

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS THEODORE M. "COTY" WEST

Mr. MCCONNELL. Mr. President, I rise today to honor the legacy left behind by a brave young Kentuckian. In Berea, KY, people remember Theodore M. "Coty" West as a devoted husband, a caring older brother, a loving son, and a steadfast friend.

His fellow soldiers remember him as a sturdy soldier who cared about his buddies. His legacy remains in the form of a charity he founded that sends care packages to soldiers serving in Iraq. This work is now carried on by his family, in his memory.

PFC Theodore M. West—"Coty" was his nickname—enlisted in the U.S. Army in August 2005, and was assigned to the 2nd Battalion, 5th Cavalry Regiment, 1st Brigade, 1st Cavalry Division, at Fort Hood, TX.

He was deployed in Iraq in support of Operation Iraqi Freedom in November 2006. Just a few weeks later, on November 29, 2006, an improvised explosive device detonated near his vehicle during combat operations in Baghdad, tragically ending Coty's life. He was 23 years old.

For his valorous service, Private First Class West received the Bronze Star and the Purple Heart, along with numerous other medals and awards.

Private First Class West understood the values that set America apart have been paid for by freedom's defenders, and he wanted to join their ranks. In a letter to his church that arrived on the day he died, Coty urged his friends at home to "sleep well tonight . . . because tonight we stand guard on the wall, and no one will get through to hurt you."

That kind of courage to stand up to any enemy, that strength of spirit, made Coty West one of America's finest sons.

Coty grew up amidst the rolling hills of Berea, KY, surrounded by a loving family, a circle of friends, and a devoted young wife. All of these members of Coty's community hold special memories of him, from when he was a little boy to the day he left for Fort Hood.

It was in Berea, when Coty was only 4 years old, that he told his parents he and his brother Ben would go out and dig for treasure. His parents told their young treasure hunters to be safe and stay within sight. Imagine their surprise when Coty and Ben returned home with a collection of 14 antique silver dollars and some antique jewelry they had dug up in the yard.

Coty's family was important to him. They remember him gallantly saddling up and taking out his horse at the age of 8, in a saddle as big as he was, desperately trying to be brave, when he must have been scared to death.

And the time he and his younger sister Sheri enrolled in a hunting safety course so they could get their hunting licenses. The younger Sheri bested Coty by 10 points on the test, a fact he was never allowed to live down.

Coty and his family especially enjoyed taking road trips. They would travel to NASCAR races, State parks, and Civil War battlefields. It was something the family cherished, especially as the kids grew up. It gave them a way of all getting back together again.

On July 5, 2006, Coty married Jennifer Gregory in a military ceremony near her home in Greenville, KY. His father later wrote that "the ceremony really fit Coty, as it was beautiful, it was country, and it was military." Jennifer remembers her husband as "an angel . . . and perfect." I am certain Coty felt the same about her.

After graduating from Estill County High School, Coty worked in his family's energy and construction business as an operator and foreman. He was certain, though, that his career lay in the military. His father describes Coty as neither a hawk nor a dove, but a soldier. He viewed his job as protecting those he loved and waging war on those who would harm them.

Early on in his military career, Coty became aware of the financial burden combat could have on his fellow soldiers. He also felt for those with little or no family, who lacked the messages from home that so often sustain a young soldier.

So Coty began a charity to help his fellow soldiers going to Iraq. His efforts evolved into "Coty and Friends," a circle of military families and supporters who would send soldiers needed supplies before their deployment.

But Coty never lived to see his plans come to fruition. He was killed before the first box of Coty and Friends supplies arrived in Iraq. The group's efforts still continue, in his memory.

The night Coty was deployed to Iraq, the last thing he told his family was: "I love you all, I know you love me, I am good at my job, and I will see you soon."

Coty leaves behind a beloved family. He is missed and cherished by his wife, Jennifer Gregory West, his mother, Rene Brandenburg, his father, Bill West, his stepmother, Mary Ann West, his sister, Sheri Miller, his brothers Dee, Matt, and Ben West, his grandparents Rufus West and Jessie Mae Brandenburg, and many others.

Coty West understood the price of freedom. He wanted his family to be safe here at home, and he saw that they would be, as he and his fellow soldiers stood guard on the wall. He gave of himself so others could enjoy what he fought to protect.

The Coty and Friends charity still brings his family together, and it still sustains our brave sons and daughters in Iraq who stand guard on the wall, so that others may live in peace and security.

This country will never forget PFC Theodore West's sacrifice. Neither will the soldier in Iraq who opens a Coty and Friends care package tonight. I ask the Senate to send their thoughts and prayers to the West family, who continue to give to their country, even after they have already given so much.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, we are all thankful for those comments given by our Members about the extraordinary bravery and heroism of our men and women who serve in the Armed Forces of our country. All of us, day after day, salute their courage and their dedication to the country, and it reminds us of our responsibility of making sure we are going to get the policy right in Iraq. More about that at another time.

THE ECONOMY AND WORKING FAMILIES

Mr. KENNEDY. Mr. President, we find ourselves now in the middle of June, and it is important, as we move through the legislative agenda—and more on that next week—that we pause for a few moments and take stock about where our country is in terms of the economy of this Nation and take stock about where our country is with regard to working families in this Nation.

We often get tied up on particular pieces of legislation, but I think all of us are very mindful it is the working families of this Nation who have made America great. If America is great—and it is great—it is because of working families in all parts of our Nation.

We are mindful of our recent history: of those extraordinary men and women who lifted our Nation out of the Great Depression of the 1920s and the 1930s; the extraordinary exploitation of workers that took place, even prior to that time and during that period of time; and the struggle workers had in order to have a voice in the decisionmaking part of this Nation, in the workplace as well as in governmental policies, that influenced the conditions by which they worked. It was a long, continuing struggle. It was a long, continuing struggle, with a loss of life and blood that was shed and with battles that were fought—physically fought.

Out of the end of it came the trade union movement, which has made such a difference in terms of the life of this country, the fairness of the country, the economic fairness and economic justice of the Nation.

It has always impressed me—as one who has been a sponsor of the increase in the minimum wage, with a number of our colleagues—that even though many of these union members are making a good deal more than the minimum wage, that any time issues about the working conditions of fellow Americans who are at the short end of the economic ladder arise, they are always out there. They are always there. They are always not only speaking for but in support of their fellow workers in this country.

That was seen in this last year in the six different States that had initiatives about the increase in the minimum

wage, where the representatives of the trade union movement were out there going door-to-door, working with other families, shoulder to shoulder, to try to indicate and reflect that this Nation wanted to make sure that work paid, that those on the short end of the economic ladder—primarily women—were going to be able to receive a decent wage for a decent hour's work.

We need to recognize, again, the majority of women who are out there receiving the minimum wage have children, so it is a children's issue, it is a women's issue. It is a civil rights issue because so many of those who earn the minimum wage are men and women of color. Most of all, it is a fairness issue. Americans understand fairness.

What we have seen over the more recent years is enormously distressing and disturbing because we have seen that those efforts of the trade union movement are targeted by unscrupulous employers and companies who are bent upon destroying the trade union movement and to move us back into a different time and a different circumstance for those workers.

We saw, in fact, it took 10 years for us to get an increase in the minimum wage. The minimum wage was purchasing, at the end of those 10 years, perhaps less than at any time in the history of the minimum wage. We have seen it reflected in the policies of this administration, when they cut about 6 million workers out of overtime and when they refused to include Davis-Bacon provisions for the restoration of the buildings and constructions down in the gulf coast because of Katrina and with a whole series of additional kinds of activities. We see the courts, as well, striking down protections in the last few weeks—protections for an increase in the minimum wage and overtime pay for homecare workers. We see the Supreme Court also effectively striking down equal pay for women. There is really an assault—an assault—on working families.

As we look back at the history of this country, what really reflects—these are general statements and comments, but let's look at what were the circumstances and what were the conditions I speak about. If you look at 1947 to 1973—and we are looking at the economic growth in the United States of America; this is the Economic Policy Institute—and you look over this chart and you see each segment of the American economy is all growing, virtually at the same rate. This was 1947 to 1973. America was growing together. This is extraordinary because we know we just came out of World War II. We had mobilized 16 million of our fellow citizens, and that had an extraordinary impact, and we had to retool the whole domestic economy and still we were able to see the growth in the United States of America move along at a similar kind of growth pattern so that all Americans and those at the lowest end of the economic ladder moving just a little bit faster, a little bit faster

than some of those in the top 20 percent.

Then, from 1973 up to the year 2000, we find a new political philosophy taking place in this country. These were the policies we were going to see, the very dramatic and significant tax cut policies, the economic policies that took place in the 1980s and after, with the Republicans. We look at this and we see the level of growth between 1973 and 2000, and we see the lowest economic growth growing at the lowest rate and on up to those at the top growing the fastest—in a number of instances, growing three or four times faster than those at the lowest. That is a direct result of economic policies by primarily the Executive and Congress, which advantages those individuals at the top of the economic ladder and disadvantages those at the bottom.

If we look at what has been happening over the last 5 years, we see those at the lowest end of the economic ladder are now not only not moving up but falling further and further behind, and those top 1 percent—not the top 20 percent, but the top 1 percent—have been moving up so dramatically. So we are having a divided America.

Now, let's see what is the one factor that has had the greatest influence. This is an interesting chart because, remember, we talked about 1947 and how we all grew together. Look at this. We had the increase in productivity, that is the increase in workers' output, finding more efficiencies, more effectiveness, and we also found a corresponding increase in the wages. American workers were participating in the increased productivity, and with that participation all during this 20-year period, the American economy and Americans were growing together—growing together, not apart. We ask ourselves: Do we want to be a divided nation, or do we want to be one nation with one history and one destiny?

Then look what happened during the latter period. This is at a period of peak union membership. Wages and productivity rose together. America was on the road to prosperity, and all Americans were participating, and the trade union movement played an important role to ensure fairness in the workplace. Now we find that the unions are declining. And what happens correspondingly? As the unions decline, the workers fall further behind. Here we have real wages from the 1970s to 2000 virtually stagnant, and the increasing productivity which grew at 206 percent more than wages. What does that demonstrate? It demonstrates that we have seen the extraordinary growth in the profits. We find workers' wages have basically stabilized, but corporate profits grew up to 63 percent. Wages were down here, and profits were at the top during the same period of time that workers and unions are being attacked and attacked and attacked.

From 1947 to the early 1960s, right in here, we had effectively what we call

the card checkoff, which is the subject of the legislation we will be voting on next Tuesday. Interestingly, the card checkoff was in effect all during this period of time: from 1941, 1946, 1956, right up to 1966. We had the card checkoff then.

The legislation we will be voting on next Tuesday has already been in effect and been utilized. We will hear a lot of statements on the floor of the Senate about a process and a procedure which is irregular and fraught with problems and complexities, but the fact is, we had it in use in the United States of America all during the period where we had economic stability and economic growth, and the Nation was growing together. Then, as the National Labor Relations Board changed and the Supreme Court and businesses got geared up, they effectively eliminated the card checkoff.

We have seen what has been happening in the workplace, and this indicates how abuses have skyrocketed. So when we had the checkoff, we had economic growth, we had economic prosperity, and America growing together. That is what we want. That is what next Tuesday morning is about—to restore this period of time when America, with the checkoff, was able to ensure economic growth and prosperity for workers across the board. That is what we are looking for.

Now, you say: Well, what are all these abuses you talk about? That is an easy word to use, but what are we really talking about? What we are talking about are these kinds of abuses which are the everyday abuses being used in the workplace.

First of all, the workers face too many roadblocks to try to get a union. Over here, workers who lead the union effort are fired. I will give examples and illustrations of that.

Then, the employer challenges the election results at the NLRB. So even if they have a successful vote for the union, too many of all of those results are challenged in the NLRB.

Then, the employer appeals the ruling often in court.

Then, the employer stalls and refuses to bargain for a first contract.

If you look at what has been happening in the courts, you will find more have been upholding the National Labor Relations Board when they have found against the workers.

Then, after 1 year, the employers, if they are able to delay, can seek to stop recognizing the union, and workers have to start all over again.

This is a pattern. This isn't a unique situation. This is what is happening now.

This is what is happening. The employees are fired in one-quarter of all the private sector union organizing campaigns. One-quarter are all fired. One in five workers who openly advocate for a union during an election campaign is fired.

Now, it is fair enough to ask—in 2005, here is the employer abuses chart. In

2005, 30,000 workers received backpay after the National Labor Relations Board found that employers had violated their rights—30,000 in 1 year alone. That means employers at some time during the year fired or violated the rights of 30,000 people—30,000. That is 30,000 we are talking about who are being treated unfairly.

Now, the question becomes, do workers really want to join? Are we talking about something that is a real problem or not?

Here is 1984 to 2005. Workers want unions more than ever, but can't join them. The percentage of nonunion workers who want a union is up 23 percent. The percentage of workers in a union is down 6.5 percent. So you would think with those kinds of indicators we would be able to have a clear pathway where people would have an opportunity to join, but that is not the case. What we have seen is out across the countryside, on a wide range of different kinds of issues, this is what is happening across the countryside for the average family in this country.

We find that gas is up 79 percent. We find medical expenses are up 38 percent. College tuition is up 43 percent. We find that housing is up 40 percent, and wages effectively are stagnant or up only 4 percent.

The survey we earlier saw about the numbers of people who wanted to join the unions show that over half of the workers—more than 60 million workers—would join a union if they could, but they cannot.

Now, we have given some of the flow lines and the statistics, but these charts show what happens to some real people: "I was fired," Erron Hohrein, former boilermaker from Front Range Energy. This is a picture of him.

They forced us to attend meetings. They threatened that if our campaign was successful, our paychecks may suffer. Managers would follow me around the workplace at all times. They would not permit other workers to talk to me. They isolated me from my co-workers. Within days after the union election was certified by the National Labor Relations Board, I was fired.

This gentleman worked in that plant and found all kinds of safety concerns and raised the safety concerns to the employers and was told to keep quiet, even though he believed those kinds of safety matters were endangering the lives of the people with whom he was working. When he found that the employer was unwilling to try and address some of these safety conditions, he said: I am going to try and form a union. Then he had the following circumstances: within days after the union election was certified, he was fired. So this is happening out there. These are examples of the 30,000.

Anna Calles, who is a laundry worker in North Carolina:

The union was the only way to have better pay, good health insurance and equality, not discrimination. Cintas will never improve working conditions on its own free will. When we tried to organize, management told us that we would lose our jobs. The workers

are scared. The NLRB has not been able to help much. We have had to wait three years to get a decision.

Delay, delay, delay, delay.

Cintas has appealed the NLRB's ruling that the company committed extensive violations of workers' rights.

So Anna and her coworkers are still waiting for justice.

These are real-life stories. It is quite clear why individuals want to be able to join the unions.

These are the figures which show that union members get better wages. These are Department of Labor statistics which show that workers are going to be able to have a modest increase 30 percent more—than those who are non-union.

If we look at particular sectors of our economy—this is an interesting chart. A union job means higher wages for women and for people of color. Again, we are talking about equity in this country. We are talking about fairness in this country.

This is what unions do in terms of equity and in terms of fairness. If you look at women, the difference it makes in terms of helping, it is more than 31 percent; nonunion, if you are talking about African-Americans and Latinos—all of them are inevitably much better off. If you have the freedom to choose the union, it lifts the workers out of poverty. This is the Federal poverty line, this black line across here on the chart. Look at this. These are the national figures for these particular industries: cashier, childcare, cook, and housekeeper. If they are nonunion, they are below the poverty line.

If you are a cashier and a member of a union, you are just above it, a little less than \$25,000. We are talking about people who have a sense of dignity and pride and desire to do a good day's work. These are men and women of pride. We are talking about \$20,000 to \$25,000 a year. For childcare, the difference at a union wage is just about at the Federal poverty level. If you are a cook, it is a little above the poverty level. For a housekeeper, it is just above it also.

This is a commitment to try to make sure we are not going to have our fellow Americans living in poverty. We are talking about people who want to work, can work, and will work. That chart is about as clear an indication of the difference, if they have an opportunity to join.

Mr. President, I will mention a couple of companies that have recognized the card check process. Some employers have been remarkably enlightened and say: We are going to let our workers, if they choose, have a checkoff, and we will recognize them. That used to be the way the law went. A number of companies, including Cingular Wireless, have supported that concept. This person said:

Management didn't pressure us to try to interfere. We didn't attack the company and they didn't attack us. We were focused on improving our jobs and making Cingular a better place to work.

This is Rick Bradley:

We believe employees should have a choice. . . . We make that choice available to them results . . . in employees who are engaged in the business and who have a passion for customers.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent for 1 final minute.

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

Mr. KENNEDY. Mr. President, the purpose of this is to show that when America has been at its best and strongest, we all grow together. When we find out that America is divided—and the principal reason for this division is demonstrated with these charts; it is so often because employers have assaulted and attacked the rights of workers and their representatives over this history. We want to try to bring America back together again and make it stronger from an economic point of view.

A final chart shows that in Ireland, which has the one of the strongest economies in Europe and a high rate of union membership and strong annual growth, a partnership of decency and fairness goes hand in hand. I hope the Senate recognizes that on Tuesday when we vote.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized.

IMMIGRATION

Mr. SESSIONS. Mr. President, I wish to share some general comments on where we are with regard to immigration and, really, American workers. I am pleased to see my colleague, Senator KENNEDY, here. I know he believes strongly in the minimum wage and in union contracts and strikes and that kind of thing to get wages up. I will just say to my colleague that the real thing which drives wages, which helps working Americans be able to get higher wages and better benefits, is when their product or their labor becomes more valuable.

In this debate last year, I raised that question. I see my former chairman of the HELP Committee—the Health, Education, Labor and Pensions Committee—Senator ENZI. Senator KENNEDY now chairs that committee. When Senator ENZI chaired it, we had a hearing in September of 2006 with economists and experts to discuss the impact on working Americans, middle-class workers, the wages they receive as impacted by immigration. I don't think there was a single dissent in that committee—everyone agreed that large influxes of low skilled immigrant labor bring down the wages of the American workers that compete with them. And the Judiciary Committee last year also had one hearing on the matter in April of 2006. Witnesses at that hearing also agreed unanimously that the wages of working class Americans are adversely