

at this time, I find the process the FCC is proposing to be arbitrary and inconsistent decisionmaking.

The FCC has proposed to add an additional 90-day process that includes staff discussions, another Commission en banc hearing and another round of public comment to help in reviewing this merger. I find this unprecedented additional process quite worrisome since the Commission has already held a public proceeding which took nine months and generated 12,000 pages of written submissions from over 50 parties. It is hard to believe that the Commission might need more information to determine what sort of conditions it should impose on these companies. I am also puzzled by the fact that Chairman Kennard has not seen fit to use such a process with any other mergers he has considered recently in the communications industry.

Mr. Speaker, this merger was announced 11 months ago. During this time, the Department of Justice reviewed the proposal extensively and just ruled on April 8, that it is not anti-competitive—however, the FCC continues to drag its feet in deciding on this matter. I firmly believe that the FCC has a duty to uphold in the strongest possible terms the “public interest” when looking at a merger. However, I do not believe that it gives them cover to devise a unique, convoluted process which applies a different standard and much stricter burden of proof than what was acceptable for similar cases.

At this time, Ameritech and SBC still remain in the regulatory swamp which unfairly disadvantages the competitive positions of both companies. I strongly encourage the FCC to consider the Ameritech-SBC merger with the same speed, efficiency and fairness that it has considered other recent mergers in the telecommunications industry. For the FCC to do otherwise is something we should all find intolerable.

AIRSPACE REDESIGN ENHANCEMENT ACT

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce the Airspace Redesign Enhancement Act. This bill would require the Federal Aviation Administration to speed up the process of redesigning the airspace over the New Jersey and New York Metropolitan area.

For over a decade, residents in my district and countless other areas of New Jersey and New York have been plagued by the problem of aircraft noise. According to the FAA, redesign of the airspace will solve many of the region's air noise problems.

The airspace over our region—Newark, Kennedy, and LaGuardia airports, along with a host of smaller municipal and regional airports—has made this area the busiest, most congested and most complex in the Nation. These three major airports have over 1 million flight arrivals and departures a year. Further, the high volume of flights is further com-

plicated by the fact that these three airports share airspace. When Newark changes departure and arrival patterns, adjustments must be made at Kennedy and LaGuardia airports as well.

Last July, the FAA announced at Newark Airport that it would begin the process of redesigning the airspace over the New Jersey and New York Metropolitan Region. This was to be the first area in the country addressed by the FAA, and the results could be applied to other regions during future airspace redesign processes.

So why the delays? Since last July, no real action has been taken. The 5-year timetable has fallen behind, and residents in my district face a long wait before any potential relief from constant aircraft noise.

Mr. Speaker, 5 years is too long. These families should not be forced to wait 5 years before these planes stop flying, low and loud, over their homes and yards. I have heard too many stories from too many families who cannot have conversations in their homes when these planes fly overhead.

Enough is enough. The Airspace Redesign Enhancement Act would give the FAA 2 years to complete the airspace redesign process, and would give them the money they need to do so. By speeding up the process of redesigning the airspace over the New Jersey and New York Metropolitan region, other areas of the country will have their airspace redesigned much quicker as well. New Jersey is not the only region to suffer from aircraft noise. This bill can help residents near Chicago's O'Hare Airport, Reagan National Airport, Los Angeles International Airport, Denver International Airport, and other airports across the country.

The FAA has offered too many excuses for not getting this job done. Mr. Speaker, I urge my colleagues to support the Airspace Redesign Enhancement Act so that this process will not stretch out far into the 21st Century.

INTRODUCTION OF THE TRUTH IN EMPLOYMENT ACT OF 1999

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. BOEHNER. Mr. Speaker, I rise today to introduce the Truth in Employment Act of 1999. This important legislation addresses the abusive union tactic commonly called “salting.” “Salting” is an economic weapon unions use to damage and even run employers out of business.

“Salting” abuse is the placing of trained professional organizers and agents in a non-union facility to harass or disrupt company operations, apply economic pressure, increase operating and legal costs, and ultimately put the company out of business. The object of the union agents are accomplished through filing, among other charges, unfair labor practice charges with the National Labor Relations Board. As brought out during the five hearings the Workforce Committee held on this issue in the 104th and 105th Congresses, “salting” is not merely an organizing tool, but has become an instrument of economic destruction aimed

at non-union companies that has nothing to do with legitimate union organizing.

As a former “salt” from Vermont testified last year before the Employer-Employee Relations Subcommittee:

“[Salting] has become a method to stifle competition in the marketplace, steal away employees, and to inflict financial harm on the competition. Salting has been practiced in Vermont for over six years, yet not a single group of open shop electrical workers have petitioned the local union for the right to collectively bargain with their employers. In fact, as salting techniques become more openly hostile . . . most workers view these activities as a threat to their ability to work. In a country where free enterprise and independence is so highly valued, I find these activities nothing more than legalized extortion.”

There can be no disputing what these “salts” are trying to do. As a former NLRB field attorney testified before the subcommittee, from his experience, “salts have no intention of organizing a company by convincing the co-workers that unions are a good thing for them. Instead, once a salt enters the workplace, that individual engages in a pattern of conduct to disrupt the workplace; to gather information about the employer to feed to the union; to disrupt projects; and ultimately to file charges with the National Labor Relations Board.”

Another witness quoted directly from the International Brotherhood of Electrical Workers' organizing manual, which states that the goal of the union salt is to “threaten or actually apply the economic pressure necessary to cause the employer to raise his prices, scale back his business activities, leave the union's jurisdiction, go out of business and so on.”

Hiding behind the shield of the National Labor Relations Act, unions “salt” employers by sending agents into non-union workplaces under the guise of seeking employment. These “salts” often try to harm their employers or deliberately increase costs through various actions, including sabotage and frivolous discrimination complaints with the NLRB. If an employer refuses to hire the “salt,” the union files unfair labor practice charges. Alternatively, if the “salts” are hired by the employer, they often attempt to persuade bona fide employees of the company to sign cards supporting the union. The union agents also often look for other reasons to file unfair labor practice charges, solely to impose undue legal costs on the employer.

The stark reality is that “salting” puts companies out of business and destroys jobs. Clearly, the drafters of the 1935 National Labor Relations Act did not intend this result. The Act was not intended as a device to circumvent the will of employees, to strangle businesses into submission to further a union's objectives, or to put non-union employers out of business.” One construction company testified before the subcommittee that it had to spend more than \$600,000 in legal fees from one salting campaign, with the average cost per charge of more than \$8,500. Beyond legal fees, one employer testified, “it would be impossible to put a dollar amount on the pain and suffering caused by the stress of the situation to a small company like ours who does not have the funds to fight these charges.”