

with them and to love them for the work they have done.

This is one of the most important things the Senate can engage in, and I wish to thank our Parliamentarians. Many times people don't realize how important the Parliamentarians are in the Senate. We couldn't function without them. We are very blessed to have the Parliamentarians whom we have helping us in the Senate. They go unrecognized many times but not by me. I have a great deal of admiration for them. They keep us out of a lot of difficulties. Sometimes they get us into some difficulties—because of the rules, not because of them. But I want to pay tribute to them as well.

This was a just result. It is what I think had to be done. The country will be better for it. It does send an appropriate message, or messages, I should say, and I feel blessed to have been able to participate on this committee and on this Senate floor. It is a great honor to serve in the Senate. Days such as this help bring that home to me, and I wanted everybody to know it.

I wish to again thank the distinguished chairwoman and tell her how much I appreciate her work.

With that, I yield the floor.

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2009—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3991, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 662, S. 3991, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled between the leaders or their designees.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I allocate to myself such time as I may need.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I rise to voice my opposition to S. 3991, the so-called Public Safety Employer-Employee Cooperation Act. I have a number of policy and constitutional concerns about this bill, and I have expressed them over the years, but I have never had the opportunity to work with the bill's supporters to address those concerns. Even though this legislation falls within the HELP Committee's jurisdiction, the committee has never held a hearing on the bill and has only marked it up without amendment or written report—and that was years ago—and this is not the same bill we are considering today.

An objective consideration of this bill reveals it is based on poorly reasoned policy. Over the last 7 years, the proponents of this bill have only

brought it directly to the floor and purposefully circumvented the regular order of the Senate and its committee processes, perhaps because the scrutiny of that process would expose the multiple flaws in this legislation. Rather than addressing this bill on its merits, its proponents have decided, once again, to play the sound bite game. Their calculation is simple: Since this bill involves unions that organize among police and firefighters, they will continue to simply claim that anyone who opposes this bill is against police and firefighters.

Let us address that calculated untruth first. There is no one I know of—Republican or Democrat, supporter or opponent of this bill—who does not respect and value the work and dedication of our police, firefighters, first responders, and other public safety professionals. Their contributions to our communities are immeasurable, and our support of them is unwavering. However, this bill provides no direct benefit to any police officer, firefighter or first responder. It doesn't provide a dime in Federal money to any State, city or town to hire, to train or to equip any additional public safety personnel. In fact, it simply imposes costs that will make that result less likely. It is arguably one of the biggest and most dangerous unfunded mandates the Federal Government has ever imposed.

In fact, there are a number of law enforcement groups opposing this bill: the National Sheriffs' Association, the International Association of Chiefs of Police, and the Fraternal Order of Police have all come out against S. 3991. I think we have to ask: If all these law enforcement groups oppose the bill, is it a good idea to pass it in the last days of a lame-duck Congress?

Plain and simple, the only direct beneficiaries of this legislation are labor unions. You see, while unionization in the private sector has been on a historical down trend, unionization in the public sector has been increasing. In 2009, 37.4 percent of public sector employees were unionized compared to 7.2 percent in the private sector. Government workers are now five times more likely to belong to a union. For the first time in our country's history, the majority of union members are public sector employees, not private sector employees. Public sector unions have been the only area of growth for unions for many years, and as we all know, organizations need to grow to survive.

Let me now turn for a moment to some of the serious and fundamental problems with this legislation. For over 70 years, a hallmark of our Nation's labor policy has been the principle that employment and labor relations between a State, city or town, and its own employees, should not be a matter of Federal law, but a matter of local law. That bedrock principle is not only rooted in our national labor policy, it is firmly fixed in our Constitution and our traditions of federalism.

Yet today the proponents of this bill seek to overturn this hallmark principle and to radically change decades of unbroken Federal law and policy. The enormity of this change is only matched by the prospect that it could occur as a result of total disregard for processes of the Senate and the complete absence of any meaningful opportunity for modification.

You would think the Senate would consider such a bill only after careful examination and due deliberation. Sadly, you would be wrong. This legislation has not had a Senate Committee hearing or markup this Congress or the two Congresses before this one. The HELP Committee has never held a hearing on this bill. The bill grants enormous power over States to a virtually unknown Federal agency. Yet we have never so much as asked a representative sampling of State officials for their views, nor have we ever even been informally asked the Federal agency involved if it feels up to the job we would impose on it. These shortcomings alone show that this bill is being pushed not because it is good policy, but because some see it as expedient politics.

This bill would require that every State, city and town with more than 5,000 residents open its police, firefighters and first responders to unionization. It would impose this Federal mandate not in the absence of any State consideration of this issue, but in direct opposition to the legislative will of several States. Proponents of this legislation have attempted to maintain the fiction that it actually does little to disturb State laws. That is simply not the case.

This bill would expressly overturn the law in 22 States. In fact, 16 States have specifically considered and rejected legislative proposals similar to the law that would be federally imposed under this bill in recent years. Some States, such as Wyoming, have chosen to either extend collective bargaining in a more limited manner than the bill before us would mandate, or not to extend it at all.

In this second chart, proponents of this bill have told Senators from States that do have "full" public sector collective-bargaining laws that this bill would not change anything in their respective home States. However, labor experts have identified at least 12 of those States where the viability of one or more provisions of their own current State law would be in question if this bill were enacted. That is the yellow States. Supporters of the bill base their argument on a provision which allows the Federal Board that will be ruling over all these States to ignore instances where the State law is not as broad as the Federal mandate if "both parties" agree that it is sufficient. Make no mistake, this provision is completely hollow.

First, there are hundreds of thousands of "parties" that will have the authority to agree or disagree about

the sufficiency of a State's law. Every public safety officer and his or her employer will have this authority. The term "public safety officer" is so broadly defined in this bill that many employee groups that may surprise you meet the definition, such as paramedics, lifeguards, security guards and more. What are the odds of all of these groups agreeing to look the other way? Further, anyone who has ever been a party to negotiation knows about leverage. The ability to place one phone call and have an entire State's law on a subject overturned and taken over by the Federal Government is some of the most powerful leverage I have ever heard of.

Let's be completely clear about what this legislation would do. A vote for this bill is a vote to overturn the law and the democratic will of the citizens of many of our States, and to invalidate the democratic action of their voters and legislators. This is very important. That is why mayors of major U.S. cities that already provide collective bargaining rights also oppose the bill. New York City Mayor Bloomberg, along with the mayors of Boston, Cleveland, Denver, Minneapolis, San Diego, Philadelphia and Mesa, AZ, all wrote to the Senate yesterday asking us not to enact this poorly thought out bill. And it is not just the chief executives objecting. Major newspapers across the country such as the *Denver Post*, the *Richmond-Times Dispatch* and the *Washington Post* have editorialized against this proposal. I ask unanimous consent that these materials be printed in the RECORD at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ENZI. I formerly served as the mayor of Gillette, WY, a city of 20,000 people. As I look around this Chamber there are too few here that have any experience with trying to balance a budget for a city or town, which may explain why this unfunded mandate proposal is being brought up with so little attention given to how it will increase the dire financial situation of States and municipalities.

A recent report by the National League of Cities found that municipalities will face a shortfall between \$56 billion and \$83 billion from 2010 to 2012. Headlines across the country confirm that city leaders are responding to deficits with layoffs, furloughs, payroll deductions and cutting city services, all of which will impact police, fire and emergency services departments. This week it was Camden, NJ, laying off 383 employees, including 67 firefighters and up to 180 police officers.

Another survey found 87 percent of city finance officers said that they were less able to meet the city's fiscal needs in 2010, than a year before. The outlook for States is just as dire, especially considering that Federal stimulus dollars, which many States have used to partially fund budget gaps, will

run out after 2012. States will face an estimated \$300 billion budget shortfall for 2011 and 2012. And the extent to which States and municipalities are facing underfunded public employee pensions is truly staggering. A PEW Center on the States report out this year pegs it at a \$1 trillion gap.

During this downturn cities across America are struggling to maintain solvency. Unlike the Federal Government, they cannot print money—they have to actually balance their budgets. Here is the reality. Without regard to pay or benefits, just the administrative costs alone of collective bargaining represent a very significant line item that Congress now proposes to force on States, cities and towns. Towns, particularly small towns, that currently do not have the resources to negotiate and administer multiple collective-bargaining agreements would have to now hire and pay for these additional services. Towns and cities that do not devote the long hours of municipal time to the complicated process of bargaining, and overseeing multiple union contracts, and to administering contract provisions and resolving disputes under a collective-bargaining system will be required to spend that time. Nobody should be fooled. Those additional, manpower and man-hour requirements are enormously costly and burdensome. This bill would impose those costs by Federal mandate, but would not provide a single penny of Federal money to help offset those costs.

As a former mayor, and as the only accountant here in the Senate, I would remind my colleagues about the cold realities of municipal finance. If you increase municipal costs you have only two ways to meet those additional costs—either increase revenues, or decrease services. This bill will unquestionably place many municipalities in the difficult position of choosing between raising State and local taxes, or decreasing and eliminating local municipal services.

Mere consideration of this bill today reveals that many in this body remain sadly out of touch with the real needs of our constituents and the real fiscal problems that their cities and towns face every day. With stagnant or declining property values and an endless parade of increasing fixed costs, don't our cities and towns already have enough on their plate without the Federal Government imposing more new costs through this mandate?

Since the legislation before us has not gone through committee process, I have a number of amendments I will have to offer here on the floor. I always like having this type of legislation go through the committee, so we can discuss the bill and amendments in a smaller group. I always like doing it in committee. It is a smaller group, more understanding of what the different issues are. It also gives you the chance to kind of grow an idea, to get the germ of an idea and grow it between

several people who are interested. That doesn't happen on the floor, it is all up or down. But I will have a number of amendments I will have to offer. These amendments are directed toward protecting the fiscal health of our communities that fall under this mandate, ensuring the integrity of public safety and service organizations, and preventing union abuse of public sector employees, among other issues.

But these problems represent only the tip of the iceberg. If this body decides to take this issue up today and spend the next week debating it, you will hear more detail on my concerns and those that will be raised by other Senators opposed to this proposal who have also never had any chance in the process for amendments.

I urge my colleagues to oppose the motion on the Public Safety Employer-Employee Cooperation Act, S. 3991.

EXHIBIT 1

DECEMBER 7, 2010.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS REID AND MCCONNELL: As mayors of cities who oversee large public safety agencies and who collectively bargain with our public safety unions, we are concerned about the lack of examination of the Public Safety Employer-Employee Cooperation Act of 2010 (PSEECA). We believe that this bill, like other versions in previous years, could have a profound impact on public sector collective bargaining negotiations and on state and local taxpayers throughout the country, yet there have been no Senate committee hearings on PSEECA since its first introduction in 2001. The uncertainty caused by the PSEECA will certainly lead to litigation at a time when our cities can least afford such expenses.

More broadly, the entire collective bargaining structure under which law enforcement and emergency response personnel operate in our cities could be placed in jeopardy. For example, in New York City, the decision to discipline a police officer involved in a shooting incident, or to determine the circumstances in which drug testing must be performed, resides with the Police Commissioner and is not subject to the bargaining process; this ensures full accountability of the head of the police force to the public. It is of grave concern to all of our cities that important local decisions such as these would be lost as a result of an improper federal finding.

PSEECA also undermines settled law in jurisdictions that have negotiated with unions for decades. In cities like Cleveland and Minneapolis, where there is a strong history of public employee collective bargaining, this legislation runs counter to long established principles of local control over the operations of municipal government. PSEECA risks too much for our cities and adds legal and fiscal strain during especially difficult economic times. In light of how little has been done to assess the impact of this bill nationwide, we urge you not to proceed with this disappointing and potentially far-reaching maneuver.

Sincerely,

THOMAS M. MENINO,
Mayor, City of Boston.
FRANK G. JACKSON,
Mayor, City of Cleveland.

JOHN W. HICKENLOOPER,
Mayor, City of Denver.

SCOTT SMITH,
Mayor, City of Mesa.

R.T. RYBAK,
Mayor, City of Minneapolis.

MICHAEL R. BLOOMBERG,
Mayor, City of New York.

MICHAEL A. NUTTER,
Mayor, City of Philadelphia.

JERRY SANDERS,
Mayor, City of San Diego.

OPPOSITION ARTICLES RELATED TO PSEECA

"Federal Policies Should Help, Not Hurt, States' Fiscal Health", The Washington Post—Dec. 7, 2010.

"Trampling Local Labor Laws", The Denver Post—Dec. 1, 2010.

"Forced Labor", Richmond Times-Dispatch—Jun. 21, 2010.

"Bad Bargain: Congress Should Let States Handle Their Own Labor Relations", The Washington Post—Jun. 16, 2010.

"A Tale of Two Counties", The Washington Post—May 30, 2010.

"League Ask State Officials To Oppose Bill", Charleston Daily Mail—July 16, 2010.

"A Sop to Big Labor", Las Vegas Review-Journal—May 30, 2010.

"Another Union Sop: Pubic Safety Canard", Pittsburgh Tribune Review—Jul. 9, 2010.

"Budget Busting Union Bill", The Post and Courier—Jun. 21, 2010.

"Safety Union Push Intrudes Too Far", The Virginian-Pilot—Jun. 19, 2010.

Mr. ENZI. I yield the floor and reserve the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from New York.

9/11 HEALTH AND COMPENSATION ACT

Mr. SCHUMER. Mr. President, I rise today in strong support of the 9/11 Health and Compensation Act. Yesterday we observed Pearl Harbor Day, marking the 69th anniversary of that tragic attack on American soil. Nine years ago our Nation was attacked once again. September 11, 2001, was a day of indescribable horror, not only for New York, a city I am proud to call home, but for the entire Nation.

In the minutes, hours, and days after the Twin Towers collapsed, thousands of first responders rushed to lower Manhattan to dig through the rubble. First they searched for survivors. We all remember the horrible—this is vivid in my mind, the signs people holding: Have you seen this person? It is my husband, my wife, my child, my parent. Because no one knew where everyone was amidst the rubble. We thought—unfortunately we were disappointed, deeply—that there were survivors amidst the rubble and time was of the essence to find them.

Then, in days later, when we realized that there weren't many survivors, there was still a great need to, sadly, search for the bodies of those who perished. You can imagine the anguish of families, who wanted a sign, something—remains of their loved ones—and that search continued. Valiant men and women, not just from New York or New Jersey or Connecticut but from Minnesota and Colorado and all around the country, came—firefighters, first responders, police officers, ordinary citizens—to help us in our horrible hour of need—a moment, a day, a week, a month that I will never forget.

I still look out my window in my home in Brooklyn, every day when I am home, and know that those two Twin Towers are no longer there and I think of the people I knew who were lost, a guy I played basketball with in high school, a businessman who helped me on the way up, a firefighter who dedicated his life to my neighborhood in Brooklyn where I was raised, getting people to donate blood.

We think of all these people. They were resolute, they were brave, they were selfless—those who were lost and then those who came to the rubble. Construction workers. They didn't ask if they were going to get paid. They didn't ask what the danger was to them. They were brave, they were resolute, they were selfless as were firefighters, policemen, EMTs, and others.

Amid the chaos and carnage, they said to themselves: This is what I am trained for, and I will do whatever it takes to help, even if it means risking my life.

So the dust has settled and the ruins of the World Trade Center have been cleared away. The effects of the attack are still being felt, now more than ever, by thousands of those first responders.

Medical experts have determined that on September 11 and the days after, the air around Ground Zero was filled with microscopic cement and glass particles. This dust has caused thousands of first responders to develop chronic respiratory and gastrointestinal diseases.

Just last week, we lost 9/11 first responder Kevin Czaratoryski, a NYPD narcotics detective. He is the third hero to pass away in the past month from the medical complications related to the rescue effort.

Back in 2006, doctors from the Mount Sinai Medical Center that my predecessor, or my former colleague, now Secretary of State, then-Senator Clinton, worked so hard to bring into the picture found that a staggering 70 percent of 9/11 rescue workers suffered from health problems, many of which were irreversible.

The fact is, right now there are people who rushed to those towers who do not know they are ill. The symptoms of these illnesses and diseases, when you get these particles in your lungs and in your gastrointestinal system, the cancers and other illnesses that develop,

take years and years before they can be detected. So we know that in the coming years there are going to be more heroes who will become ill, and those who are already suffering may see their conditions worsen.

The 9/11 Health and Compensation Act will finally put these first responders at ease with the knowledge that they will receive treatment for health problems related to rescuing victims of the attack and helping clear the debris from Ground Zero. The bill ensures that those at risk of illness have access to medical monitoring and that all of those who get sick from exposure have a right to consistent treatment. The bill also ensures ongoing data collection and analysis for exposed populations, so we can try to cure or treat in advance people who might become ill.

Critically, the legislation would ensure steady funding for those vital programs so that those in treatment no longer have to wonder whether Congress will appropriate adequate funds to allow their treatment to continue year to year. We have appropriated funds every year. Everyone in this Chamber has voted for those funds. But when it is yearly funds and you need an ongoing medical regime, it is very hard to plan, to buy that machine, to set up a team that would work for 3 or 4 or 5 years under normal circumstances. The heroes who rushed to the towers deserve to be guaranteed proper treatment, not to have their medical needs subject to the whims of what is going on at that month, that time in Washington.

In addition to addressing health needs, the bill would reopen the victims compensation fund, allowing those who missed the arbitrary deadline of December 22, 2003, to seek compensation. This deadline unfairly barred responders who became ill or learned of the fund after the date. You rushed to the tower. As of 2003, you were aware of the fund, but you did not apply. You did not have anything wrong with you. Six months later, you get cancer of the lungs or cancer of the esophagus or stomach, which we found so many getting. Why unfairly prevent them?

So this bill is an opportunity to send a clear message to the thousands of first responders who risked their lives on that fateful day 9 years ago. We say to them: In our Nation's time of need, you gave us your all. Now, in your time of need, we will give you our all.

Let's not forget, on both sides of the aisle, we have struggled mightily to help our veterans from the wars in Iraq and Afghanistan. In 2001 and 2002, we saw that veterans health care was not up to snuff. There was a bipartisan effort to bring it up to snuff, to make the health care adequate for the new needs of the veterans who risked their lives for us in Iraq and Afghanistan. Why? Because this Nation has a tradition: When you volunteer—as our soldiers do today—and risk your life to protect our

freedom, particularly at a time of war, we will be there for you and deal with your medical problems that were caused in that conflict.

I would argue to every one of my colleagues here today, those who rushed to the towers in those fateful hours and days after 9/11 are no different from our veterans whom we exalt. It was a time of war. Our Nation was attacked. They volunteered. No one compelled them to do it. They rushed to danger as our veterans do. So when they are injured, which has happened, they should be treated the same as our veterans. This is nothing we should play politics with, just as we do not play politics with veterans' needs.

I want to make sure everybody hears us. I know there are other legislative concerns, whether it is tax bills or funding bills or whatever. I would say to my colleagues on the other side of the aisle, it is not fair and it is not right to say that we will not remember these people who volunteered and risked their lives to protect our freedom in a time of war; we will not help them until X or Y or Z gets done. It is not fair. It is not right.

It is also time for those who are against the bill to stop spreading lies about it. They say it is vulnerable to fraud. It has been very tight. My good colleague, the Senator from New York, Mrs. GILLIBRAND, has documented thoroughly and completely how the existing compensation has not created any fraud or other types of problems.

We are here. We have debated this bill for years. It has been like running a marathon, and this is the last 100 yards. Thousands of first responders, police officers, firefighters, construction workers, and other heroes who were ordinary citizens from each of the 50 States are waiting for us to act. And for all too many of them, help cannot come soon enough. The finish line is in view. Let us, on both sides of the aisle, cross it together. I implore my colleagues to vote in favor of the 9/11 Health and Compensation Act.

Before I sit down, I wish to praise my colleague who has led the fight, Senator GILLIBRAND from New York. She has made it her passion. She works for it hours every day and has done an amazing job. I also thank our colleagues on this legislation, particularly my colleagues from across the river, Senators LAUTENBERG and MENENDEZ, who have been our partners. I thank PETER KING, CAROLYN MALONEY, and JERROLD NADLER in the House for their work and many others in New York and other delegations. Again, I hope those efforts will not go in vain, not because of the people who worked on the bill like we did but because of the people who need our help, those who have all kinds of illnesses because they volunteered to help our great Nation and preserve its freedom in a time of war.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from Colorado.

DREAM ACT

Mr. BENNET. Mr. President, I would like to thank the senior Senator from New York for all of his efforts over many years to make sure first responders from 9/11 receive the settlements they deserve.

I rise today to speak in strong support of the DREAM Act. The DREAM Act will enable some of the best and brightest young people who have graduated from our schools to serve in the Armed Forces and to excel in college and their careers. The DREAM Act actually raises revenue to reduce our deficit. It is for these reasons that the DREAM Act has a history of bipartisan support and why I urge my colleagues to support this bill today, both Republicans and Democrats.

I have been a strong supporter of comprehensive immigration reform that will secure the border, reform our broken family and employment visa systems, address employers who willfully break the law, and require the undocumented to register and become legal, pay a fine, pay their taxes, learn English, and pass criminal background checks.

Unfortunately, Washington has been unable to get comprehensive immigration reform done, even as our immigration system becomes more and more broken. As a result, we need to look at smaller measures to make sure we are addressing the immigration issues that cannot wait. For instance, recently the Senate approved \$600 million to send 1,500 new Border Patrol agents, additional unmanned aerial drones, and communications equipment to our southwest border in order to stem the flow of undocumented immigration and prevent the further smuggling of weapons and money. This is an effort I supported.

The DREAM Act is another step toward improving the overall system. It is a program targeted to a relatively small, defined, select group of immigrants who are currently in this country with few options through no fault of their own. These are students and graduates of our schools who did not choose to come here but have succeeded and begun to contribute to our country.

This debate is about whether a child who has excelled in the classroom has the opportunity to attend college and later contribute to society as a tax-paying citizen. This debate is also about whether a child whose only home is our country can have the opportunity to serve America in our Armed Forces. It is about whether it makes good fiscal sense to have our government invest in the education of these young people and generate what the Congressional Budget Office estimates to be \$1.4 billion in savings through new revenues to be generated when these kids enter our workforce armed with an education or valuable military experience.

Each year, roughly 65,000 U.S. school students who would qualify for the

DREAM Act benefit graduate from high school. These include honor roll students, star athletes, talented artists, homecoming queens, aspiring teachers, doctors, and U.S. soldiers. As a former superintendent of the Denver public schools, I saw firsthand the achievement and potential for these young people, students such as Kevin, who wrote my office this fall to tell his story.

Kevin graduated from high school in Colorado with a 3.9 grade point average and has always dreamed of becoming an engineer. He graduated from the University of Denver with a 3.5 grade point average, and a bachelor of science in electrical engineering with a specialization in control and robotics and a minor in math. Unfortunately, because of his status and despite the fact that our country is in desperate need of engineers, Kevin cannot pursue his dream of becoming an engineer and is now working at a fast food restaurant. This is just one example of our failed politics, where Washington settles for rhetoric over common sense.

According to Defense Secretary Robert Gates, about 35,000 noncitizens serve and 8,000 permanent resident aliens enlist in our military every year. In a letter to Senator DURBIN this past September, the Defense Secretary wrote that the DREAM Act represents an opportunity to expand this pool to the advantage of military recruiting and readiness.

Passing the DREAM Act will provide the opportunity for Fanny, another young woman who reached out to my office, to serve in the military. She came to Denver at the age of 7. When she entered high school, Fanny joined the Air Force ROTC Program, the drill team and the Color Guard. Her dream was to attend the Air Force Academy and serve in the military. Unfortunately, Fanny is barred from service in spite of the fact that this is the only home she knows. Rather than opening the door to service in this time of war, young people like Fanny who want to stand proudly and serve our country are precluded from doing so.

Taxpayers also stand to gain from the DREAM Act. We will receive a significant return on investment through the contribution of these youth to our society and the revenue generated by their newly legalized, tax-paying status. It has been estimated by the CBO that successful DREAM Act applicants will generate \$2.4 billion in new tax revenue. This is based on the fact that these youth will be able to transition into higher paying jobs and will be paying their fair share of taxes.

If we are going to get our fiscal house in order, we need to make sure we are getting a full return on our investment and not closing the door on new tax revenues.

I know many of my colleagues may still be undecided on whether to move forward on the bill. Some have supported the DREAM Act in the past, only to move away from it in the face

of heated rhetoric around the issue of immigration. I ask that before any of them make a final decision, they step back and take a fresh look at the facts and the reality facing these youth.

Support for the DREAM Act is not only a matter of conscience for me since it is the right thing to do, it is also a practical solution. Continued delay is an irresponsible waste.

We owe it to the taxpayers who have invested in the education of these youth, the teachers who have fostered their development, and our military who can benefit from these new recruits to move forward on the DREAM Act. I plan to vote yes and strongly urge my colleagues to do the same.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MERKLEY).

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2009—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided and controlled between the two leaders or their designees.

In the absence of anyone seeking recognition, time will be charged equally to both sides.

The Senator from Vermont is recognized.

EMERGENCY SENIOR CITIZENS RELIEF ACT

Mr. SANDERS. Mr. President, later on this afternoon, we are going to be voting on a very simple and straightforward piece of legislation called the Emergency Senior Citizens Relief Act. This legislation is cosponsored by Majority Leader REID, Senators LEAHY, SCHUMER, SHERROD, BROWN, WHITEHOUSE, STABENOW, BEGICH, CASEY, GILLIBRAND, LAUTENBERG, and MENENDEZ.

What this legislation would do is, at a time when, for the second consecutive year, seniors and disabled veterans have received no cost-of-living adjustment, or COLA, on their Social Security, this legislation would provide the equivalent of a 2-percent increase by providing them with a one-time \$250 check.

In addition to the Senate cosponsors, this legislation is supported by President Obama, and I appreciate that. It is also supported, for all the right reasons, by virtually every senior organization in the country and every veterans organization, because this benefits not just seniors, many of whom are struggling hard to pay their bills, when their health care costs and prescription drug costs are rising, but it also impacts disabled veterans.

Also supporting this is AARP, the largest senior organization in America; the American Legion, the largest veterans organization in America; VFW; National Committee to Preserve Social Security and Medicare; Disabled American Veterans; The Alliance for Retired Americans; The National Association of Retired Federal Employees; The Vietnam Veterans of America; and many other veterans and senior organizations.

Just this morning, earlier today, 253 members of the House, including 26 Republicans, voted to provide the same \$250 COLA included in the bill that we are going to be voting on within a short time. So it won overwhelmingly in the House. In the House, they put it on the suspension calendar and it needed a two-thirds vote, but they didn't quite get that. I am confident that if we can come together here and get the 60 votes that we need, the House will reconsider the measure and pass it with a strong majority over there.

In the state of Vermont—and I think all over this country—seniors are wondering as to why they are not getting a COLA this year when they are experiencing significant increases in their expenses. And the reason they are not getting their COLA is that, in my view, we have a very flawed methodology in terms of how we determine COLAs for Social Security. What the Department of Labor now does is kind of combine all of the purchasing needs of all Americans—people who are 2 years old, kids who are 16 years old, and people who are 96 years of age. The flaw there is that while laptop computers, and iPads, and other communications technology may in fact have gone down, lowering the cost of inflation, the needs of seniors and what they spend money on have not gone down.

Most seniors spend their disposable income on health-related costs—visits to doctors, health care, prescription drugs. Those have in fact gone up. So it is unfair for seniors when all of the Americans' purchasing habits are combined, because I think what is not fairly appreciated is what they are spending money on.

To give you one example, the New York Times reported last year that 2009 marked the highest annual rate of inflation for drug prices since 1992, with the prices of brandname prescription drugs going up by about 9 percent. Seniors spend a lot of money, not on flat-screen TVs or iPads or computers but in fact on prescription drugs.

According to the AARP's Public Policy Institute, the average price of brandname prescriptions most widely used by Medicare beneficiaries rose by 8.3 percent from March 2009 to March of 2010.

Since 2000, Medicare Part B premiums have more than doubled, and deductibles have increased by 55 percent.

Seniors enrolled in Medicare Part D prescription drug plans have seen their premiums increase by 50 percent be-

tween 2006 and 2010, including an 11-percent increase between 2009 and 2010.

In other words, the seniors who are calling my office, and I suspect your offices, and offices all over this country, are saying: Excuse me, our expenses are going up and we need some help.

This is especially true for the millions of seniors and disabled veterans who are living on limited incomes. They are in trouble. Furthermore, what I would say is that, in the midst of this great debate we are having now on how we go forward in terms of taxes, there are a lot of seniors out there wondering how we can provide hundreds of billions of dollars in tax breaks for the top 2 percent, yet we cannot provide a \$250 check to a disabled veteran or a senior on Social Security.

This is a very simple piece of legislation. The House has already passed it with a strong majority. I hope very much we can pass it this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. How much time do we have?

The PRESIDING OFFICER. Five and one-half minutes.

Mr. HARKIN. Mr. President, I yield myself the remainder of the time. I see no Republicans on the floor now.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, our first responders are genuine heroes. On a routine basis, they walk into burning buildings, confront criminals, and put their lives on the line to protect our families and communities. These dedicated workers are on the front lines every day, and they have invaluable skills and knowledge about how to best protect the public and stay safe on the job.

Unfortunately, under current law, many of our first responders have no voice in the decisions that affect their own lives and livelihoods. Their workplace input is disregarded because they are denied the same basic rights that other American workers enjoy. Currently, private sector employees are covered by the National Labor Relations Act and have the right to form a union if they choose, but we leave it up to States to determine whether police and firefighters have the right to form a union. Over half of the States allow collective bargaining, but almost 300,000 police officers and 141,000 firefighters nationwide are legally forbidden from exercising their basic, fundamental right to collective bargaining. That is an injustice to our police and firefighters and is inconsistent with American values. That is why I support the Public Safety Employee-Employer Cooperation Act, which would extend this basic right to thousands of brave public servants. This bill has the support of a broad bipartisan coalition of Senators.

The Public Safety Employee-Employer Cooperation Act protects the