

personnel (such as EMTs and other first responders) employed by State and local Governments.

This legislation does not pass good policy muster for a variety of reasons. Foremost among those reasons is its utter disregard for the 10th Amendment rights of States. My home State of North Carolina has exercised its State rights and chosen to prohibit collective bargaining rights. It has been a Right-to-Work State since 1947. Under the provisions of this bill, North Carolina could no longer exercise its constitutional rights, but would be forced to comply with unprecedented Federal mandates.

The legislation also does not include protection for secret ballot elections. Public-safety workers would be at the whims of strong-arming union-boss tactics. But despite the threat to the interests of States and their public safety workers and the fact that it supersedes State and local authority, this bill was pushed through the House under a suspension rule.

Fortunately, there is a decent chance this law will be ruled unconstitutional because of the Federal Government's overstepping its bounds and imposing a Federal mandate on States. This bill would preempt State authority to regulate the collective bargaining rights of its State and local public safety employees. While the bill asserts that States would not be preempted, this assertion only applies to States with comparable or greater rights than those required under this legislation. In other words, if a State doesn't match or exceed what the Federal Government wants, it is preempted.

H.R. 980 infringes on State rights and it expands the Federal Government's scope and role by creating an onerous national standard for public safety employee labor laws. But there is no real case for enacting this bill—currently 48 States have labor laws governing these workers and 29 of those States would already meet the proposed standard. The dark side of these 29 States that meet the standard is the 21 States that would have to create new labor laws or face Federal Government intervention of imposed regulations.

Moving away from how this affects States, H.R. 980 does not provide protections for individual public-safety employees who do not want to unionize—especially in States that do not currently allow such unionization. States often have good reason to prohibit such unionization of public-sector employees. Collective bargaining and the process that surrounds it can cause strife in the workplace that might otherwise undermine Americans' public safety. Although current law already prohibits strikes in the public sector, such prohibition has at times been violated during the collective bargaining process.

North Carolina is one of the States that has laws barring monopoly collective bargaining for public safety employees. It would be significantly affected by this bill's mandates. Since North Carolina's laws do not meet these new burdensome standards, the State is faced with two choices: enact or amend its laws that conform to the Federal standard; or have Federal labor law, administered by the Federal Government, govern the rights of its State and local firefighters and public safety officers.

With such an imposition, Democrats are empowering the Federal Government to supersede State's rights and set a minimum standard that must be observed, in an area where

48 States already have some form of allowance present. We do not need to expand the Federal role in this issue and it is unclear whether or not this would be constitutional under the Tenth Amendment.

For decades, States have exercised their constitutional right to make public-sector employment laws that each State found reasonable. With the passage of H.R. 980, the States would be forced to comply with Federal standards that might not reflect the values of the State and its citizens. This is just one more example of how the majority insists on inserting the Federal Government into more and more aspects of our lives. I believe a no vote on this bill is a protest against continued intrusion into issues best left to States.

#### PERSONAL EXPLANATION

### HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 27, 2007

Mr. CAMPBELL of California. Madam Speaker, on July 23, 2007, I missed rollcall votes 687–690. Regrettably, my flight from California to Washington, DC was cancelled and I had to take a flight that got me here after votes. Had I been here, I would have voted “yes” on votes 687, 688, and 689, and “no” on vote 690.

Rollcall vote 687: On Motion to Suspend the Rules and Pass, as Amended H.R. 404, Federal Customer Service Enhancement Act;

Rollcall vote 688: On Motion to Suspend the Rules and Agree, H. Res. 553, Mourning the passing of Lady Bird Johnson;

Rollcall vote 689: On Motion to Suspend the Rules and Agree, H. Res. 519, Honoring the life and accomplishments of Tom Lea on the 100th anniversary of his birth;

Rollcall vote 690: On Ordering the Previous Question, H. Res. 558, Providing for consideration of H.R. 3074, the Departments of Transportation, and Housing and Urban Development, and related agencies, FY 2008.

#### THREATS TO U.S. NATIONAL SECURITY: DEPORTATION POLICIES THAT FORCE FAMILIES APART

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 27, 2007

Mr. RANGEL. Madam Speaker, conversations on this very important topic are necessary to recognize the consequences of criminally convicted U.S. residents deported to Latin America and the Caribbean. I commend Chairman ENGEL for taking an interest and exploring the challenges that our deportation policies have imposed on the region. I look forward to working with you and the Committee, as you examine this issue.

Recently, the Presidents and Prime Ministers of the Caribbean Community (CARICOM) visited the U.S. Congress. They spoke with several members and met with committees regarding the issues affecting the region. One major concern for them is the impact of thousands of criminally convicted deportees from the United States to the nations

of the Caribbean. At times these individuals are repatriated without notice to the receiving country, regardless of the impact their arrival will have upon the societies to which they are being sent. The adverse impact of this practice is not only felt in the Caribbean, but in our communities as well, due to the financial burden it places on the families left behind without means of support.

The CARICOM members are not asking for a change in the policy, but adjustment to how it is executed. The CARICOM members understand that residence permits are a privilege granted to non-citizens contingent on their good behavior. Clearly, the commission of a crime does not constitute good behavior. However, mothers and fathers are being separated from their families without making the appropriate provisions for the welfare of children who remain in our country. Those repatriated sometimes have no support units in their country of citizenship and are forced into a life of poverty, as well as stigmatized for being deported. In addition, the families they leave behind are left with huge legal bills or in situations where they have to fend off poverty. It is my contention that poverty is a threat to the national security of the United States.

The Human Rights Watch in their July 2007 Report entitled “Forced Apart Families Separated and Immigrants Harmed by United States Deportation Policy,” stated that since 1996 approximately 1.6 million families have been torn apart by the U.S. deportation policies. The top ten countries of origin for non-citizens removed on criminal grounds represent Latin America and the Caribbean. Mexico being the most affected of these nations; with over 500,000 Mexican nationals being repatriated between FY 1997 and FY 2005. Haiti, the poorest nation in our hemisphere, is among the top ten with over 3,000 individuals being returned to that nation. Many parents explained that their children, the vast majority of whom had been left in the deporting country, faced extreme hardships, both emotionally and financially. These are American children that are forced into situations where they have to abandon school to support their families. These are American children sometimes forced to live in single-parent households or households without a parent. Ushered into a life of poverty. Poverty not only pricks our conscience, but it shortchanges our future as well. Society ultimately pays for poverty through a less productive workforce; more crime, higher use of welfare, greater drug addiction and other social ills.

We need to support initiatives to integrate repatriated individuals into their new society. Often they have spent their entire life in the United States and lack a support system in the receiving country. Recommendations that need to be explored include funding to expand or establish resettlement programs. These programs should be geared to setting up transition centers where individuals are afforded basic resources such as food, clothing and shelter. Job training programs and social service type institutions need to be reinforced in the region, since upon deportation, many of them drift into homelessness, and with no job prospects, they end up doing crime as a means of survival.

There needs to be the creation of a system to track and monitor high-risk criminal deportees. In some situations criminals are repatriated and no formal processing takes place in