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## Senate

The Senate met at 1 p.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

### PRAYER

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

Let us pray.

Our Father, author of life and giver of life everlasting, we raise our hearts to You. Lift us, today, into Your light, love, purity, and blessedness as we seek to honor Your great Name. Keep us from hasty shortcuts that lead to failure. Rather, help us to pursue integrity, righteousness, and honor.

Strengthen our lawmakers for this week's labors. Fill them with Your presence, guide them with Your comfort, and energize them by Your spirit. May they never shut their ears to the cries of the least in our Nation and world. Rather, may they join You in bringing true freedom to the marginalized.

Lord, we ask your special blessing on Dr. JOHN BARRASSO as he is welcomed to the Senate today. We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 25, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CARDIN 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. Mr. President, following any time used by the leaders, the Senate will be in a period of morning business until 7 p.m. tonight. The time is equally divided and controlled between Senators KENNEDY and ENZI or their designees. During this time I expect there will be speeches on H.R. 800, the Employee Free Choice Act, and S. 1639, the Immigration bill.

At 7 p.m. Senator SESSIONS will be recognized to speak for up to 1 hour. There are no rollcall votes. At 3:15 the newest Member of the Senate will be sworn in, JOHN BARRASSO, who is an orthopedic surgeon from Wyoming. We welcome him here but with some degree of sadness, because you are forced to comprehend and think about Craig Thomas whom I had such great admiration for. As I have said before, Craig Thomas and I did not vote very much alike, but we shared a great belief in the sovereignty of our two States, two sparsely populated States, Wyoming and Nevada, and of course this great country of ours that we both have such affection for.

We welcome Dr. BARRASSO. More will be said about this later.

### ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that if any quorum calls occur during the debate until 7 p.m., they be equally divided between the sides controlling time.

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

### LAKE TAHOE FIRE

Mr. REID. Mr. President, in the State of Nevada, one of the things we so appreciate is this great treasure we share with the State of California, Lake Tahoe, which Mark Twain called the fairest place in all the Earth. Some have said he said: The fairest picture the whole Earth affords. But the picture we get from Mark Twain is it was a beautiful place, and it is. There is only one other lake like it in the world, and that is in Russia. It is a wonderful alpine glacial lake about a mile deep.

It is a wonderful resource we share with California. But as we speak, there is a fire raging on the eastern side of the lake. It has, at last count, burned 2,500 acres, four square miles. It has engulfed and destroyed 250 homes; 500 more are in danger of being lost. Only 10 percent of the blaze has been contained.

One bright spot in this tragedy is that as of now, no injuries have been reported, and we hope these residents and emergency teams remain safe.

Many of these firefighters live in the area. They are battling this fire while their own homes are in danger. If we think about that for a moment, their own homes are at risk, their own families are in harm's way, and they are working to protect the homes and families of others. That is real bravery, and that is what a firefighter is all about. We owe a great deal to these men and women. We will surely owe them much more when this fire is brought under control. There is no way

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



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to protect a firefighter, other than to quote Fire Chief Edward Croker, who was with the New York Fire Department almost 100 years ago. Here is what he said:

I have no ambition in this world but one, and that is to be a fireman . . . Our proudest moment is to save lives. Under the impulse of such thoughts, the nobility of the occupation thrills us and stimulates us to deeds of daring, even of supreme sacrifice.

This is as we learned from South Carolina last week upon the death of those nine firefighters. We will keep an eye on this blaze and give the States of California and Nevada—the blaze is burning on the California side at this time—give the States of California and Nevada all the resources we can help them with.

#### RESERVATION OF LEADER TIME

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

#### EMPLOYEE FREE CHOICE ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed on H.R. 800, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to H.R. 800, an act to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 7 p.m. shall be equally divided between the Senator from Massachusetts, Mr. KENNEDY, and the Senator from Wyoming, Mr. ENZI, or their designees.

Who yields time?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KENNEDY. Mr. President, I yield myself such time as I might use.

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

Mr. KENNEDY. Mr. President, over the period of these last few days, we have had a number of our colleagues on this side who have spoken, and spoken very well, about the Employee Free Choice Act. We have had Senator DURBIN, Senator BROWN, Senator CLINTON, Senator SCHUMER, Senator MURRAY, Senator LAUTENBERG, Senator MENENDEZ, Senator KLOBUCHAR, Senator

WEBB, Senator CASEY. I have spoken myself. We have a number of additional Senators. I see my friend from Maryland, Senator CARDIN, will be addressing the issue this afternoon.

I think we have had some excellent presentations about this issue and about the importance of this issue, about the fact that there are about 60 million men and women across this country who wish to be able to participate in the trade union movement, but because of the realities of the current election process are denied the opportunity to do so.

There are millions of people across this Nation who are enormously concerned about the growing disparity which has taken place in this country between the explosion of wealth in terms of the top one-tenth of 1 percent of our population and the fact that those at the lower end of the economic ladder most recently had to wait 10 years to get an increase in the minimum wage.

I can remember going back to a period of time when the increase in the minimum wage was a bipartisan event. People understood at that time they were trying to make the minimum wage about half of what the overall national wage was going to be, to say to American workers: If you worked at the lower end of the economic ladder in our economic system, we still appreciated your work and you would not have to live in poverty here in the United States of America.

We have in recent years seen where millions of our fellow citizens have had to live in poverty because we have failed to get the increases in the minimum wage. It has become a more partisan issue here in the Senate and also in the House of Representatives, regrettably. I am basically suggesting that we are seeing America growing apart. That is a matter of enormous concern to Americans everywhere. It does not have to be this way. It was not this way when I think America was at its best. It was not this way.

What we are seeing now is the increasing factor that those who have the resources and have the wealth and have the superwealth are accumulating it more and more; those who are at the lowest end are falling farther and farther behind, and the great middle class that is represented by workers and used to be the trade union movement is being constantly challenged.

For many in that middle class, they feel they are slipping farther and farther behind, and they are slipping farther and farther behind. They were not slipping farther and farther behind when we had a strong trade union movement. They weren't. They were moving ahead with the rest of the country. But now, they are falling farther and farther and farther behind. They know that. The option before the Senate now is to at least give American workers an opportunity, if they so desire, to be able to participate in a union so that their economic interests,

their health insurance interests, a decent retirement, can be addressed, because as we have seen, working families, increasing numbers of those working families, are losing health insurance, are finding their deductibles and copays are on the rise, and it is getting more and more difficult for them to continue to afford this. An increasing number of retirees, who thought they had commitments to health insurance, are being dropped. We are finding an increasing number of those Americans who rely on a defined benefit system losing out on their pensions.

We are finding out that the costs across the spectrum for working families are going up through the roof—the price of gasoline, the price of health care, the price of prescription drugs, the price of tuition, the price of any kind of retirement income.

Books have been written about this great shift from the kind of common responsibilities and common involvement Americans had with each other, commitments we had with each other, to a different perspective and a different paradigm where everyone is sort of effectively on their own.

That means you are on your own with regard to retirement, health insurance, and education in the workplace. That is happening increasingly. You are on your own when the employer won't give you a raise. You are on your own when you are put in working conditions which may very well jeopardize your health.

I wish to review exactly where we have come as a country on the issue of growing apart and growing together. Most of us remember clearly the Mayflower compact that was signed a few miles off Provincetown, MA, when extraordinary men and women had sailed the seas to escape religious persecution and, after 6 long weeks and the loss of a number of those who had set sail on the ships, before they got off the ship, they gathered on the deck and made a compact between each other about the importance of working together for the common good as a community and as a society. The Federal Constitution talks about the general welfare and about moving ahead together as a country and a society. We have seen that when America has been at its best.

Here we have a chart that shows the years 1947 to 1973. It is titled "A Rising Tide Lifts All Boats." What this chart shows is income for five different sectors of our economy—this is from the Economic Policy Institute—the lowest 20 percent, the second 20 percent, the middle, fourth, and top 20 percent. This chart shows clearly from these colors that from 1947 to 1973, America's income moved along together. Those in the lowest sector of our economic society moved along. As a matter of fact, they moved along a little higher than those at the very top. But America was moving along together.

It is interesting that this is a period of time when we had the trade union