

H.R. 3619, THE EMPLOYEE FREE CHOICE ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2004

Mr. UDALL of Colorado. Mr. Speaker, I have agreed to become a co-sponsor of H.R. 3619, the Employee Free Choice Act, but not before considerable thought and deliberation. Among other things, this legislation gives workers the right to unionize and be recognized by the National Relations Labor Board (NLRB) when a majority of the workers sign a card circulated by union organizers. I continue to remain skeptical of any election system in which voters are not free to make their decisions in private. A simple card check system could arguably provide opportunities for group pressure and even coercion and I am convinced that the secret ballot process works best in most cases. However, I am disturbed by reports citing example after example of employers using heavy handed techniques to discourage workers from organizing a union shop in the first place and intimidating and even illegally firing workers who decide to join a union.

I am particularly troubled by a recent decision by the National Labor Relations Board (NLRB) that gives employers carte blanche to intimidate union organizers. In a 2-1 party line vote, the NLRB has decided that an employer may explicitly inform workers who are about to vote on whether to form a union that workers in two other facilities lost their jobs after they formed a union. It is my understanding that the regional NLRB director ruled against the employer, saying that the memo circulated by the employer "clearly implied" the union was responsible for the firings at the other two hotels and insinuated similar firings could happen if the workers voted for the union. However, the two NLRB Bush appointees overruled the regional director's decision and claimed the memo "did not exceed the bounds of permissible campaign statements." The Democratic appointee was the lone dissenter.

This decision sends a clear message to employers that just about anything goes when it comes to union busting. And the message is equally clear to unions: if you try to organize, you could be fired. This is an untenable situation and the Employee Free Choice Act is, therefore, an opportunity to try to equalize the playing field between union organizers, union busters, and now the NLRB. In short, Mr. Speaker, I have come to the reluctant conclusion that the NLRB under the Bush Administration is more interested in busting unions than in protecting workers' rights to form and join unions. In this atmosphere, a shot across the bow is needed and this legislation does that.

On balance, I would prefer a policy that energizes and funds the NLRB. But it is becoming increasingly clear that we may have to wait for a new Administration to provide this balanced leadership. Co-sponsorship of this legislation, even with its flaws, sends an important and necessary message to the Administration to clean up its act.

FREEDOM FOR JOSÉ UBALDO IZQUIERDO HERNÁNDEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2004

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about José Ubaldo Izquierdo Hernández, a prisoner of conscience in totalitarian Cuba.

Mr. Izquierdo Hernández is a peaceful pro-democracy activist who has worked for basic human rights for the people of Cuba. As a correspondent for the Decorum Task Force and the operator of the private "Sebastian Arcos Bergnes" Library, he devoted his energies to depicting the true, decrepit, reality of totalitarian Cuba.

Because he bravely defied the communist regime as he worked to bring freedom to Cuba, Mr. Izquierdo Hernández was constantly harassed by the tyrant's thugs. According to Amnesty International, on March 8, 2002, he was arrested on his way to participate in an event connected with International Women's Day. His house was stoned the same night. Amnesty International also reports that on December 4, 2002, Mr. Izquierdo Hernández was threatened with imprisonment if he attended an event honoring the Virgin of Santa Barbara.

On March 18, as part of the unconscionable crackdown on peaceful pro-democracy activists in March 2003, Mr. Izquierdo Hernández was arrested. In a sham trial, he was subsequently sentenced to 16 years in the totalitarian gulag.

Reporters Without Borders reports that on June 27, 2003, Mr. Izquierdo Hernández fell down a stairway with no banister as prison guards escorted him to a courtyard. The fall resulted in head wounds and two wrist fractures. Let us be very clear, Mr. Izquierdo Hernández is suffering, and has suffered serious injury, in the infernal, inhuman, gulag, because he desires freedom for his country.

This week we mourn the passing of President Ronald Reagan, a man who knew that freedom is the birthright of all mankind. As we remember the President who made freedom and democracy for all the objective of U.S. foreign policy, let us not forget those, such as Mr. Izquierdo Hernández, who currently languish in the darkness of repression.

Mr. Speaker, it is categorically unacceptable that peaceful pro-democracy activists are locked in dark gulags because they believe that freedom is the essential right of man. My Colleagues, we must demand the immediate release of José Ubaldo Izquierdo Hernández, and every prisoner of conscience throughout the world.

PERSONAL EXPLANATION

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2004

Mr. NEY. Mr. Speaker, on June 8 and 9, 2003, I was unable to be present for rollcall votes: 229 on H. Res. 663 expressing profound regret and sorrow on the death of President Ronald Wilson Reagan, 230 on approv-

ing the journal, and 231 on H. Res. 664, mourning the passing of President Reagan.

Due to technical difficulties with our mode of transportation, a number of colleagues and I were unable to return from the events commemorating the 60th anniversary of the invasion of Normandy, and the veterans that served there, in time to cast these votes. Had I been present I would have proudly voted "aye" on all three resolutions.

PERSONAL EXPLANATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2004

Mr. TIAHRT. Mr. Speaker, on June 8, 2004 I was unavoidably detained in France for the D-Day ceremonies and missed Rollcall "votes Nos. 229 and 230. Rollcall 229 was on agreeing to the resolution for H. Res. 663, expressing the profound regret and sorrow of the House of Representatives on the death of Ronald Wilson Reagan, former President of the United States of America. I also missed rollcall vote No. 230, approving the Journal. Had I been present, I would have voted "yea" on both H. Res. 663 and approving the Journal. I would ask that my statement appear in the appropriate location in the CONGRESSIONAL RECORD.

HONORING KATIE WRIGHT FOR HER OUTSTANDING COMMUNITY SERVICE

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2004

Mr. DAVIS. Mr. Speaker, I am honored to bring attention and praise to one of my young constituents. Katie Wright, a soon to be sixth grader at Randolph Howell Elementary in Columbia, Tennessee, was recently named National Safety Patroller of the Year by AAA. This award is presented to those patrollers who demonstrate outstanding dedication to the program and community.

Katie, nominated by Ms. Paula Ensinger, the physical education teacher and safety program director at Randolph Howell was selected among thousands of nominees. After winning the regional competition, Katie was flown down to Universal Studios in Orlando, Florida where she competed against 32 other regional finalists. While in Orlando, Katie met many dignitaries including NASA astronauts.

AAA started the national school safety patrol in 1920. Today, the AAA School Safety Patrol is an organization of 500,000 boys and girls nationwide in 50,000 schools. Katie is following in the footsteps of former safety patrollers like Presidents Jimmy Carter and Bill Clinton.

Katie should be proud of herself, as I am for her. She has demonstrated leadership qualities well beyond her age. I look for many good things to come from her as she matures and further distinguishes herself.