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Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, the heavens proclaim Your glory, and the skies display Your craftsmanship. We thank You today for those who positively touch our lives. Thank You for mothers and fathers who make good homes and guide us to ethical maturity. Thank You for friends who help to make life beautiful as they inspire us to show great love. Thank You also for loved ones who through personal sacrifices have given us a great heritage. Thank You for our Senators who labor diligently to keep our country strong. May the words they speak this day and the thoughts they think be pleasing to you, Oh, Lord, our Rock, and our Redeemer. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. LANDRIEU thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, this morning the Senate will be in a period of morning business for an hour, the time equally divided and controlled between the two leaders. Republicans will control the first half and the majority controls the final 30 minutes.

The reason we did not go immediately to the bill at this time is there is a very important markup taking place in the Finance Committee dealing with the Energy bill, particularly the tax portions of the Energy bill. It is my understanding that Senators BOXER and GRASSLEY, with other members of the committee, have worked out a bipartisan measure they will bring to the floor as an amendment in the immediate future and it will be done today.

Once morning business closes, the Senate will then immediately resume consideration of the Energy bill about which I referred. Under our order of yesterday, the Senate will debate the Bunning and Tester amendments for a total of 2½ hours.

ORDER OF PROCEDURE

I ask unanimous consent that the time for debate for these two amendments this morning be equally divided and controlled as previously ordered until 1 p.m., and that the Senate then recess until 2:15; that at 2:15, the re-

maining debate time also be equally divided and controlled, with the other provisions of the previous order remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. The agreement just entered now delays the conference recess period until 1 p.m. Following disposition of those two amendments this afternoon, the Senate will then debate three more amendments with the total debate time up to 90 minutes. Votes on these amendments will occur upon the use or yielding back of that time, so Members should expect two votes around 3 to 3:15, and then three more votes around 5:30.

I have conferred in detail with the distinguished Republican leader going over the schedule. I have told Democratic Senators, and I will repeat this at the caucus, we have a lot to accomplish before this work period ends. We have to complete the energy legislation, we have to complete work on the immigration bill, and we have to start defense authorization in some manner, recognizing that we will not have a lot of time on that.

It is up to the individual Senators as to how much time we take. If all time is used—as I said, I have gone over this in detail with the Republican leader and our staffs—we will not be able to finish until Saturday, a week from this Saturday, sometime in the evening. That would mean we would have to be in session this weekend. Maybe we have some people who may not object to one or two things. That being the case, we may not have to be in on Sunday this week. But everyone should understand, we have a lot of important votes. We have people running for President on both sides of the aisle. They should plan on being here, because their votes could make the difference. The energy legislation is extremely important. There are three issues that are the main focus of this

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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legislation, by the business community, the environmental community, and the press. That is coal to liquids—that matter is going to be resolved this afternoon, hopefully; CAFE, which hopefully will be resolved in the next 24 hours; and then we have the renewable portfolio standards we are always working on. We hope we can get that done in some manner. There are other important amendments, but I mentioned the top three. We have what we have to complete prior to the July 4 recess. It is up to us how much time we take. If we happen to finish this conglomeration of legislation earlier, it would be to the good of the order, but if we aren't able to do that, we are going to have to stay here, which would be sometime Saturday evening.

MEASURE PLACED ON
CALENDAR—S. 1639

Mr. REID. Madam President, I understand that S. 1639 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

S. 1639, a bill to provide for comprehensive immigration reform, and for other purposes.

Mr. REID. I would object to further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. Under rule XIV, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak up to 10 minutes each, with the time equally divided and controlled by the two leaders or their designees, with the first half of the time under the control of the Republican leader or his designee, and the second half of the hour controlled by the majority leader or his designee.

Who seeks recognition?

The Senator from Georgia.

EMPLOYEE FREE CHOICE ACT

Mr. ISAKSON. Madam President, it is my understanding that at some point in time in the near future we will have a bill brought to the floor known as the Employee Free Choice Act. I thought this morning I would take a few minutes to discuss the Employee Free Choice Act, what I think it means, why I think it is here, but why we are where we are today in America

in terms of labor and management relations.

At the beginning of the last century, the Industrial Revolution began in full force. As a byproduct of it, America went to a manufacturing society, a creative society. Business flourished—textiles, automobile production, manufacturing of all types.

Out of that came huge employment opportunities. Out of it came large companies, and out of it, unfortunately, came abuse of workers. In the 1920s it became obvious something had to be done. In 1935, this Congress and the President then signed the Wagner Act, which created the National Labor Relations Board, and for 72 years since then, our country has flourished under the rules and regulations of the National Labor Relations Board, and addressing the rights of workers.

It also created the opportunity for workers to join together, to unionize, to collectively bargain, and to negotiate. It has served America well. What has happened over those 72 years is the creation of a plethora of worker benefit programs backed by the U.S. Government. Prior to 1935, there was little if any federal worker protection laws. Out of that grew the demand for organization and ultimately unions, and out of that came the Wagner Act. Since then have come the following: OSHA, the Occupational Safety and Health Administration; the National Labor Relations Board; the Equal Employment Opportunity Commission; a new minimum wage, recently raised on the signature of the President here; the adverse effect wage rate, to protect those who come to this country and work as immigrants, to ensure they are not taken advantage of; workers compensation, a universal plan to make sure that workers in high-risk jobs have compensation for injuries they incur in the workplace; not to mention the Mine Safety & Health Administration, the Nuclear Regulatory Commission, and literally hundreds of agencies in the American Government today, created since 1935, for the protection of workers. Those all came about because workers deserved that protection in terms of their health, their safety, their compensation, and other benefits that arise.

Now, why did those laws come to pass? They came to pass because the union movement began to organize businesses and got management's attention, and management responded, and where it did not, the Government responded.

Now, how did the union system work under the Wagner Act? It was very simple. It said: If 30 percent of the employees of a company decide they want to sign off on a card saying they want a vote as to whether that company should unionize, they get the chance to have that vote, that vote, as sought by labor, and as was demanded in fact by the organizers, a secret ballot. It was a secret ballot because, in large measure, workers did not trust management.

They thought company ownership would intimidate a worker, threaten a worker, try and prohibit them from making their own free choice, so they insisted on the secret ballot, just as our Founding Fathers did, and just as we today protect the secret ballot for those who vote for or against us, and for or against amendments to our Constitution or any referendum that comes before them.

So the secret ballot allowed brave people to vote, in privacy, as to whether they wanted to be organized. If they were organized, if they voted 50 percent plus one to organize, they could form a union. If they formed that union, they then had the right to collectively bargain, use the strength of their numbers with management, negotiate contracts to protect themselves and their interests, and bargain for benefits.

That is not a bad system. It is a neutral system. It is a fair system. When you got the 30-percent signatures, you then had a neutral system where management had the opportunity to tell you all the reasons why they were going to be better and you did not need to organize; and labor had all the opportunity they needed to tell you why not to believe that and that you needed to organize.

Out of that came a vote, a private vote, a secret ballot vote. If 50 percent plus one voted for it, the union got to organize.

Now, what does the Employee Free Choice Act say? It says: Well, you are no longer going to have the opportunity of avoiding intimidation because we are going to take away the secret ballot. We are going to say: If union leaders decide they want to come in and organize a company that is not unionized, they can get 50 percent plus one to sign off on a card chit and you have a union. There is no vote. There is just the card sign-off, but it is not signed off in secret. You no longer have the neutrality to have the opportunity of management getting the chance to make its case. You have a negative environment of worker against company and, worst of all, as I read the legislation, as I understand it, it would then say: The first contract with the company is not negotiated, it is written by Federal mediators.

Give me a break. We are going from a system that has improved America to the safest, most productive, most opportunistic country in the world, where we have no child labor, we have minimum wages, we have hourly standards, we have worker protections, we have overtime, we have comp time, we have OSHA, we have regulatory commissions of every type to ensure, and we have good union management relationships in most places in this country.

Why is this before us? It is before us because there has been a decline in union membership. It is before us because the problems that gave way to the union movement have been solved in large measure, and we have responded with the laws necessary to