

Mr. Speaker, this TEAM Act is just another in a set of measures by the majority Republicans in this Congress to try to undermine the well-being of the American worker, to try to assault the American worker. It really ought to be defeated.

Mr. FROST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge defeat of the rule and defeat of this bill. This is a terrible piece of legislation. My colleagues have heard the speakers on our side. It would change 60 years of settled law in this country.

Mr. Speaker, I urge the defeat of this rule.

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

Mrs. WALDHOLTZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am somewhat disappointed to hear my colleague from Texas urging defeat of this rule, as this is a completely open rule. This rule allows any Member of this House to come forward with any amendment that they feel needs to be discussed by the House.

Mr. Speaker, there are no preprinting requirements. There are no time limitations. This is an open rule. This is the best way to bring debate to this floor.

Mr. Speaker, I would urge my colleagues to support adoption of this rule, despite whatever misgivings they may have to the underlying legislation. I urge my colleagues to support this rule, Mr. Speaker.

Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. EVERETT). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 267, nays 149, not voting 18, as follows:

[Roll No. 686]

YEAS—267

Allard	Blute	Chenoweth
Archer	Boehlert	Christensen
Army	Boehner	Chrysler
Bachus	Bonilla	Clement
Baker (CA)	Bono	Clinger
Baker (LA)	Boucher	Coble
Ballenger	Brewster	Coburn
Barr	Brownback	Collins (GA)
Barrett (NE)	Bunn	Combest
Bartlett	Bunning	Condit
Barton	Burr	Cooley
Bass	Burton	Cox
Bateman	Buyer	Crane
Bellenson	Calvert	Crapo
Bereuter	Camp	Cremeans
Bilbray	Canady	Cubin
Bilirakis	Castle	Cunningham
Bishop	Chabot	Davis
Bliley	Chambliss	Deal

DeLauro	Istook
DeLay	Johnson (CT)
Diaz-Balart	Johnson, Sam
Dickey	Jones
Dicks	Kasich
Doggett	Kelly
Dooley	Kim
Doolittle	King
Dornan	Kingston
Dreier	Klug
Duncan	Knollenberg
Dunn	Kolbe
Ehlers	LaHood
Ehrlich	Largent
Emerson	Latham
English	LaTourrette
Ensign	Laughlin
Everett	Lazio
Ewing	Leach
Fawell	Lewis (CA)
Fields (TX)	Lewis (KY)
Flanagan	Lightfoot
Foley	Lincoln
Forbes	Linder
Ford	Livingston
Fowler	LoBiondo
Fox	Longley
Franks (CT)	Lowe
Franks (NJ)	Lucas
Frelinghuysen	Luther
Frisa	Manzullo
Funderburk	Martini
Galleghy	McCarthy
Ganske	McCollum
Gekas	McCrery
Geran	McDade
Gilchrest	McHugh
Gillmor	McInnis
Gilman	McIntosh
Goodlatte	McKeon
Goodling	Metcalf
Gordon	Meyers
Goss	Mica
Graham	Molinari
Greenwood	Montgomery
Gunderson	Moorhead
Gutknecht	Moran
Hall (TX)	Morella
Hamilton	Myers
Hancock	Myrick
Hansen	Nethercutt
Hastert	Neumann
Hastings (WA)	Ney
Hayes	Norwood
Hayworth	Nussle
Hefley	Olver
Hefner	Orton
Heineman	Oxley
Herger	Packard
Hilleary	Parker
Hobson	Paxon
Hoekstra	Payne (VA)
Hoke	Petrey
Horn	Pickett
Hostettler	Pombo
Houghton	Porter
Hunter	Portman
Hutchinson	Pryce
Hyde	Quillen
Inglis	Quinn

NAYS—149

Abercrombie	Costello
Ackerman	Coyne
Andrews	Cramer
Baessler	Danner
Baldacci	de la Garza
Barcia	DeFazio
Barrett (WI)	Dellums
Becerra	Deutsch
Bentsen	Dingell
Berman	Dixon
Bevill	Doyle
Bonior	Durbin
Borski	Edwards
Browder	Engel
Brown (CA)	Eshoo
Brown (FL)	Evans
Brown (OH)	Farr
Bryant (TX)	Fattah
Cardin	Fazio
Chapman	Fields (LA)
Clay	Filner
Clayton	Flake
Clyburn	Foglietta
Coleman	Frank (MA)
Collins (IL)	Frost
Collins (MI)	Furse
Conyers	Gejdenson

Radanovich	Lofgren	Obey	Slaughter
Ramstad	Maloney	Ortiz	Spratt
Reed	Manton	Owens	Stark
Regula	Markey	Pallone	Stokes
Riggs	Martinez	Pastor	Studds
Roberts	Mascara	Payne (NJ)	Stupak
Roemer	Matsui	Pelosi	Thompson
Rogers	McDermott	Peterson (FL)	Thornton
Rohrabacher	McHale	Peterson (MN)	Thurman
Ros-Lehtinen	McKinney	Pomeroy	Torres
Rose	McNulty	Poshard	Velazquez
Roth	Meehan	Rahall	Vento
Roukema	Meek	Rangel	Visclosky
Royce	Menendez	Richardson	Waters
Salmon	Mfume	Rivers	Waxman
Sanford	Mineta	Roybal-Allard	Williams
Sawyer	Minge	Rush	Wilson
Saxton	Mink	Sabo	Wise
Scarborough	Mollohan	Sanders	Woolsey
Schaefer	Murtha	Schroeder	Wyden
Schiff	Nadler	Schumer	Wynn
Seastrand	Neal	Scott	Yates
Sensenbrenner	Oberstar	Serrano	

NOT VOTING—18

Bryant (TN)	Miller (CA)	Towns
Callahan	Miller (FL)	Tucker
Jacobs	Moakley	Volkmer
Jefferson	Reynolds	Watts (OK)
Johnston	Tejeda	Young (AK)
Kanjorski	Torricelli	Young (FL)

□ 1356

Mr. BEVILL and Mr. RICHARDSON changed their vote from "yea" to "nay."

Mrs. CHENOWETH and Mr. SKAGGS changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. EVERETT). Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 344, noes 66, answered "present" 1, not voting 23, as follows:

[Roll No. 687]

AYES—344

Allard	Bishop	Christensen
Andrews	Bliley	Chrysler
Archer	Blute	Clayton
Armey	Boehlert	Clement
Bachus	Bonilla	Clinger
Baessler	Bono	Coble
Baker (CA)	Boucher	Coburn
Baker (LA)	Brewster	Coleman
Baldacci	Browder	Collins (GA)
Ballenger	Brownback	Combest
Barcia	Bryant (TX)	Condit
Barr	Bunn	Cooley
Barrett (NE)	Bunning	Cox
Barrett (WI)	Burr	Coyne
Bartlett	Burton	Cramer
Barton	Buyer	Crapo
Bass	Calvert	Cremeans
Bateman	Camp	Cubin
Beilenson	Canady	Cunningham
Bentsen	Cardin	Danner
Bereuter	Castle	Davis
Berman	Chabot	de la Garza
Bevill	Chambliss	Deal
Bilbray	Chapman	DeFazio
Bilirakis	Chenoweth	DeLauro

DeLay	Kennedy (MA)	Ramstad
Dellums	Kennelly	Rangel
Deutsch	Kildee	Reed
Diaz-Balart	Kim	Regula
Dickey	King	Richardson
Dicks	Kingston	Riggs
Dingell	Klecza	Rivers
Dixon	Klink	Roberts
Doggett	Klug	Roemer
Dooley	Knollenberg	Rogers
Doolittle	Kolbe	Rohrabacher
Dornan	LaHood	Ros-Lehtinen
Doyle	Lantos	Rose
Dreier	Largent	Roth
Duncan	Latham	Roukema
Dunn	LaTourette	Roybal-Allard
Edwards	Laughlin	Royce
Ehlers	Lazio	Salmon
Ehrlich	Leach	Sanders
Emerson	Lewis (CA)	Sanford
Engel	Lewis (KY)	Sawyer
English	Lightfoot	Saxton
Eshoo	Lincoln	Schaefer
Everett	Linder	Schiff
Ewing	Livingston	Schumer
Farr	LoBiondo	Scott
Fawell	Lofgren	Seastrand
Fields (TX)	Longley	Sensenbrenner
Flake	Lowe	Serrano
Flanagan	Lucas	Shadegg
Foglietta	Luther	Shaw
Foley	Manton	Shays
Forbes	Manzullo	Shuster
Ford	Markey	Sisisky
Fowler	Martini	Skaggs
Fox	Mascara	Skeen
Frank (MA)	Matsui	Skelton
Franks (CT)	McCarthy	Slaughter
Franks (NJ)	McCollum	Smith (MI)
Frelinghuysen	McCrery	Smith (NJ)
Frisa	McDade	Smith (TX)
Frost	McHale	Smith (WA)
Galleghy	McHugh	Solomon
Ganske	McInnis	Spence
Gejdenson	McIntosh	Spratt
Gekas	McKeon	Stearns
Geren	McKinney	Stenholm
Gilchrest	Meehan	Stokes
Gilman	Metcalfe	Studds
Gonzalez	Meyers	Stump
Goodlatte	Mica	Stupak
Goodling	Minge	Talent
Gordon	Mink	Tanner
Goss	Molinari	Tate
Graham	Mollohan	Tauzin
Green	Montgomery	Taylor (NC)
Greenwood	Moorhead	Thomas
Gunderson	Moran	Thornberry
Hall (TX)	Morella	Thornton
Hamilton	Murtha	Thurman
Hancock	Myers	Tiahrt
Hansen	Myrick	Torkildsen
Hastert	Nadler	Torres
Hastings (WA)	Neal	Torrice
Hayes	Nethercutt	Trafficant
Hayworth	Neumann	Upton
Hefner	Norwood	Vucanovich
Heineman	Nussle	Waldholtz
Herger	Oberstar	Walker
Hilleary	Obey	Walsh
Hoekstra	Olver	Wamp
Hoke	Ortiz	Ward
Holden	Orton	Waters
Horn	Oxley	Watt (NC)
Hostettler	Packard	Waxman
Houghton	Parker	Weldon (FL)
Hoyer	Pastor	Weldon (PA)
Hunter	Paxon	Weller
Hutchinson	Payne (VA)	White
Hyde	Pelosi	Whitfield
Inglis	Peterson (FL)	Wicker
Istook	Peterson (MN)	Williams
Jackson-Lee	Petri	Wise
Johnson (CT)	Porter	Wolf
Johnson (SD)	Portman	Wyden
Johnson, Sam	Pryce	Wynn
Jones	Quillen	Young (AK)
Kaptur	Quinn	Young (FL)
Kasich	Radanovich	Zeliff
Kelly	Rahall	

NOES—66

Abercrombie	Brown (OH)	Crane
Ackerman	Clay	Durbin
Becerra	Clyburn	Ensign
Bonior	Collins (IL)	Evans
Borski	Collins (MI)	Fattah
Brown (CA)	Conyers	Fazio
Brown (FL)	Costello	Filner

Funderburk	Lewis (GA)	Poshard
Furse	Lipinski	Rush
Gephardt	Maloney	Sabo
Gillmor	McNulty	Scarborough
Gutiérrez	Meek	Schroeder
Gutknecht	Menendez	Stark
Hall (OH)	Mfume	Stockman
Hastings (FL)	Miller (CA)	Taylor (MS)
Hefley	Mineta	Thompson
Hilliard	Ney	Velazquez
Hinchee	Pallone	Vento
Johnson, E.B.	Payne (NJ)	Visclosky
Kennedy (RI)	Pickett	Woolsey
LaFalce	Pombo	Yates
Levin	Pomeroy	Zimmer

ANSWERED "PRESENT"—1

Harman

NOT VOTING—23

Boehner	Johnston	Souder
Bryant (TN)	Kanjorski	Tejeda
Callahan	Martinez	Towns
Fields (LA)	McDermott	Tucker
Gibbons	Miller (FL)	Volkmer
Hobson	Moakley	Watts (OK)
Jacobs	Owens	Wilson
Jefferson	Reynolds	

□ 1414

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1415

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

HOUSE OF REPRESENTATIVES,
CHIEF ADMINISTRATIVE OFFICER,
Washington, DC, September 22, 1995.

Re: Searcy et al. and U.S., ex rel. *Bortner v. Philips Electronics, et al.*
Hon. NEWT GINGRICH,
Speaker, House of Representatives
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my Office has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SCOT M. FAULKNER,
Chief Administrative Officer.

TEAMWORK FOR EMPLOYEES AND MANAGERS ACT OF 1995

The SPEAKER pro tempore (Mr. EVERETT). Pursuant to House Resolution 226 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 743.

□ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 743) to amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States

to continue to thrive, and for other purposes, with Mr. KOLBE in the chair. The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes, and the gentleman from Missouri [Mr. CLAY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. GUNDERSON], the author of the legislation and a member of the committee.

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman, I thank the gentleman from Pennsylvania, Chairman GOODLING, for yielding me this time.

Mr. Chairman, last week we talked about improving the work force through the CAREERS Act. Today we have a chance of improving the workplace. Now, I know we are all busy, we are consumed with reconciliation and everything else, so let us not make this an intellectual debating society. Let us make this as simple as we can.

The facts are that today management in a nonunion setting can tell employees to do whatever they want and it is legal. Today, if management in a nonunion setting sits down and, voluntarily working with employees, reaches a mutual conclusion on how to make changes within the workplace, it is illegal. It is that simple.

Management can do it, but if they work with the employees it is a violation of the National Labor Relations Act. Why is that the case? Take a look at these two lines: The definition of a labor organization under existing law is any organization of any kind in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Now, what is 8(a)(2), this whole issue we are talking about; when does an employer dominate a labor organization? It shall be an unfair labor practice for an employer to dominate or interfere with the formation or administration of any labor organization.

Well, if any group that meets to talk about any of these conditions is a labor organization, then you have got a problem if management is involved in any way, shape, or form.

Many people do not remember how labor law was developed in this country 60 years ago. It was actually in 1933 under the National Industrial Recovery Act, during the Great Depression, when Congress created the right for employees to organize and bargain collectively. But in the process of doing that, we found out over the next couple of years that management could create