded through this bill.

This bill strengthens our families and prepares our workforce for the challenges that lay ahead. For instance, in just 7 years, nearly half of all the Nation's job growth will be concentrated in occupations requiring a college degree. This bill helps prepare our young people for this new world by increasing funding for students at K-12 or college level. In particular, it rejects an administration proposal to freeze Pell Grants. Instead, this legislation increases Pell Grants by \$390 to \$4,700 on top of a \$260 increase provided in 2007 continuing appropriations resolution. These efforts will make great strides in making college more affordable.

The legislation also maintains our Nation's leadership in health care research by lifting a 2-year freeze on the average cost of new research grants to NIH, and it provides a responsible increase in employment, training and worker protection programs. These are just some of the ways in which the underlying legislation provides millions of Americans with access to affordable health care, a decent education, and strong worker protection.

I urge all my colleagues to support this open rule and the underlying bill.

I urge a "yes" vote on the previous question and on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

MOTION TO GO TO CONFERENCE ON H.R. 1, IMPROVING AMERICA'S SECURITY ACT OF 2007

Mr. THOMPSON of Mississippi. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Homeland Security, I move to take from the Speaker's table the