

Too good to be true? Certainly too good to delay.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding. I wanted to say I was walking by the floor when I saw the gentleman making his presentation, and those of us on the Committee on National Security were very impressed with your plan for the Joliet Arsenal. We have waived jurisdiction so it can go on down an expedited process to come to fruition.

When the people of your congressional district have this great asset, and this program is completed, they will have one person to thank for it, and that is JERRY WELLER. We appreciate your work on this, and anything that we can do in the Committee on National Security to expedite it, we are there, and I thank the gentleman.

□ 1730

NLRB CUTS AND THE CASE OF OVERNIGHT TRANSPORTATION COMPANY

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, the debate we are having on the Labor HHS Appropriations bill is about people, not government programs. It is about the extremes to which Republicans will go to protect special interests.

There is a very striking, specific example of how this bill sacrifices working families for the ignoble cause of catering to special interest. This bill punishes an independent agency on behalf of an unscrupulous employer, the Overnight Transportation Co.

Let's be clear about one thing, this has nothing to do with reducing the budget deficit. It has everything to do with eliminating the independence and impartiality of the National Labor Relations Board. The NLRB is a judicial body. It is not supposed to respond to thinly-veiled threats from Members of this Congress.

But certain Members have written to the judges of the NLRB that if they did not decide an issue in favor of the Overnight Co., the agency will be targeted for severe cuts. And when the judges used their independent judgment, Republicans went looking for blood. The cuts in this bill for NLRB are severe: 30 percent, while most other agencies were cut only 7.5 percent.

Indeed, the Wall Street Journal reported recently that an Overnight lobbyist worked closely with a Republican congressman to insure that NLRB be issued a dramatic cut and that its judicial procedures be tied up.

This unprecedented interference by Republicans in the duties of judges was

not on behalf of the workers. Let me repeat, Republicans are going to extremes not on behalf of workers, but on behalf of an unscrupulous employer, the Overnight Co.

The management of Overnight, from the CEO on down, has been violating the rights of employees all across this Nation.

Since 1994, Overnight has mounted an illegal national campaign to prevent employees from exercising their right to come together for better wages and working conditions. Overnight's actions have resulted in literally hundreds of employee complaints. These complaints include all of the gross violations of worker protections law: firing employee leaders; threatening to close facilities if employees unionize; withholding pay increases for employees that vote to organize, while granting pay increases to others; and promising better benefits if employees do not exercise their right to unionize.

The people who were subject to this treatment are just like you and me—they have families, they are struggling to make ends meet, and they are trying to play by the rules. Yet, Overnight, with the support it seems of Republicans, is denying those people their rights.

Obviously, Overnight believed it was above the law. Under the laws of this Nation, it is illegal for an employer "to dominate or interfere with the formation or administration of any labor organization * * *"

After NLRB authorized the request of an injunction against the flagrant violations of Overnight, Republicans sprang into action to prevent the injunction from actually being sought and to influence the settlement. But Republicans are not stopping there. They hope to exact punishment and revenge on a judicial body that decided cases against Republican special interest.

Even some Members on the other side of the aisle were shocked by the catering to special interest. Republican Representative JOHN PORTER was quoted as saying "To my way of thinking, you don't cut judicial bodies because they make decisions you don't like."

I could not agree with my colleague more. To my way of thinking, Mr. Speaker, we were not elected to disregard the interest of the people in favor of special interest. This bill is extreme and will hurt working families only to help special interests. This bill should be resoundingly rejected.

OSHA REFORM NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, by now it is no secret that I want to change the way OSHA does business. I have come to the floor many times to talk about the excesses of OSHA. But our OSHA reform bill is not simply about

curbing the regulatory excesses of OSHA; our bill seeks to restore the freedoms OSHA has taken away.

Mr. Speaker, allow me to quote from the sixth amendment to the Constitution. "the accused shall enjoy the right * * * to be confronted with the witnesses against him." Mr. Speaker, under current OSHA policy that right does not exist. If OSHA shows up on your doorstep today to investigate an alleged violation, you as an employer have no right to know who reported a violation. That policy encourages OSHA to be used as a tool of disgruntled employees and labor negotiators. Our bill will require that employees work with employers to correct safety problems. I have heard critics complain that employees will be afraid to question workplace safety for fear that an employer may take action against them. Maybe these people have forgotten about bureaucracies like the National Labor Relations Board or the labor lawyers salivating over a case like that. Anyone who believes that an employee does not have recourse against an employer probably thinks Medicare isn't going bankrupt.

Mr. Speaker, I had the privilege of testifying before the Small Business Committee last week on OSHA reform. It reminded me why OSHA reform is so important. OSHA regulations strangle small businesses. OSHA threatens the livelihood of small business men and women all over America. It is just that simple.

When OSHA sends out a 6-inch thick document on Air Quality, a small business owner doesn't say to himself "Wow! Here's a way for me to make my workplace safer for my employees." Instead, he says "How am I ever going to figure out what is in here? Will I have to hire someone just to figure it out? Is it going to force me to lay-off a worker or raise my prices?" Mr. Speaker, I ask you, is it any wonder that small businesses are terrified of OSHA?

In my opinion, here lies OSHA's basic flaw * * * OSHA acts as though the only people who care about workplace safety live here in Washington, DC. Nothing could be further from the truth. Small business men and women throughout America are deeply concerned about workplace safety. Their employees are often family. Employers want safe workplaces. They need help from OSHA. A 6-inch stack of regulations and the threat of a costly fine do little to improve workplace safety. A new improved OSHA will work with employees to teach them how to make the workplaces safer. We must have a carrot to go with the stick OSHA has grown so addicted to. OSHA should spend as much of the taxpayers money trying to educate employers as they do trying to collect fines.

Mr. Speaker, I am not convinced that OSHA can ever be reformed. However, if it is ever to be reformed, the steps taken in H.R. 1834, the OSHA Reform Act, will make a real difference. I strongly encourage my colleagues to

stand up for workplace safety and co-sponsor H.R. 1834, the OSHA Reform Act.

CUTS IN NLRB BAD FOR MANAGEMENT AND LABOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MARTINEZ] is recognized for 5 minutes.

Mr. MARTINEZ. Mr. Speaker, it never ceases to amaze me how this Republican juggernaut continues on its way, not thinking and unconcerned about the consequences of its actions. A case in point is found in the labor appropriations bill we are considering this week.

The Appropriations Committee proposes reducing the funding of the National Labor Relations Board by 30 percent. They also, of course, propose to change certain statutory rules—rules that have stood the test of time, and which used to be the province of authorizing committees.

Why? So that the employers of this country will be freed from the yoke of labor—and can return to being productive and profitable in this highly competitive world economy. If anyone really believes this, I have some oceanside property in Arizona I will sell you—what's been happening for years is that those employers who aren't capable of changing their business operations to keep up with the times, and who only look on labor as a tool, not a partner, and who can't force lower wages and benefits on their workers have been moving to Mexico and the Far East with impunity. And those that can't move will now work with impunity to eliminate workers' right to organize and to force down wages and benefits. Since the NLRB will no longer be able to carry out its responsibilities.

Lost in their zeal to unlevel the playing field is the real reason we have the NLRB in the first place—to bring balance to the management-union-employee situation, to protect each of the three elements from the others.

So, cutting the NLRB will mean less protection for the employers and employees who have had to go to the Board for redress against unreasonable actions by unions.

When the Portland Local of the United Food and Commercial Workers attempted to force grocery store owners into firing employees because of failure to pay union dues, the Board stepped in to prevent the union from doing something clearly in violation of the law.

The fact that these workers were not represented under a union contract was central to the decision.

This bill would prevent the NLRB from prosecuting employers who find union organizers taking jobs in a non-union firm solely to organize the workers, a practice called salting.

I know that employers who find themselves the subject of salting think they will be assisted by this bill, because it allegedly makes such action il-

legal—but, cut 650 full-time-equivalent positions and see how many of these employers are going to be able to secure the assistance of the NLRB to bring a cease-and-desist order against the union that continues to use these tactics and disrupt the workplace.

What I really want to ask is: How will causing inordinate delays in processing complaints—including disposing of frivolous or unsupportable complaints—be beneficial to employers?

Employers, employees, or unions who go to the NLRB sometimes do so because that is the only way to avoid escalating a disagreement to the level of confrontation or violence.

That is why the Board was created in the first place.

If you take away the capability of the Board to deal efficiently and quickly with those disagreements, you are ensuring that there will be confrontations and battles.

This proposal is, like the rest of this appropriation bill, a perfect example of shortsightedness.

Because well over 90 percent of all Labor disputes are settled before they become the subject of a formal NLRB action, because the staff of the Board is now available to resolve disputes before they grow.

Cut this budget by 30 percent and employers, employees, and unions will wait months instead of days for resolution of complaints. And the number of complaints is unlikely to drop—the NLRB does not bring the complaints—unions, workers, and employers bring the complaints.

So, how can reducing the budget of this agency get Government off the backs of workers and employers?

It cannot.

Vote against this bill.

□ 1745

DEADHEADS

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, as some people here know, I spent 7½ years as a criminal court judge in Tennessee trying felony criminal cases, the burglaries, the rapes, the armed robberies, the murder cases, the drug cases, the most serious cases. As everyone can imagine, I saw many very sad things during those years. However, one of the saddest cases involved what was then, and may still be, the biggest drug case every to hit the city of Knoxville.

Four young people brought 72,000 hits of LSD from California and were arrested in a raid at the Hilton Hotel. One of the four was a very beautiful young woman, just 1 month past her 18th birthday. She testified that she started with marijuana in the 7th grade, and because she handled that with no problem, she went on to cocaine in the 9th grade and heroin in the

10th grade. She then left home and started following a band called the Grateful Dead. She became part of a subculture called the Deadheads.

They used her for a couple of years or so until she ran out of money in California and started living on the beach and having to beg for money and beg for food.

Then she got involved in selling drugs. She came to Knoxville, got caught and had to spend 12 years of a nonprobable sentence in the Tennessee Penitentiary for Women.

After she was arrested, she found out she was pregnant, and she had twins which were delivered while she was incarcerated and had to be turned over to the State of Connecticut where she was originally from.

I became horrified from what I heard from those young people about how their lives were ruined when they became attracted to this band, the Grateful Dead, and became part of this horrible subculture called the Deadheads. So you can imagine how interested I was when I picked up Sunday's Washington Post and read on the front page of the Outlook section of a column, an article, a lengthy article entitled "Un-Grateful Deadheads, My Long, Strange Trip Through a Tie-Dyed Hell," by Carolyn Ruff.

I wanted to read just a portion of this article because there may be some people here tonight or some parents who are listening whose young people are attracted to things like this. I do this sort of as hopefully a warning for these young people to get some help. Carolyn Ruff wrote this:

She jumped from a window of a seedy motel on Market Street in San Francisco. From a room full of Deadheads she considered to be her family, she climbed out onto the ledge and then took one more step forward. No one made any attempt to stop her. I was on the street below and to this day remain thankful I was looking the other way. I don't even remember her name anymore. I suspect few remember her at all.

We met at a Grateful Dead show in North Carolina. It was the end of the Dead's fall tour of 1989, I had just completed my first full tour and she had finished what would be her last. She was a bright, beautiful runaway from a loveless home in Pittsburgh. Like many of the hundreds on the tour, she was attracted to the scene around the Grateful Dead as much as the band itself. In the Deadheads, she thought she saw family.

When we saw each other again a few months later in Miami, I was shocked by her mental deterioration. She rambled gravely about how her closest friends had stolen her clothes and her money. She shamefully recounted having sex with men in exchange for food and drugs. She had lice in her hair. She was hungry, lonely, miserable. Another Deadhead suggested that she medicate with acid to cleanse the dark thoughts from her head, and then swim in the ocean to rinse the black film on her soul. This home remedy failed and a young life was lost within months of our meeting.

I continue to read from this column from the Washington Post, as Carolyn Ruff put it this past Sunday:

Contrary to the image laid out by the Deadheads themselves, life on tour these