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February 9, 2009

The Honorable George Miller
Chairman
Committee on Education and Labor
2181 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Miller:

Numerous media reports indicate that you will soon introduce legislation which, among other things, would effectively eliminate secret ballot elections for workers facing the question of whether to unionize. As you know, a recent national poll found that some 74 percent of voters—with an identical 74 percent of those in union households—are opposed to this measure, the so-called *Employee Free Choice Act*. Given the controversial nature of this proposal, I am writing today to request that this legislation be thoroughly reviewed by the full Education and Labor Committee, beginning with hearings reflecting multiple viewpoints on the measure and including markups with full opportunity for members of the minority to offer amendments. This legislation would have far-reaching consequences for millions of workers, and the American people deserve nothing less than the complete review and vetting envisioned by the Rules of the House of Representatives.

In the 110th Congress, there was but one subcommittee hearing in the House on this legislation; the full Education and Labor Committee did not undertake a single hearing, either on the legislative proposal itself or on the underlying policy issues. As you well know, this bill would, as a practical matter, eliminate the secret ballot organizing election in businesses large and small across this country. In addition, this legislation not only denies workers the right to a secret ballot election, but also threatens to put the terms and conditions of every facet of their employment – their very livelihood – in the hands of unelected federal bureaucrats. For these reasons, the bill's effect on workers, labor organizations, employers, and others must be thoroughly examined, as must its impact on job creation, job retention, and the tenuous recovery of our fragile economy. I'm sure you will agree that it would violate the spirit of bipartisanship

and openness that President Obama has championed if this legislation were to be forced through the House without the benefit of a full and open debate.

There was a time when it would have gone without saying that, should Congress consider such drastic legislation, it should only do so after careful and deliberate analysis, and through an open process in which all voices are given the opportunity to be heard, and all points of view debated. And I appreciate those instances over the previous two years in which you have allowed for such a process in the Education and Labor Committee. However, given the Committee's recent history – in particular, the consideration just weeks ago of the most sweeping changes in our country's labor and civil rights laws in decades without the benefit of a hearing or even a Committee markup – I feel obligated to make this formal request to you today. On behalf of American workers, I urge you to proceed with caution on this measure, which former Senator George McGovern has called "a disturbing and undemocratic overreach not in the interest of either management or labor." The American people deserve nothing less than full transparency in the consideration of a proposal of this magnitude.

I thank you for your attention to this matter, and look forward to your reply.

Sincerely,

Buck

Howard P. "Buck" McKeon
Senior Republican Member