

our mind, to cloud our judgment, to cloud the facts, or to cloud the review of our courts.

So, again, while I am proud of the work of the people who have spent a year investigating these matters, while I am confident in the findings of this report, I still remain disappointed that we don't have more unity to ensure that these types of abuses never happen again.

Mr. Speaker, tomorrow, the President of the United States will walk down the center aisle. He will address this floor. There might be a few more folks than there are here this evening. I hope that the first thing he does is hand to the Speaker of the House his consent and his agreement to allow transparency to rein, to declassify this memo, to put it before the American people, and then let's have a great debate about its consequences and about the opportunity that it presents to make things better so that these things never happen again.

Mr. Speaker, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 101. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

□ 2015

A THREAT TO LABOR UNIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. DAVID SCOTT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is with great honor that I stand to anchor this special hour because this Nation is faced with a very serious threat. As a matter of fact, it is a devious threat to the labor unions, our great labor unions that have played a most fundamental role in establishing the greatness of the economy of our great Nation.

Mr. Speaker, this evening, first I want to thank the chairman of the Congressional Black Caucus, Mr. CEDRIC RICHMOND from Louisiana, for his great leadership. I appreciate him giving me this opportunity to anchor this special hour.

Mr. Speaker, I also want to thank the staffs of the CBC, Ms. Caren Street, who has worked very closely with my staffer, Ms. Seema Ibrahim, who has done a remarkable job.

Our whole team of many Congressmen from every sector of this country, every part of this country, is going to come before this House of Representatives in these next 60 minutes to explain and expose to the American people two important things.

First of all, we want to illustrate our deep understanding of the great value of the labor unions to this great country.

We also want to expose the great threat that is now being faced by our labor unions. The first group of our labor unions that is facing this threat are the public sector unions, most pointedly because in a matter of a few weeks, the Supreme Court will take up a case, *Janus v. AFSCME*.

This *Janus* case is designed to remove what has already been established as the constitutionality of public service unions to be able to mandate fees and dues for their membership, which will be a catastrophic threat to the survival of these unions. So we want to explain that. We want to also share the greatness of this. So this is where we are.

I want to ask those who are listening over C-SPAN tonight all across this country to call a neighbor, call a friend, tell them to tune in and listen to these Members of Congress pour out the truth about what is at stake with this *Janus* court case that will be coming up before the Supreme Court.

The first union that will be dealt with is AFSCME, but it is far more than just AFSCME. It is the public sector unions that will be ruled as to whether it is constitutional or not for them to have dues to be able to play.

This case comes from an individual, Mr. Janus, in Illinois who disagreed with political endorsements.

What is important to understand going forward, Mr. Speaker, is that the constitutionality has already been upheld.

On top of that, if there is any union member who does not agree with those political endorsements, he has a right to get a financial rebate for that part of the dues that will go to political endorsements.

So if Mr. Janus' concerns have been dealt with, then why this case?

That is the Achilles' heel that will prove the deviousness of what is before us.

Mr. Speaker, it is with great pleasure that I bring on our first speaker. This gentleman, Representative BOBBY SCOTT, is the ranking member of our Education and the Workforce Committee. On top of that, he is a fierce fighter for working families and he is a leader in making sure that labor unions will continue to have the rights that they fought so hard for.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, unions empower workers with the freedom to negotiate for a fair return on their work and they provide a collective voice to advocate for policies that benefit working people.

Union workers, including those in the public sector, have more access to paid leave, medical and retirement benefits, and higher pay than workers who are not unionized. Children of union members experience more upward mobility than children of workers who are not covered with union contracts, and States with higher union density have stronger workplace protections.

There is a long history of unions helping the least powerful secure dignity on the job. This is the 50th anniversary of the Memphis sanitation workers' strike in 1968. After two workers were crushed in garbage compactors, the Memphis sanitation workers peacefully protested for better pay and safer working conditions. They sought representation from the American Federation of State, County, and Municipal Employees, or AFSCME. They marched with placards that simply stated: "I am a man."

Dr. Martin Luther King, Jr., long recognized that the fight for civil rights was fundamentally linked to economic justice and he gave his last public address before his assassination on behalf of these workers.

Despite police brutality and the deployment of 4,000 National Guardsmen, the strike was ultimately successful and AFSCME negotiated higher wages and safer conditions.

The unions representing the workers in the public sector continue to empower our workers and communities today. Just this month, when temperatures plunged to dangerous lows, the Baltimore Teachers Union fought for children who were forced to bundle up in coats and hats in their own classrooms because there was no heat in their schools.

Around the country, the SEIU represented hundreds of thousands of healthcare workers who provide in-home healthcare for our Nation's elderly and disabled. In many States, these workers are State employees, and the unions play a crucial role in bargaining for better wages, better training, and in advocating for increased Medicaid funding so they can deliver services to the disabled and the elderly.

Despite the great work these unions have done on behalf of working people, they are constantly under attack by corporate interests determined to cripple the labor movement, and we know why.

Big corporations and the top 1 percent have rigged our economy against working people. They have gamed the system, including our tax laws, to redistribute wealth to a select few. They have starved our economy of investments in education, infrastructure, and housing.

The campaign to weaken unions has contributed to extreme income inequality and wage stagnation, as smaller and smaller shares of corporate earnings are paid in wages.

The latest of these attacks is happening in the Supreme Court. On February 26, the Court will hear oral arguments in *Janus v. AFSCME*, Council 31, on the question of whether or not to overturn 40 years of precedence affirming the principle that public employees who choose not to join a union may be required to pay a fair share fee to cover the costs of collective bargaining and contract enforcement.

In 1977, the Supreme Court ruled in *Abood v. Detroit Board of Education* that fair share States may authorize the payment of fair share fees to support unions' collective bargaining on behalf of employees. The Court found that the fair share fees are constitutional under the First Amendment because they support collective bargaining, not political activities.

This practice fosters States' interests in preventing labor disputes, cures the free rider problem of employees benefiting from union representation while shifting the costs to their coworkers, and improves the delivery of services by State and local governments.

In *Janus*, the plaintiffs want to overturn laws in 23 States and the District of Columbia that now require public sector workers who decide not to be members of the union to pay a fair share fee. These workers enjoy all of the benefits of the union: higher wages, safer workplaces, effective grievance procedures.

In these fair share States today, public and private employees who do not want to join a union may be required to pay their fair share for expenses for services required by law, not political, but the services required by law to benefit all workers.

Janus seeks to overturn that law and allow people to benefit from all of those services without paying their fair share.

The challenge to the long-serving precedence is the latest move by corporate interests to weaponize the First Amendment against working people. We have seen it before in *Citizens United*, which used freedom of speech in the First Amendment to justify virtually unlimited corporate contributions to political campaigns.

Here in the House of Representatives, we frequently see similar antiunion attacks dedicated to weakening the labor movement's ability to function as an advocate for working people and as a counterweight to corporate power.

Whether in the Supreme Court or here in Congress, the campaign to weaken unions is a campaign to strip workers of their most basic protections. This is why it is crucial for Congress to defend against any attacks to undermine workers' freedom to negotiate for better wages and better working conditions.

Mr. Speaker, I thank the gentleman from Georgia for organizing this Special Order.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank the gentleman for his comments.

It is very important, as he has mentioned, to note that we are talking about not just AFSCME, as I said, but we are talking about nurses unions, educators, the teachers that teach our children, our police, firefighters, everyone. It is very important that the people of this country really get informed about this.

Mr. Speaker, I yield to the gentleman from Pennsylvania, Representative DWIGHT EVANS, who normally anchors this hour and does a great job.

Mr. EVANS. Mr. Speaker, I thank the gentleman from the great State of Georgia for introducing me and for this opportunity to talk about an important Supreme Court case, *Janus v. AFSCME*, Council 31, and the importance of our unions.

Our unions give us much to celebrate in our neighborhoods nationwide.

As we know all too well, this case stands to destabilize collective bargaining rights within the public sector. This is clearly an attack on freedom and liberties of hardworking Americans.

We are in the business of doing no harm. That is what we should be.

All that this case aims to do is take away the rights of the ability of hardworking Americans to have a strong voice in their workplace. That is just not right.

Next month, the Supreme Court will hear the oral arguments in this case to determine whether fair share fees violate the First Amendment rights of workers.

When it comes to this case, a negative decision for our unions nationwide would take us in the wrong direction.

Across the country, more than half of African-American workers and nearly 60 percent of Latino workers are paid less than \$15 per hour. Union jobs have historically been, and continue to be, a path to the middle class for people of color, who often face low-wage jobs.

African-American union members today earn 14.7 percent more and Latino workers earn 21.8 percent more than their nonunion counterparts. In some sections, the difference is even greater.

African-American women in unions earn an average of \$21.90 an hour, while nonunion workers earn \$17.04.

□ 2030

In addition, there are more than 72 percent of women in unions who have health insurance, while less than 50 percent of nonunion African-American women do not.

Our unions are a key road to our growing middle class, especially for women and communities of color. Nationwide, our unions continue to be on the frontline of fighting for higher pay, fair wages, safer working conditions,

and better hours to provide for themselves and their families.

I will continue to stand on the frontline of protecting rights for all hardworking Americans. It is up to us to lift up unions in all of our communities.

Mr. Speaker, I thank the gentleman from Georgia for leading this caucus in this need.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield to the gentleman from Illinois (Mr. DANNY K. DAVIS), a leader and a fighter from the very State where Mr. *Janus* is from.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I thank my colleague for anchoring this session, and all of those who have come to join in it.

I read someplace the other day where there are three men in this country who own as much of the wealth as 50 percent of all the poorest people in this country. If it were not for organized labor, not for unions, and the influence, millions of individuals who are middle class would be working at peon wages. Individuals would not be able to send their children to college, wouldn't be able to own an automobile or a home. So we can never undermine or not understand the value of organization.

Many of us in this room enjoy the support of organized labor. You have got to get resources from somewhere. You have got to get money in order to function.

If you cannot match what the big megabucks individuals can give to maintain control of our society, how do you expect to change it?

So I am simply pleased to join with my colleagues and suggest that nothing is more important in the distribution and redistribution of the wealth of this country than organized labor.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I am so pleased that the gentleman mentioned the important fact of the fantastic role that labor has played. Without organized labor, there would be no middle class in America. There would be no 40-hour workweek. Child labor laws would not be on the books.

The role that organized labor has played cannot be communicated better than our next speaker, the gentlewoman from California (Ms. LEE), who is a legend in standing up and fighting for working people and labor unions. I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman from Georgia for yielding and for that gracious introduction, but, more importantly, for his magnificent leadership and for constantly looking out for working men and women throughout the country. I also thank him very much for bringing us together this evening to discuss the Supreme Court case, *Janus v. AFSCME*.

Mr. Speaker, as we remember the man and the movement which transformed the soul of America, we must never forget that Dr. Martin Luther

King, Jr., fought for economic justice and workers' rights.

A few months before Dr. King's assassination, two young African-American workers were crushed to death by a faulty truck in Memphis. The American Federation of State, County and Municipal Employees—AFSCME—union members went on strike, and Dr. King was right there with them, leading and lending his support.

In a speech to the sanitation workers on strike, Dr. King explained why he was there. He said: "Now our struggle is for genuine equality, which means economic equality. For we know that it isn't enough to integrate lunch counters. What does it profit a man to be able to eat at an integrated lunch counter if he doesn't earn enough money to buy a hamburger . . . ?"

Now, 50 years after Dr. King's tragic assassination after standing up for economic justice and fighting to end poverty, the Supreme Court is taking up a case that would gut union rights.

Make no mistake, the Supreme Court case, *Janus v. AFSCME*, is a political scheme to further endanger the rights of working people. This case is yet another attempt by billionaires and corporations to stop working people from joining unions altogether. This case will gut the very protections that are the fabric of our society, and that is our unions.

More than 16 million people are represented by a union, from teachers, firefighters, and nurses, to postal workers, and many more. Unions help improve lives. They increase wages. They lift families out of poverty. They fight for safe working conditions and well-deserved benefits.

Unions are especially critical to communities of color. For too long, African Americans have been locked out of wage increases because of discriminatory practices. But for African Americans who do join unions, they earn 15 percent more than their nonunion counterparts.

African-American women, in particular, earn an average of \$22 an hour compared to \$17 an hour in a nonunion job, and those wages make a huge difference for families.

Plain and simple, unions provide a path to the American Dream and the middle class for working people.

Unfortunately, as union membership has decreased because of attacks on working people, income inequality has risen. From 1973 to 2007, as more States started forcing working people off of unions, income inequality rose by one-third. That is shameful.

So, Mr. Speaker, the *Janus* case before the Supreme Court now threatens the economic security of families all across the country. This case will go against what the American public wants. More than three in five Americans know the importance of labor unions, yet here we are having to defend their very existence. This is outrageous.

So we must ensure that working people, people of color, everyone, continue

to have the right to join a union. It is the right thing for our economy. It is the right thing for our communities.

Mr. Speaker, I thank the gentleman from Georgia for leading this very important Special Order tonight.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is so right that the gentlewoman from California (Ms. LEE) mentioned Dr. Martin Luther King, Jr., because this year is the 50th anniversary of his assassination. And what was he doing?

As you pointed out, he was in Memphis helping the garbage workers. It was Local 1733 that had just got their charter. And when the threats were out about him, they wanted him to leave. He said: "No. I don't know what would happen. We have got some difficult days ahead, but I just want to do God's will."

Mr. Speaker, that is what we are doing here tonight.

Mr. Speaker, it is with great pleasure that I yield to the gentleman from Missouri (Mr. CLEAVER), a dear friend, a leader in the fight for unions and working people who loves this Nation immensely, and who works with me on the Financial Services Committee.

Mr. CLEAVER. Mr. Speaker, I thank the gentleman from Georgia for yielding. He has pulled us together. Those of us who have been able to work with him over the years, as I have—13 years on the committee—we appreciate the gentleman's work from Georgia's 13th District.

Mr. Speaker, my colleagues have already very eloquently reminded you of the significance, the history, and the benefits of unions. I want to talk to you about the power of unions, the power to effect change in the workforce.

Next month, the U.S. Supreme Court will hear arguments in *Janus v. AFSCME*. This will decide whether workers can receive all the benefits of a union contract without contributing any funding in return. We call them fair share fees.

Unions work because the workers pay their fair share, and they all benefit from what is negotiated. Each worker chooses whether or not to join a union, but the union is still required by law to represent and negotiate on behalf of all of the workers. Some people want to see an end to that, which is why this case is headed to the U.S. Supreme Court. A negative decision could reverse a 40-year unanimous precedent supporting State's rights.

Now, I want to say that I believe in the power of unions. It allows employees a voice when some of them feel that they have been silenced. When they can't speak and ask for increased wages or a safe working environment for fear of retaliation, the unions speak. The unions are their voices and they demand fair and reasonable working conditions.

We saw that power in 1970 during the Postal Workers' strike. Workers had had enough. And as the gentleman

from Georgia mentioned earlier, we saw that power during the Memphis Sanitation Workers' strike. Workers were willing to sacrifice their lives.

The Reverend James Lawson, a good friend of mine, was a United Methodist pastor in Memphis at the time. He made a phone call to a man he had met about 10 years earlier. Jim Lawson had just gotten out of prison for refusing to go to Korea. Jim Lawson met Martin Luther King after he got out of prison. They both ended up in India, studying under Gandhi.

Jim Lawson realized that Martin Luther King had started this organization with four others called the Southern Christian Leadership Conference, so he called him and said: "Would you come to Memphis? We need you to help with this sanitation workers' strike."

It is little known that when Dr. King tried to get the SCLC board to vote to come to Memphis, they were not in support. Dr. King struggled around a couple of days by himself, and then let everybody know on the board he was going to go by himself. That, of course, changed everybody else's minds and they joined him in Memphis.

We all know what happened to Martin Luther King, Jr., when he went to Memphis. He was killed on the balcony of the Lorraine Motel. He sacrificed his life for workers, the people who built this country.

I owe my "middle classness" to my maternal and my paternal grandfathers. Both of them worked for the Southern Pacific Railroad and became members of a union and earned enough money to buy a house.

In my little town where I was born, Waxahachie, Texas, an African American owning his own home, not a shanty?

So it inspired his three boys, one of which was my father, to raise his four kids in a middle class way. We all went off to college. We owe that not only to the ingenuity of my grandfather and my parents, but also to the unions.

So I will support unions as long as I can. Long after I am out of Congress, I intend to support unions because they have power to change lives. I am an example.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank Reverend Cleaver for his comments.

Mr. Speaker, there are 7.1 million members of just the public sector unions. Thirty-four percent of all of the employees in public service belong to unions, and this Supreme Court case would be devastating to these 7.1 million families.

Mr. Speaker, it is with great pleasure that I yield to the gentlewoman from New York (Ms. CLARKE), who serves on the very influential Energy and Commerce Committee.

Ms. CLARKE of New York. Mr. Speaker, I thank my colleague, the gentleman from Georgia, for anchoring this very important Special Order this evening.

Mr. Speaker, I rise in solidarity with my colleagues in this very important

discussion about fair share fees for union workers.

□ 2045

In 1977, the Supreme Court, in *Abood v. Detroit Board of Education*, decided that fair share fees were constitutional, full stop. This decision allowed unions to be paid fair share fees by nonunion members in order to negotiate on their behalf.

Fair share fees have become increasingly significant and important, as unions continue to fight for worker protections in the workplace.

Now, 40 years later, the Supreme Court is poised to hear this issue yet again in *Janus v. AFSCME*.

So what has changed? What has changed?

Mr. Speaker, I am deeply concerned that this is yet another attempt to put big business above working people and weaken organized labor as effective representatives for the working class.

I, therefore, ask the Court to be thoughtful. I ask that they think of the consequences that will follow by reversing this law. I ask the Court not to be used as pawns by the Republican conservatives, millionaires and billionaires, to weaken organized labor and unions of the 21st century.

If it were not for organized labor, many of us would not be standing here representing our constituents today. My mother was a member of DC 37, a part of AFSCME, and it was through her labor union, her local, that she was able to put money aside for my brother and me to go to college, to make sure that our healthcare was taken care of.

And here we are in the wealthiest Nation in the world where millionaires and billionaires are lining their pockets with profits, and, at the same time, we have workers who are before the Supreme Court just seeking dignity to be organized through labor and labor unions.

This is a time for all Americans to remember their roots. Organized labor is part of the bedrock of this Nation. It is my hope that the Supreme Court will remember that in their deliberations.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it was so good of the gentleman to mention the why in all of this because, Mr. Speaker, in 1977, 41 years ago, in the *Abood v. Detroit Board of Education*, it was ruled constitutional, and now they want to come back 41 years later and say it is not constitutional. That is the big why we are going to get to answer as we move with these great speeches from our Members from across the country.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON), a tireless fighter for working people, who is also the vice chairman of our Congressional Progressive Caucus as well as the vice chairman of our Democratic National Committee and a good friend. We work together on the Financial Services Committee.

Mr. ELLISON. Mr. Speaker and Members, it is important to understand the big picture here.

When the Supreme Court takes up *Janus*, yes, they are going to be talking about fair share. Is it legal, is it constitutional, for someone to benefit from being represented by a labor union that has to fight for them and then still not have to pay anything to help at all. That will be the question before the Court.

But that is just a very small part of what is really going on. What is really going on, Mr. Speaker, is that we see the deconstruction of the American middle class. The question is: Will America be a land of opportunity; or will it be a land of stagnation where you can work as hard as you want to, but you are never going to be able to make enough to really make it?

What is going on here, Mr. Speaker, is that the conservative movement in our country is trying to break the link between hard work and prosperity as they rifle money and channel it to the very richest among us, and working people just have to hope for the best and work hard just to get back to work for whatever they can scrape together.

Because at the end of the day, labor unions have given workers a voice which has helped create the great American middle class. The lightbulb and the semiconductor are not the great inventions of America. They are great inventions, but the greatest invention of the United States of America is this big, giant middle class which you can work hard and get into.

This is what is under threat. This is what we are fighting to uphold tonight.

Now, *Janus* is a decision that takes place within the context of other decisions. Let us not forget *Shelby County*, a case which attacked our right to vote. Let's not forget *Citizens United*, a case which says corporations are people and they can spend as much money on elections as they choose. Let's not forget these tax cuts passed just about a few weeks ago which rifle money to the richest among us and undermine American workers.

We are in the middle of a battle over whether or not the United States will continue to be a place where hard work pays. That is what this fight is about. And that, Mr. Speaker, is what we invite everyone to understand the union difference. If you are Black, being in a union means you are going to make more money than other folks. If you are a woman, it will mean the same thing. If you are a veteran, it will mean the same thing. Unions have always done more for the people who are in them, and we want to get more people in unions, not fewer.

The attack that we see tonight in the form of this *Janus v. AFSCME* is an attack on that union advantage. But unions have helped everybody, Mr. Speaker. If you look at wage stagnation in America, what you see since World War II, right up until the 1970s, is pay going up and up and up for working people until we see union density begin to break down, and it is at that point that we begin to see wages flat-ten out and stagnate.

Unions create not just good pay and good benefits for their workers, but they actually create benefits for all workers because unions create the wage floor and lift up all boats.

Mr. Speaker, let me say that this is African American History Month only a few days away beginning in February. We must remember people like A. Philip Randolph, who was not only a union leader, he was a civil rights leader. We can't forget about E. D. Nixon, who helped start the Montgomery Bus Boycott, which led to the beginning of the modern American civil rights movement. And let us not forget our beloved Martin Luther King, whose birthday we celebrated a few days ago, and who we will recognize the 50th anniversary of his assassination this year, died fighting for workers of the American Federation of State, County and Municipal Workers, who is one of the litigants in this case, the *Janus* case.

So I want to say, if you care about income inequality, if you care about prosperity for working people, you have got to get on the side of fighting against this *Janus* decision. This is what is going on.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank Mr. ELLISON for his comments. Well done.

Mr. Speaker, I yield to the distinguished gentleman from Texas (Ms. JACKSON LEE). And you talk about a fearless fighter, Mr. Speaker, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Georgia for his leadership in galvanizing all of us, and I thank my colleagues for very eloquent messages on the floor of the House regarding *Janus v. AFSCME* Council 31.

Let me acknowledge Lee Saunders and the AFSCME family, who have been champions in fighting for the rights of all labor, and that is why we are on the floor of the House today, because we wanted to, in our way as legislators, join in this magnificent fight for constitutional rights of the First Amendment.

And let me take issue with the 1977 Supreme Court case *Abood v. Detroit Board of Education* and turn the Fourth Amendment back to supporting those workers who, in fact, want to associate and participate in unions.

Let me also thank my colleague Chairman Richmond of the Congressional Black Caucus for galvanizing us as well in this effort.

We offered a resolution to honor Echol Cole and Robert Walker. On February 1, 1968, it will be 50 years that these two sanitation workers in Memphis were killed in a horrific accident when the compactor on their sanitation truck malfunctioned. The key is that these individuals had no rights, no benefits. They had no death benefits. They had no protection for their families. They had nothing. And that is why this Supreme Court decision is so crucial and why I hope that the Supreme

Court of the United States will rule in favor of AFSCME against this wrong-headed approach to those who are trying to speak on behalf of those who support the rights of workers.

The Supreme Court cases did the flip of the First Amendment and suggested that the First Amendment of those who disapproved unions was being violated. I believe that the Supreme Court got it completely wrong and that the First Amendment rights of those who move positively to be part of a union could be argued vigorously that their rights are being violated. Not only their rights are being violated, but their rights to have a liveable wage and to work in a safe and protected workforce and workplace. That is what I think the real question is as to why those who want to be in a union must be defeated by the constitutional premise of the First Amendment.

My First Amendment is to join the union and to secure the rights and benefits of those. I hope that the Supreme Court will look to the fact that union members who desire to have fees selected and utilized for the union deducted from their salary have every much a right to the First Amendment. You can opt out, but you should not deny those members the right to the First Amendment to have their voices heard.

In particular, it is important to note the benefits that have come about to the African-American community. And that is the African-American community has seen increasing wages. African-American union workers earn up to \$10,000 or 31 percent more a year than nonunion workers. In 2011, nearly 20 percent of employed African Americans worked for the State, local, or Federal Government compared to 14 percent of other groups. And African Americans are less likely than other groups to work in the private sector.

So let me say this about why I stand here to support the unions and their right to the First Amendment to deduct fees to be able to express their rights. Let me just quickly say as I close: Do you know among the many things that unions have helped us get are weekends, all breaks at work, paid vacations, family medical leave, sick leave, Social Security, minimum wage, civil rights, overtime, child labor laws, and workman's comp?

Mr. Speaker, I believe that this is an important discussion because so many good elements of saving lives, so much so that those dear sanitation workers would not have lost their life, came about from the sacrifice of unions, and we should provide them with the First Amendment right.

Let me salute Clara Caldwell who will be honored by our union brothers and sisters in Austin, Texas, and let me say the right thing for the Supreme Court to do is rule on behalf of the unions and their rights to the First Amendment.

Mr. Speaker, I include in the RECORD points about African Americans and

Labor Unions, facts about Janus v. AFSCME Council 31, and 36 reasons to thank the union movement.

AFRICAN AMERICANS AND LABOR UNIONS

1. Historically, the path to the middle class for African Americans was through a union job.

2. African-American workers are more likely to be union members.

3. Unionized workers promote greater income equality and prevent wage discrimination.

4. African American union workers earn up to \$10,000 or 31% more per year than non-union members.

7. Few African Americans are self-employed—only 3.8% reported being self-employed in 2011—making them almost half as likely to be self-employed as Whites (7.2%).

8. Unionized workers are more likely to receive paid leave, more likely to have employer-provided health insurance, and are more likely to be in employer-provided pension plans.

9. Unions play a pivotal role by ensuring workers have continued educational access for their current roles as well as encourage workers to pursue higher education.

10. Nationally, 77 percent of union employees in 2009 were covered by pension plans that provide a guaranteed monthly retirement income. Only 20 percent of non-union workers are covered by guaranteed (defined-benefit) pensions 20%.

11. Union workers are 53.9% more likely to have employer-provided pensions.

12. When unions are strong and able to represent the people who want to join them, these gains spread throughout the economy and the overall community.

13. Workers who form unions are able to boost wages, which helps attract and retain staff.

14. When non-union companies increase their wages, it gives all workers more purchasing power.

15. Communities with a strong middle class have sufficient tax revenues to support schools, hospitals and roads.

16. Historically, pensions, social security and personal savings ensured that workers could retire with dignity.

17. With the current recession and the attack on pensions, many workers are left to depend on social security and their personal savings alone.

18. Many African American elders find themselves in a precarious situation after decades of work.

19. Union members played a critical role in the civil rights struggles of the past and that involvement continues today.

20. When Martin Luther King Jr. was jailed for civil disobedience, unions and union members frequently came to his aid with the legal and financial help he needed.

21. Philip Randolph and Bayard Rustin both union leaders help to organize the March on Washington in 1963 and in countless cities around the country.

22. Martin Luther King Jr. was shot and killed while in Memphis to aid striking sanitation workers.

23. Today, labor unions are still on the forefront of efforts to ensure that the gains of the past are maintained and to fight for those still denied opportunity and equality.

FACTS ABOUT JANUS V. AFSCME COUNCIL 31—
SOURCE: AFSCME

Facts of the Case

In 1977, the Supreme Court, in *Abood v. Detroit Board of Education*, upheld against a First Amendment challenge a Michigan law that allowed a public employer whose employees were represented by a union to require those of its employees who did not join

the union nevertheless to pay fees to it because they benefited from the union's collective bargaining agreement with the employer.

Illinois has a law similar to that upheld in Michigan. The governor of Illinois brought a lawsuit challenging the law on the ground that the statute violates the First Amendment by compelling employees who disapprove of the union to contribute money to it. The district court dismissed the complaint on the grounds that the governor lacked standing to sue because he did not stand to suffer injury from the law, but two public employees intervened in the action to seek that *Abood* be overturned. Given that *Abood* is binding on lower courts, the district court dismissed the claim, and the Seventh Circuit affirmed dismissal for the same reason.

Legal Question Presented:

Should the Court's decision in *Abood v. Detroit Board of Education* should be overturned so that public employees who do not belong to a union cannot be required to pay a fee to cover the union's costs to negotiate a contract that applies to all public employees, including those who are not union members?

Janus v. AFSCME Council 31 threatens our union and all working families. This case, which will come before the Supreme Court in February, represents a huge threat to our union. As a local leader, you are critical to how we defend and protect our union, our members and public services in the face of this threat.

This lawsuit aims to take away the freedom of working people to join together in strong unions to speak up for themselves and their communities. In February, the U.S. Supreme Court will hear the case and a decision is expected by the summer.

What are fair share fees, and why are they important?

Unions work because we all pay our fair share and we all benefit from what we negotiate together. Fair share fees provide public service workers with the power in numbers they need to negotiate better wages, benefits and protections that improve work conditions and set standards for everyone.

Each public service worker chooses whether or not to join a union, but the union is still required by law to represent and negotiate on behalf of all public service workers—members and non-members alike. All employees receive the wage increases, benefits and workplace rights negotiated through the union.

The corporate special interests behind this case want to take away our ability to build strength in numbers. That is why they want the Supreme Court to rule that workers can receive all the benefits of a union contract without contributing anything in return. All workers should chip in their fair share to cover the cost of representing them.

Is anyone ever forced to join a union or pay for politics?

No. The simple truth is that no one is forced to join a union and no one is forced to pay any fees that go to politics or political candidates. That is already the law of the land. Nothing in this case will change that. This case is about taking away the freedom of working people to join together, speak up for each other and build a better life for themselves and their families by undermining their ability to form strong unions.

What is the real impact of this case?

When working people have the freedom and opportunity to speak up together through unions, we make progress together that benefits everyone. The wealthy elite behind this case are trying to use the highest court in the land to take away our freedom to create the power in numbers to secure better lives

for ourselves, our families, our communities and our country by undermining our ability to form strong unions.

If fair share fees are struck down, employees who benefit from the gains that the union makes will not have to pay anything toward the cost of that representation. If the billionaires and corporate CEOs behind this case get their way, they will take away the freedom of working people to come together and build power to fight for the things our families and communities need: everything from affordable health care and retirement security to quicker medical emergency response times.

What is this case really about?

The case aims to erode the freedom to form unions to improve our lives and the communities we serve. Real freedom is about making a decent living from our hard work; it's also about having time to take a loved one to the doctor, attend a parent-teacher conference and retire in dignity. The corporate special interests behind this case do not believe that working people should have the freedom to negotiate a fair return on their work.

Who is behind this case?

The National Right to Work Foundation is part of a network funded by corporate billionaires to use the courts to rig the rules against working people. For decades, these wealthy elites have used their massive fortunes to gain outsized influence to chip away at the progress unions have won for all working families. Now they want the highest court in the land to take away our freedom to come together to protect what our communities need: a living wage, retirement security, health benefits, the ability to care for loved ones and more.

How do unions benefit our communities?

People in unions continue to win rights, benefits and protections for all working people and their communities. When public service workers belong to strong unions, they fight for staffing levels, equipment and training that saves lives and improves the public services our communities rely upon. And when union membership is high, entire communities enjoy higher wages.

36 REASONS TO THANK THE UNION MOVEMENT

1. Weekends
2. All breaks at work, including your lunch breaks
3. Paid vacation
4. FMLA (Family and Medical Leave Act)
5. Sick leave
6. Social security
7. Minimum wage
8. Civil Rights Act Title VII (prohibits Employer Discrimination)
9. 8-Hour work day
10. Overtime pay
11. Child labor laws
12. Occupational Safety & Health Act (OSHA)
13. 40 Hour Work Week
14. Worker's Compensation (Worker's Camp)
15. Unemployment Insurance
16. Pensions
17. Workplace Safety Standards and Regulations
18. Employer Health Care Insurance
19. Collective Bargaining Rights for Employees
20. Wrongful Termination Laws
21. Age Discrimination in Employment Act of 1967
22. Whistleblower Protection Laws
23. Employee Polygraph Protect Act (Prohibits Employer from using a lie detector test on an employee)
24. Veteran's Employment and Training Services (VETS)
25. Compensation increases and Evaluations (Raises)

26. Sexual Harassment laws
27. Americans With Disabilities Act (ADA)
28. Holiday Pay
29. Employer Dental, Life, and Vision Insurance
30. Privacy Rights
31. Pregnancy and Parental Leave
32. Military Leave
33. The Right to Strike
34. Public Education for Children
35. Equal Pay Acts of 1963 & 2011
36. (Requires employers pay men and women equally for the same amount of work)
37. Laws Ending Sweatshops in the United States

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank Ms. SHEILA JACKSON LEE for her comments.

Mr. Speaker, I yield to the Congressman from the great State of New Jersey (Mr. PAYNE), who is a strong fighter on behalf of unions.

Mr. PAYNE. Mr. Speaker, let me first thank Congressman SCOTT for hosting tonight's Special Order hour and his continual dedication to making sure that working families are represented by his great leadership.

Tonight, the Janus-Council 31 case and the value of unions is what we are here to speak about. As we hold this Special Order hour, there are efforts across the country working to trample workers' rights. The Supreme Court case, Janus v. AFSCME, aims to take away the freedom and the opportunity for working people to join together and strong unions to speak up for them, their families, and their communities.

□ 2100

Any effort that threatens to undermine public sector collective bargaining rights is an attack on working people and their ability to negotiate with a strong voice in their workplace. We must be unwavering in our support of workers' rights.

Over the decades, unions were vital in our communities, particularly for women and communities of color. African-American women in unions earn an average of \$21.90 an hour, while non-union women earn \$17.04 an hour. In addition, more than 72 percent of women in unions have health insurance, while less than 50 percent of nonunion African-American women do. The important work that unions do every day is improving our economy and the lives of countless working families in this country.

Mr. Speaker, I had much more to say, but in the interest of time, I will say I know how important it is to be represented. I, in my working career, have been in two labor unions myself, and I worked at a company and was fired. My uncle fired me. My father was the hearing officer against me, and my grandfather was the witness against me. Mr. Speaker, I know how important it is to be represented because the union got my job back.

Thank you, Congressman SCOTT, for hosting tonight's Special Order Hour on the Janus case, Council 31, and the Value of Unions.

As we hold this special order hour, there are efforts across the country working to trample workers' rights.

The Supreme Court case, Janus v. AFSCME, aims to take away the freedom and opportunity for working people to join together in strong unions to speak up for themselves, their families and their communities.

Any effort that threatens to undermine public sectors collective bargaining rights is an attack on working people and their ability to negotiate with a strong voice in their workplace. We must be unwavering in our support of workers' rights.

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The important work that unions do every day is improving our economy and the lives of countless working families across this country.

For example, in New Jersey, unions are helping train the next generation of health care professionals. To address New Jersey's nursing shortage, the AFSCME Local 1199J developed a system for union members to develop and maintain the skills needed for career advancement in nursing.

The union also supports programs like the Youth Transitions to Work Certified Nursing Apprenticeship, which helps prepare Newark-area high school juniors and seniors as they start a career in nursing.

As you can see, unions and strong union membership fill the gaps when others drop the ball. Janus is the culmination of decades of attacks on working people by corporations, the wealthiest one percent, and hostile politicians. This right-wing attack against the middle class must not stand.

The forces behind this case are the same forces that have pushed for limiting voting rights, attacked immigrants, and undermined civil rights protections.

In fact, this is the third instance where the Trump Solicitor General's office is reversing that office's position, seriously jeopardizing the Department of Justice's reputation before the court and undermining the rule of law.

It is undeniable that unions have played a critical role in building and protecting the middle class in America.

Unions provide hard working people economic stability and give them the tools to build a good life, home, and education for themselves and their children. We must stand together to ensure that America has strong labor protections that work for everyone.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank the gentleman. I really appreciate that.

I yield to the gentleman from New York (Mr. JEFFRIES), who is a leader on the Judiciary Committee and who knows full well how wrong it would be for the Supreme Court to reverse itself and take away a right that was given to labor unions just 41 years ago and then switch it back. That is not fair.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman from Georgia for yielding and for his tremendous leadership on this issue.

Here in America, if you work hard and play by the rules, you should be able to provide a comfortable living for yourself and for your family; but for

far too many American workers, that basic contract has been broken.

Since the early 1970s, the productivity of the American worker has increased in excess of 285 percent; but during that same period of time, wages have increased by less than 10 percent. So the productivity gains of the American worker have not gone to the American worker; instead, they have gone to the privileged few, to millionaires and billionaires and to big corporations to subsidize the lifestyles of the rich and shameless. That is the America that we are dealing with right now.

Some may explain it as a result of globalization; some may say it is fully negotiated trade deals; some may say it is the outsourcing of good-paying American jobs; some may say it is the rise of automation. Certainly, all of those factors are implicated, but the decline in unionization has been a significant, if not decisive, reason that so many people have been struggling to achieve the American Dream.

And now the Supremes, in their wisdom, want to give us another raw deal, rightwing hit to benefit the wealthy and the well-off to the detriment of hardworking Americans. So let's hope that Justice Kennedy does the right thing, that five Justices on the Supreme Court see themselves to not interfere and overturn settled law for the purpose of continuing a march to benefit the privileged few to the detriment of hardworking Americans.

Mr. DAVID SCOTT of Georgia. I thank the gentleman so much for his comments.

It is with great pleasure that I yield to the gentlewoman from Delaware (Ms. BLUNT ROCHESTER), who also served as the former secretary of labor of Delaware, whom I have worked with on our Agriculture Committee.

Ms. BLUNT ROCHESTER. Mr. Speaker, I thank the gentleman for yielding and for the opportunity to speak at this Special Order hour.

Mr. Speaker, as the former secretary of labor and head of personnel for the State of Delaware, I am here this evening on the floor of the House to lend my voice in support of the thousands of men and women across the country who are dedicated public servants who currently belong to public sector labor unions; who teach our children, pave our roads, protect us, care for our seniors; who don't receive huge salaries; who don't work in palatial offices; and whose very right to organize and collectively bargain is under attack.

At the end of February, the Supreme Court is set to hear a case, *Janus v. AFSCME Council 31*, which is simply another attempt to weaken the rights of public sector employees in the fight for better pay, paid sick leave, and the ability to one day retire with dignity.

Mr. Speaker, the plaintiff in this case seeks to bar the ability for public sector unions from collecting fair share fees. Fair share fees are collected from

public sector employees to help their unions negotiate for better wages, benefits, and protections.

It is important to note that no union can be effective at negotiating with employers unless the employees who reap the benefits of these negotiations pay for the collective bargaining—even if they are not members of the union.

The Supreme Court has already ensured that a union's political activities and their collective bargaining activities are separate from their fair share dues. No public sector worker is being asked to contribute funds to causes to which they do not agree. It should be noted that unions go through painstaking detail to ensure that no funds are misused.

When our first responders, teachers, and public sector workers come together and form strong unions, they win benefits, like better working conditions, better wages, healthcare, and retirement security, which also benefit nonunion members.

As our economy shifts and the wealth gap grows, the protective power of unions must be strengthened, not weakened. Without the freedom to come together, working people would not have the power in numbers they need to make our communities and our country more prosperous.

Mr. Speaker, it is my hope that the Justices will see the value, need, and success of public sector collective bargaining and that everyone must pay their fair share.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is very important to recognize that Ms. SHEILA JACKSON LEE is a senior member of the Judiciary Committee as well and has vowed to lead this fight in the committee, and we appreciate that.

It gives me great pleasure to yield to the gentlewoman from Orlando, Florida (Mrs. DEMINGS). And may I say, Mr. Speaker, that Mrs. DEMINGS is the former chief of police of Orlando. Who better to speak to the damage that this Supreme Court *Janus* decision could have on our police officers than the former chief of police.

Mrs. DEMINGS. Mr. Speaker, I thank my colleague from Georgia (Mr. DAVID SCOTT) for his leadership on this very critical issue.

Mr. Speaker, America is a great nation, and tonight we continue to celebrate that fact. But we do know that great things don't just happen on their own. If we take a serious look through the pages of history, we will see the blood, the sweat, and the tears of many people. Some of those people came on cruise ships, and some came on slave ships. But regardless of the foundation on which our journey in America began, many were there helping to build what we now know as a great nation.

Mr. Speaker, the American worker is intertwined in the moral fabric of our great society. As America began to grow as an industrialized society, so did its workforce and the need to de-

velop fair and equitable workplace standards.

I joined the Orlando Police Department in 1984, and on my first day of orientation, I joined the union. I joined a great department, and I wanted to do my part to keep it a great department. I proudly joined the union, and I clearly understood—and it appeared at that time that those in management also understood—that the union was working hard to ensure that employees, both sworn and civilian, worked in a safe work environment, were paid fair wages, and were fairly compensated in the event of death on the job.

I was an active member of the union, and when I moved to the management ranks, I met regularly with union leadership to ensure we continued to have a healthy work environment, fair wages, meaningful benefits, and safe working conditions. That has been and continues to be the work of American unions.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield to the gentleman from Washington (Mr. HECK), a strong fighter for labor unions.

Mr. HECK. Mr. Speaker, his name was Victor, although he went by Vic. He was the oldest of six on their very hard scrabble farm in rural South Dakota.

One day, he came home from school, when he was just in the eighth grade, and he was met at the porch by his father, who told him, in his broken English, that he would have to quit school to save the family farm, denying him the education that he wanted so very badly because, you see, it was the winter of 1930 and the Great Depression had arrived.

He lived a life of deprivation before and after, kicking around from job to job just to survive, just to keep from starving. World War II came. He volunteered, and afterwards, he became a truck driver and a teamster.

The woman he would marry, Jean, had a high school education, no college. She became a telephone operator and a member of Communications Workers of America.

Together, they worked very hard and they raised four children. They owned their own home. They had a wooden boat in the garage. They took annual modest vacations. They had healthcare coverage, and they helped each of their children attend college who wanted to. Then they had a secure retirement, and they owed it all to the strength of their unions.

Mr. Speaker, one of their four children stands before you today. Thank you, Teamsters. Thank you, Communications Workers of America. Thank you, unions across America.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank the gentleman for his comments, and I yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the Congressional Black Caucus for holding this important discussion.

For the past 4 years, courts have held that public sector unions can charge a

small fee to workers that benefit from the collective bargaining agreements that unions negotiate and enforce. Reversing that precedent is not an honest shift in legal interpretation. It is a political attack against American workers and the organizations that represent them, and it has been years in the making.

For decades, a relentless, coordinated campaign supported by large corporate interests, advanced by political partisans, and funded by the Koch brothers has tried to rebrand union membership as a burden on American workers. Their campaign is as cynical as it is misleading.

For nearly a year, the United States Senate refused to give the highly respected Judge Merrick Garland even one hearing, then overruled at least 100 years of Senate tradition to steal a seat on the Supreme Court.

That seat is now the difference between a Court that upholds the rights of public sector unions and one that undermines their existence. Today, President Trump, the real estate billionaire who promised to be a voice for American workers, has pursued the most aggressive antiworker agenda in recent memory.

Thank you to my colleagues in the Congressional Black Caucus for holding this important discussion.

This evening I am speaking—not just as a strong supporter of public sector unions—but as a former union member myself. Throughout my 24 years in the classroom, I was a proud, dues-paying member of the California Teachers Association.

And here's why: Union membership means higher pay, better training, and safer working conditions. It means access to paid sick leave if you or a loved one gets sick. It means medical benefits, life insurance, and retirement security for families in communities across the country. It means a compassionate, humane workplace. And it means greater opportunities and a better future for the children of union workers.

At a time when income inequality is high, middle-class wages are stagnant, and workers' benefits are rapidly disappearing, collective bargaining is the last remaining source of leverage for American workers.

And now the conservatives on the Supreme Court are preparing to strip that leverage away.

For the past 40 years, Courts have held that public sector unions can charge a small fee to workers that benefit from the collective bargaining agreements that unions negotiate and enforce. Reversing that precedent is not an honest shift in legal interpretation. It is a political attack against American workers and the organizations that represent them . . . and it has been years in the making.

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That seat is now the difference between a Court that upholds the rights of public sector unions and one that undermines their existence.

And today, President Trump—the real estate billionaire who promised to be a voice for American workers has pursued the most aggressive anti-worker agenda in recent memory.

In the White House, in Congress, and now in the Supreme Court, American workers are being deprived of the protections that built the middle class. And instead of accepting blame for exacerbating the challenges facing working families, Republicans are pointing the finger at immigrants and refugees in an attempt to divide and distract our nation from the true source of inequality.

The decision in *Janus v. AFSCME* must be the beginning of a new effort, supported by all my colleagues here this evening, to restore the respect and benefits that American workers deserve.

□ 2115

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, let me thank Mr. SCOTT and the Congressional Black Caucus for this Special Order.

The *Janus* case is critically important to public employees, but, more importantly, to all the people who rely on public services that they provide.

This is an Illinois case—it is my State—*Janus v. AFSCME* Council 31, a relentless fighter for American workers. Before becoming Governor, Bruce Rauner was chairman of a private equity firm where he put profits ahead of working families. As Governor, he was the one who filed this suit.

We need to make sure that we protect workers all over this country. We need to win this case before the Supreme Court. Justice calls for winning for union members.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that Mr. PERLMUTTER may have 4 minutes as our final speaker.

The SPEAKER pro tempore (Mr. MARSHALL). The Chair cannot entertain the gentleman's request. The time of the gentleman has expired.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I had so many Members that I couldn't get them all in. But I appreciate it, and I hope that I have shared with the American people tonight this case and the threat it holds for our very valuable unions.

Mr. Speaker, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to pledge my whole-hearted support for the right of workers to organize and to decry the efforts of powerful corporate interests to outlaw public sector union fair share fees in the *Janus v. AFSCME* case currently before the Supreme Court.

Today, despite being more productive than ever, American workers are working longer hours for less money and fewer benefits.

It is no accident that working people are struggling. Corporate CEOs continue to use their wealth to influence politicians to rig the economic rules to benefit the wealthy and powerful at the expense of everyone else.

Now, those same corporate CEOs and special interests are behind a Supreme Court case called *Janus v. AFSCME*—a case that threatens to make things even worse for working people.

This case aims to take away the opportunity for working people to join together in strong unions to speak up for themselves, their families, and their communities.

When teachers, nurses, police officers, firefighters, and other public service workers are free to build strong unions, they win benefits like better working conditions, better wages, health care, clean and safe environments, and retirement security that benefit not just union members, but all workers.

Given that all workers benefit, it has been standard practice that all workers contribute their fair share of the cost of organizing—a practice upheld unanimously by the Supreme Court in 1977.

But the CEOs and corporate special interests behind the *Janus* case have abandoned the conservative principle of respect for precedent.

They are instead driven by a misguided belief that working people should be denied the same ability as they have to effectively negotiate a fair return on their work so that they can provide for themselves and their families.

The *Janus* case is a blatantly political and well-funded plot to use the highest court in the land to further rig the economic rules against everyday working people.

But what these corporate bigwigs fail to recognize is that unions are now more important than ever.

Unions work because we all pay our fair share and we all benefit from what we negotiate together.

The forces behind this case know that by joining together in strong unions, working people are able to win the power and voice they need to level the economic and political playing field.

That is why I will continue to stand with American workers and their unions to ensure that they are protected, and that they are able to pursue their own version of the American dream.

Mr. LAWSON of Florida. Mr. Speaker, I rise today and ask that we act now to preserve and defend labor unions.

Unions have played a critical role in building and protecting the middle class in America. They provide hard working people economic stability for their families and give them the tools to build a good life, home and education for themselves and their children.

As early as this week, the Supreme Court could take up *Janus v. AFSCME* which aims to take away the ability of working people to join together in strong unions.

Janus v. AFSCME would gut the entire public sector "right-to-work" in one fell swoop.

Janus is the culmination of decades of attacks on working people by corporate CEOs, the wealthiest 1%. The forces behind this case are the same forces that have pushed for limiting voting rights, attacked immigrants, and undermined civil rights protections.

When working people have the freedom and opportunity to speak up together through

unions, we make progress together that benefits everyone.

If the billionaires and corporate CEOs behind this case get their way, however, they will take away the freedom of working people to come together and build power to fight for the things our communities need: everything from affordable health care and retirement security to quicker medical emergency response times.

With Janus, CEOs and billionaires want to use the highest court in the land to take away our freedom to create the power in numbers to win better lives for ourselves, our families, our communities and our country.

Labor unions date back to the 18th century. They were established to help workers with work related issues such as low pay, unsafe working conditions, and long hours to have a body of individuals to speak on their behalf.

Labor unions are a brilliant balance of power between employees and employers. They have gained the power to negotiate peacefully for adequate treatment and respect as the economic backbone of this country.

Some of the accomplishments include increasing wages, raising the standard of living for the working class, ensuring safe and sanitary working conditions, and increased benefits for both workers and their families.

The group mentality of unions provides the comfort of inclusion and recognition that employees seek in the workplace. When an employee sees his or her needs are important and being met, then the quality of his or her work life increases tremendously.

As the working class continues to push the economy forward, unions are becoming more and more necessary.

Unions are the spokespersons for the overworked—and sometimes the underappreciated.

Unions assure that every employee has a seat at the table. Some business employers may argue that unionized workers create an atmosphere that lessens the sense of partnership with their supervisors.

No one is forced to join a union. Membership is purely optional.

We must preserve the right of employees to join together to negotiate for better pay and working conditions.

Strong unions also advocate for equal opportunity for women and communities of color who have been discriminated against.

Union jobs have historically been and continue to be a path to the middle class for people of color, who often face low wages in their professions. African-American union members today earn 14.7 percent more—and Latino union workers 21.8 percent more—than their nonunion counterparts.

As representatives of these great states, we owe it to our middle class to not silence their voice. They deserve their fair share of the economic prosperity that they have helped to create.

Unions are and always will be an important factor in making the economy work for all Americans.

Mr. TONKO. Mr. Speaker, in the years following the Great Recession (2009–2012), 91 percent of all new wealth created accrued to the top one percent of earners.

From 1980 through 2014, incomes for the wealthiest one percent of Americans rose by 204 percent while incomes for the bottom 50 percent rose by just 1 percent.

During that period, the size and productivity of the U.S. economy have essentially doubled.

President Trump likes to tout a booming stock market, but the wealthiest 20 percent of Americans own 92% of the stocks. The other 80 percent, four out of five Americans, own just 8 percent of that wealth and are being largely left behind.

And things are about to get much worse, because the Trump tax scam does exactly the same thing that has failed us for decades: trickle-down economics. It failed under Reagan, it failed again under Bush. Every time Republicans ram it through, it adds billions, in Trump's case trillions of dollars to our debt, and the wealthy walk away with the benefits. The rich get richer and the rest of us just have to work harder for less.

Meanwhile just in the past six weeks, Sam's Club laid off some 11,000 employees. Carrier cut another 1,500. AT&T laid off some 4,000. Kimberly Clark, the company that makes Kleenex and Huggies, just announced that it would use Trump's tax scam as an opportunity to lay off 5,000 or more workers and close 10 manufacturing facilities.

Janus v. AFSCME is an effort by the wealthy and powerful to further insulate their economic power and ability to restrict access to wealth for the rest of us.

Strong unions are key to unrigging this economy, improving local communities and the lives of union and nonunion families alike.

Unions are associated with greater productivity, lower employee turnover, improved workplace communication, and a better-trained workforce.

Data shows that unions and unionization lead to increased economic growth and competitiveness.

According to the BLS, among full-time and salary workers, in 2017 union members had average weekly earnings of \$1,041, non-union members had median weekly earnings of \$829.

When union membership is high, entire communities enjoy wages that represent a fair return for their work and greater social and economic stability and mobility. And unions advocate for policies that benefit all working people, e.g. minimum wage, affordable health care, and quality public schools.

Unions provide a path to the middle class for working people by increasing their income and the economic security of their families.

As union membership has decreased because of attacks on working people, income inequality has risen in the U.S. Source.

Through collective bargaining, members of strong unions are scoring victories that help entire communities—like safer nurse-staffing levels that help patients and smaller classroom sizes that help students.

AFSCME Region President, Ron Briggs, suggested you may recognize the following members because they have worked diligently to sign agency fee payers in their locals/units and are active in fighting back against the Janus case, right-to-work and the pro-corporate agenda:

Lorraine Aumic from Local 688 Office of Temporary & Disability Assistance. She lives in Schenectady.

Bryan Schaeffer from Local 886 Schenectady School Districts, Municipalities, and Towns. He lives in Delanson.

Michele Kuiber from Local 671 Workers Compensation Board. She lives in Amsterdam.

Jodi Aubin from Local 655 Environmental Conservation. She lives in Clifton Park.

Janus v. AFSCME is the product of a political scheme to further tilt economic power away from working people and the middle class. It strikes at the freedom of working people to come together in strong unions.

Unions are critical to America's middle class, providing economic stability, a good life, home and education for workers and their families.

CEOs and corporate special interests behind this case oppose letting workers negotiate a fair wage for their work.

The case was brought to manipulate the Supreme Court to satisfy blatantly political goals. In a 10-page State Policy Network (SPN) fundraising letter reported on in The Guardian, SPN President and CEO Tracie Sharp wrote that the goal of their Koch-backed network's \$80 million campaign was to "defund and defang" unions.

The original plaintiff in this case was Illinois Gov. Bruce Rauner, who launched a political attack on public employees after taking office. A U.S. District Court judge ruled in 2015 that Rauner had "no standing" to bring suit, so the legal arms of the National Right to Work Committee and the Liberty Justice Center went looking for plaintiffs to serve as stand-ins for Rauner in the federal lawsuit.

The Supreme Court case Janus v. AFSCME, Council 31 aims to take away the freedom of—and opportunity for—working people to join together in strong unions to speak up for themselves, their families and their communities. When teachers, nurses, police officers, firefighters and other public service workers are free to come together in strong unions, they win benefits like better working conditions, better wages, health care, clean and safe environments and retirement security that benefit non-union members as well. But the CEOs and corporate special interests behind this case simply do not believe that working people should have the same freedoms and opportunities as they do: to negotiate a fair return on our work so that we can provide for ourselves and our families. They are funding this case through the National Right to Work Foundation, because they view strong unions as a threat to their power and greed.

When working people have the freedom and opportunity to speak up together through unions, we make progress together that benefits everyone. If the billionaires and corporate CEOs behind this case get their way, however, they will take away the freedom of working people to come together and build power to fight for the things our communities need: everything from affordable health care and retirement security to quicker medical emergency response times. The CEOs and billionaires want to use the highest court in the land to take away our freedom to create the power in numbers to win better lives for ourselves, our families, our communities and our country.

People in unions continue to win rights, benefits and protections not only for union members, but for all working people and their communities in and outside of the workplace. When nurses, firefighters, 911 dispatchers and EMS workers belong to strong unions, they fight for staffing levels, equipment and training that save lives. And when union membership is high, entire communities enjoy wages that represent a fair return on their work and greater social and economic mobility. Without the freedom to come together, working people

would not have the power in numbers they need to make our communities safer, stronger and more prosperous.

The National Right to Work Foundation is part of a network funded by corporate billionaires to use the courts to rig the rules against everyday working people. For decades, the corporate CEOs and billionaires funding this case have used their massive fortunes to pay politicians and corporate lobbyists to chip away at the freedoms people in unions have won for every single one of us. Now they want the highest court in the land to take away our freedom to come together to protect things our families need: a living wage, retirement security, health benefits, the ability to care for loved ones and more.

This case originated from a political scheme by billionaire Bruce Rauner, governor of Illinois, to advance an agenda benefiting corporations and the wealthy. Rauner launched a political attack on public service workers immediately after taking office, filing a lawsuit on his own behalf to bar the collection of fair share fees by public service unions. A federal judge ruled that Rauner could not bring this action because he was not himself an employee paying fair share fees. But the legal arms of the National Right to Work Committee and the Liberty Justice Center were able to carry the case forward by finding plaintiffs as stand-ins for Rauner in the federal lawsuit. The district court dismissed the case, based on long-standing precedent. The plaintiffs asked the lower court to fast-track their appeal and rule against them in order to more quickly get the case before the U.S. Supreme Court.

Unions work because we all pay our fair share and we all benefit from what we negotiate together. Fair share fees provide public service workers with the power in numbers they need to negotiate better wages, benefits and protections that improve work conditions and set standards for everyone. Each individual public service worker chooses whether or not to join a union, but the union is still required by law to represent and negotiate on behalf of all public service workers—members and nonmembers alike. The corporate special interests behind this case want to take away the freedom of public service workers to have the power in numbers to provide for their families and make their communities stronger. That is why they want the Supreme Court to rule that workers can receive all the benefits of a union contract without contributing anything in return. Look at it this way: If you go out to dinner with a group of friends, you still pay your fair share of the check even if you didn't get to choose the restaurant.

No one is forced to join a union and no one is forced to pay any fees that go to politics or political candidates. That is already the law of the land. Nothing in this case will change that. This case is about taking away the freedom of working people to come together, speak up for each other and build a better life for themselves and their families.

Ms. SLAUGHTER. Mr. Speaker, today I join my colleagues in calling attention to an attack on one of our most basic fundamental rights as American citizens—the right to organize in our workplace.

The impending Supreme Court case, *Janus v. AFSCME*, is nothing more than a continued attack by corporate CEOs on American workers' right to unite and advocate for fair labor standards. This critical right offers working

people the opportunity to get ahead through bargaining with their employers for better wages, benefits, and working conditions.

Wherever you work, if you appreciate a 40 hour work week, sick leave and vacation days, guaranteed safe working conditions, then you have unions to thank. And the outcome of this Supreme Court case will impact you. It was not a benevolent employer who brought fair labor standards to the American workforce; it was American workers. And an attack on the ability to organize in the workplace is an attack on all of them.

Since the inception of labor unions, American workers—both unionized and non-unionized—have enjoyed substantial gains in wages, safety, and stability. In fact, throughout the 20th Century, the growth of unions gave rise to the creation of the great American middle-class, who has contributed immensely to our great nation. Over the years, however, a change in global economy, unfair trade agreements, and a deliberate effort to weaken unions have made life much harder for the middle class. In fact, for far too many middle-class families, the American dream has sadly now become nothing more than a memory of time passed.

This decimation of the middle class coincides with the Majority's relentless attacks on labor unions. The Majority has pushed right-to-work legislation, tried to weaken enforcement of workers' collective rights, and has even tried to repeal prevailing wage laws. They are working hand-in-glove with the Trump administration, which supports a national right-to-work bill. We are seeing many dangerous attacks on the state level, too.

I continue to fight against these attacks on our workers. All the while, I will also keep fighting to overhaul NAFTA, which has caused my district to lose half of its manufacturing jobs. In holding our trading partners to a higher standard, it is critical that we practice what we preach. That means promoting strong labor standards here at home and protecting American workers against unyielding efforts to weaken their right to organize.

Ms. FUDGE. Mr. Speaker, *Janus v. AFSCME* comes down to a binary choice: will the U.S. stand up for the fundamental right of workers to form a union and collectively bargain; or will the Supreme Court allow large corporations to continue their assault on hard-working Americans.

Unions are a vital part of our nation. Decades ago, Congress protected the right of workers to join together and bargain for better wages, regular work hours and improved safety conditions, giving workers a voice when negotiating with large corporations.

Despite their role in creating and maintaining America's working middle class, unions are under relentless attack.

It is no coincidence that a dramatic rise in income inequality coincides with a nation-wide campaign against unionization.

American workers have become more productive, yet wages have stagnated. Their hard work has created billions of dollars in profits, all while working longer hours for less pay and fewer benefits.

Endless attacks have been launched against workers' overtime pay, retirement savings, and health care.

The tax code was just tilted even more toward the wealthiest individuals and corporations.

Corporate profits were at all-time highs before the tax cut.

Unions ensure workers can fight for their fair share of the profits they help create.

On average, unionized workers earn \$207 more per week than non-unionized workers. Unionized workers have greater access to paid holidays, paid sick leave, life insurance, medical, and retirement benefits.

Unionized workforces lead to less turnover for employers and more highly skilled workers. Children of union members are more likely to climb the ladder to the middle class. States with higher union density have better workplace laws.

The foundation of U.S. labor law has held firm for nearly 70 years. American standards are what we strive to hold other countries to when negotiating trade deals, yet these standards are constantly under attack.

The Supreme Court will soon hear oral arguments in *Janus v. AFSCME*, a case that could fundamentally end collective bargaining.

The question of "fair share" was settled by the Supreme Court years ago. Unions are required by law to represent and negotiate on behalf of all public sector employees, regardless of whether or not a worker decides to formally join the union.

Fair share fees support that requirement and ensure no worker is required to join the union and no one is forced to pay any fees that go toward politics or candidates they disagree with. But all employees benefit from union negotiations. It is only fair that all employees contribute.

This is already the law. *Janus* is just another in a long line of attacks on unions and workers.

Since Republicans took control of the House in 2011, they have convened more than 30 hearings and markups to undermine workers' rights in the Education and the Workforce Committee alone.

Rather than attacking workers' rights, we should focus on raising wages and improving working conditions for all Americans. We should work to ensure paid family, sick and medical leave, improve access to child care, and ensure access to quality, affordable health care for all Americans.

It's time for my colleagues to turn their words into actions. It's time to support unions and the American worker. The real middle class.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, labor unions have played a crucial role in the formation of United States. Since 1869, unions have provided a platform for workers to collectively bargain for better wages, better hours, and safer working conditions. Every single worker living in the United States today has benefitted in some way from the role of unions, helping to shape our nation into the country that we all know and admire.

Today, unions play a more important role than ever before in recent history, particularly for the most vulnerable segments of our population, such as women and communities of color. When unions are strong, communities are stronger. Yet now, as union membership declines, so have opportunities for working and middle class families. In 2016, there were 14.6 million unionized members in the United States, down from 17.7 million in 1983. Union membership in the private sector has fallen to below seven percent. Wages have also remained stagnant since the 1970s, while people continue to work longer hours and often

times multiple jobs just to make ends meet. These consequences can be traced back to deliberate attacks against workers' rights and their ability to organize.

The Supreme Court case in *Janus v. AFSCME*, Council 31, is a clear manifestation of these attacks on collective bargaining rights. The U.S. Supreme Court will hear oral arguments on this case on February 26, 2018, which will question the future of "fair share fees"—or fees requiring non-union members to help cover the costs of a union's collective bargaining activities—in the context of our First Amendment rights. The Supreme Court has the potential to upend more than 40 years of unanimous precedent supporting a states' ability to determine its own labor policy. It is truly another important milestone in our nation's history which will define who we are for generations to come.

Mr. Speaker, as wages remain stagnant and more workers fail to find gainful employment, we need to question the direction in which our country is headed. Do we want all bargaining power to be concentrated in the hands of only the wealthiest corporations? Or do we believe that American workers should retain reasonable means to organize when wages, benefits, and working conditions decline? I believe in the latter. I believe in the American people. This Congress must do more to protect the collective bargaining rights of working families, not only because it is the right thing to do but because our nation is stronger when we do so.

DEPUTY DIRECTOR OF THE FBI STEPS DOWN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 22 minutes.

Mr. GOHMERT. Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I thank my colleague, Mr. GOHMERT, my classmate, for yielding to me.

Mr. Speaker, tomorrow night the President will come before this Chamber to address Americans and the wider world. While some in this Chamber and those watching at home will disagree with the President's vision, I hope that we may all agree to pay attention to the facts.

The fact remains that our economy is booming. Thanks to the Tax Cuts and Jobs Act, middle class Americans are receiving bonuses and are empowered to keep more of their paychecks. Energy companies are slashing their rates so that taxpayers are spending less on energy. Families are now able to keep more of their hard-earned money to spend any way they wish.

The Dow Jones has soared into new heights under this administration. These facts will surely be addressed by the President, even if they are conveniently ignored by some in this Chamber and members of the news media.

I look forward to attending the State of the Union and encourage all those tuning in to remember the facts.

Mr. GOHMERT. My friend, former President FOXX, collegiate president

and great Member of the House, made some great points. I look forward to hearing the President's State of the Union Address tomorrow as well.

Mr. Speaker, there has been a great deal going on here lately in Washington, and something that has been a real threat to what I believe is the greatest law enforcement institution in the history of mankind, the Federal Bureau of Investigation. As former Speaker of the House Newt Gingrich has pointed out a number of times, had candidate Hillary Clinton won the Presidency in November of 2016, we would have no idea how badly or how significantly the Department of Justice and the FBI had been weaponized politically. I just thank God we had the opportunity to find out before it was too late and to do something about it.

Today's news has been that, as *The Wall Street Journal* article by Aruna Viswanatha and Del Quentin Wilber today reported: FBI deputy chief steps down after Trump criticism.

The article points out: "Deputy FBI Director Andrew McCabe left his post on Monday after his bosses urged him to step aside, said people familiar with the matter, following weeks of criticism from President Donald Trump and other Republicans."

I guess I would be one of those other Republicans.

"Mr. McCabe will take leftover vacation time until he is technically eligible to retire from the Federal Bureau of Investigation in March, the people said."

"Mr. McCabe has faced a steady string of attacks over an alleged conflict of interest stemming from his wife's previous run for Virginia State Senate as a Democrat before he became deputy director. He has denied any conflict."

"But Mr. Trump and other Republicans have cited it as part of a broader assertion of bias on the part of the FBI, Justice Department, and special counsel's office as they investigate Russian meddling in the 2016 campaign and any links between the Trump campaign and Moscow in that effort. Mr. Trump has specifically called for Mr. McCabe's ouster."

"Democrats say these assertions are an attempt to distract from the investigations and discredit them."

"FBI Director Chris Wray, addressing Mr. McCabe's departure in an email to employees, said Mr. Wray 'will not be swayed by political or other pressure' in making decisions, according to a person familiar with the message."

That is quite interesting coming this long after evidence was slapping people in the face, figuratively speaking. It appears that evidence that is overly compelling also may not actually sway Chris Wray into taking actions as the Director of the FBI that a reasonable and prudent Director of the FBI would have taken under the same or similar circumstances.

"Mr. Wray thanked Mr. McCabe for his service, adding"—I guess that in-

cludes the politicalization, the weaponizing, of the FBI in which Mr. McCabe was involved—"that Mr. McCabe said he would take leave immediately following a conversation between the two, the person said. The email was first reported by *The New York Times*."

"In the message, Mr. Wray also said he wouldn't comment on a pending report from the Justice Department's inspector general, or inhouse watchdog, which is expected to criticize the FBI's handling of an investigation into Hillary Clinton's email arrangement when she was Secretary of State. The report is expected to prompt some personnel changes."

You think?

"Mr. McCabe's decision Monday was a surprise to many inside the FBI"—apparently those who had gotten used to it being weaponized and politicized.

"Officials abruptly canceled a press conference to discuss an unrelated criminal operation. . . ."

It goes on to say: "The U.S. intelligence community, in January 2017, said it believed Russia had conducted an influence operation with the goal of hurting Mrs. Clinton and helping Mr. Trump in the 2016 Presidential election."

Gee, okay, so this article is citing the U.S. intelligence community. I guess that would include the part of the intelligence community that made the decision in 2012, along with the State Department—that would be Secretary of State Hillary Clinton—to leave the Ambassador to Libya exposed to grave danger, and even after seeing footage of attacks, the same intelligence community that decided they were better off leaving people to die and ordering four heroes to stand down and not go protect the Ambassador and others from dying, that same intelligence community. How about that?

They, apparently, according to the article, said they believed Russia conducted an influence operation. It turns out the same intelligence community that couldn't stand George W. Bush and leaked plenty of information to hurt his Presidency, and also has done a great job of leaking material to hurt President Trump's administration, if this article is correct, they helped the weaponized Department of Justice launch an investigation into potential Russian influence.

It is just so amazing, when we start finding out facts that there was a dossier that Fusion GPS was involved in getting, strictly an opposition research effort that ended up having totally fabricated, really outrageously outlandish allegations, and according to the news media, what was in that dossier was so outrageous, if you were a Russian, you would think, these stupid Americans will have to be out of their minds to think that Donald Trump would have done something like this. But maybe—maybe—the now weaponized Department of Justice in America and the Obama administration when coupled