

of inflation are unambiguous are no more likely to generate overcorrections.

Economists are comfortable staying within the confines of this purely technical debate. A Greenspan-worshipping majority believes that unemployment is already below the rate that can be sustained without bringing on inflation, or that the economy's momentum will soon bring the rate into the inflationary range. An embattled minority suspects that fundamental changes in the economy—globalization, de-unionization, downsizing—have sharply lowered the level of unemployment that is compatible with stable prices.

But the debate can be confined only to the technical by ignoring its social dimension. No one really knows whether the magic "nonaccelerating inflation rate of unemployment" is 5.5 percent or 4.5 percent. So decisions about the target implicitly have as much to do with how one weighs the consequences of erring on the side of slow growth against the costs of inflation.

Fear of inflation has been an easy sell since the trauma of the oil shocks in the 1970's. Uncertainty about prices leads to economic inefficiency—and, horror of horrors, lower stock prices. Besides, inflation breeds recessions because it eventually brings down the wrath of the monetary gods. But not to belabor the obvious, living with 5.2 percent unemployment if the economy is able to sustain 4.5 percent also has costs: every tenth of a percentage point represents at least 130,000 jobs.

It may be tidier to leave monetary policy in the hands of a benign despot. But it's also a little sad: if the 5 percent unemployment barrier cannot be tested when inflation is beyond the horizon and a Democrat is in the White House, when can it?

#### HOOSIER HEROS—SPECIAL OLYMPICS COACH JERRY KNOOP

**HON. DAVID M. McINTOSH**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. McINTOSH. Mr. Speaker, I rise today to give my report from Indiana.

During the recess break I had the opportunity to meet with and listen to the stories of the people all throughout the great State of Indiana. These stories of hope, dedication, and family are truly inspirational. Hoosiers who have dedicated their time and compassion to make a difference in the lives of others in communities. These people are truly heroes, Hoosier heroes. I would like to share with you a story of a father who goes above and beyond the responsibilities of a parent. Jerry Knoop, of Fairland, IN, has always been involved in the community. Whether it would be coaching his children's athletic teams, or supporting the local athletes, Jerry has helped unselfishly to better the lives of others.

After an accident left his son, Eddie Knoop, mildly mentally handicap at the age of 8, Jerry discovered that the local athletic programs could no longer accommodate the needs of his son. He then took it upon himself to make sure his son and others like him received the attention they deserve. By working with the local school's special education programs as well as the Special Olympics, Jerry made himself known throughout the community as the man who can't say no to volunteering. When his son became old enough to attend Shares Inc., a local shelter for the handicap, Jerry quickly involved himself by coaching several of

the athletic teams. His wife, MarySue, commented that it takes a unique person to coach people with disabilities. Jerry approaches the athletes with a lot of patience and caring.

He takes the time to break down things to the athletes so that they can understand the fundamentals of the sport. He often ends up repeating himself to try and help them as much as they can. It is this type of patience and commitment which won him the 1997 U.S.A. Weekend Most Caring Coach Award.

Nominated by his son, Jerry's commitment to helping others has invoked his family and friends to also involve themselves with the Special Olympics. His daughter and son-in-law, Kileen and Jack Clay, have also coached Special Olympic teams. Kevin Pagent and Don Wright, two coworkers of Jerry have followed Jerry's example by coaching and supporting Special Olympic athletes, often traveling as far away as 2 hours to get to a game. Jerry's influence has also reached to the young people in the community. Kurt Benshimer, a junior at Trinton central High School, got involved with the Special Olympics after learning of Jerry Knoop's dedication through his church, where Jerry also volunteers putting together the weekly bulletin.

Jerry Knoop wholeheartedly puts others in front of himself. We should all follow the example that Jerry sets. Mr. Speaker, I would like to salute Jerry's efforts in the State of Indiana and recognize the positive impact that he has had on the community.

Jerry Knoop is truly a Hoosier hero. That concludes my report from the Second District of Indiana.

#### THERE THEY GO AGAIN; THE BIG LABOR BOSSES VERSUS AMER- ICAN TAXPAYERS, EMPLOYERS, AND JOBS

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. CUNNINGHAM. Mr. Speaker, there they go again. In 1996, the big labor bosses in Washington attempted to buy a political party and the elections, using \$35 million in union dues from honest working men and women—40 percent of whom opposed the union bosses' endorsed Presidential candidate. Now they are coordinating with the Clinton administration an expansive, expensive, and bureaucratic new Federal contracting regulation to shake down everybody else—American taxpayers, employers, and the 90 percent of workers who are not union members—for the self-serving interests of the labor bosses in Washington.

It should go without saying that the President's proposed Executive order on project labor agreements is in addition to existing Federal contract and labor law, which includes but is not limited to the Service Contract Act, the Davis-Bacon Act, the Fair Labor Standards Act and the minimum wage, the Equal Pay Act, the Family and Medical Leave Act, the Employee Retirement Income Security Act, the Civil Rights Act, the Americans With Disabilities Act, and the Occupational Health and Safety Act, among others, plus the laws of the States.

I enter into the RECORD a memorandum from AFL-CIO President John Sweeney that

outlines the labor bosses' plan, so that Members may read it and draw their own conclusions.

AMERICAN FEDERATION OF LABOR AND  
CONGRESS OF INDUSTRIAL ORGANIZATIONS

Memo to: National and International Union Presidents.

From: John J. Sweeney.

Subject: Support for Pro-Worker Federal Procurement Reforms.

Date: March 25, 1997.

The purpose of this memo is to alert you to an exciting initiative that requires the immediate attention of affiliated unions, and to request your assistance in building the case for these much-needed reforms.

As you may recall, the Clinton Administration recently announced its intention to undertake several initiatives that will protect worker rights and workplace standards while improving federal government procurement and contracting practices. If properly implemented, these initiatives will affect the expenditure of hundreds of billions of dollars every year. In any given year federal contracts total as much as \$200 billion, and federal contractors and subcontractors employ approximately one-fifth of the labor force. At any given time perhaps 3% of the labor force is directly employed in the performance of a federal government contract.

In order for these initiatives to take effect and withstand Republican and business community opposition in Congress and the courts, we need the assistance and active involvement of AFL-CIO unions. We are asking affiliates to undertake the efforts described in the attached memorandum, and to designate one person from each organization who will work with us in coordinating these efforts.

Our short term goal is to develop material to buttress our case for these reforms from a hostile attack from the Republican Congress. The long term goal is to build and sustain a body of information to help us make the most of these initiatives and have a positive, pro-worker impact on the world of federal contracting.

The government will be issuing proposed procurement regulations that will accomplish three reforms.

First, the government will evaluate whether a bidder for a government contract has a satisfactory record of labor relations and other employment practices in determining whether or not the bidder is a "responsible contractor" eligible to receive a particular government contract.

Second, the government will not reimburse federal contractors for costs they incur in unsuccessfully defending against or settling unfair labor practice complaints brought against them by the National Labor Relations Board.

Third, the government will not reimburse contractors for the money they spend to fight unionization of their employees.

These proposed amendments to the Federal Acquisition Regulations will be published in the Federal Register for a 60-day notice and comment period by the public, and then issued in final and binding form following consideration of those comments.

President Clinton will also issue an executive order directing all federal departments to consider using a project labor agreement when they undertake government-funded construction projects. This order is not subject to notice-and-comment or other administrative steps.

Republicans in Congress and the business community attacked these plans as soon as the Administration announced them. Republican leaders have said they may try to override them and are also threatening litigation. Both groups assert that the initiatives

are bad policy and simply a payoff to the AFL-CIO for its efforts during the 1996 election campaign.

In order to secure final issuance of the procurement regulations, and to defeat the campaign that is coalescing against them and the proposed executive order, it is imperative that AFL-CIO affiliates bolster the case in support of these changes with specific information and examples of corporate lawbreaking or bad practices that justify the regulations, and successful experiences with project labor agreements in both the private and public sectors.

We are reaching out in particular to organizers, lawyers, researchers and lobbyists for AFL-CIO affiliates to ask their assistance in securing this information, and to consult as appropriate with other staff in their union and its affiliated local, district and similar bodies.

The attached memorandum describes these initiatives in more detail and specifies the information and materials we need. Responses should be sent directly to AFL-CIO Corporate Affairs Department Director Ron Blackwell, who is coordinating the AFL-CIO's research efforts for the procurement reforms. Ron can be reached at AFL-CIO headquarters at 202-637-5160.

Thank you for your help in our campaign to win these important reforms.

#### INFORMATION NEEDED IN SUPPORT OF PROPOSED GOVERNMENT CONTRACTING REFORMS

The Clinton Administration will soon be proposing regulations to modify the Federal Acquisition Regulations in three areas, and will be issuing an executive order on project labor agreements. A description of the forthcoming proposals, and the information needed to support these proposals, follows:

##### 1. REQUIRING GOVERNMENT CONTRACTORS TO HAVE SATISFACTORY LABOR AND EMPLOYMENT PRACTICES

Under the regulations that govern federal procurement and contracting—Part 9 of the Federal Acquisition Regulations—before the government can award a contract for goods, services or construction, such as computers, building maintenance or the erection of a government office building, it must evaluate the contractor's past performance record; its record of integrity and business ethics; and its capability to perform the contract.

In selecting contractors, the government has only occasionally taken into account a contractor's labor relations and employment practices. Often, then, a contractor with a shabby record of treating its workers has won a government contract, and on only rare occasions has the government decided that a contractor's labor relations were so poor that it could not satisfactorily perform the contract up for bid.

The government will now revise its procurement regulations so they expressly provide that a satisfactory record of employment practices is a component of both the "business ethics and integrity" and "capability" qualifications for being "responsible." This means the government will review a contractor's labor and employment policies and practices and its compliance with laws and standards concerning safety and health; wages, benefits and other labor standards; equal employment opportunity; and the right to organize and bargain collectively.

The AFL-CIO has stressed two important public purposes that are served by this initiative. First, it ensures that the government won't award contracts to companies that don't respect worker rights or adopt sound workplace standards, because these companies aren't trustworthy or reliable enough for the government to do business with. Second, it will improve the perform-

ance of government contracts because employers with good labor relations and employment practices are more stable, productive and efficient.

In order to support this initiative, we need information and documentation about government contractors that either are lawbreakers or have substandard labor and employment practices or policies—for example, government contractors that—

Have been held liable for substantial breaches of the National Labor Relations Act; the Occupational Safety and Health Act; the Fair Labor Standards Act; the Employee Retirement Income Security Act; the Civil Rights Act of 1964; the Age Discrimination in Employment Act; or other federal laws protecting workplace standards and barring employment discrimination.

Are being investigated, sued or prosecuted for such violations (examples: Caterpillar and Mitsubishi) even though no final determination has been made.

Pay substandard wages; have no defined workplace rules and arbitrarily administer employment policy; provide few or no benefits; provoke ongoing worker dissatisfaction or unrest; experience unusually high turnover and workforce instability; enforce unfair or degrading rules and procedures; or provide no means for workers to raise on-the-job problems.

We need names, dates, related documents and, just as important, union representatives or workers who can attest to these situations or provide at least anecdotal information. If your organization has compiled any relevant general data, that would prove very useful as well.

We particularly suggest that: Lawyers gather records of cases involving government contractor violations of workplace laws; lobbyists review their files where local unions or other internal bodies have requested intervention with either the Congress or the Executive Branch over a problem with a government contractor like the ones described in this memo; organizers review ongoing and recent organizing campaigns at employers that are government contractors; and researchers investigate the records of contractors in the principal industries they represent.

##### 2. ENDING GOVERNMENT REIMBURSEMENT OF EMPLOYERS' ANTIWORKER EXPENSES

###### a. *Defense of Unfair Labor Practice Complaints*

Under current government procurement and contracting regulations—Part 31 of the Federal Acquisition Regulations—the government now precludes the reimbursement of government contractors for their costs in unsuccessfully defending or settling criminal indictments and certain civil proceedings brought by the government involving fraud or similar misconduct or the imposition of a monetary penalty. But the regulations don't specify whether the defense of unfair labor practice complaints issued by the NLRB General Counsel charging violations of the NLRA is a reimbursable cost incurred in the performance of a contract that contractors can pass on to taxpayers. Now those regulations will preclude the use of public funds for that private purpose where the contractor is found liable or the contractor resolves the case by settlement. This will end the self-defeating practice of the government funding both the enforcement and the defense of government litigation to enforce the labor laws.

We need information about employers that have defended unfair labor practice complaints brought by the NLRB General Counsel during the performance of a government contract, where either the NLRB held that the contractor violated the NLRA or the contractor settled the case after a complaint was issued. We are looking especially for sit-

uations in which the contractor violated organizing rights during an organizing campaign; refused to bargain in good faith for a first contract; tried to destroy an established collective bargaining relationship; or unlawfully discharged or otherwise retaliated against employees because they supported a union.

If known, we especially need cases where the government reimbursed the contractor for the cost of unsuccessfully defending the ULP complaint. We recognize that it is unlikely that the union would know these details. Identification of the organizing campaign alone would be helpful; we will try to obtain information about reimbursement from other sources.

In particular: Lawyers should provide citations to NLRB decisions, and copies of ALJ decisions, settlement agreements and other documents arising from ULP prosecutions of government contractors; organizers should provide information about the organizing campaigns at worksites of government contractors that gave rise to ULPs and identify the union staff of workers who had direct experience with the matter; lobbyists, again, should review their files where local unions or other internal bodies have requested intervention with either the Congress or the Executive Branch over a problem with a government contractor like the ones described in this memo; and researchers should undertake associated research into these matters.

###### b. *Anti-Union Campaigning*

Under several federal statutes and regulations, including those governing Head Start, Medicare, the National and Community Service Act and the Job Training Partnership Act, federal contractors and fund recipients have long been barred from using government money to fight their workers' efforts to exercise their rights to organize and bargain collectively.

The government will now revise its regulations—specifically, in Part 31 of the Federal Acquisition Regulations—to specify that as a general rule covering all government procurement, contractors will not be able to obtain government reimbursement for these sorts of activities.

This reform will create a more level playing field when employees of government contractors try to exercise their rights under the National Labor Relations Act by ending the grossly unfair practice of taxpayers underwriting employer efforts to fight or influence their employees' decision about exercising their rights. This initiative will save taxpayers these expenses, which have nothing to do with guaranteeing satisfactory government contract performance.

We need unions to identify instances where organizing campaigns took place in bargaining units of employees that were actually performing the government contract. Again, if known, instances of government reimbursement should be described. We are especially interested in situations in which the employer aggressively opposed the campaign; the employer committed ULP's during the campaign; the employer broke or skirted the law but, for whatever reason (such as where the union won the election), the union did not pursue NLRB objections or charges; and other situations where the employer engaged in an anti-union campaign, such as during collective bargaining.

In particular, Lawyers should review organizing and contract campaigns they were involved with, particularly those in which the employer incurred substantial legal expenses; organizers should review organizing and contract campaigns and, again, identify both the union staff and workers who had direct contact with the situation; lobbyists should, again, review their files as described

earlier; and researchers should undertake associated inquiries.

### 3. AUTHORIZING PROJECT LABOR AGREEMENTS FOR GOVERNMENT CONSTRUCTION.

A project labor agreement is a comprehensive collective bargaining agreement negotiated at the outset of a project between the construction owner or manager and the unions representing all the workers who will construct the project. This agreement sets the wages, working conditions, work rules and dispute resolution procedures for the duration of the project. They usually guarantee that projects will be built without strikes, lockouts and similar disruptions. In the private sector, project labor agreements have long proven their worth in the construction of large utility, manufacturing and other complexes.

Over the years of federal government has used project labor agreements on large construction projects, including dams, atomic energy facilities and other defense installations, but it has never had a policy to consider using them or to require its contractors to negotiate them where these agreements may facilitate efficient and timely construction.

Innumerable state and locally funded construction projects such as the mammoth cleanup of Boston Harbor, and bridges, office complexes, highways, and airports have been built under project labor agreements. In the past three years, Republican Governors Whitman of New Jersey and Pataki of New York and Democratic Governor Miller of Nevada have issued executive orders authorizing the use of project labor agreements for state-funded construction when it will promote the efficient, timely and safe construction of a project.

Under this new presidential executive order, when an agency decides that a project labor agreement will benefit a federal construction project, it may either negotiate one directly or require bidders to agree to negotiate one for the project.

This order advances fair and efficient government contracting by making it clear that federal agencies, just like state and municipal governments and private builders, have the option of using project labor agreements as one means of assuring that the project will be performed in a cost-effective, competent and timely manner.

In order to defend this order from anticipated political attack, we need information from Building and Construction Trades Department affiliates about recent or ongoing project labor agreements, whether public or private. Especially useful would be examples of experiences in the three states where executive orders encourage such agreements on public construction projects.

In particular, building trades: Lawyers should provide examples of publicly-funded project labor agreements whose lawfulness has been litigated; lobbyists should report efforts to have states and localities adopt project agreements on particular projects or general executive orders to promote them as a matter of policy; and researchers should compile lists and data regarding the use of project labor agreements.

We appreciate any assistance you can provide to our campaign to support these initiatives and counter the opposition coalescing against them.

### HAPPY 298TH BIRTHDAY KHALSA PANTH

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. TOWNS. Mr. Speaker, I rise today to say happy 298th birthday to the Sikh Nation. April 13 is Vaisakhi Day, the anniversary of the founding of the Khalsa Panth. On this auspicious occasion, I would like to salute the Sikh Nation on their dedication to hard work, family, faith, and freedom.

Sikhism is a monotheistic religion which believes in the equality of all people, including gender equality. The Sikhs currently live under a repressive occupation by India. We have discussed some of the details of this tyranny many times. Let me just take this opportunity to express my solidarity with the Sikh Nation in its peaceful struggle to throw off oppression. Like the United States 200 years ago, the Sikh Nation will ultimately triumph because the cause of freedom is always the right cause.

The Council of Khalistan has recently issued a flyer for Vaisakhi Day. It contains more detailed information about the Sikh struggle. I would like to insert it into the RECORD at this time, and I recommend to all my colleagues that they read it.

#### HAPPY 298TH BIRTHDAY KHALSA PANTH

We are gathered to celebrate the 298th birth anniversary of the Khalsa Panth, or Sikh nation. On this day in 1699, the tenth and last living Guru of the Sikhs, Guru Gobind Singh Ji stood atop a hill in Anandpur Sahib in Khalistan and asked the Sikhs gathered if anyone would be willing to give their life for their Guru. Five times Guru Gobind Singh Singh Ji asked and five times a different volunteer would offer their head. Guru Ji would escort the volunteer to his tent and re-emerge with bloody sword in hand.

After Guru Gobind Singh Ji asked for the fifth volunteer and escorted him into the tent, Guru Ji came back out of the tent along with all five volunteers who were clad in resplendent robes, perfectly healthy and unscathed. Guru Ji told the congregation that these five Sikhs selflessly offered their lives for their faith, and in so doing, they are to be called the Panj Piaras—the five beloved ones.

Afterwards, Guru Gobind Singh Ji prepared Amrit by placing sugar in a steel bowl stirred with a double edged sword and reciting prayers from Sikh scripture. Guru Ji then administered the Amrit to the Panj Piaras. Afterwards, Guru Ji asked the Panj Piaras to baptize him. Following Guru Ji's baptism, tens of thousands of Sikhs who were gathered at Anandpur Sahib, also became baptized.

Through this act of baptism, Guru Gobind Singh Ji created the modern Sikh nation—the Khalsa Panth. By baptizing himself, Guru Ji had taken the first step of transferring the Guruship to the Khalsa Panth. Nine years later, in 1708, Guru Gobind Singh Ji would proclaim an end to the era of living, human Gurus. He declared that the Sikh holy book, the Adi Granth—containing the writings, hymns and poetry of the previous nine Gurus—would permanently receive the Guruship.

On this day, we celebrate the fact that Guru Gobind Singh Ji vested the Khalsa Panth with our modern identity which has imbued us with a strong ethical and martial tradition and ensured our survival and the

integrity of our homeland for almost 3 centuries. This identity includes unshorn hair; the turban to keep the head covered as a sign of respect to God, and, the carrying of a kirpan—a weapon representing personal defense and readiness to protect the defenseless from injustice, exploitation and cruelty.

Sikhism is a religion anchored in service to God through service to humanity. We end our daily prayer with the words "Sarbat Da Bhalla", a prayer for the well being of all humanity. Sikhs reject idol worship, Sikhs reject all forms of caste and social hierarchy, and Sikhs believe in full gender equality and reject religious priesthood or any other intermediaries between God and humanity.

#### CELEBRATING SURVIVAL IN THE FACE OF GENOCIDE, FREEDOM IN THE FACE OF IMPERIALISM

Due in part to romanticized visions of India, fostered by movies like "Gandhi" (almost 40 percent of the film's budget came from the Indian Government and they retained editorial control), India continues to enjoy an international reputation as the "world's largest democracy." However, for outcaste Hindus and non-Hindu peoples and nations, India is not a democracy, but a totalitarian state far more ruthless than its British predecessors. Since 1988, Indian police and security forces have killed 43,000 Kashmiris. Indian government forces have murdered over 200,000 Christians since 1947. Tens of thousands of Assamese and tribal peoples have also been murdered by the Indian State.

In addition, the aboriginal people of South Asia, the Dalits, whose indigenous roots and black skin color has relegated them to the status of outcaste untouchables in Indian society, are subjected daily to subhuman treatment which has not changed for millennia. Unlike "Gandhi" the movie, Mohandas Gandhi did not represent India's untouchables but instead represented the Oxford-educated Brahmins of the Indian National Congress. Gandhi, who fervently believed in the Hindu caste system, went on a hunger strike when Daht untouchable leader Dr. Ambedkar demanded full and equal civil and political rights for Dalits. When Congress Party members threatened Dr. Ambedkar that they would start mob riots that would target Dalit communities throughout South Asia, he relented in his demands.

The Sikh homeland Punjab, Khalistan (from the Arabic root "sovereign country of the Sikhs") face similar threats in India. The attack on the Sikh's holiest shrine the Golden Temple, on June 4, 1984, was the beginning of a bloody and calculated attack to destroy the Sikhs politically, culturally and morally. Baptized Sikhs, Amritdhari Sikhs, were reclassified as terrorists as revealed in an excerpt of 'Batchit' [Military Order] Circular No. 153, which contain the official Indian military orders issued for July of 1984.

"Any knowledge of the Amritdharis [baptized Sikhs] who are dangerous people and pledge to commit murders, arson and acts of terrorism should immediately be brought to the notice of the authorities. These people may appear harmless from the outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed."

With this military order, and the draconian laws that followed, the Sikhs have faced its darkest period in 300 years. According to the Punjab State Magistracy, the group representing all of the local court judges in the Punjab. Indian police murdered over 200,000 Sikhs from 1984 to 1992. According to Punjab/Haryana High Court Justice Ajit Singh Bains of the Punjab Human Rights Organization (PHRO), over 50,000 Sikhs have been killed since then.

It is not surprising, therefore, that international human rights groups like Amnesty