

Club, and the Polish-American Congress to name just a few, has helped to preserve the rich cultural heritage which make Milwaukee such a wonderful place to live.

The list of honors which Mr. Kowalkowski has received is impressive to say the least. Bill has been honored over the years, by numerous State and local organizations such as the Wisconsin Fraternal Congress, the Pulaski Council, and the Southside Businessmens Club. In addition, his outstanding efforts on behalf of Polish-Americans and the people of Poland have earned him recognition by the Government of Poland. In 1975, the Polish Government in exile presented Mr. Kowalkowski with the Gold Cross of Merit. Last year, Kowalkowski received the prestigious Knight's Cross of Merit for Service to the Polish Republic.

In addition to his professional and civic achievements, Mr. Kowalkowski and his wife Felicia have raised a family of whom they can be proud. It is very fitting that the Council of Southside Advancement Association, an organization dedicated to the principle of community service, has honored William Kowalkowski as the Person of the Year.

Congratulations, Bill, this is an honor that is well deserved!

#### HOLDEN REINTRODUCES FRANKING LEGISLATION

#### HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 31, 1995*

Mr. HOLDEN. Mr. Speaker, I am pleased to reintroduce in the 104th Congress legislation to reduce the amount of money Members are able to spend on franked mailings.

Mr. Speaker, the American people are demanding that Congress show leadership in reducing some of its expenses. I constantly speak to constituents who tell me they want to see spending cuts by the Federal Government. For that reason, today I am introducing a bill that cuts each Member's franking allowance by 20 percent as a way to show such willingness on our part. This legislation illustrates the commitment of Members of Congress for cutting legislative branch spending.

My bill is simple: the factor used to determine each Member's franking allotment will be reduced from a factor of 3 to a factor of 2.4, a 20 percent reduction. This bill will not eliminate the flexibility in the Legislative Appropriations Act which accommodates each Member's particular costs of mailing—geography, population density, etc.

If we are calling on Americans to sacrifice then Congress, too, must lead by example. A 20 percent cut will not impinge on any Member's ability to communicate with his constituents in a responsible manner. Nor will it stop a Member from using his franking budget in whatever manner he or she deems appropriate.

Mr. Speaker, Congress must cut back and tighten their belts, just as we will be asking the American people to make sacrifices as we cut and eliminate Federal programs. I want Congress to lead by example, and I think this bill puts us squarely on that road.

#### STOP THE REGULATORY MACHINE

#### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 31, 1995*

Mr. PACKARD. Mr. Speaker, the new Republican Congress is working hard and moving forward with the people's business. Last week, we restored fiscal responsibility by passing the balanced budget amendment. This week we will pass legislation to limit Government intrusion. We promise to work for a Federal Government that protects your rights, not one that infringers upon them with burdensome unfunded mandates.

The Federal regulatory machine continues to churn out a dizzying array of mandates which threaten to turn the American dream into a bureaucratic nightmare. Passage of H.R. 5, the unfunded mandates bill, will help to curb Washington's regulatory appetite.

No longer will liberal lawmakers be free to hide the costs of their regulatory appetite by handing the check over to State and local officials. Congress will have to take a good look at what they put on the regulatory table.

Reforming unfunded mandates will restore congressional accountability and instill fiscal discipline. If the Federal Government cannot pay for it, then neither will State and local governments. The Republican agenda works for the people, not for the Federal bureaucracy machine.

#### A TRIBUTE TO JEAN GILLIGAN

#### HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 31, 1995*

Mrs. MORELLA. Mr. Speaker, I would like to bring to the attention of the House the retirement of a remarkable woman, Jean W. Gilligan, who has now retired after 45 years service as a congressional staffer.

Jean came to Capitol Hill from South Dakota in 1949 and began her career as secretary to Representative Gardner Withrow of Wisconsin. She then became the administrative assistant to Representative Vernon Thompson of Wisconsin from 1961 to 1974. Jean then served on the Committee on Post Office and Civil Service from 1975 to 1994 under four ranking Republican Members: Representatives Edward Derwinski of Illinois, GENE TAYLOR of Mississippi, BENJAMIN GILMAN of New York, and JOHN MYERS of Indiana.

Last night Mr. Speaker, the Congressional Staff Club [CSC] honored Jean Gilligan at its annual membership party where she was lauded by friends, colleagues, and CSC members. Jean was the primary force in developing the club into a vital entity for staff members. She served as second vice president of the club in 1965, first vice president in 1966 and president in 1967 and 1993. She was one of the founders of the mixed ten pin bowling league and served as its secretary, vice president and president. The Congressional Staff Club honored Jean by awarding her a life membership in 1977.

There is no doubt that Jean will be greatly missed on Capitol Hill by hundreds of staff members who consider her a colleague par excellence, a friend and a mentor. I, too, will miss you, Jean.

Mr. Speaker, I congratulate Jean on her dedicated service and wish her a long, healthy, and active retirement.

#### INTRODUCTION OF H.R. 743, THE TEAMWORK FOR EMPLOYEES AND MANAGERS ACT

#### HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 31, 1995*

Mr. FAWELL. Mr. Speaker, yesterday I was pleased to join with my colleague from Wisconsin, Mr. GUNDERSON, in introducing H.R. 743, the Teamwork for Employees and Managers Act, or Team Act, legislation which will go a long way toward improving the competitiveness of U.S. companies.

In 1935, Congress enacted the National Labor Relations Act [NLRA], which is rightly considered the cornerstone of our country's national labor policy. At the heart of its many provisions, the NLRA protects the rights of workers to organize and to bargain collectively with their employers. It also includes a number of like-minded protections for employers.

However, we cannot ignore the fact that economic conditions have changed dramatically during the last 60 years, and the American workplace has undergone a similarly dramatic transformation. American business is no longer faced with the type of labor-management strife that permeated virtually every aspect of industrial America during 1930's. Instead, we are witness to growing trend in which American workers and managers are abandoning the confrontational tactics of their past and, together, are seeking better ways of doing business.

American business today sees its foreign competitors gaining a competitive advantage, due in large part of their utilization of greater labor-management cooperation. Unfortunately, it is provisions of the National Labor Relations Act—and, how those provisions are being interpreted by the courts and the National Labor Relations Board [NLRB]—which are part of the reason American businesses find themselves at this a competitive disadvantage.

Perhaps the best known example of the legal impediments confronting companies that wish to utilize employee participation programs is the NLRB's December 1992 decision involving Electromation, Inc. The Board found that the small, nonunion electronics manufacturer violated the NLRA when it established employer-employee committees to address various workplace issues, including the company's no-smoking, attendance, and pay-progression policies.

Why have managers and workers in America's industries been having trouble setting up manager-worker teams to increase production, quality, and efficiency at the place of employment?

The basic reason is that section 8(a)(2) of the National Labor Relations Act [NLRA] says that it is an unfair labor practice for an employer to, in effect, create a sham, or company union, I.E., "to dominate the formation or administration of any labor organization or contribute financial or other support to it." Section 2(5) defines a labor union so broadly it includes all groups "in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning \* \* \* conditions of work." Since employee involvement groups usually deal with conditions of work, the National Labor

Relations Board [NLRB] has rather consistently ruled that employee groups working in cooperation with their employer, are labor organizations which are dominated and supported by the employer. Hence the employer is deemed guilty of unfair labor practices for having, in effect, created a sham or company—illegal—union.

We are talking about voluntary employer-employee agreements encouraging employee involvement in the conduct of a business in today's fast evolving information-centered economies and societies. Thus, we are talking about something very subjective—cooperation—a working togetherness of employers and employees in work teams. As taught by W. Edward Deming and others, the dynamic work team concept moves as much brain work as possible to front-line employees. It involves employees intellectually in the business operation and commits them to making the process function more effectively while constantly seeking their input into methods of improving it.

It seems to me that it isn't really possible or desirable for any law to stop employers and employees from voluntarily cooperating and sharing responsibilities. Congress surely never intended to proscribe place of employment cooperation between employees and employers as to their various conditions of work.

Yet, according to the NLRB—in Electromation—that apparently is precisely what Congress did 60 years ago when they passed section 8(A)(2) of the NLRA—designed to stop the formation of company unions.

This seems illogical to me. Employers obviously should not be creating sham or company unions and the law ought to simply so state. On the other hand, Congress should be doing all it can to motivate employers to have highly involved and motivated workforces as encouraged for instance by the coveted Malcolm Baldrige Quality Awards. And we should be able to make it clear that cooperation between employers and employees should not be equated with creating company or sham unions. The NLRB ought to be able to recognize an overall intent by an employer and/or employees to create a sham union without stopping employers and employees from discussing matters of mutual interest, including issues of quality, productivity, and efficiency which does not have, claim, or seek authority to negotiate or enter into or amend collective bargaining agreements between the employer and any labor organization.

The time has come for Congress to consider what changes must be made to the NLRA so that it may accurately reflect the nature of today's workplace and the challenges that confront American business; and to consider what change must be made so that companies can confidently follow the example of the management-worker teams who spoke here today.

As chairman of the Subcommittee on Employer-Employee Relations, I am committed to that task. As such, I intend to convene the subcommittee at the earliest possible date in order to hear testimony on the Team Act, and to expedite its consideration. I urge my colleagues to join the effort to improve workplace cooperation and, in turn, U.S. competitiveness by cosponsoring H.R. 743, the Teamwork for Employees and Managers Act.

## SHENANDOAH VALLEY NATIONAL BATTLEFIELDS PARTNERSHIP ACT

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 31, 1995*

Mr. WOLF. Mr. Speaker, today I reintroducing legislation to preserve the Civil War sites in the Shenandoah Valley of Virginia. The Shenandoah Valley National Battlefields Partnership Act, which enjoyed wide bipartisan support in the 103d Congress, provides us with an excellent opportunity to preserve an integral piece of American history.

In response to a congressional directive—Public Law 101-628—the National Park Service [NPS] undertook the task of studying the Civil War sites in the Shenandoah Valley. The NPS identified significant Civil War sites and determined their condition, established their relative importance, assessed short- and long-term threats to their integrity, and provided general alternatives for their preservation.

The Park Service discovered that 15 of the 326 documented armed conflicts in the valley between 1861 and 1865 were of particularly high significance. Because many portions of the valley retain a high degree of historic, rural, and scenic integrity, the NPS concluded that they should be preserved. The two major valley campaigns—the Thomas J. "Stonewall" Jackson Valley campaign of 1862 and the decisive Philip Sheridan campaign of 1864—are the major Civil War battlefields not yet preserved. This Congress has an historic opportunity to capitalize on the overwhelming momentum of support for this legislation.

Unfortunately, the NPS did not recommend a specific preservation strategy. Therefore, some local valley residents accepted a challenge by Park Service staff to devise a plan to preserve these historic lands. Their efforts were remarkable. Their dedication and perseverance unflappable. This was truly a grass roots effort.

Local residents began to meet and discuss how these hallowed lands could be preserved for future generations to learn from and enjoy. They are eager to share the stories of the valley—not just battle maneuvers and formations, but the stories of people dislocated by a brutal war. They want to share the story of how the city of Winchester, VA, changed hands between North and South at least 73 times, and how that turmoil affected local residents.

After countless meetings and telephone conversations, in which the National Park Service was consulted, a consensus began to form around a partnership concept where Federal, State, and local governments, private landowners and preservation groups could work together to preserve these lands. After a draft bill was ready, we held discussion meetings in the Shenandoah Valley on the proposed legislation. These meetings provided an opportunity for thorough review and comment by valley residents and officials on this legislation. These meetings, attended by local government officials, landowners, business people, and preservationists, served as a vehicle to refine, modify, and improve the legislation with the input and advice of citizens from throughout the Shenandoah Valley.

What I found during those public meetings was unprecedented unanimous support for this legislation. I served at the Department of

the Interior in the seventies under Secretary Morton, and I can't recall ever gaining such widespread support for a park bill. The legislation before this subcommittee has been endorsed by every local government where core battlefield properties are located. Moreover, we have a broad, bipartisan coalition of interests united to preserve these treasures of history. The list that follows my statement, compiled over a year and a half ago, comprises those persons and entities who endorsed this partnership approach to preservation. There have been many others since this list was put together.

This House should know that the work of valley residents did not end with the drafting and introduction of this legislation. There has been great activity in the past year. The Frederick County Board of Supervisors and Winchester City Council have appointed a battlefield task force whose responsibility it is to prepare a strategic plan for the protection and use of the battlefield sites. They have developed an interim action plan which designates the most critical and significant sites and recommends immediate actions to be taken. Frederick County and the city of Winchester have also successfully convinced a trustee of a battlefield property at Kernstown to postpone a planned auction. Moreover, they have purchased a \$500,000 2-year option to buy the land. Not only have the local governments dedicated time and personnel to planning the preservation of the battlefields, they have committed scarce resources to protect these lands. This is an overwhelming demonstration of their commitment to the successful implementation of a preservation plan.

Local governments alone can't preserve these valuable resources; they need a partnership with the Federal Government to preserve these lands. Even the most well intentioned friends of battlefield preservation will find it difficult to keep the threats of residential construction, commercial development, highway construction, and industrial development at bay. Interstates 66 and 81 bring increasing pressure on this rural landscape and threaten to consume more battlefield land. As the NPS study indicates, some critical properties have already been lost.

Since the Civil War, most of the Shenandoah Valley has remained in the same type of agricultural use, but, as the Park Service has reported, increasing development threatens key battlefield sites. This legislation would protect many of these through designation as a unit of the National Park System, while encouraging partnerships with local governments and private landowners to protect the natural cultural and historical resources on adjacent lands within the historic core areas of the key battlefield sites. Partnership is the key ingredient in this bill. It was borne of cooperation and will succeed by bringing all interested parties into the planning, development, and implementation of this novel preservation scheme.

This legislation capitalizes on the cooperation and hard work which have created a sturdy foundation upon which to build this park. Much of the groundwork has been laid by residents of the valley and specialists knowledgeable about land use planning, environmental impact studies, and so forth. By passing this legislation, this body will capitalize on the experience, dedication, and knowledge base that exists in the valley for preparing a plan for park management, visitor facilities, educational