

(Mr. SANDERS) was added as a cosponsor of S. Res. 64, a resolution recognizing the need for the Environmental Protection Agency to end decades of delay and utilize existing authority under the Resource Conservation and Recovery Act to comprehensively regulate coal combustion waste and the need for the Tennessee Valley Authority to be a national leader in technological innovation, low-cost power, and environmental stewardship.

S. RES. 70

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. Res. 70, a resolution congratulating the people of the Republic of Lithuania on the 1000th anniversary of Lithuania and celebrating the rich history of Lithuania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL, of Colorado (for himself and Mr. BENNET):

S. 555. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL. Mr. President, today I am introducing the Sugar Loaf Fire Station Land Exchange Act of 2009.

This bill is the same as the version I introduced in the House of Representatives in the last Congress, H.R. 3181. It will facilitate a fair exchange of lands on the Arapaho-Roosevelt National Forest near Boulder, CO., between the Forest Service and the Sugar Loaf Fire District. The Fire District is seeking this exchange so that they can maintain and upgrade their fire stations serving the Sugar Loaf community and other nearby communities and properties—areas that are in the wildland/urban interface and thus at risk of wildfires. In fact, these fire stations serve the area that was burned in the Black Tiger Fire in 1989. That fire was the motivation for the Sugar Loaf community to invest more strongly in fire protection. The Fire District has grown a lot over the years, and will be celebrating its 40th anniversary this August.

The bill relates to two fire stations. The Fire District acquired station 1 through an original mining claim under the 1872 mining laws. In 1967, a public meeting was held on this property to establish a fire district and modify the old school building on the site into a firehouse to hold a fire truck and other firefighting equipment. On May 14, 1969, the U.S. Forest Service approved a special use permit, which allowed the fire department to use both the firehouse and approximately 5 acres of the property under it. The special use permit was reissued on August 11, 1994, with a life of 10 years.

In 1970, the fire department applied for a special use permit to operate and maintain a second firehouse—station

2—on Sugar Loaf Road. The original permit was approved of in 1970, and had an expiration date of December 31, 1991. The permit boundary included 2 acres.

The special use permit issued in 1994 combined the two permits for stations 1 and 2 into one. The new permit for station 2 reduced the permit area to one acre, because the area of impact and existing improvements did not exceed one acre.

The Fire District entered into discussions with the Forest Service about a land swap. In August 1997, the Fire District filed an application to acquire the property under stations 1 and 2 pursuant to the Small Tracts Act, STA. The STA allows for transfers of small mineral fractions by the sale of property for market value, or by the exchange of properties of nearly equal value. The application proposed trading a mining claim surrounded by National Forest, for approximately 3 acres under station 1 and 1.5 acres under station 2.

The Fire District worked in good faith to comply with the STA. In November 2002, officials from the Fire District met with officials from the Forest Service. Upon review of the STA application, the Forest Service concluded that the parcel under station 2 did not qualify for a land exchange and that the Fire District would have to pursue a new special use permit for the property under station 2. As a result, the Fire District is interested in securing ownership of the land under these stations through this exchange legislation.

The Fire District has occupied and operated these fire stations on these properties for over 30 years. If they can secure ownership, the lands will continue to be used as sites for fire stations. The Fire District has made a strong, persistent, good faith effort to acquire the land under the stations through administrative means and has demonstrated its sincere commitment to this project by expending its monetary resources and the time of its staff to satisfy the requirements set forth by the Forest Service.

However, those efforts have not succeeded and it has become evident that legislation is required to resolve the situation.

The Fire District is willing to trade the property it owns for the property under the stations. However, the Fire District is firm in its position that it wants land under both stations, and that the amount of land must be adequate to satisfy both its current and anticipated needs.

Under the bill, the land exchange will proceed if the Fire District offers to convey acceptable title to a specified parcel of land amounting to about 5.17 acres in an unincorporated part of Boulder County within National Forest boundaries between the communities of Boulder and Nederland. In return, the land—about 5.08 acres—where the two fire stations are located will be transferred to the Fire District.

The lands transferred to the Federal government will become part of the

Arapaho-Roosevelt National Forest and managed accordingly.

The bill provides that the Forest Service shall determine the values of all lands involved through appraisals in accordance with Federal standards. If the lands conveyed by the Fire District are not equal in value to the lands where the fire stations are located, the Fire District will make a cash payment to make up the difference. If the lands being conveyed to the Federal government are worth more than the lands where the fire stations are located, the Forest Service can equalize values by reducing the lands it receives or by paying to make up the difference or by a combination of both methods. The bill requires the Fire District to pay for the appraisals and any necessary land surveys.

The bill permits the Fire District to modify the fire stations without waiting for completion of the exchange if the Fire District holds the Federal government harmless for any liability arising from the construction work and indemnifies the Federal Government against any costs related to the construction or other activities on the lands before they are conveyed to the Fire District.

This is a relatively minor bill but one that is important to the Fire District and the people it serves. I think it deserves enactment without unnecessary delay.

By Mr. REID (for Mr. KENNEDY (for himself, Mr. HARKIN, Mr. DODD, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mr. MERKLEY, Mr. BYRD, Mr. INOUE, Mr. LEAHY, Mr. LEVIN, Mr. KERRY, Mr. ROCKEFELLER, Mr. REID, Mr. LIEBERMAN, Mr. AKAKA, Mrs. BOXER, Mr. FEINGOLD, Mr. WYDEN, Mr. DURBIN, Mr. JOHNSON, Mr. SCHUMER, Mr. NELSON of Florida, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. BEGICH, Mr. BURRIS, Mr. KAUFMAN, and Mrs. GILLIBRAND)):

S. 560. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during the organizing efforts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. We are facing a profound economic crisis, the likes of which we have not seen since the Great Depression. Countless working families who were already living on the edge of financial disaster have been hit hard, and they have nothing to fall back on. Their faith in the American dream has been replaced by fear for their families and their future.

We have already taken some much-needed actions to put our country back on track, but more needs to be done. In these perilous times, working families need security. They need new skills and new opportunities. And they need a voice in the decisions that will affect their families and their futures.

Now more than ever, workers need someone on their side, fighting for them. Now more than ever, they need unions. Unions were fundamental in building America's middle class, and they have a vital role to play today in restoring the American dream for working families.

First and foremost, unions enable workers to obtain their fair share of the benefits that their hard work creates. Union wages are 30 percent higher than nonunion wages. Eighty percent of union workers have health insurance, compared to only 49 percent of their nonunion counterparts. Union members are four times more likely to have a guaranteed pension.

Equally important in this crisis, unions provide greater security and greater promise of fair treatment. At a time when workers who lose their jobs can remain unemployed for a year or more, those who are represented by a union have better job security and the assurance of knowing they will have a voice at the table when difficult decisions are made.

It is little wonder that so many Americans want a union on their side. In a recent survey, more than half of all nonunion workers—nearly 60 million men and women—say they would join a union if they could.

The problem is that most workers who want a union can't get one. Those who attempt to exercise this fundamental right often find that the current system is rigged against them.

Unscrupulous employers routinely break the law to keep unions out. They fire union supporters. They intimidate workers, harass them, and discriminate against them. They close down whole departments—or even entire plants—to avoid a union. A recent study by the Center for Economic and Policy Research found that union supporters are fired in more than one quarter of all union organizing campaigns.

Even when workers prevail in a union election, employers can steal the victory by refusing to bargain fairly for the first union contract. They drag their feet, delay bargaining, and use a variety of other tactics to prevent an agreement. One study found that in more than a third of hard-won union elections, workers are denied a contract because of employers' delaying tactics.

Many of these abuses by employers are illegal, but employers have no incentive to change their behavior. The penalties for violating workers' rights are so weak that they simply become a minor cost of doing business.

Obviously, not all employers see unions as the enemy. Many successful companies have allowed their workers

to organize without threats or dirty tricks. They have formed strong partnerships with their employees, and they have prospered. But these individual good examples are not enough to solve the problem. We need to deal with the bad actors. We need to stop the lawbreaking that has become alarmingly common and provide stronger protections for workers' rights.

That is why we need the Employee Free Choice Act. This important legislation will give American workers the real freedom to choose a union without fear of threats or intimidation.

First, the bill gives workers two possible ways to choose whether they want a union. They can rely on an election, or—if they fear intimidation from their employer during the election process—they can use a process called majority sign-up, which enables workers to choose whether they want a union by deciding whether to sign their name on a card calling for a union.

Majority sign-up has always been a valid way to form a union. Since 2003, more than half a million private sector workers have formed a union through this efficient and democratic process.

The problem is that under current law, workers may use the majority sign-up process only if their employer agrees. That is not fair. Workers—not their bosses—should get to choose how they make the important decision about whether they want union representation. The Employee Free Choice Act puts this choice in workers' hands.

Second, the bill ensures that workers who choose a union will have a fair process for getting a first contract. It provides that if the union and the employer don't reach a contract within 90 days, either side can seek mediation from the Federal Mediation and Conciliation Service. The agency has provided collective bargaining mediation services—including mediation of first contract negotiations—for more than 50 years, and it has an 86 percent success rate.

In the rare instance when the mediation process fails, the bill provides for binding arbitration, which will be handled by a panel of highly qualified arbitrators who have long experience in developing contract provisions that are fair to both sides. This type of arbitration is a tried-and-true method of resolving contract disputes that is already used in the rail and airline industries, and for public sector workers in at least 25 States.

Finally, the Employee Free Choice Act improves remedies for workers who face discrimination or retaliation when they seek to organize or obtain a first contract. Under the bill, employers will no longer be able to violate the law with impunity and write off the insignificant penalties as a minor cost of doing business. The act takes away these perverse incentives for employers to break the law by increasing the remedies for workers, and by imposing new penalties on employers who act ille-

gally during organizing campaigns or first-contract bargaining. These important changes will put real teeth in the law, and give employers a financial reason to respect workers' rights.

With these basic reforms, the Employee Free Choice Act will fix the current broken system and level the economic playing field for millions of American workers. It will help them obtain real, tangible benefits that will make a difference in their lives and in the lives of their families.

By restoring fairness to the American workplace, and strengthening the voice of American workers, we can rebuild the land of opportunity—a land with good jobs, fair wages, and fair benefits that can support a family. We can revitalize the American middle class and restore the American dream. I urge all of my colleagues to support this important legislation and help put working families back on the path to prosperity.

By Mr. NELSON, of Florida (for himself, Ms. SNOWE, and Ms. KLOBUCHAR):

S. 562. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, prepaid telephone calling cards are used by many Americans to stay in touch with loved ones around the country and throughout the world. Unfortunately, some providers and distributors of these cards are scamming consumers—by imposing undisclosed junk fees, charging exorbitant rates, and selling cards that expire shortly after consumers start using them.

Over the past couple of years, a number of State Attorneys General and the Federal Trade Commission have opened investigations and found that a number of providers and distributors are engaging in unfair and deceptive business practices. These practices include charging customers for calls where they receive busy signals, imposing weekly "maintenance fees" that may take away up to 20 percent of the card's overall value, and billing for calls in 3-minute increments.

As a result of these investigations, some companies have been fined or have entered into consent decrees forbidding them from engaging in some deceptive practices. In addition, some states—including Florida—have imposed certain regulatory requirements on prepaid calling card providers and distributors. To date, however, neither the Federal Communications Commission nor the Federal Trade Commission has taken any action to impose up-front nationwide consumer protection requirements on this industry. This lack of federal standards allows many of these unscrupulous operators to move from state to state, and create new "shell companies" to escape consumer protection regulations. This is