



NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC.
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REED E. LARSON
President

January 7, 2002

By FAX & First Class Mail

The Honorable George W. Bush
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20502

RE: *UAW-Labor Employment & Training Corp. v. Chao*, Civil Action 01cv00950 (HHK)
(D.D.C. Jan. 2, 2004)

Dear Mr. President:

On Wednesday, January 2, 2002, the United States District Court for the District of Columbia issued a decision in the above-referenced case. The court held that Executive Order 13201, which you issued on February 17, 2001, is invalid, reasoning that it is “preempted by the National Labor Relations Act.”

As you know, Executive Order 13201 requires employers who have federal government contracts to post notices informing their employees of their rights not to join a union or pay union fees for purposes other than collective bargaining, contract administration, and grievance adjustment. The district court’s Order and Judgment enjoins enforcement of that Executive Order

As President of the National Right to Work Legal Defense Foundation, Inc., and on behalf of its many supporters and worker recipients of free legal aid, I urge you to direct the Attorney General and his subordinates to appeal to the United States Court of Appeals for the District of Columbia from the adverse decision entered in this case.

Along with this letter, I am delivering an initial wave of 39,000 signed grass roots petitions of citizen activists who support your Executive Order and urge a thorough defense of it.

Foundation staff attorneys litigated *Communications Workers of America v. Beck*, 487 U.S. 735 (1988), the United States Supreme Court decision recognizing the right of workers not to subsidize union political and other nonbargaining activities that you have sought to protect in Executive Order 13201. Notwithstanding the landmark victory in *Beck*, labor unions nationwide, and their partisans on and within the bureaucracy of the National Labor Relations Board (“NLRB”), have abjectly failed to insure that employees subject to forced-unionism agreements are fully informed of their *Beck* rights.

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This situation is unacceptable nearly a decade and a half after the Supreme Court unequivocally held that employees' forced dues cannot be used for politics and other nonbargaining activities. Your effort to insure that a small segment of private-sector employees—those working for federal contractors—are informed of their *Beck* rights is a good first step toward the enforcement of *Beck* that has been too long frustrated by self-interested labor union officials and their ideological soulmates on the NLRB.

In the strongest possible terms, we implore you to direct the Attorney General and his legal staff promptly to appeal the district court's decision, and to continue to pursue policies guaranteeing that employees are informed of their rights. The National Right to Work Legal Defense Foundation stands ready to devote its expertise and legal resources toward supporting the Administration's defense of your Executive Order at the appellate level by filing an *amicus curiae* brief, as we did in the district court.

Thank you in advance for your favorable attention to this matter.

Very truly yours,

Reed E. Larson

cc: Attorney General John Ashcroft
Solicitor General Theodore B. Olson
Secretary of Labor Elaine L. Chao

REL/wjy