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PUBLIC ATTITUDES

TOWARD

UNIONISM IN THE PUBLIC SECTOR

January 1975

Research Findings
Prepared for

NATIONAL RIGHT TO WORK COMMITTEE

Caravan Surveys
Opinion Research Corporation
NORTH HARRISON STREET, PRINCETON, NEW JERSEY 08540
NEW YORK • SAN FRANCISCO • WASHINGTON, D.C.

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FOREWORD

This report presents the findings of a personal interview research survey conducted among 2,038 men and women, 18 years of age or over, living in private households in the continental United States.

Interviewing for this Caravan survey was completed during the period January 10 through February 3, 1975, by members of the Opinion Research Corporation national interviewing staff. All interviews were conducted in the homes of respondents.

The most advanced probability sampling techniques were used in the design and execution of the sample plan; therefore, the results may be projected to the total U.S. population of men and women 18 years of age or over.

Only one interview was taken per household, regardless of the number of people 18 years of age or over in the household. Weights were introduced into the tabulations to ensure proper representation in the sample.

The Technical Appendix at the end of the report describes in detail the sampling methods and other procedures employed in the survey. Also described are characteristics of the sample and sampling tolerances of survey results.

As required by the Code of Ethics of the American Association for Public Opinion Research, we will maintain the anonymity of our respondents. No information can be released that in any way will reveal the identity of a respondent. Also, our authorization is required for any publication of the research findings or their implications.

Caravan Surveys, a division of Opinion Research Corporation, is a syndicated, share-cost data collection vehicle. Caravan reports, such as this one, are presented in tabular form. Interpretive analysis is provided by Caravan only if specifically contracted for by the client.

INTRODUCTION TO DETAILED FINDINGS

The tables read across. Except for the first two columns, all figures in the body of the tables are percentages. The unweighted number of interviews appears in the column headed "UNWTD" and the weighted numbers -- tabulation units resulting from the weighting process -- appear in the column headed "WTD."

Throughout the tables, an asterisk (*) signifies any value less than one-half percent.

The weighted numbers for sex and region of country may not add to the total because they are subject to the limitation of the computer to round weighted numbers. In all demographic groups -- other than sex and region -- the unweighted numbers may not add to the total number of respondents because they are dependent upon a respondent's answer and, therefore, do not include the "Not Reporteds."

The following definitions are provided for some of the sidebreaks by which the data are analyzed. Other sidebreaks are self-explanatory.

Occupation refers to the occupation of the chief wage earner in the household.

City Size is based on interviewer observation of the respondent's location in terms of area, and the age and type of dwelling. This sidebreak does not add to the total number of interviews, as some respondents simply do not qualify within a definition. For example, a suburban garden apartment does not fit the description "single family dwelling."

For those categories that are not self-explanatory, the following definitions are provided:

Old Suburb -- single family dwelling in a small town or suburb built prior to World War II

New Suburb -- single family dwelling built since World War II

City 1 Family -- single family dwelling within a metropolitan area

City Multifamily -- multiple family dwelling, which would include a duplex, double house, residential house with more than one family living in it, etc., within a metropolitan area

Geographic Regions include:

Northeast:	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania
North Central:	Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas
South:	Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas
West:	Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, California

Income is total family income in 1974, before taxes.

DETAILED FINDINGS

QUESTION N1 71026 JANUARY 1975

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE FEDERAL GOVERNMENT

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	11	79	10
MEN	1031	3233	12	80	8
WOMEN	1007	3475	9	78	13
18 - 29 YEARS OF AGE	522	1918	14	77	9
30 - 39	421	1145	12	78	10
40 - 49	328	1117	8	84	8
50 - 59	311	1041	9	84	7
60 YEARS OR OVER	456	1487	10	74	16
LESS THAN HIGH SCHOOL COMPLETE	666	2395	13	72	15
HIGH SCHOOL COMPLETE	712	2502	11	81	8
SOME COLLEGE	648	1776	8	86	6
PROFESSIONAL	270	772	9	85	6
MANAGERIAL	242	696	8	85	7
CLERICAL, SALES	207	677	9	86	5
CRAFTSMAN, FOREMAN	378	1288	12	80	8
OTHER MANUAL, SERVICE	473	1731	14	75	11
FARMER, FARM LABORER	42	181	6	86	8
RURAL	297	940	11	80	9
OLD SUBURB 1 FAMILY	362	1286	8	80	12
NEW SUBURB 1 FAMILY	260	731	6	86	8
CITY 1 FAMILY	619	1976	14	77	9
CITY MULTIFAMILY	122	425	13	78	9
CITY APARTMENT	200	804	16	67	17
NORTHEAST	537	1552	14	74	12
NORTH CENTRAL	583	1900	11	78	11
SOUTH	630	2136	9	82	9
WEST	288	1120	9	82	9
UNDER $5,000 FAMILY INCOME	349	1653	14	69	17
$5,000 - $6,999	229	705	15	75	10
$7,000 - $9,999	346	943	12	78	10
$10,000 - $14,999	464	1420	10	82	8
$15,000 OR OVER	595	1831	7	87	6
NO CHILDREN IN HOUSEHOLD	1003	3525	10	78	12
WITH CHILDREN UNDER 18	1035	3182	12	80	8
WITH TEENAGERS 12 - 17	507	1622	12	82	6
WHITE	1803	5874	9	81	10
NONWHITE	226	810	23	65	12
OWN HOME	1388	4292	9	82	9
RENT HOME	630	2361	14	74	12

QUESTION N1 71026 JANUARY 1975

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE FEDERAL GOVERNMENT

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	11	79	10
UNION MEMBERS	296	941	19	71	10
UNION FAMILIES	581	1933	17	74	9
NONUNION FAMILIES	1439	4710	8	81	11
REPUBLICAN	368	1174	11	78	11
DEMOCRAT	882	3009	13	77	10
INDEPENDENT	603	1850	9	84	7

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	79	11
MEN	1031	3233	11	81	8
WOMEN	1007	3475	8	78	14
18 - 29 YEARS OF AGE	522	1918	11	79	10
30 - 39	421	1145	10	81	9
40 - 49	328	1117	8	81	11
50 - 59	311	1041	9	82	9
60 YEARS OR OVER	456	1487	8	76	16
LESS THAN HIGH SCHOOL COMPLETE	666	2395	10	73	17
HIGH SCHOOL COMPLETE	712	2502	11	80	9
SOME COLLEGE	648	1776	7	87	6
PROFESSIONAL	270	772	11	83	6
MANAGERIAL	242	696	5	87	8
CLERICAL, SALES	207	677	6	89	5
CRAFTSMAN, FOREMAN	378	1288	11	80	9
OTHER MANUAL, SERVICE	473	1731	11	78	11
FARMER, FARM LABORER	42	181	7	74	19
RURAL	297	940	8	79	13
OLD SUBURB 1 FAMILY	362	1286	7	81	12
NEW SUBURB 1 FAMILY	260	731	5	86	9
CITY 1 FAMILY	619	1976	12	79	9
CITY MULTIFAMILY	122	425	13	77	10
CITY APARTMENT	200	804	12	71	17
NORTHEAST	537	1552	12	77	11
NORTH CENTRAL	583	1900	12	77	11
SOUTH	630	2136	6	82	12
WEST	288	1120	9	82	9
UNDER $5,000 FAMILY INCOME	349	1653	10	71	19
$5,000 - $6,999	229	705	11	79	10
$7,000 - $9,999	346	943	11	79	10
$10,000 - $14,999	464	1420	11	81	8
$15,000 OR OVER	595	1831	7	86	7
NO CHILDREN IN HOUSEHOLD	1003	3525	10	77	13
WITH CHILDREN UNDER 18	1035	3182	9	81	10
WITH TEENAGERS 12 - 17	507	1622	9	82	9
WHITE	1803	5874	9	81	10
NONWHITE	226	810	13	69	18
OWN HOME	1388	4292	9	81	10
RENT HOME	630	2361	11	76	13

QUESTION N2 71026 JANUARY 1975

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	79	11
UNION MEMBERS	296	941	19	73	8
UNION FAMILIES	581	1933	16	75	9
NONUNION FAMILIES	1439	4710	7	81	12
REPUBLICAN	368	1174	10	78	12
DEMOCRAT	882	3009	10	79	11
INDEPENDENT	603	1850	9	84	7

SHOULD YOUR STATE LEGISLATURE PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	78	12
MEN	1031	3233	12	80	8
WOMEN	1007	3475	8	77	15
18 - 29 YEARS OF AGE	522	1918	12	78	10
30 - 39	421	1145	10	80	10
40 - 49	328	1117	9	81	10
50 - 59	311	1041	11	80	9
60 YEARS OR OVER	456	1487	8	75	17
LESS THAN HIGH SCHOOL COMPLETE	666	2395	10	73	17
HIGH SCHOOL COMPLETE	712	2502	11	79	10
SOME COLLEGE	648	1776	8	85	7
PROFESSIONAL	270	772	10	83	7
MANAGERIAL	242	696	5	85	10
CLERICAL, SALES	207	677	7	88	5
CRAFTSMAN, FOREMAN	378	1288	10	80	10
OTHER MANUAL, SERVICE	473	1731	14	75	11
FARMER, FARM LABORER	42	181	7	72	21
RURAL	297	940	10	78	12
OLD SUBURB 1 FAMILY	362	1286	7	81	12
NEW SUBURB 1 FAMILY	260	731	6	85	9
CITY 1 FAMILY	619	1976	12	77	11
CITY MULTIFAMILY	122	425	16	74	10
CITY APARTMENT	200	804	15	69	16
NORTHEAST	537	1552	14	74	12
NORTH CENTRAL	583	1900	12	78	10
SOUTH	630	2136	7	81	12
WEST	288	1120	9	80	11
UNDER $5,000 FAMILY INCOME	349	1653	12	70	18
$5,000 - $6,999	229	705	14	75	11
$7,000 - $9,999	346	943	10	80	10
$10,000 - $14,999	464	1420	10	80	10
$15,000 OR OVER	595	1831	7	86	7
NO CHILDREN IN HOUSEHOLD	1003	3525	11	76	13
WITH CHILDREN UNDER 18	1035	3182	10	80	10
WITH TEENAGERS 12 - 17	507	1622	10	81	9
WHITE	1803	5874	9	80	11
NONWHITE	226	810	19	63	18
OWN HOME	1388	4292	9	81	10
RENT HOME	630	2361	13	74	13

QUESTION N3 71026 JANUARY 1975

SHOULD YOUR STATE LEGISLATURE PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	78	12
UNION MEMBERS	296	941	18	74	8
UNION FAMILIES	581	1933	16	75	9
NONUNION FAMILIES	1439	4710	8	80	12
REPUBLICAN	368	1174	10	78	12
DEMOCRAT	882	3009	11	78	11
INDEPENDENT	603	1850	9	83	8

QUESTION N4 71026 JANUARY 1975

WHICH OF THESE ARRANGEMENTS DO YOU FAVOR FOR FEDERAL, STATE, AND LOCAL GOVERNMENT EMPLOYEES

1. A PERSON CAN WORK FOR THE GOVERNMENT WHETHER OR NOT HE BELONGS TO A UNION
2. A PERSON CAN GO TO WORK FOR THE GOVERNMENT IF HE DOESN'T ALREADY BELONG TO A UNION, BUT HAS TO JOIN AFTER HE IS HIRED TO HOLD HIS JOB
3. A PERSON CAN GET A JOB WITH THE GOVERNMENT ONLY IF HE ALREADY BELONGS TO A UNION
4. NO OPINION

	NUMBER OF INTERVIEWS UNWTD	WTD	1.	2.	3.	4.
TOTAL U.S. PUBLIC	2038	6707	83	10	1	6
MEN	1031	3233	83	11	2	4
WOMEN	1007	3475	82	9	1	8
18 - 29 YEARS OF AGE	522	1918	82	11	1	6
30 - 39	421	1145	84	11	1	4
40 - 49	328	1117	84	9	1	6
50 - 59	311	1041	86	8	2	4
60 YEARS OR OVER	456	1487	80	8	2	10
LESS THAN HIGH SCHOOL COMPLETE	666	2395	77	11	2	10
HIGH SCHOOL COMPLETE	712	2502	84	10	1	5
SOME COLLEGE	648	1776	89	8	*	3
PROFESSIONAL	270	772	90	7	*	3
MANAGERIAL	242	696	90	7	0	3
CLERICAL, SALES	207	677	87	7	1	5
CRAFTSMAN, FOREMAN	378	1288	83	11	*	6
OTHER MANUAL, SERVICE	473	1731	81	12	2	5
FARMER, FARM LABORER	42	181	76	2	4	18
RURAL	297	940	81	10	3	6
OLD SUBURB 1 FAMILY	362	1286	82	8	2	8
NEW SUBURB 1 FAMILY	260	731	87	8	*	5
CITY 1 FAMILY	619	1976	85	10	1	4
CITY MULTIFAMILY	122	425	71	20	0	9
CITY APARTMENT	200	804	78	10	3	9
NORTHEAST	537	1552	78	13	2	7
NORTH CENTRAL	583	1900	79	12	1	8
SOUTH	630	2136	88	5	2	5
WEST	288	1120	87	7	*	6
UNDER $5,000 FAMILY INCOME	349	1653	76	11	3	10
$5,000 - $6,999	229	705	80	12	*	8
$7,000 - $9,999	346	943	80	11	1	8
$10,000 - $14,999	464	1420	86	9	2	3
$15,000 OR OVER	595	1831	89	7	*	4
NO CHILDREN IN HOUSEHOLD	1003	3525	82	8	2	8
WITH CHILDREN UNDER 18	1035	3182	84	10	1	5
WITH TEENAGERS 12 - 17	507	1622	86	10	1	3
WHITE	1803	5874	85	8	1	6
NONWHITE	226	810	70	21	1	8
OWN HOME	1388	4292	85	9	1	5
RENT HOME	630	2361	79	11	2	8

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QUESTION N4 71026 JANUARY 1975

WHICH OF THESE ARRANGEMENTS DO YOU FAVOR FOR FEDERAL, STATE, AND LOCAL GOVERNMENT EMPLOYEES

1. A PERSON CAN WORK FOR THE GOVERNMENT WHETHER OR NOT HE BELONGS TO A UNION
2. A PERSON CAN GO TO WORK FOR THE GOVERNMENT IF HE DOESN'T ALREADY BELONG TO A UNION, BUT HAS TO JOIN AFTER HE IS HIRED TO HOLD HIS JOB
3. A PERSON CAN GET A JOB WITH THE GOVERNMENT ONLY IF HE ALREADY BELONGS TO A UNION
4. NO OPINION

	NUMBER OF INTERVIEWS UNWTD	WTD	1.	2.	3.	4.
TOTAL U.S. PUBLIC	2038	6707	83	10	1	6
UNION MEMBERS	296	941	77	17	2	4
UNION FAMILIES	581	1933	77	16	2	5
NONUNION FAMILIES	1439	4710	85	7	1	7
REPUBLICAN	368	1174	85	7	2	6
DEMOCRAT	882	3009	81	11	2	6
INDEPENDENT	603	1850	87	9	*	4

TECHNICAL APPENDIX

Opinion Research Corporation's Master Sample

Opinion Research Corporation's master sample is based on a new probability sample design, prepared in consultation with J. Stevens Stock of Marketmath, Inc., and modified and updated by ORC.

The essential characteristic of probability sampling is that, for each person in the population under study, the probability that he will be included in the sample can be specified. This means that the degree or reliability of any finding from a study based on a probability sample can be estimated mathematically.

This new sample design is a major improvement over standard areal probability designs now in common use. These areal methods depend upon the use of maps showing geographic segments for which rough population estimates can be made. These maps are often out of date and otherwise inaccurate, and population estimates are frequently unreliable for small geographic areas, particularly as time passes from one census to another. The new sampling method eliminates these important problems of traditional probability sampling by using current address directories as the basis for a system of defining interviewing starting points -- a system which, of course, includes in the sample those households which are not in the directory as well. The new method is both statistically and administratively as efficient as possible, providing the most reliable data for any given expenditure.

The ORC master sample consists of 360 counties in the contiguous United States. This master sample of 360 counties comprises, in fact, six subsamples of 60 counties each. Each of these subsamples is itself a national probability sample. Depending on the needs of any particular study, the master sample can be used as a whole, or any combination of the six subsamples can be used.

To construct the sample, the counties within each state were arranged in order of descending population size; and all the states were grouped in geographical order from Maine to California. Sixty counties were then chosen by statistical procedures that insure representative geographical distribution. This process was repeated to obtain the six subsamples that make up the master sample of 360 counties.

The next step in the sampling design was to select an area from each of the 360 counties in the master sample. Again, a probability sampling method was used to select, within each county, a minor civil division (MCD) as defined by the Bureau of the Census. A minor civil division may be a town, township, city, or part of a city. The probability that any particular minor civil division was selected in a county was proportional to the population of that minor civil division.

Thus, the larger a minor civil division, the greater the likelihood that it be selected. The minor civil division, then, is the primary sampling unit.

Once the MCD has been selected, the next step is the determination of those households where interviewing is to take place. Under the ORC National Probability Sample procedure, any current listing of household locations, even if incomplete, constitutes the first stage of the sampling plan. From this list of households one or more addresses are chosen at random. Each of these addresses defines the place that the interviewer begins following the interviewing site selection process. The interviews in a cluster or "neighborhood" do not begin at the household selected from the list, but at the adjacent household, which may or may not be on the original list. Thus, the list does not define the universe of households in an MCD, but rather the list of households adjacent to possible starting points. Depending on the number of households contacted from each starting point, the number of starting points chosen, and the criteria for being included on the original list, every household in the MCD has a known, or knowable, probability of being included in the ORC sample.

Because they are the most up-to-date and the most complete listing of addresses available, telephone books are the sources of locations next to interviewing starting points when general public surveys are being done.

The specific persons to be interviewed are selected as follows:

(1) A certain number of starting points are selected from the telephone books covering the minor civil divisions, or communities, selected. The starting points are chosen in a manner that each household, within the minor civil division, listed in the phone book has an equal chance of being selected.

(2) Each starting point selected determines a group of households, called a "cluster," in which interviews are conducted. This cluster of households includes households both with and without listed telephones. The first household in which an interview is conducted is the household immediately to the left of the household selected from the telephone book as the starting point. Thus, the first household can be one either with or without a telephone.

(3) The interviewer conducts an interview in the first household and then works through the group of households following a prescribed rule. The interviewer continues working through the cluster until interviews have been completed in a preassigned number of households.

(4) A respondent-selection procedure determines for the interviewer which person to interview in any given household. Every eligible respondent in the household has the same chance to be interviewed as any other eligible respondent. The interviewer is not allowed to make any substitutions.

Once all interviews have been completed, weighting procedures are employed to insure that the sample properly represents the population from which it was drawn.

This sampling procedure is rigorous in concept and practice and allows for the exact determination of the statistical precision of any finding.

Sample Characteristics, January 1975 Caravan

The data in the table below compare the characteristics of the weighted[1/] Caravan sample with those of the total population, 18 years of age or over. The table shows that the distribution of the total sample parallels very closely that of the population under study.

	Total		Men		Women	
	Population[2/]	Caravan Sample	Population[2/]	Caravan Sample	Population[2/]	Caravan Sample
Age						
18 - 29 years of age	29%	29%	30%	30%	28%	27%
30 - 39	17	17	17	17	17	17
40 - 49	16	16	17	17	16	16
50 - 59	16	16	16	16	15	15
60 years or over	22	22	20	20	24	25
Race						
White	89%	88%	89%	88%	88%	88%
Nonwhite	11	12	11	12	12	12
Geographic Region						
Northeast	23%	23%	23%	23%	24%	24%
North Central	27	28	28	29	27	27
South	31	32	31	31	32	33
West	19	17	18	17	17	16

1/ Weights were introduced into the tabulations to ensure proper representation of the interviews in the sample.

2/ Source: Latest data from the U.S. Bureau of the Census, regular and interim reports.

Reliability of Survey Percentages

Results of any sample are subject to sampling variation. The magnitude of the variation is measurable and is affected by the number of interviews and the level of the percentages expressing the results.

The table below shows the possible sample variation that applies to percentage results reported from the Opinion Research Corporation sample. The chances are 95 in 100 that a Caravan survey result does not vary, plus or minus, by more than the indicated number of percentage points from the result that would be obtained if interviews had been conducted with all persons in the universe represented by the sample.

Approximate Sampling Tolerances Applicable to Percentages at or Near These Levels

Size of Sample on Which Caravan Survey Result is Based	10% or 90%	30% or 70%	50%
2,000 interviews	2%	3%	3%
1,000 interviews	2%	4%	4%
500 interviews	3%	5%	5%
250 interviews	5%	7%	8%
100 interviews	7%	11%	12%

Sampling Tolerances When Comparing Two Samples

Tolerances are also involved in the comparison of results from different parts of any one Opinion Research Corporation sample and in the comparison of results between two different ORC samples. A difference, in other words, must be of at least a certain size to be considered statistically significant. The table below is a guide to the sampling tolerances applicable to such comparisons.

Size of Samples Compared	Differences Required for Significance at or Near These Percentage Levels 1/		
	10% or 90%	30% or 70%	50%
2,000 and 2,000	2%	4%	4%
2,000 and 1,000	3%	4%	5%
1,000 and 1,000	3%	5%	6%
1,000 and 500	4%	6%	7%
500 and 500	5%	7%	8%
500 and 200	6%	9%	10%
200 and 200	7%	11%	12%
200 and 100	9%	14%	15%
100 and 100	10%	16%	17%

1/ Based on 95 chances in 100.

Quality Control Measures

Quality control measures are applied in every phase of the Caravan survey.

Specialists in many fields are available for consultation with the Caravan survey director in the development of the questionnaire.

Interviewers are hired and trained, in person, to staff the probability sample, and their work is regularly checked for accuracy and validity.

Questionnaires are prepared for data processing by experienced coders, under the supervision of the survey director.

The processing of data is subject to rigorous internal checks designed to detect both machine and human error.

PUBLIC ATTITUDES
TOWARD
UNIONISM IN THE PUBLIC SECTOR

January 1975

Research Findings
Prepared for

NATIONAL RIGHT TO WORK COMMITTEE

Caravan Surveys
Opinion Research Corporation
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The most advanced probability sampling techniques were used in the design and execution of the sample plan; therefore, the results may be projected to the total U.S. population of men and women 18 years of age or over.

Only one interview was taken per household, regardless of the number of people 18 years of age or over in the household. Weights were introduced into the tabulations to ensure proper representation in the sample.

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The tables read across. Except for the first two columns, all figures in the body of the tables are percentages. The unweighted number of interviews appears in the column headed "UNWTD" and the weighted numbers -- tabulation units resulting from the weighting process -- appear in the column headed "WTD."

Throughout the tables, an asterisk (*) signifies any value less than one-half percent.

The weighted numbers for sex and region of country may not add to the total because they are subject to the limitation of the computer to round weighted numbers. In all demographic groups -- other than sex and region -- the unweighted numbers may not add to the total number of respondents because they are dependent upon a respondent's answer and, therefore, do not include the "Not Reporteds."

The following definitions are provided for some of the sidebreaks by which the data are analyzed. Other sidebreaks are self-explanatory.

Occupation refers to the occupation of the chief wage earner in the household.

City Size is based on interviewer observation of the respondent's location in terms of area, and the age and type of dwelling. This sidebreak does not add to the total number of interviews, as some respondents simply do not qualify within a definition. For example, a suburban garden apartment does not fit the description "single family dwelling."

For those categories that are not self-explanatory, the following definitions are provided:

Old Suburb -- single family dwelling in a small town or suburb built prior to World War II

New Suburb -- single family dwelling built since World War II

City 1 Family -- single family dwelling within a metropolitan area

City Multifamily -- multiple family dwelling, which would include a duplex, double house, residential house with more than one family living in it, etc., within a metropolitan area

Geographic Regions include:

Northeast:	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania
North Central:	Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas
South:	Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas
West:	Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, California

Income is total family income in 1974, before taxes.

DETAILED FINDINGS

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE FEDERAL GOVERNMENT

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	11	79	10
MEN	1031	3233	12	80	8
WOMEN	1007	3475	9	78	13
18 - 29 YEARS OF AGE	522	1918	14	77	9
30 - 39	421	1145	12	78	10
40 - 49	328	1117	8	84	8
50 - 59	311	1041	9	84	7
60 YEARS OR OVER	456	1487	10	74	16
LESS THAN HIGH SCHOOL COMPLETE	666	2395	13	72	15
HIGH SCHOOL COMPLETE	712	2502	11	81	8
SOME COLLEGE	648	1776	8	86	6
PROFESSIONAL	270	772	9	85	6
MANAGERIAL	242	696	8	85	7
CLERICAL, SALES	207	677	9	86	5
CRAFTSMAN, FOREMAN	378	1288	12	80	8
OTHER MANUAL, SERVICE	473	1731	14	75	11
FARMER, FARM LABORER	42	181	6	86	8
RURAL	297	940	11	80	9
OLD SUBURB 1 FAMILY	362	1286	8	80	12
NEW SUBURB 1 FAMILY	260	731	6	86	8
CITY 1 FAMILY	619	1976	14	77	9
CITY MULTIFAMILY	122	425	13	78	9
CITY APARTMENT	200	804	16	67	17
NORTHEAST	537	1552	14	74	12
NORTH CENTRAL	583	1900	11	78	11
SOUTH	630	2136	9	82	9
WEST	288	1120	9	82	9
UNDER $5,000 FAMILY INCOME	349	1653	14	69	17
$5,000 - $6,999	229	705	15	75	10
$7,000 - $9,999	346	943	12	78	10
$10,000 - $14,999	464	1420	10	82	8
$15,000 OR OVER	595	1831	7	87	6
NO CHILDREN IN HOUSEHOLD	1003	3525	10	78	12
WITH CHILDREN UNDER 18	1035	3182	12	80	8
WITH TEENAGERS 12 - 17	507	1622	12	82	6
WHITE	1803	5874	9	81	10
NONWHITE	226	810	23	65	12
OWN HOME	1388	4292	9	82	9
RENT HOME	630	2361	14	74	12

5 QUESTION N1 71026 JANUARY 1975

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE FEDERAL GOVERNMENT

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	11	79	10
UNION MEMBERS	296	941	19	71	10
UNION FAMILIES	581	1933	17	74	9
NONUNION FAMILIES	1439	4710	8	81	11
REPUBLICAN	368	1174	11	78	11
DEMOCRAT	882	3009	13	77	10
INDEPENDENT	603	1850	9	84	7

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	79	11
MEN	1031	3233	11	81	8
WOMEN	1007	3475	8	78	14
18 - 29 YEARS OF AGE	522	1918	11	79	10
30 - 39	421	1145	10	81	9
40 - 49	328	1117	8	81	11
50 - 59	311	1041	9	82	9
60 YEARS OR OVER	456	1487	8	76	16
LESS THAN HIGH SCHOOL COMPLETE	666	2395	10	73	17
HIGH SCHOOL COMPLETE	712	2502	11	80	9
SOME COLLEGE	648	1776	7	87	6
PROFESSIONAL	270	772	11	83	6
MANAGERIAL	242	696	5	87	8
CLERICAL, SALES	207	677	6	89	5
CRAFTSMAN, FOREMAN	378	1288	11	80	9
OTHER MANUAL, SERVICE	473	1731	11	78	11
FARMER, FARM LABORER	42	181	7	74	19
RURAL	297	940	8	79	13
OLD SUBURB 1 FAMILY	362	1286	7	81	12
NEW SUBURB 1 FAMILY	260	731	5	86	9
CITY 1 FAMILY	619	1976	12	79	9
CITY MULTIFAMILY	122	425	13	77	10
CITY APARTMENT	200	804	12	71	17
NORTHEAST	537	1552	12	77	11
NORTH CENTRAL	583	1900	12	77	11
SOUTH	630	2136	6	82	12
WEST	288	1120	9	82	9
UNDER $5,000 FAMILY INCOME	349	1653	10	71	19
$5,000 - $6,999	229	705	11	79	10
$7,000 - $9,999	346	943	11	79	10
$10,000 - $14,999	464	1420	11	81	8
$15,000 OR OVER	595	1831	7	86	7
NO CHILDREN IN HOUSEHOLD	1003	3525	10	77	13
WITH CHILDREN UNDER 18	1035	3182	9	81	10
WITH TEENAGERS 12 - 17	507	1622	9	82	9
WHITE	1803	5874	9	81	10
NONWHITE	226	810	13	69	18
OWN HOME	1388	4292	9	81	10
RENT HOME	630	2361	11	76	13

7

QUESTION N2 71026 JANUARY 1975

SHOULD THE U.S. CONGRESS PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	79	11
UNION MEMBERS	296	941	19	73	8
UNION FAMILIES	581	1933	16	75	9
NONUNION FAMILIES	1439	4710	7	81	12
REPUBLICAN	368	1174	10	78	12
DEMOCRAT	882	3009	10	79	11
INDEPENDENT	603	1850	9	84	7

SHOULD YOUR STATE LEGISLATURE PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	78	12
MEN	1031	3233	12	80	8
WOMEN	1007	3475	8	77	15
18 - 29 YEARS OF AGE	522	1918	12	78	10
30 - 39	421	1145	10	80	10
40 - 49	328	1117	9	81	10
50 - 59	311	1041	11	80	9
60 YEARS OR OVER	456	1487	8	75	17
LESS THAN HIGH SCHOOL COMPLETE	666	2395	10	73	17
HIGH SCHOOL COMPLETE	712	2502	11	79	10
SOME COLLEGE	648	1776	8	85	7
PROFESSIONAL	270	772	10	83	7
MANAGERIAL	242	696	5	85	10
CLERICAL, SALES	207	677	7	88	5
CRAFTSMAN, FOREMAN	378	1288	10	80	10
OTHER MANUAL, SERVICE	473	1731	14	75	11
FARMER, FARM LABORER	42	181	7	72	21
RURAL	297	940	10	78	12
OLD SUBURB 1 FAMILY	362	1286	7	81	12
NEW SUBURB 1 FAMILY	260	731	6	85	9
CITY 1 FAMILY	619	1976	12	77	11
CITY MULTIFAMILY	122	425	16	74	10
CITY APARTMENT	200	804	15	69	16
NORTHEAST	537	1552	14	74	12
NORTH CENTRAL	583	1900	12	78	10
SOUTH	630	2136	7	81	12
WEST	288	1120	9	80	11
UNDER $5,000 FAMILY INCOME	349	1653	12	70	18
$5,000 - $6,999	229	705	14	75	11
$7,000 - $9,999	346	943	10	80	10
$10,000 - $14,999	464	1420	10	80	10
$15,000 OR OVER	595	1831	7	86	7
NO CHILDREN IN HOUSEHOLD	1003	3525	11	76	13
WITH CHILDREN UNDER 18	1035	3182	10	80	10
WITH TEENAGERS 12 - 17	507	1622	10	81	9
WHITE	1803	5874	9	80	11
NONWHITE	226	810	19	63	18
OWN HOME	1388	4292	9	81	10
RENT HOME	630	2361	13	74	13

QUESTION N3 71026 JANUARY 1975

SHOULD YOUR STATE LEGISLATURE PASS A LAW WHICH WOULD ALLOW AGREEMENTS REQUIRING EMPLOYEES TO JOIN OR PAY DUES TO A UNION IN ORDER TO WORK FOR THE STATE, COUNTY, AND MUNICIPAL GOVERNMENTS

	NUMBER OF INTERVIEWS UNWTD	WTD	YES	NO	NO OPINION
TOTAL U.S. PUBLIC	2038	6707	10	78	12
UNION MEMBERS	296	941	18	74	8
UNION FAMILIES	581	1933	16	75	9
NONUNION FAMILIES	1439	4710	8	80	12
REPUBLICAN	368	1174	10	78	12
DEMOCRAT	882	3009	11	78	11
INDEPENDENT	603	1850	9	83	8

QUESTION N4 71026 JANUARY 1975

WHICH OF THESE ARRANGEMENTS DO YOU FAVOR FOR FEDERAL, STATE, AND LOCAL GOVERNMENT EMPLOYEES

1. A PERSON CAN WORK FOR THE GOVERNMENT WHETHER OR NOT HE BELONGS TO A UNION
2. A PERSON CAN GO TO WORK FOR THE GOVERNMENT IF HE DOESN'T ALREADY BELONG TO A UNION, BUT HAS TO JOIN AFTER HE IS HIRED TO HOLD HIS JOB
3. A PERSON CAN GET A JOB WITH THE GOVERNMENT ONLY IF HE ALREADY BELONGS TO A UNION
4. NO OPINION

	NUMBER OF INTERVIEWS UNWTD	WTD	1.	2.	3.	4.
TOTAL U.S. PUBLIC	2038	6707	83	10	1	6
MEN	1031	3233	83	11	2	4
WOMEN	1007	3475	82	9	1	8
18 - 29 YEARS OF AGE	522	1918	82	11	1	6
30 - 39	421	1145	84	11	1	4
40 - 49	328	1117	84	9	1	6
50 - 59	311	1041	86	8	2	4
60 YEARS OR OVER	456	1487	80	8	2	10
LESS THAN HIGH SCHOOL COMPLETE	666	2395	77	11	2	10
HIGH SCHOOL COMPLETE	712	2502	84	10	1	5
SOME COLLEGE	648	1776	89	8	*	3
PROFESSIONAL	270	772	90	7	*	3
MANAGERIAL	242	696	90	7	0	3
CLERICAL, SALES	207	677	87	7	1	5
CRAFTSMAN, FOREMAN	378	1288	83	11	*	6
OTHER MANUAL, SERVICE	473	1731	81	12	2	5
FARMER, FARM LABORER	42	181	76	2	4	18
RURAL	297	940	81	10	3	6
OLD SUBURB 1 FAMILY	362	1286	82	8	2	8
NEW SUBURB 1 FAMILY	260	731	87	8	*	5
CITY 1 FAMILY	619	1976	85	10	1	4
CITY MULTIFAMILY	122	425	71	20	0	9
CITY APARTMENT	200	804	78	10	3	9
NORTHEAST	537	1552	78	13	2	7
NORTH CENTRAL	583	1900	79	12	1	8
SOUTH	630	2136	88	5	2	5
WEST	288	1120	87	7	*	6
UNDER $5,000 FAMILY INCOME	349	1653	76	11	3	10
$5,000 - $6,999	229	705	80	12	*	8
$7,000 - $9,999	346	943	80	11	1	8
$10,000 - $14,999	464	1420	86	9	2	3
$15,000 OR OVER	595	1831	89	7	*	4
NO CHILDREN IN HOUSEHOLD	1003	3525	82	8	2	8
WITH CHILDREN UNDER 18	1035	3182	84	10	1	5
WITH TEENAGERS 12 - 17	507	1622	86	10	1	3
WHITE	1803	5874	85	8	1	6
NONWHITE	226	810	70	21	1	8
OWN HOME	1388	4292	85	9	1	5
RENT HOME	630	2361	79	11	2	8

QUESTION N4 71026 JANUARY 1975

WHICH OF THESE ARRANGEMENTS DO YOU FAVOR FOR FEDERAL, STATE, AND LOCAL GOVERNMENT EMPLOYEES

1. A PERSON CAN WORK FOR THE GOVERNMENT WHETHER OR NOT HE BELONGS TO A UNION
2. A PERSON CAN GO TO WORK FOR THE GOVERNMENT IF HE DOESN'T ALREADY BELONG TO A UNION, BUT HAS TO JOIN AFTER HE IS HIRED TO HOLD HIS JOB
3. A PERSON CAN GET A JOB WITH THE GOVERNMENT ONLY IF HE ALREADY BELONGS TO A UNION
4. NO OPINION

	NUMBER OF INTERVIEWS UNWTD	WTD	1.	2.	3.	4.
TOTAL U.S. PUBLIC	2038	6707	83	10	1	6
UNION MEMBERS	296	941	77	17	2	4
UNION FAMILIES	581	1933	77	16	2	5
NONUNION FAMILIES	1439	4710	85	7	1	7
REPUBLICAN	368	1174	85	7	2	6
DEMOCRAT	882	3009	81	11	2	6
INDEPENDENT	603	1850	87	9	*	4

TECHNICAL APPENDIX

Opinion Research Corporation's Master Sample

Opinion Research Corporation's master sample is based on a new probability sample design, prepared in consultation with J. Stevens Stock of Marketmath, Inc., and modified and updated by ORC.

The essential characteristic of probability sampling is that, for each person in the population under study, the probability that he will be included in the sample can be specified. This means that the degree or reliability of any finding from a study based on a probability sample can be estimated mathematically.

This new sample design is a major improvement over standard areal probability designs now in common use. These areal methods depend upon the use of maps showing geographic segments for which rough population estimates can be made. These maps are often out of date and otherwise inaccurate, and population estimates are frequently unreliable for small geographic areas, particularly as time passes from one census to another. The new sampling method eliminates these important problems of traditional probability sampling by using current address directories as the basis for a system of defining interviewing starting points -- a system which, of course, includes in the sample those households which are not in the directory as well. The new method is both statistically and administratively as efficient as possible, providing the most reliable data for any given expenditure.

The ORC master sample consists of 360 counties in the contiguous United States. This master sample of 360 counties comprises, in fact, six subsamples of 60 counties each. Each of these subsamples is itself a national probability sample. Depending on the needs of any particular study, the master sample can be used as a whole, or any combination of the six subsamples can be used.

To construct the sample, the counties within each state were arranged in order of descending population size; and all the states were grouped in geographical order from Maine to California. Sixty counties were then chosen by statistical procedures that insure representative geographical distribution. This process was repeated to obtain the six subsamples that make up the master sample of 360 counties.

The next step in the sampling design was to select an area from each of the 360 counties in the master sample. Again, a probability sampling method was used to select, within each county, a minor civil division (MCD) as defined by the Bureau of the Census. A minor civil division may be a town, township, city, or part of a city. The probability that any particular minor civil division was selected in a county was proportional to the population of that minor civil division.

Thus, the larger a minor civil division, the greater the likelihood that it be selected. The minor civil division, then, is the primary sampling unit.

Once the MCD has been selected, the next step is the determination of those households where interviewing is to take place. Under the ORC National Probability Sample procedure, any current listing of household locations, even if incomplete, constitutes the first stage of the sampling plan. From this list of households one or more addresses are chosen at random. Each of these addresses defines the place that the interviewer begins following the interviewing site selection process. The interviews in a cluster or "neighborhood" do not begin at the household selected from the list, but at the adjacent household, which may or may not be on the original list. Thus, the list does not define the universe of households in an MCD, but rather the list of households adjacent to possible starting points. Depending on the number of households contacted from each starting point, the number of starting points chosen, and the criteria for being included on the original list, every household in the MCD has a known, or knowable, probability of being included in the ORC sample.

Because they are the most up-to-date and the most complete listing of addresses available, telephone books are the sources of locations next to interviewing starting points when general public surveys are being done.

The specific persons to be interviewed are selected as follows:

(1) A certain number of starting points are selected from the telephone books covering the minor civil divisions, or communities, selected. The starting points are chosen in a manner that each household, within the minor civil division, listed in the phone book has an equal chance of being selected.

(2) Each starting point selected determines a group of households, called a "cluster," in which interviews are conducted. This cluster of households includes households both with and without listed telephones. The first household in which an interview is conducted is the household immediately to the left of the household selected from the telephone book as the starting point. Thus, the first household can be one either with or without a telephone.

(3) The interviewer conducts an interview in the first household and then works through the group of households following a prescribed rule. The interviewer continues working through the cluster until interviews have been completed in a preassigned number of households.

(4) A respondent-selection procedure determines for the interviewer which person to interview in any given household. Every eligible respondent in the household has the same chance to be interviewed as any other eligible respondent. The interviewer is not allowed to make any substitutions.

Once all interviews have been completed, weighting procedures are employed to insure that the sample properly represents the population from which it was drawn.

This sampling procedure is rigorous in concept and practice and allows for the exact determination of the statistical precision of any finding.

Sample Characteristics, January 1975 Caravan

The data in the table below compare the characteristics of the weighted[1/] Caravan sample with those of the total population, 18 years of age or over. The table shows that the distribution of the total sample parallels very closely that of the population under study.

	Total		Men		Women	
	Population[2/]	Caravan Sample	Population[2/]	Caravan Sample	Population[2/]	Caravan Sample
Age						
18 - 29 years of age	29%	29%	30%	30%	28%	27%
30 - 39	17	17	17	17	17	17
40 - 49	16	16	17	17	16	16
50 - 59	16	16	16	16	15	15
60 years or over	22	22	20	20	24	25
Race						
White	89%	88%	89%	88%	88%	88%
Nonwhite	11	12	11	12	12	12
Geographic Region						
Northeast	23%	23%	23%	23%	24%	24%
North Central	27	28	28	29	27	27
South	31	32	31	31	32	33
West	19	17	18	17	17	16

1/ Weights were introduced into the tabulations to ensure proper representation of the interviews in the sample.

2/ Source: Latest data from the U.S. Bureau of the Census, regular and interim reports.

Reliability of Survey Percentages

Results of any sample are subject to sampling variation. The magnitude of the variation is measurable and is affected by the number of interviews and the level of the percentages expressing the results.

The table below shows the possible sample variation that applies to percentage results reported from the Opinion Research Corporation sample. The chances are 95 in 100 that a Caravan survey result does not vary, plus or minus, by more than the indicated number of percentage points from the result that would be obtained if interviews had been conducted with all persons in the universe represented by the sample.

Approximate Sampling Tolerances Applicable to Percentages at or Near These Levels

Size of Sample on Which Caravan Survey Result is Based	10% or 90%	30% or 70%	50%
2,000 interviews	2%	3%	3%
1,000 interviews	2%	4%	4%
500 interviews	3%	5%	5%
250 interviews	5%	7%	8%
100 interviews	7%	11%	12%

Sampling Tolerances When Comparing Two Samples

Tolerances are also involved in the comparison of results from different parts of any one Opinion Research Corporation sample and in the comparison of results between two different ORC samples. A difference, in other words, must be of at least a certain size to be considered statistically significant. The table below is a guide to the sampling tolerances applicable to such comparisons.

Size of Samples Compared	Differences Required for Significance at or Near These Percentage Levels 1/		
	10% or 90%	30% or 70%	50%
2,000 and 2,000	2%	4%	4%
2,000 and 1,000	3%	4%	5%
1,000 and 1,000	3%	5%	6%
1,000 and 500	4%	6%	7%
500 and 500	5%	7%	8%
500 and 200	6%	9%	10%
200 and 200	7%	11%	12%
200 and 100	9%	14%	15%
100 and 100	10%	16%	17%

1/ Based on 95 chances in 100.

Quality Control Measures

Quality control measures are applied in every phase of the Caravan survey.

Specialists in many fields are available for consultation with the Caravan survey director in the development of the questionnaire.

Interviewers are hired and trained, in person, to staff the probability sample, and their work is regularly checked for accuracy and validity.

Questionnaires are prepared for data processing by experienced coders, under the supervision of the survey director.

The processing of data is subject to rigorous internal checks designed to detect both machine and human error.

THE WHITE HOUSE
WASHINGTON

3/20

JR

WCB

TO:

FROM: DONALD A. WEBSTER

FOR YOUR INFORMATION _____

FOR APPROPRIATE ACTION _____

FOR YOUR COMMENTS _____

OTHER

Could you care for
Jack March. -

THE WHITE HOUSE
WASHINGTON

DATE: 3/12

TO:
_____F. DEBACA
_____JEFF EVES
_____VIRGINIA KNAUER
_____PAT LINDH
_____TED MARRS
____PAM POWELL
____STAN SCOTT
____WAYNE VALIS
✓ DON WEBSTER

FROM: WILLIAM J. BARODY, JR.

_____FOR YOUR INFORMATION
✓ FOR APPROPRIATE ACTION
_____FOR YOUR COMMENTS/
RECOMMENDATIONS
_____OTHER:

Bussie
7050

Don Webster

THE WHITE HOUSE

WASHINGTON

March 7, 1975

MEMORANDUM TO: BILL BARODY

FROM: JACK MARSH

Bill, I would appreciate having you or a member of your staff contact Hugh Newton directly concerning the attached. Thanks.

FEB 25 1975

3

HUGH C. NEWTON AND ASSOCIATES
PUBLIC RELATIONS

(703) 573-8555

618 SOUTH LEE STREET (OLD TOWNE) - TELEPHONES: ~~(202) 298-4380~~ (703) 549-5825
ALEXANDRIA, VIRGINIA 22314

R- please ask
don't make too
many comments
JM

February 25, 1975

Mr. John O. Marsh Jr.
Counselor to the President
The White House
Washington, D.C. 20500

Dear John:

Despite the phone call (which I really didn't arrange!), I do appreciate your taking a few minutes to talk with me following your talk at last week's Labor Relations luncheon group meeting.

As I mentioned, I do hope you will find the time to meet with several key people on the subject of public employee bargaining legislation (more appropriately described by noted Labor Law Professor, Dr. Sylvest Petro, as compulsory public sector bargaining laws).

While what I am talking about here may not be as immediately important as the "energy crisis," a growing body of Americans believe that the single most destructive element in today's economic and political affairs is the monopoly power of giant labor unions, fostered and protected by special privilege legislation.

Last fall's election results furthered the possibility of extending such a destructive element in the private field to the public employmen field. Evidence of this can be seen in the front page, 8-column article in the Star last month.

What I have in mind is a briefing team composed of Dr. Petro, Reed Larson of the National Right to Work Committee and David Denholm of Public Service Research Council. I am confident that the dialogue opened up by such a briefing will make a substantial contribution to a better public understanding of the fundamental issues involved in so-called public employee collective bargaining labor legislation. By the way, the growth of that understanding should be helped considerably by a pending Senate floor discussion by several U.S. Senators on the meaning and ramifications of the enactment of compulsor sector bargaining laws.

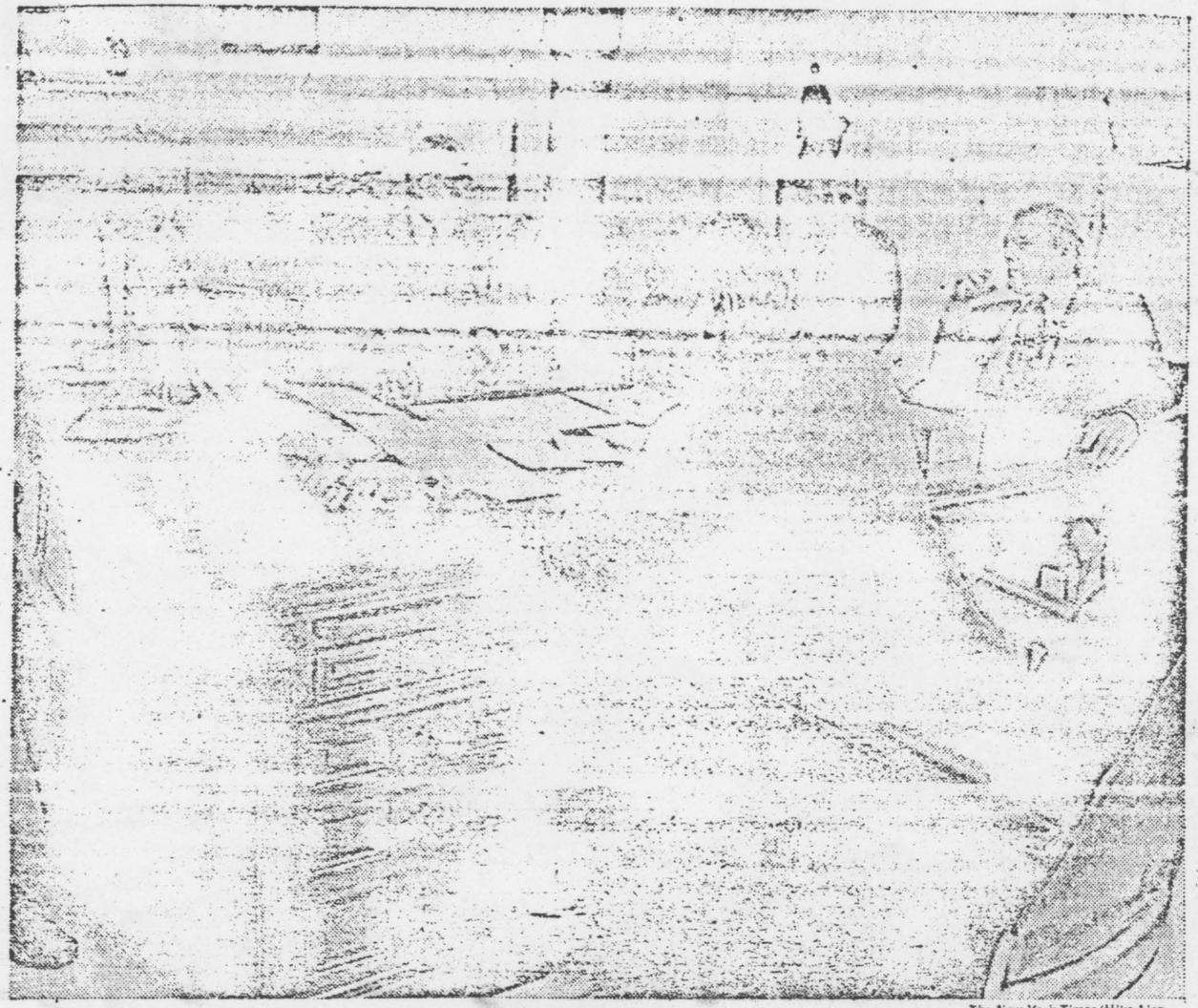
I look forward to hearing from you and working with your Russ Rourk in setting up this session.

Sincerely,

Hugh C. Newton

P.S. By the way, that daughter I mentioned who lives in Harrisonburg is the goddaughter of a fellow W & L'er -- Gil Bocetti, the football star. Gil now runs his own substantial title insurance company in Chapel Hill, North Carolina.

enclosures
HCN:lh
cc: Reed Larson, Andy Hare, National Right to Work Committee



The New York Times/Mike Lien

President Ford meeting with staff in Oval Office of the White House last Friday morning. From left are Ron Nessen, Donald H. Rumsfeld, Max L. Friedersdorf, John O. Marsh Jr. and Robert T. Hartmann. In photo at far left, Mr. Rumsfeld, the Presidential assistant in charge of White House operations, confers with Mr. Ford.

chases had to be mailed.

Mr. Marsh, by contrast, is as folksy as a lawyer from the Virginia apple country is expected to be. He is friendly and open and seems a little harassed by

Office. He has Cabinet rank. He supervises recruitment of high Administration officials and has placed associates in a number of key positions.

He participates in most co-

House deals with the new Congress and its predominance of Democrats.

Mr. Marsh is also in charge of the Office of Public Liaison,

lative Affairs, the Pentagon lobbyist on Capitol Hill. He was one of the few aides Mr. Ford consulted in naming a commission to study reports of illega

[redacted]

oversees the flow of people and business in and out of the Oval

voice in how the Ford White

secretary of Defense for Legis-

seems to like him all the more

10:00 am | 10:00 am | TEMPLE ISRAEL OF JAMAICA | THUR JAN 16 | THUR JAN 23

Rumsfeld and Marsh Emerge As Key White House Powers

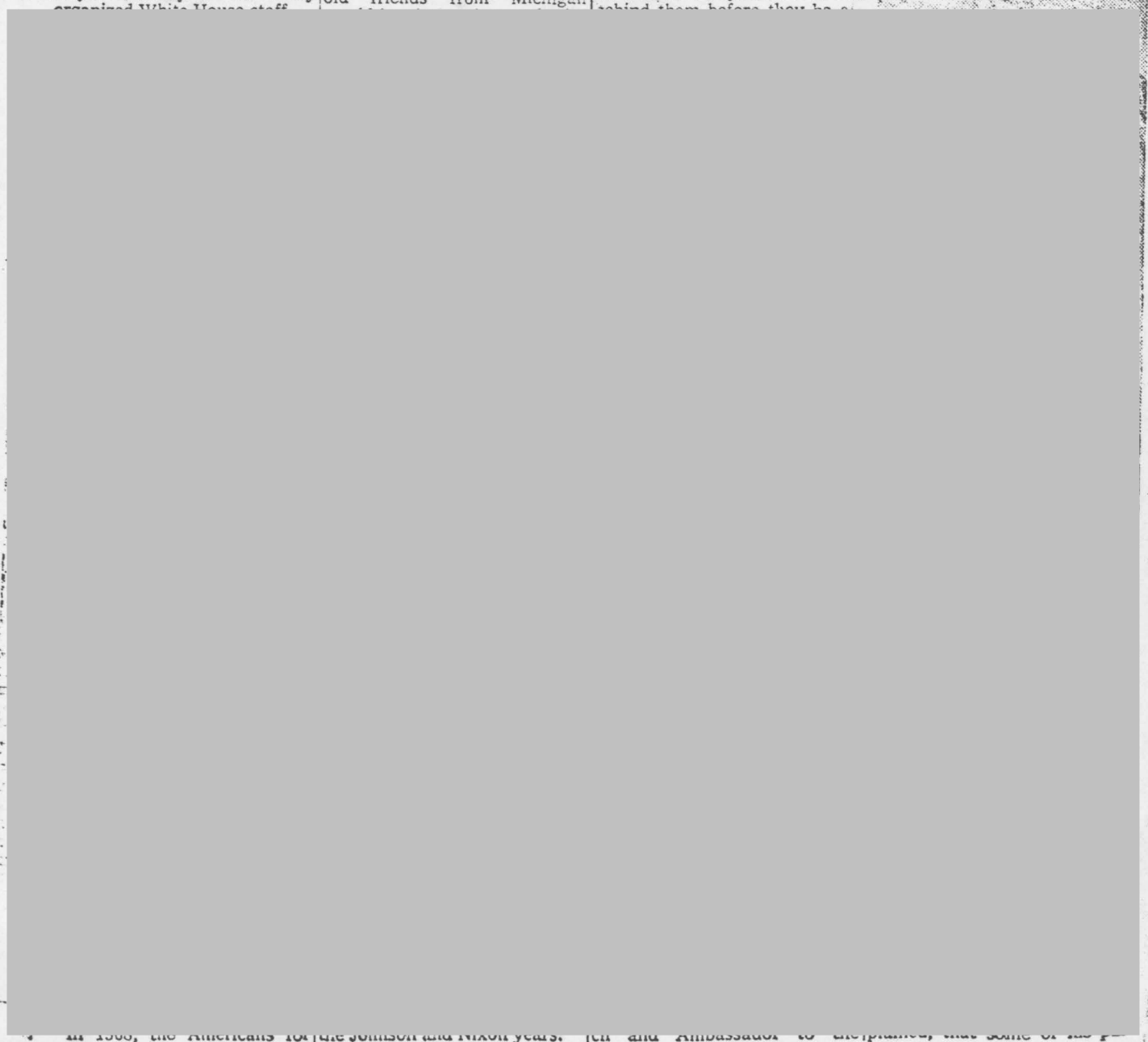
By JOHN HERBERS
Special to The New York Times

WASHINGTON, Jan. 11—Two men President Ford got to know and like when all three were in the House of Representatives—Donald H. Rumsfeld and, to a lesser extent, John O. Marsh Jr.—have emerged with major authority on the newly organized White House staff.

Democratic Action gave him a zero rating in evaluating his support of A.D.A. interests. Agreeing on issues most of the time, Mr. Ford and Mr. March became good friends.

When Mr. Ford took office, there was speculation that his old friends from Michigan

they have a strong respect for the full range of public institutions and private interests. Both are accessible, and both fit the requirement proposed by George Reedy, the one-time Johnson press secretary, that all White House aides be over 40 with hard experiences of life



In 1968, the Americans for the Johnson and Nixon years. ...ch and Ambassador to ...plane, that some of the ...

BNA

Government Employee Relations Report

reporting labor-management relations in state and federal developments

Number 591 SUMMARY February 3, 1975

Professor Sees Bargaining Laws Threatening Sovereignty: Sylvester Petro, Professor at Wake Forest University School of Law, believes that legislation to require governments to bargain collectively with unions would lead inevitably to public employee strikes and, beyond that, to loss of both popular and governmental sovereignty. Petro was luncheon speaker at seminar on proposed public employee bargaining legislation sponsored by National Right-to-Work Committee in Washington on January 30 (AA-1).

FEDERAL DEVELOPMENTS

Court Voids Employee's Removal For False Travel Vouchers: More than four years after action became effective, U.S. District Court for Maryland says removal of high-grade Department of the Army employee for padding his travel vouchers by more than $2,000 was not proven by substantial evidence and must be voided. Judge James R. Miller, Jr., says agency did not prove that employee intentionally attempted to defraud government even though charge of fraud lay at core of offense for which he was removed. Employee's principal defense was that errors were inadvertent, and occurred because he was preoccupied with his high-pressure job on important project. Though he orders employee to be reinstated, Miller says agency may impose lesser penalty for failure to submit timely and accurate vouchers; just what penalty would be is left to agency discretion (A-3).

Clause Blocking Permanent Promotions Struck Down By FLRC: Federal Labor Relations Council says that union proposal which would prevent Air Force facility from filling job vacancy on permanent basis until any grievance concerning the action had been finally resolved is non-negotiable. Union had attempted to bring proposal under umbrella of Council's decision in Veterans Administration Research Hospital case, claiming that proposal did not seek to impede management's right to promote but only to regulate the procedures by which that right will be exercised. Council distinguishes facts of that case, however (A-7).

(Contd. p. 2, col. 1)

STATE & LOCAL DEVELOPMENTS

Milwaukee Teachers Strike Extends Into Third Week: Strike by members of Milwaukee Teachers Education Association, closing schools to 118,500 students, continues into third week as negotiators fail to resolve salary, workday length, transfer, and evaluation policy disputes. School Board has voted to seek injunction, while MTEA is taking counter legal measures. Concurrent strike by school engineers tentatively ended after all-night bargaining (B-9).

New York Courts Differ On Legality Of Police/Firemen's Binding Arb Law: Amendments to New York's public employee bargaining law sending police and firemen's bargaining impasses to compulsory binding arbitration are held violative of one-man-one-vote principle and equal protection clauses of state and U.S. Constitution by one supreme court justice --but legal by another who finds local government's constitional "home rule" grant cannot be used in way inconsistent with "any general law" which may circumscribe local authority (B-1); Text of companion decisions (E-1).

Wurf Attacks "Recycling" Of Public Jobs, Asks Federal Funds For Cities: AFSCME President Jerry Wurf attacks "job recycling" which lays off public employees while hiring less experienced at lower wages. Such recycling doesn't touch unemployment rate, only puts different people out of work, Wurf says, proposing $5-$6 billion emergency federal funds be sent to states and cities to maintain present services (B-6).

(Contd. p. 2, col. 2)

THE WHITE HOUSE
WASHINGTON

John U.

Don -

I talked to Hugh Newton and told him I would try to live up some kind of a meeting when I get back - probably with Domestic Council people.

He sent the attached.

John. You may want to hold on to this.

National Right To Work Committee

A COALITION OF EMPLOYEES AND EMPLOYERS

HEADQUARTERS AT THE NATION'S CAPITAL

Call

March 24, 1975

Mr. John Vickerman
Office of the White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C.

Dear John:

I do appreciate your calling and your interest in arranging a briefing on so-called public employee bargaining legislation.

As I said we would hope that such a meeting would involve key domestic council people. We believe it is quite important for the administration to get some input on the fundamental issues involved before the battle heats up on the "hill".

As I said, we feel that the lack of meaningful communication and understanding led to a legislative battle in 1970 that might have been avoided. On that point I have attached a brochure which you may find of interest. I am also attaching some other background material including a copy of the resolution passed unanimously earlier this year at the Governor's Conference.

By the time you get our press conference on political spending - public employee legislation will have taken place with our first ad on the subject scheduled to run on Friday, March 28 in the WASHINGTON POST.

I look forward to your call Monday April 7 or early that week to discuss a time and details of a briefing that I believe will be helpful to all.

Best wishes.

Sincerely,

Hugh C. Newton
Director of Information

HCN/sd

Enclosures

PUBLIC EMPLOYEE RELATIONS

The United States Congress is considering legislation which would provide to State and local government employees the right to organize and collectively bargain. This legislation would substantially replace individual state laws and procedures which now regulate these activities with a uniform federal law.

The National Governors' Conference opposes federal intervention in this area. It is the belief of the Nation's Governors that matters relating to the employees of State and local governments are within the sole jurisdiction of these units and are not properly the subject of federal legislation.

The National Governors' Conference, in adopting this statement, takes no position on the principle of collective bargaining for public employees but states its firm commitment to the view that this is an area which should be left to the discretion of the several States.

RESOLUTION BY:

Committee on Executive Management and Fiscal Affairs

National Governors' Conference

Adopted - February 20, 1975

National Right To Work Committee

A COALITION OF EMPLOYEES AND EMPLOYERS

HEADQUARTERS AT THE NATION'S CAPITAL

FOR FURTHER INFORMATION
CONTACT: Hugh C. Newton or
Herb B. Berkowitz
(703) 573-8555

IF $134,000 WILL HELP PASS A HIGHWAY BILL

WHAT WILL HALF-A-MILLION ACCOMPLISH?

WHAT -- News Conference

WHEN -- Tuesday, March 25, 1975, 3:00 p.m.

WHERE -- National Press Club, Capitol & Executive Rooms

WHO -- National Right to Work Committee -- Reed Larson, Executive Vice President; Andrew Hare, Legislative Director

WHY -- Full disclosure is meaningless unless the public's right to know is fulfilled. National Committee will release total union contributions to 33 members of the House Education and Labor Committee, names of unions and how much they contributed to each member and position of Congressmen on special interest public employee legislation supported by donors.

Committee will also release new and comprehensive public opinion attitude study on compulsory unionism in the public sector.

At a news conference in Washington, Tuesday, March 25, the National Right to Work Committee will reveal that 33 members of the House Education and Labor Committee received $429,632 in campaign contributions from Big Labor and will point out that most of these members support legislation establishing public sector compulsory unionism -- urged by the union officials who approved contributions to help elect them . . .

And compare all this with results of new public opinion poll that shows 83% of the American public opposes compulsory union

membership for public employees -- a provision in all public employee bargaining legislation supported by these members and Big Labor.

It is interesting to note that a number of major national news stories in February were devoted to the $134,000 contributed to 126 House candidates by the trucking lobby and the $16,500 in last minute contributions to 14 key members of the House subcommittee on transportation . . . One highlight of the material to be revealed at the RTW news conference shows that Big Labor contributed hundreds of thousands to 14 members of the Labor and Education Committee and of these 14, all but one are on record as in favor of one of the bills legalizing compulsory unionism for public employees, voted for forced membership in 1970 for postal workers or received 10% or more of their total campaign contributions from unions in favor of such legislation.

Hugh C. Newton
Director of Public Relations

Truckers Gave Candidates $75,000

By George Lardner Jr.
Washington Post Staff Writer

The trucking lobby made last-minute campaign contributions of almost $75,000 to

gest single contribution, $3,000.

The contributions were disclosed yesterday in the year-end report of the Truck Oper-

last August, but the truckers began lobbying to reverse that decision after the Senate approved the bigger rigs in September.

Mich.) to put a 10,000-pound limit on the weight trucks could carry on their front exles.

The conferees included

feated in their re-election bids; Roncalvo voted against the highway legislation.

Four other members of the parent House Public Works

[redacted]

THE WASHINGTON POST
January 31, 1975

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, THURSDAY, MARCH 6, 1975 No. 36

Senate

The Senate met at 12 noon and was called to order by Hon. GARY W. HART, a Senator from the State of Colora

PRA

The Chaplain, th L. R. Elson, D.D., o prayer:

Hear the words Proverbs:

Keep thy heart for out of it are t Proverbs 4: 23.

O Lord, our God, k with the divine spirit work better for the N ing kingdom. Amen.

APPOINTMENT OF DENT PRO

The PRESIDING will please read a co Senate from the Pr (Mr. EASTLAND).

The legislative cle letter:

PRESIDE *Washington*

To the Senate:

Being temporarily a on official duties, I a HART, a Senator from to perform the duties absence.

JA *Pr*

Mr. GARY W. HART thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, March 5, 1975, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

There being no objection, the Senate resumed the consideration of legislative business.

AID TO CAMBODIA

Mr. MANSFIELD. Mr. President, on February 25, in a letter to the Speaker of the House, the President said that "an independent Cambodia cannot survive" without the supplemental aid he requested and posed the question: "Are we to deliberately abandon a small country in the midst of its life and death struggle?" The day before, Assistant Secretary of State Philip Habib told a Senate Foreign Relations Subcommittee that only if the aid requested was provided can "that nation survive." Now Secretary Habib has made a "summary of negotiating efforts on Cambodia" available to the Congress and the media. The State Department claimed yesterday that the August 1973 halt of U.S. bombing in Cambodia, which Congress ordered—and I did not vote for that particular pro-

On March 6, eight U.S. Senators, led by former Salt Lake City mayor Jake Garn, held a lengthy colloquy on proposed compulsory public sector "bargaining" legislation. We feel their remarks deserve your attention, even though the colloquy received little, if any, media coverage. (See next page.)

-- Reed Larson
Executive Vice President
NATIONAL RIGHT TO WORK
COMMITTEE

public discussion of legitimate policy issues relating to Indochina. And blamesmanship will not help to build a cooperative working relationship between Congress and the executive branch on foreign policy matters. The question is not who lost Cambodia, if the present government falls, but who got us into Cambodia, for what purpose and what its cost in men, money, refugees, and destruction has been.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Michigan.

(The remarks made by Mr. GRIFFIN at this point appear in today's RECORD under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Utah is recognized for not to exceed 15 minutes.

Mr. GARN. Mr. President, I ask unanimous consent that a member of my staff, Daniel Wall, may have the privilege of the floor during the colloquy this morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GOVERNMENTAL SOVEREIGNTY OR COMPULSORY PUBLIC SECTOR BARGAINING

Mr. GARN. Mr. President, in a letter to L. L. Stewart, president of the National Federation of Federal Employees, President Franklin Roosevelt said:

> . . . militant tactics have no place in the functions of any organization of government employees. . . . A strike of public employees manifests nothing less than an intent on their part to obstruct the operation of government until their demands are satisfied. Such action, looking toward the paralysis of government by those who have sworn to support it, is unthinkable and intolerable.

For 200 years Americans have recognized and fought for the representative, ordered, and sovereign government that President Roosevelt stood for in his statement. Yet forces are mounting which threaten this Government and the elements which support it. I refer to the drive to carry compulsory bargaining even deeper into the public sector. The battle cry has reached Capitol Hill, and as all of us in Congress know, a serious legislative drive will soon be underway to enact compulsory bargaining laws—laws that any objective analysis will show to be violently incompatible with a sovereign, responsible government.

The key ingredients we will doubtless see in forthcoming public sector collective bargaining legislation are:

First. Federal imposition of compulsory public sector bargaining on all governments—in other words, the law would force a sovereign government to negotiate as an equal with a private organization—in this case, a labor union.

Second. Monopoly bargaining privileges—that is, individual public employees would be compelled to accept unwanted union officials as their "exclusive representatives" in dealing with their own government employer.

Third. Compulsory membership where all public employees, including those who do not want the alleged "services" of the union, will have to join or pay money to the union—or lose their right to work for their own government.

It is my purpose and that of several of my colleagues to take a careful look today at a wide range of legislative proposals covering public employees. We contend that these proposals, if enacted, will severely damage the public interest. Our quality of life will be diminished through the wanton disregard of the individual rights of millions of Americans. And, the free spirit of democracy will be crushed by those who seek to compromise it.

What has led us to the point where we can actually seriously discuss the transfer of any of the sovereign functions and powers of government to a private, independent organization not subject to public control and rarely subject to public scrutiny?

The answer can be found in the enormous growth of employment in Federal, State, and local governments. The Bureau of Labor Statistics estimates that public employment has grown faster than any other sector of the economy. There are now some 14 million government workers—three million Federal employees and 11 million State, county, and municipal employees—and their number is growing by leaps and bounds. Public employment unions, having discovered that government unionism holds the most lucrative potential of all, are the fastest growing and best organized labor unions in the country. From 1951 to 1972, government work forces grew by 151 percent, payrolls by 596 percent, union membership by 130 percent, and strikes by public employees by 1,000 percent. And, I might add that one need not be a Philadelphia lawyer to realize the cost of these strikes to the taxpayer both in terms of higher taxes and in terms of disruption to the community.

Therefore, it is hardly unexpected that Americans have begun to take a closer look and active interest in labor relations of State, local, and Federal Governments. And, as a result, several States and legislatures have passed legislation governing labor relations of public employees. What have we reaped from this activity? Where has it left us and where will it take us?

Legislators have usually been persuaded to adopt the "orderly process" of collective bargaining from the private sector. The enactment of such laws are usually justified in the name of peace and tranquility. Union supporters assure the public employee/employer conjugal bliss and reduced "industrial strife." Yet the facts support the contrary.

Virtually every "solution" has created more unionization problems than have been solved. Conflicts, unrest and illegal strikes continue to mount. Moreover, the concessions employees are not able to get at the bargaining table they frequently try to get from the legislatures. The solutions, for the most part, often do nothing more than merely add to the power and privileges of union organizers,

The prohibition of public employees from striking is based on a sound premise which recognizes their unique position and potential ability to paralyze the community by a strike action. However, the record shows that officials of public employee unions openly flout laws which stand as obstacles to their quest to take over control of public services—openly flout them and then brag about their illegal actions. Seldom has this resulted in any significant legal penalty, however, because of fear on the part of public officials that strong punishment will be met with even more intensive retaliation. In New York City a few years ago, officials of public employee unions convincingly proved that they can put a major U.S. metropolis out of business whenever they choose to do so. What happened in New York City has also happened in recent years in Philadelphia, Baltimore, Albuquerque and dozens of other major cities.

Further, the majority of economists recognize the power of labor unions to force up wages and costs year after year without corresponding advances in productivity. This monopoly element, as we have recently seen first hand, is a prime cause of inflation.

Moreover, it is widespread knowledge that many candidates and elected officials have depended on contributions from labor organizations. Many newly elected Members of Congress are indebted to organized labor for their financial backing that helped them win elections. All unions including public employee unions are out for political control. Yet, the implications of political power in the hands of the public sector are far more threatening than for other unions.

And of course there is the fundamental question of whether employees should be forced to relinquish their bargaining rights to unions which they do not want.

Contrary to the evidence, a wide range of proposals will be presented for our consideration based on the hypothesis that compulsory collective bargaining for government employees "safeguards the public interest and contributes to the effective conduct of public business." Despite the profound differences between the public and private sectors, there are those who approve extension to the public sector of the same kind of compulsory collective bargaining legislation which has been operative in the private sector for some 40 years.

When the Federal Government sanction was given to exclusive union representation and compulsory unionism in private employment for private industry in 1935—through the National Labor Relations Act—it thereby extended to a private organization—a union—the power of government.

But several public employee legislative proposals would go far beyond NLRA. Bills suggested by the American Federation of State, County, and Municipal Employees and the National Education Association would force a wide aggregation of union power and special privilege on every government unit in the country outside of the Federal Government. Among a long list of special privileges these proposals would: grant monopoly status to a union without secret ballot elections, authorize strikes of public employees, permit union officials to engage in coercive acts, authorize and approve full compulsory union membership and obligate every State, political subdivision, town, city, county, borough, district, school board, board of regents, public or quasi-public corporation or any other entity which is tax supported to abide by its provisions and to obey the decisions of a national public employment relations commission.

Today's discussion will look into all aspects of these various legislative proposals as well as the development of a new spoils system through public employee political action, the rights of State and municipal governments and their employees, compulsory arbitration and the role of individual freedom in an orderly society.

This discussion will also define the distinctions between the public sector and the private sector. The public and the private sectors are as different as night and day. And, a fundamental problem lies in the fact that private sector models are being applied to the public sector where they are not appropriate. By definition collective bargaining suggests a parity of powers which is essential to the bargaining process. In the public sector this parity is nonexistent. Management in the private sector is granted a greater degree of economic leverage than its counterpart in the public sector. Because of market restraints, it is possible for an employee of private industry to negotiate himself out of a job. However, because government supplies essential services for the public, it is not possible for him to "lock out" the employees or go out of business.

The most fundamental question we will address in this dialog is whether government sovereignty can survive in the wake of compulsory public-sector bargaining. Noted law professor Dr. Sylvester Petro states:

> There is an absolute and ineradicable incompatibility between government sovereignty and compulsory public-sector bargaining, an incompatibility which must necessarily weaken if not ultimately destroy effective governing power and the integrity of government vis a vis the general citizenry, since the necessary consequence of according public-employee unions exclusive bargaining status is to encourage among government employees a tendency to repose their loyalties primarily in the units which they have been induced to believe are their protagonists.

Obviously, what we need asked and answered is whether the government—by its nature, a monopoly and the protector of all citizens' rights and liberties, has the authority legally or morally, to transfer any of its functions to a private, independent organization. When public officials acting under authority granted to them by other public officials, give union organizers the right to say who will perform public service and how those services will be performed, do not we have a situation in which the authority of government has been divested from the public?

Unwelcome as it may be in many quarters, and unrealistic as it may seem in others, the proper labor relations policy for any government might well be one which rejects collective bargaining in every form.

Last September, the U.S. District Court for the Middle District of North Carolina held constitutional a State law which declared contracts between government and unions in that State to be void. In its decision the Court said:

> . . . to the extent that public employees gain power through recognition and collective bargaining, other interest groups with a right to a voice in the running of the government may be left out of vital political decisions. Thus, the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups to advocate their special interests to the government. It is something entirely different to grant any one interest group special status and access to the decision-making process.

It is our hope that the discussion today will generate a serious national dialog about compulsory public-sector bargaining laws and governmental sovereignty. I would like to suggest that the American people and their representatives take a hard look at the validity of legislation that sanctions compulsory unionism. I, for one, intend to introduce legislation to protect this country against universal adoption of compulsory public sector bargaining laws, and I urge my colleagues to support it.

I want to make it clear that I am not opposed to voluntary unionism, or the right of individual public employees to organize and join unions if they so desire. But I am a great believer in the right of free people to decide whether they wish to do that or not. I am also a great believer in the right of the States to decide whether they shall have compulsory unionism or not.

I am not proposing or intending to propose national right-to-work laws. There are only 14 States that do so, and that is their right, to make such decisions on their own. They should not be mandated by the Senate or by Congress in efforts to oppose their will on all the local governments of this country. As a former mayor, I could not tolerate that intrusion into my ability as the chief administrative officer of a city to make such decisions, and be held accountable to the citizens of my city for those decisions.

The ACTING PRESIDENT pro tempore. The Senator's 15 minutes have expired.

Mr. GARN. I ask unanimous consent that Elizabeth Yee be accorded the privileges of the floor during the remainder of the discussion on this subject.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Under the previous order, the Senator from South Carolina is recognized for not to exceed 15 minutes.

Mr. THURMOND. Mr. President, my colleagues here today will address the question of whether the Federal Government should impose upon the States and their political subdivisions a system of compulsory public sector collective bargaining. More broadly, we will be considering whether it is in fact in the public interest and is sound public policy for any government to be compelled to recognize and bargain with unions.

I believe that in consideration of this issue, we must pay careful attention to the question of the effect that such a system of compulsory bargaining would have on the sovereignty of government.

In this area, I would like you to consider what sovereignty consists of, whether it can exist where government is forced to submit itself and its decision-making processes to the negotiating table. I hope that at the conclusion of these remarks, it will be crystal clear that governmental sovereignty is absolutely essential and that it is so diametrically opposed to any system of compulsory public sector collective bargaining that it would not only be a grave error for us to legislate such a system for the States and their political subdivisions, but an equally grave error for this body to approve any system whereby the agencies of the executive branch of the Government of the United States would be compelled to bargain with unions representing its employees.

I wish to say at the outset that I do not believe that this position reflects on my part or on the part of my colleagues any antiworker sentiment whatsoever. We are faced with a very difficult question of public policy, and I believe the interest of the entire public, including all the employees of Government at all levels in America, is best served by systems of redress of grievances and terms of employment under which elected representatives hold and retain complete and ultimate control of the decisionmaking process. Employees of Government, like all employees, have the right of association in unions to present their position on these matters. However, because of the uniquely different character of Government employment, it is clear that collective bargaining is a system completely inappropriate to determining the terms and conditions of employment.

However, the question is sovereignty and the different nature of government which makes compulsory collective bargaining completely out of the question.

First of all, Government is a monopoly. There is not, and there cannot be, any competition with Government in its activities. There are those who will argue that Government is engaged in many activities in direct competition with the private sector. However, rather than being an argument against the concept of monopoly in Government, this should be considered an argument against these activities of Government, and we should reserve that discussion for another day. I do not think anyone will seriously question the necessity of a governmental monopoly on national defense, law enforcement, judicial proceedings, taxation, the coinage of money, or a long list of functions which belong entirely to the people through their elected representatives.

Second, in Government, as opposed to the private sector, there is no profit motive. I regard the profit motive as one of the single most important forces in giving America its tremendous productive capacity. It is at the very heart of our system of competitive free enterprise, a system which has produced a higher standard of living and more goods and services at lower prices than any other economic system, but we must submit that the profit motive is absent from considerations of Government employer-employee relations. In short, if we or any other body of elected officials pay our employees less money, not 1 cent of that money goes into our pockets. Our commission, as is that of every other elected public body, is to provide necessary services to the people in the best and most efficient manner possible. To provide those services, we must employ people, and the better people we employ, the better service we can provide. Thus it is in our interest and in the public interest

to employ and keep in our employment the very best employees. In order to do this, we must keep ever mindful that the total compensation of our employees and their working conditions must be comparable with those in the private sector.

Now we come to the last and most crucial difference between public and private employment. That is the very nature of Government itself. The ruling principle of action in the private sector is free contract. That is, every action that takes place between free individuals in a free society is done by mutual agreement. This is true in employment, in purchase, in all of our obligations. However, the ruling principle of action in Government is force. Government is government only because it and it alone has the power to rule by compulsion. This is the way it must be because only through compulsion can Government insure the ordered, peaceful society upon which all other segments of society depend for their existence.

This is the crux of the question, can any government exist as government once it has lost its sovereignty? Furthermore, can any government retain sovereignty when it must submit important decisions of public policy to collective-bargaining negotiations with unions?

The answers to these questions are simple and clear, because of the very nature of unions and collective bargaining.

A collective-bargaining relationship—any and every collective bargaining relationship—depends on establishing an adversary relationship between employer and employee. Unions, in order to win and hold the loyalty of their members, must demand more than the employer is willing to offer. If a union were to accept only what the employer offered, it would serve no useful purpose for its members and soon it would have no members. So unions by virtue of their very nature and to preserve their existence, must make demands. The only instrument that unions have at their disposal to support their demands is the withdrawal of the services of their members—the strike. The strike is, even when it is peaceful, the use of force. It cannot be defined or construed any other way. No government can call itself sovereign if it permits the use of force to enforce demands against it. We can see from this that there can be no true collective bargaining without strikes and there can be no true government with strikes.

This is the essential question we must face. Are we to have sovereign government, or are we to have public sector collective bargaining? We cannot have both. I am confident that the vast majority of the American people will agree with this position.

For us, my colleagues, the question is equally simple. We must decide whether we as the elected representatives of the people are going to continue to run our Government, or whether we are going to turn it over to a relative handful of professional union organizers.

I am firmly convinced that we must do everything in our power to resist any attempts to institute a system of compulsory public sector collective bargaining at any level of Government. I do not doubt for a moment that the future of our system of government depends on it.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Arizona is recognized for not to exceed 15 minutes.

UNIONIZATION OF FEDERAL, STATE, COUNTY, AND MUNICIPAL EMPOLYEES

Mr. FANNIN. Mr. President, I commend my colleagues, the Senator from South Carolina and the very able and distinguished Senator from Utah; the Senator from South Carolina, who served with distinction as Governor, and who has great knowledge in the field which he is discussing, and who has worked with the employees both at the State and the local levels. I am very pleased to follow him in discussing this subject, so important to all the people of America, and my colleague from Utah, the former mayor of Salt Lake City, that great city that stands as a symbol of good government in this country of ours, and who performed admirably as its mayor, and who is now a U.S. Senator. We are proud that we have him with us, with his knowledge of the affairs of municipalities that has proven to be very helpful to us, having had recent experience in these particular fields, because we are in a period of changing times, some better and some otherwise. However, we know that there are different issues that face our municipalities today than, perhaps, when some of us served in our particular States several years ago.

Mr. President, Congress is now confronted by demands from union spokesmen to sanction the forced unionization of the 14½ million individuals employed by the States, local jurisdictions, and the Federal Government. These incredible demands were dramatized last November 6 by the first meeting of the AFL–CIO's new Public Employees Department. That meeting was featured by an address by the labor federation's president, George Meany, who said:

> Certainly, it's against the law to strike the civil service, but it's AFL–CIO policy to ignore those laws.

Now, just imagine that.

Mr. President, I was appalled by the irresponsibility of that statement.

Mr. Meany advised our 14½ million civil servants to "quit working for the guy who's kicking you around." Is that not a fine way to address these people?

> You stop the job. You shut it down. You take the consequences, and you fight. And if the guy happens to be the mayor of a city or the governor of a state, it doesn't make a damn bit of difference.

That is the end of the quote, that particular quote. I think that is a shameful quote.

It was reassuring to note that Mr. Meany was censured on the editorial page of the New York Times. That newspaper is influential. I do not always agree with it, but it observed in its edition of November 10:

> The accent Mr. Meany chose to put on militant action to bring Governors and Mayors to heel—with or without a law—raised new doubts that the general welfare would benefit from a Federal mandate to strengthen civil service unions.

On November 11 the New York Daily News editorialized as follows:

> The 94th Congress must screw up its courage and take a firm stand against such reckless labor adventuring. Government workers are entitled to representation and bargaining. But strikes against the public should be taboo—period. And that goes also for compulsory union membership. We simply cannot afford these callous, indefensible threats to the health, safety and economy of the nation. Nor should civil service workers be compelled to pay tribute to unions to hold jobs won on merit.

Mr. President, I think that illustrates exactly what we are discussing today.

These people are proud public servants. They want to hold their jobs on the basis of their merit, their work, they want to go forward, they want to earn a right to go forward.

Mr. President, today public employees in 34 of the 50 States are shielded from compulsory unionism by constitutional provisions, laws and executive orders.

Those States are Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Illinois, Iowa, Kansas, Louisiana, Maine, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, and Wyoming.

Mr. President, the people of these States have afforded their friends and neighbors that work for their governments this protection that is so vital to their State and the future of their particular communities, and certainly vital to this great Nation of ours.

Obviously, the safeguards now enjoyed by civil servants in those States would be eliminated by a new Federal law authorizing the forced unionization of citizens employed by the States and their political subdivisions.

Mr. President, the erection of barriers against involuntary union membership in the public sector was strongly recommended by the Advisory Commission on Intergovernmental Relations. In March 1970, that distinguished bipartisan body published its recommendations dealing with employer-employee relations in the public sector.

Mr. President, it is advantageous for us to recall that this Commission was created by the Congress in 1959. Its members represent the general public and the legislative and executive branches of Federal, State, and local governments. The Commission overseees the operation of our federal system with its division of powers, and it submits carefully studied recommendations relating to improvement of the system.

In their 1970 report members of the Advisory Commission on Intergovernmental Relations declared:

> While recognition of the right to membership is fundamental, of equal importance is the principle that no public employee should be required or coerced into joining an organization as a condition of employment . . . the right to refrain is just as basic and precious as the right to join, and the Commission supports this position.
>
> Some authorities contend that State legislation should not include language that gives employees the option of not joining an employee organization. They point out that the States should not mandate the "choice" provision since it would preclude employer and employee representatives from negotiating union and closed shop agreements. The preferable approach, according to this argument is for the State laws to remain silent on this matter, thereby providing a greater degree of flexibility for public agencies and employee organizations to arrive at agreements tailored to fit their own special circumstances.
>
> The Commission believes these contentions ignore the fact that in the public service the right to join an employee organization must be accompanied by the right not to join. When the right to join becomes a duty, obviously freedom of choice becomes merely a catchword.
>
> The union shop and the closed shop may or may not be appropriate for various crafts and trade portions of private industry. But given the size of many governmental jurisdictions and agencies the diversity of employee skills, and the intense competition between and among public employee organizations, this arrangement is wholly unsuitable in the public service.

A similar view of impropriety of compulsory unionism in the Federal service was expressed 13 years ago by then-Secretary of Labor Arthur Goldberg. He spoke out in defense of prohibition against the union shop and the closed shop in Executive Order 10988, issued by the late President John F. Kennedy to authorize collective bargaining in the Federal service.

Addressing members of the American Federation of Government Employees, Secretary Goldberg said:

> I know you will agree with me that the union shop and closed shop are inappropriate to the Federal government. And because of this, there is a larger responsibility for enlightment on the part of the government union. In your own organization you have to win acceptance by your own conduct, your own action, your own wisdom, your own responsibility, and your own achievements . . . so you have an opportunity to bring into your organization people who come in because they want to come in and who will participate, therefore, in the full activity of your organization.

Now, Mr. President, that was Secretary Goldberg addressing this Government employees' organization, so this is not a partisan issue, this an issue of righteousness, this is an issue of freedom.

Significantly, the ban on forced unionism in the Federal service has been maintained by President Kennedy's three successors. A similar prohibition was incorporated by the Congress in the Postal Reorganization Act of 1970.

Mr. President, if we permit ourselves to be stampeded on the issue of authorizing involuntary unionism in the public sector, exposing 14½ million public employees to union coercion, then the American people will recognize clearly that the Congress merits their contempt.

Mr. President, we should listen to the voice of the American people. We should take the actions by the people that are close to the scene of activity, to understand what is happening. They are the ones that have made the decisions as to what to be done in their particular States, particular localities.

Mr. President, I think it would be highly irresponsible for us to take an action that is contrary to their best interest.

I yield the floor, Mr. President.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Nevada is recognized for not to exceed 15 minutes.

Mr. McCLURE. Mr. President, I ask unanimous consent that the time allotted to the Senator from Nevada under the special order be allotted to the Senator from Utah (Mr. GARN).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GARN. Mr. President, I wish to amplify my previous remarks with some specific examples of the effect of laws passed by Congress that are not nearly as severe as the matter we are condemning today, that being mandatory collective bargaining and binding arbitration, and the effect these laws have had on the cities and States of this country. I refer specifically to the imposition of the Fair Labor Standards Act upon municipal and State and county governments of this country last year, despite the position of the National League of Cities Board of Directors representing 15,000 cities across this country, despite the fact that the Governors' Conference took a similar position in opposition to the Congress of the United States imposing the Fair Labor Standards Act and the provisions of it on local government, despite the fact that we testified opposed to it—Mayor Tom Bradley of Los Angeles and I, he being a Democrat, I being a Republican—despite the fact that the National League of Cities Board of Directors representing 15,000 cities, both liberals and conservatives, Republicans and Democrats, came back and testified before House and Senate committees in opposition, so that a very united bipartisan, nonpartisan effort opposed this, nevertheless it was imposed upon the cities of this country at a tremendous cost to the taxpayers of this country. I use my own city as an example.

It will require us to pay time and a half to firemen for sleeping. There will be no additional firemen, no better quality of fire service, and just in my relatively small city a cost of $3 million a year to the local taxpayers for nothing. There is an additional half million dollars because of rules that are involved with telling us how to run our personnel management system.

I will put in a specific example here. Most people know that in Salt Lake City you have very distinct seasons. You have hard winters and warm summers. So our park department employees would work a lot of overtime on the parks and golf courses during the summer and build up overtime, I might add this was on a voluntary basis. They enjoyed taking that compensatory time off in the middle of the winter when they were not needed. They would take 5 or 6 weeks off at a time and enjoy the long periods. The snow removal crews would do the opposite and would take the time off during the summer. So it enabled us to balance our work force. The employees loved it. As I said, it was voluntary and 85 percent of the employees chose to work in that manner. It saved the taxpayers some money.

Now, because Congress, due to the influence of the national labor organizations, has decided to ignore all of the mayors and Governors of this country, because I do not suppose we have as much political power, they changed those rules and said that you cannot grant compensatory time off unless you grant it during the week in which the overtime was incurred, or the following week, or you have to pay it in cash in time and a half.

That is an imposition of another half million dollars of cost on Salt Lake City government.

Congress in their great wisdom passed revenue sharing. Salt Lake City received $4 million in revenue sharing. Because of the imposition of the Fair Labor Standards Act, Congress has taken $3.5 million of it away. But more importantly, it has taken away the right of an elected mayor and a city council to make decisions in their own community, in their own sovereign community, and he held accountable to the voters of that community for their actions. So the Congress giveth and they taketh away. We have a net of a half million dollars left.

Well, we were ignored. We were not listened to by the Congress. A small group of labor leaders obviously had more effect on the outcome of this imposition of the Fair Labor Standards Act than the representatives of all of the cities in this country. So we decided to take it to court. We did, and we have received an injuction, a restraining order, from the imposition of this law. We are going to find out whether the Congress of the United States has the constitutional right to impose their will on the locally elected officials of this country.

The Governors Conference is supporting the National League of Cities and the U.S. Conference of Mayors in this effort.

I wish to add that I hope the American people will wake up to what is being done, to demonstrate the arrogance of some people in the labor movement to impose their will, despite the feelings of the elected representatives of this country.

I wish to report to the Senate a meeting held this week with the Congressional Cities Conference Workshop on Collective Bargaining held March 3, 1975, 2 p.m. to 4:30 p.m., at the International Ballroom East, Washington Hilton Hotel, Washington, D.C.

I refer to a memorandum addressed to me from Commissioner Jennings Phillips, Jr., of Salt Lake City, Utah.

This concerns the Congressional Workshop on Collective Bargaining held during the League of Cities Conference at the Washington Hilton Hotel.

Present were: Robert LaFortune, mayor, Tulsa, presiding; Robert Moss, General Counsel, House Subcommittee on Labor of the House Committee on Education and Labor; and George P. Sape, Associate Counsel, Senate Committee on

Labor and Public Welfare, representing Donald Elisburg.

I want the arrogance of this statement to be carefully noted in the RECORD:

> In the introductory remarks, both Mr. Moss and Mr. Sape advised those present that regardless of what the Supreme Court's decision was on the suit brought by the League of Cities contesting the right of Congress to interfere with the employment practices of the cities and counties of this country, it was their opinion that Congress would move ahead to impose such regulations on the cities and counties.
>
> After questions by those present, Mr. Moss and Mr. Sape stated Congress could very well make collective bargaining and the right to strike a condition of getting a federal grant.

That is really something, when employees of the Senate and the House of Representatives of the United States are telling mayors of this country that even if we win a suit in the Supreme Court of the United States declaring the very act of the Congress to be unconstitutional, that Congress will go ahead and stuff it down our throats anyway.

Mr. Moss and Mr. Sape were extremely arrogant and in essence said that we could do nothing to stop it and had just as well sit back, relax, and enjoy it.

I submit that it is time the American people awakened to what is being imposed upon them. If they want to have Government close to the people, if they want their local mayor and city council, county commissioners, Governors, and legislators able to be anything but local stooges for the Federal Government, then we cannot tolerate further extension of the power of the Federal Government into the internal affairs of local and State government. We cannot tolerate a bill that imposes mandatory collective bargaining and binding arbitration on the cities and counties of this country.

We need to work to repeal the imposition of the Fair Labor Standards Act which interferes with the sovereign right of a mayor or a Governor to administer the affairs of his own city or State.

I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wyoming is recognized for not to exceed 15 minutes.

Mr. HANSEN. Mr. President, I have consistently supported efforts to require private sector unions to conduct a secret ballot vote among their members before calling a strike. I have also supported efforts to require that each new offer from management be voted on by the membership. I believe that these measures are necessary to instill the greatest amount of democracy into union affairs. Under this system, a strike could not be called unless a majority of members desired it, and union leaders would not be allowed to reject management offers without first consulting the membership. This would go a long way toward placing control of their own affairs back in the hands of the workers instead of a few union leaders.

Mr. President, in the public sector we are faced with increasing union demands for a federally mandated system of compulsory collective bargaining. A major concern has to be the question of strikes.

The undesirability of public sector strikes and the reasons for this are obvious to all of us. One needs only to look at the havoc wrought by these strikes—such as those in San Francisco and Baltimore—to realize their danger.

In Baltimore—police, prison guards, and sanitation workers on strike at the same time. The result: Garbage piled in the streets; individuals attempting to take their own garbage to the dumps harassed and physically threatened by strikers, in one instance fired upon—an uprising of inmates at the city prison subdued only with the assistance of nonrebellious inmates—looting and arson erupt within hours after the police walk off the job, resulting in millions of dollars of property damage and at least one death. And the national president of the union threatens Governor Mandel that Baltimore City would burn to the ground unless their demands were met.

In San Francisco—the city crippled by a massive strike of its employees. Public transportation shut down—schools experiencing 25 percent attendance and on a half-day schedule—San Francisco General Hospital operating on an emergency-only basis, all but 150 critically ill patients moved to other locations—over 100 million gallons of raw sewage a day being pumped into the bay. After the settlement, a local labor leader tells the strikers:

> I want to compliment you on the way you mounted your picket lines—the way you kept this city in turmoil until our demands were met.

One would think that something really terrific had been accomplished, without ever giving a thought to the havoc and the pain and suffering that resulted from this illegal strike.

The scene has been repeated arcoss the country: a firemen's strike in Albuquerque that resulted in residents attempting to put out fires with garden hoses; a prolonged teacher strike in Wisconsin that led to deep divisions and outbreaks of violence within the community; a recent bus strike in Washington that, as reported in the Washington Post, most adversely affected low-income individuals that relied on the buses to get jobs far from their homes; a recent case in New York City where the leadership of the firefighter's union called a strike after the membership had voted against it.

As a rule, have we been able to prevent these work stoppages? Experience shows that we have not. Learned opinion holds that under a system of compulsory public sector collective bargaining these strikes are, in fact, unavoidable.

Experts in the field of labor relations have reached this conclusion. Theodore H. Kheel, the well-known arbitrator, has said that "collective bargaining and strikes are like siamese twins." Robert Hillman, former labor commissioner for the city of Baltimore, at a conference on public sector labor relations held this past December at the University of Maryland said, "collective bargaining means strikes." He further characterized as "hypocritical" those who believe strikes can be prevented through the enactment of legislation which obligates government to bargain with unions.

Labor leaders have echoed this and, as their actions demonstrate, have shown a total lack of regard for the law and society by engaging in illegal strikes. George Meany, speaking at the founding convention of the AFL–CIO's new Public Employee Department, said:

> If you just quit working for the guy who's kicking you around. And if that guy happens to be the mayor of the city or the Governor of a State, it doesn't make a damn bit of difference.

Actual experience with public sector collective bargaining further verifies this. The State of Michigan, for example, enacted public sector bargaining legislation in 1965. In the 7 years prior to this, they had experienced one strike. In the 3 years that immediately followed, there were 103 illegal strikes. In fact, a statistical compilation of all States shows an average of 1.92 strikes per State per year before the enactment of compulsory collective-bargaining legislation and 6.58 strikes per State per year thereafter.

Let me repeat those figures: The average statistical compilation of all States prior to the enactment of this legislation was 1.92, and after the enactment of compulsory collective-bargaining legislation, that figure rose to 6.58 per State per year thereafter.

Legislated strike bans have proven ineffectual, as have penalties for illegal strikes. The vast majority of public sector strikes have been and continue to be illegal. The penalties against both the union and the individuals striking have rarely been enforced, even in those States where the law has been written so as to make these penalties automatic and mandatory. Prime among the reasons for this has been the tendency to include in the "negotiated" settlement of a strike a clause granting amnesty to the strikers and their union.

The simple fact is that collective bargaining and strikes are inseparable. Public sector unions are going to strike when and where they feel like it.

The recent trend has been to give up the fight altogether and legalize public sector strikes, much to the delight of the unions. The State of Pennsylvania undertook such a course of action in 1971, and in 1972 had the dubious honor of leading the Nation in the number of public sector strikes.

The point being conveniently ignored by the proponents of compulsory public sector collective bargaining is that public sector collective bargaining is the reason for public sector strikes. This fact is inescapable. A union must satisfy its membership. To do this, that union must make demands. This establishes the adversary relationship that unions thrive on. To maintain this adversary relationship and insure the success of their demands, the union must show a willingness to strike, for the strike is their equalizer. The establishment of a willingness to strike necessitates actually going on strike when the situation demands it.

We, as legislators, have a responsibility to our constituents to see that public safety is maintained and that Government services continue uninterrupted. To fulfill this responsibility, we must oppose the injection of compulsory public sector collective bargaining into our society.

SUMMARY

Faced with increasing union demands for compulsory public sector collective bargaining, a major concern has to be the question of public sector strikes.

The undesirability of public sector strikes and the reasons for this are obvious.

We have been unable to prevent them. Experts on labor relations and union leaders have declared them unavoidable. Actual experience has echoed this. Strike bans and penalties have been ineffectual.

The reason for public sector strikes is public sector collective bargaining. The rational course is to oppose compulsory public sector collective bargaining.

Mr. President, I was very much interested in the observations of the distinguished junior Senator from Utah. Here is a man who has had firsthand experience in the managing of a great city. He is a man who knows what he is talking about. He is a man who has experienced firsthand what some of the laws that are passed by Congress can do to a city in America. I am a believer in the right of people to join unions. I am well aware, as every interested American must be that unions have moved the standard of living and the welfare of workers forward in a very marked fashion in this country in the last 100 years.

I think the words of the distinguished junior Senator from Utah and others here today who have talked on this subject ought to be listened to by every Member of this body. They ought to be read by every Member of the other body, and before we pass legislation that guarantees public employees the right to strike, we had better see what we are doing. I hope that this Congress will act responsibly in this area and not take a step that, some say, would be a step forward, but, in fact, would be a very sad, step backward for America.

This is a great country. The rights of individuals are protected here as they are nowhere else on Earth.

I yield the floor.

Mr. McCLURE. Mr. President.

The PRESIDING OFFICER (Mr. FORD). Under the previous order, the Senator from Idaho (Mr. McCLURE) is recognized for not to exceed 15 minutes.

Mr. McCLURE. Mr. President, I ask unanimous consent that the order of appearance between Mr. BUCKLEY and myself be reversed and that he be recognized at this time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New York is recognized.

Mr. BUCKLEY. I thank the distinguished Senator from Idaho.

Mr. President, I wish to address, in my remarks, one aspect of this discussion, namely, whether or not the Federal Government has any authority or any right to intervene in what is basically the business of the States and their political subdivisions.

Mr. President, I find it disturbing to read predictions in the newspapers that this Congress will soon enact what is described as "a new Federal law granting collective bargaining rights" to the more than 11 million employees of the Nation's States, counties, cities and towns.

During the current session numerous bills have been introduced here for the purpose of mandating collective bargaining at all levels of government. Such legislation was submitted to the 93d Congress and to several of its predecessors.

But somehow, we are seeing steam generated behind them.

I recognize that this legislation has been the subject of public hearings conducted by committees and subcommittees of the Senate and House of Representatives.

It would be a grave mistake, in my view, for the Federal Government to attempt to dictate to the States and their political subdivisions with respect to their own employees.

If a given State bargains, or refuses to bargain, with its own civil servants, that is the State's business and not the business of the Federal Government.

If a given State grants monopoly bargaining privileges to labor unions comprised of its own employees, or withholds such privileges, that is the State's business and not the business of the Federal Government.

If a given State either prohibits or sanctions the mandatory unionization of State workers who do not want to be represented by labor unions, that also is the State's business and not the business of the Federal Government.

If a given State decides to permit employees of the State and its political subdivisions to engage in strikes, that, too, is the State's business and not the business of the Federal Government.

Several proposals now pending in the Congress would compel all of the 50 States and their political subdivisions to recognize and bargain with unions purporting to represent their employees. These proposals would also extend monopoly bargaining privileges to recognized unions. They would legalize the practice of requiring workers on public payrolls to pay dues or fees to labor unions as a condition of employment. And the measures to which I refer would put the Federal Government's stamp-of-approval on strikes by State, county, and municipal employees—including public schoolteachers.

The very fact that serious consideration is likely to be accorded—in fact, is being accorded—these proposals illustrates how far we have strayed from the principles which guided the Nation's Founding Fathers.

The men who established our form of government sought to diffuse sovereign power. George Washington said:

> Government is like fire, a dangerous servant and a fearful master.

Students of our country's history well remember that ratification by the States of our Constitution was assured only by adoption of the first 10 amendments to that document. Throughout our national life those amendments have been popularly known as the "Bill of Rights" and have been deemed to be that body within the Constitution that protects the citizens and protects the States from the kind of domination out of a centralized government that ultimately represents a threat to all our liberties.

The 10th amendment explicitly declares:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Nowhere, Mr. President, do I find in the Constitution anything that remotely suggests that the Federal Government would have the authority to dictate the way in which the individual sovereign States would conduct their own relationships with their own employees.

Mr. President, the imposition by the Congress of a collective bargaining straitjacket on the States and local jurisdictions would be an indefensible violation of the authority reserved to the States by the 10th amendment to the U.S. Constitution.

It would extend still further the already dangerous concentration of power in the Federal Government and would continue the transformation of our once-sovereign States into the status of mere administrative units for the administration of Federal policy. This is precisely the result that the Constitution was designed to prevent, a concentration, namely, of power that would ultimately threaten the freedoms of our people. Such a law would supersede and override constitutional provisions and statutes adopted by a majority of the States in the Union. Within recent years many States have enacted comprehensive collective bargaining laws for the benefit of public sector employees.

A distinct advantage of our form of government is that it encourages the use of the States as laboratories in which varied ideas and theories can be tested without committing the entire Nation to a certain policy or course of action. The collective bargaining process is now being tested in the public sectors of many of our States, and even if it had the constitutional authority to impose its will, Congress ought not to try to interfere. It would, in fact, be well advised to permit that testing to continue.

To date no less than 34 States have chosen to outlaw compulsory unionism in their public sectors. By what authority will we, as Federal legislators, tell the States they may not prohibit the forced unionization of public employees over whom they exercise jurisdiction?

In 1959 the Congress created the Advisory Commission on Intergovernmental Relations to monitor the operation of the American federal system and also formulate recommendations pertinent to the system's improvement. The Commission periodically chooses specific intergovernmental issues for study and invites review and comment by spokesmen for all affected levels of government, representatives of interested groups, and technical experts. Members of the Commission then debate the selected issue and formulate its policy position on the issue.

In 1970 the Commission published its findings and recommendations after

conducting a 1-year study of employer-employee relations in the public sector. In unmistakable language, the Commission's report expressed vigorous opposition to:

> Any Federal effort to mandate a collective bargaining, meet and confer, or any other labor-relations system for the employees of State and local jurisdictions or for any sector thereof. Little would be left of the Federal principle of divided powers were such legislation enacted. No interpretation of the commerce power, of the State as proprietor, or of the "general welfare" clause can, in our opinion, serve as a legitimate constitutional basis for this kind of drastic infringement upon the basic authority of the States and localities as governments in a federal system.

Mr. President, it is germane to observe that agencies of the Federal Government are not yet obligated by law to engage in bargaining with their employees. Under the prevailing circumstances, imposition by the Congress of such an obligation on the States and their political subdivisions would be anomalous—not to say gratuitous.

The failure or refusal of the Congress to apply a labor relations law to its own agencies and departments and their employees was not overlooked by the Advisory Commission on Intergovernmental Relations. Its report concluded:

> In the absence of overwhelming evidence of the unwillingness or inability of State and local governments to act, the Federal Government should refrain from preemptive action. Such evidence clearly is lacking at present. States and localities have developed and are developing their own response to the challenge of employee militancy, especially teacher militancy. Given the nature of this challenge, experimentation and flexibility are needed, not a standardized, Federal, preemptive approach . . .
>
> The Federal Government clearly has an interest in the development of stable and equitable labor-management relations at the other levels. This interest can be best served, however, by avoiding actions that would exacerbate these relations and by focusing on ways and means of directly encouraging the establishment of strong, innovative personnel systems.

The Commission, whose members represent the public and the executive and legislative branches of Federal, State and local governments, is a respected and permanent bipartisan body. Among its members who fashioned the 1970 report on employer-employee relations in the public sector were Senator MUSKIE of Maine, former Senator Ervin of North Carolina, the late Senator Karl E. Mundt of South Dakota, Congressman ULLMAN of Oregon, Congressman FOUNTAIN of North Carolina, and the former Congresswoman from New Jersey, Mrs. Florence P. Dwyer.

Mr. President, I appeal to my colleagues to heed the Commission's recommendation. We are bound by our oaths to reject all legislation designed to compel the States and localities to bargain with labor unions purporting to represent their employees.

I might add, Mr. President, that only 2 weeks ago, at the National Governors' Conference, the Committee on Executive Management and Fiscal Affairs adopted the following resolution, which I shall read in its entirety. It is headed "Public Employee Relations," and reads as follows:

> The United States Congress is considering legislation which would provide to State and local government employees the right to organize and collectively bargain. This legislation would substantially replace individual state laws and porcedures which now regulate these activities with a uniform federal law.
>
> The National Governors' Conference opposes federal intervention in this area. It is the belief of the Nation's Governors that matters relating to the employees of State and local governments are within the sole jurisdiction of these units and are not properly the subject of federal legislation.
>
> The National Governors' Conference, in adopting this statement, takes no position on the principle of collective bargaining for public employees but states its firm commitment to the view that this is an area which should be left to the discretion of the several States.

Mr. President, I know it has become unfashionable in this body to suggest that there are any constitutional limitations remaining to Federal action. The courts have cooperated in a gradual expansion of the commerce clause, so that it bears no conceivable relationship to what our founders intended, and the same thing has been said about the general welfare clause. And although each one of us is sworn to defend the Constitution, I believe we ought to remind ourselves once in a while as to what is in the Constitution.

The PRESIDING OFFICER. The time of the Senator from New York has expired. Under the previous order, the Senator from Idaho (Mr. MCCLURE) is recognized.

Mr. MCCLURE. Mr. President, let me begin by expressing my commendation to those who have already spoken, particularly to the freshman Senator from Utah (Mr. GARN), the former mayor of the great city of Salt Lake City, and to the Senator from South Carolina (Mr. THURMOND) for his comments, and also to commend the additional comments by the Senators from Arizona, Wyoming, and New York, who have just concluded.

Mr. President, the nature of our discussion here today brings to mind an enduring observation by the 17th century philosopher, Baruch Spinoza, on the role of government in a free society:

> . . . The object of government is not to change men from rational beings into beasts or puppets, but to enable them to develop their minds and bodies in security, and to employ their reason unshackled . . . in fact, the true aim of government is liberty.

This philosophy quickly found its way into our own national law and discourse.

It is not a long step from Spinoza's ideal government to the Declaration of Independence, in which the Founding Fathers wrote:

> . . . That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.

Our society, our Constitution, and supposedly every law and statute enacted by Congress in the past 200 years is built on this concept of government and the governed.

Yet, I am afraid, we have wandered far astray in the field of labor relations law; and, if we are careless in our actions to come, we might not only jeopardize the freedoms we are supposed to protect, we might even jeopardize the Government itself.

As we have already noted, union professionals are trying to build a case for Federal legislation affecting labor relations in the public sector—in the Federal Government, as well as every State, county and borough across the country.

They will undoubtedly attempt to sell these proposals to us in the name of liberty and worker rights.

They will discuss the right to join a union—and it must be noted here that that is a right already protected by the U.S. Constitution—and various other claimed rights, such as the "right" of Government employees to strike against their Government.

But they will ignore other rights, rights which may not seem too important to them, but which in one way or another affect all of us. While it is true that each person has a different focus and perspective on his own and the Nation's needs, there are some insights common to all. Everyone will agree that the protection of his freedom is basic to all other propositions. Most people see that the best way to protect their own freedom is to insist on the protection of freedom for others.

For many, the most precious freedom of those guaranteed by the Constitution is that of religion. They insist that without it any adherence to freedom in other forms is folly. Representatives of several religious groups have come to me explaining that compulsory unionism would force them to violate their religious convictions. Because of this I offered an amendment to the 1970 Postal Reorganization Act providing that:

> No individual who is a member of a religious sect or division thereof, the established and traditional tenets or teachings of which oppose a requirement that a member of such sect or division join or financially support any labor organization as a condition of employment, if such individual pays to the Treasurer of the United States a sum equal to the initiation fees and periodic dues uniformly required as a condition of acquiring and retaining membership in a labor organization which is representative of the employee unless said individual and said labor organization mutually agree upon some other condition of employment.

This amendment was accepted by the House Committee on Post Office and Civil Service. Although the section to which it was amended was ultimately removed from the bill for very different reasons, Congress made it clear that it did not intend to undermine religious beliefs. It seems to me that those people who profess to believe in the separation of church and state ought to be in the forefront of this fight to prevent an incursion by the state into what is for some a religious matter. This will give those people a chance to show that what they really believe in is a separation of church and state—not a separation of church and people.

It is important to stress here again that government, by definition, is unique. It is a uniquely privileged and powerful monopoly, whose very existence is derived from the consent of the governed.

As the distinguished scholar Russell Kirk wrote last year in Education magazine:

> By its nature, government is a monopoly. In any community nowadays, ordinarily, there exists but one police force, one fire department, one department of sanitation, one post office system . . . one apparatus for the collection of revenue and the disbursing of public funds.
>
> If the people employed in such a monopoly are subject to the will of officers in a union, in some emergency the authority of government might be defied successfully by the men who dominate the union.

Then he warned, even the most essential public services, including the ordinary enforcement of law and keeping of the peace—

> Would depend upon the mood and the ambitions of the people controlling the union. The real government might be the union itself.

Harsh words, but not unrealistic if we fall into the trap of granting to public sector union officials monopoly control of the public sector workforce through the concession of monopoly representation privileges and compulsory union shop taxing powers, coupled with the right to strike in those unions.

If we grant them monopoly status, we have, as Dr. Kirk has eloquently pointed out, in effect, created a system of dual governments—one legitimate, appointed by the authority of the people, and the other a de facto government, accountable to no one except possibly the political system it feeds on.

The citizen taxpayer, subject to abuse by both governments, could exercise some control over the one, but would be virtually powerless to control the monopoly of the other.

As union officials gain a bigger and mightier foothold, and are able to exercise more control over the selected government, we could be faced with the actual day-to-day operation of vital government services at the whimsy of a union bureaucracy.

Government is unique. Its function is to serve the cause of liberty. We cannot have liberty and compulsory monopoly unions in control of the public service workforce, coupled with the right to strike. The measure of any proposition must be its impact upon a free people. It would be ironic if we were to move into the bicentennial period by inaugurating a program so alien to all that our Founding Fathers fought for.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the Senator from North Carolina (Mr. HELMS) is recognized.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum on the time of the Senator from North Carolina.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCLURE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the Chair will recognize the Senator from North Carolina (Mr. HELMS).

Mr. HELMS. Mr. President, I ask unanimous consent that I will be allowed to yield 2 minutes of my time to the distinguished Senator from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. I thank my distinguished friend.

The PRESIDING OFFICER. The Chair might inform the Senator from North Carolina that the quorum call was taken from his time of 15 minutes.

Mr. HELMS. Very well.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. CURTIS. Mr. President, I wish to join with the distinguished Senator from Utah and others in calling attention to the Senate the problems involved in these efforts for unionization of Government employees at all levels of Government.

Within the last day or two, there was an account that appeared in the Washington Star concerning what has happened in the State of Illinois.

I believe in the right of people to join the union, I do not think that should be interfered with. I do not believe in the principle of compulsory unionism either by coercion or by a matter of law.

I also wish to point out that there are certain essential services of Government which by their very nature call for restraint.

So, whatever might be our attitude toward strikes involving nongovernmental activities, I am of the opinion that it is not according to sound public policy that these Government unions should be allowed to strike.

We will be faced with this problem in reference to the postal service before long and I think it is important that we look at all of the problems involved and not permit this to further deteriorate a very poorly administered and run postal service.

In saying that, I want to set the record straight, I am sure that there are just countless honest and dedicated postal workers. Yet there is something wrong somewhere. Our Postal Service continues to deteriorate.

I want to again commend the distinguished Senator from Utah for taking the lead in promoting thought on this important subject.

I thank my distinguished friend from North Carolina.

I yield back the remainder of my time.

NORTH CAROLINA'S SOLUTION

Mr. HELMS. Mr. President, we have just heard it from our colleagues—about the threat to the basic political institutions of the country posed by the compulsory public-sector bargaining proposals being offered for our consideration.

We have discussed here today, in particular what compulsory public sector bargaining on all levels of Government by Federal legislators would mean.

These proposals would compel through Federal action individual public employees to accept an unwanted union as their "exclusive representative" in dealing with their own government, and most likely—as a consequence of compulsory monopoly representation—would cause workers to pay tribute to union officials in order to keep their jobs.

Antistrike provisions and the myriad other technical details union officials propose really only obscure these basic problems—each of which threatens both individual and government sovereignty.

Mr. President, there are very few among us, I think who would argue with these other points made here today:

That strikes against the government cannot be tolerated by a free society.

That government must—by definition—be responsive to and fully accountable to the people at all times.

That the only true function of government is the preservation of liberty.

And that pubic sector employees are indeed different from their counterparts in industry, both in terms of the rights and privileges they enjoy and the nature of their noncompetitive employment.

I believe that there is a viable solution without passing Federal laws. We can preserve government sovereignty and individual freedom in the public sector without being unrealistic, and certainly without being "unfair" to public employees.

In fact, in my State of North Carolina we have devised and implemented a viable solution at the State level. All public-sector collective bargaining is prohibited in the State of North Carolina.

We recognize that all public employees—and all Americans—are protected in their right to join lawful employee associations by the first amendment.

We have rejected, however, the notion that governments should be duty bound to recognize and bargain with these associations. Experience has taught us that the one thing which gives growth and strength and pressuring power to a union is to recognize that union, treat with it and enter into exclusive agreements with it. Each such agreement is a prelude to successive negotiations, accommodations, and agreements until the union grows to become uncontrolled and uncontrollable.

Now, Mr. President, the North Carolina General Statutes, section 95–98 reads as follows:

> Contracts between units of government and labor unions, trade unions or labor organizations concerning public employees declared to be illegal.—Any agreement, or contract, between the governing authority of any city, town, county, or other municipality, or between any agency, unit, or instrumentality thereof, or between any agency, instrumentality, or institution of the State of North Carolina, and any labor union, trade union, or labor organization, as bargaining agent for any public employees of such city, town, county or other municipality, or agency or instrumentality of government, is hereby declared illegal, unlawful, void and of no effect.

Mr. President, this North Carolina statute is a good law. It has successfully restrained the growth of public sector

union power in North Carolina. Yet it has not led to continuous struggles with public employee disputes and conflict. And the statute has withstood challenges in the courts.

In a September 1974 decision the U.S. District Court for the middle district of North Carolina held constitutional this North Carolina law which declares invalid any contracts between a sovereign government and a union in that State.

The court said, that—

To the extent that public employees gain power through recognition and collective bargaining, other interest groups with a right to a voice in the running of the government may be left out of vital political decisions. Thus, the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups to advocate their special interests to the government. It is something entirely different to grant any one interest group special status and access to the decision-making process.

Simply put, the court made a very affirmative statement of the rights of all citizens and groups of citizens to have equal access to their own Government.

While the North Carolina law puts a statutory prohibition on recognition and contract-making, it does not preclude representatives of employee associations from petitioning their government over conditions in the workplace. What it does preclude is government granting monopoly status to a particular union, trading away its own sovereignty, and depriving individual workers of their precious liberty to deal with their own government.

A strict nonrecognition policy, such as exists in North Carolina, would prevent any compromise of necessary government sovereignty.

Second, as the court found last September, it would keep the channels of redress open to all employees—not just to a monopoly bargaining organization.

Third, it would allow government administrators to create and conduct responsible, humane, and effective public employee personnel policies—a responsibility which, when subject to adversary collective bargaining, is less imaginative, and less progressive.

The attention of government administrators would thereby be focused—as it should be—on dealing effectively, with the employees and their interests, rather than dealing with the union and its interests.

Among the most important considerations, however, is the fact that nonrecognition would prevent the abuses of human liberty which has been created by the National Labor Relations Act's "exclusive recognition" and compulsory unionism policies.

The North Carolina experience seems to be a good place to start. It shows that the States can handle the problem on their own without Federal intervention. I commend this law to my colleagues as the way to go in the States which they represent.

Mr. President, the decision of the U.S. district court on the North Carolina law, provides further insights into its working and value, and I ask unanimous consent that the decision be printed in the RECORD.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

[No. C-286-WS-72]

IN THE U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, WINSTON-SALEM DIVISION

Winston-Salem/Forsyth County Unit of the North Carolina Association of Educators, an unincorported association, and Jacqueline A. Ballentine, individually and on behalf of other similarly situated teachers in the Winston-Salem/Forsyth County School System, Plaintiffs, *v.* A. Craig Phillips, State Superintendent of Public Instruction; Frank Crane, Commissioner of Labor for the State of North Carolina; Robert B. Morgan, Attorney General of the State of North Carolina; and John C. Kiger, Omeda Brewer, Eunice Burge, Richard Janeway, Mary Lauerman, William F. Maready, Alan R. Perry, Carol G. Thompson, As Members of the Winston-Salem/Forsyth County School Board, and the Winston-Salem/Forsyth County School Board, and David W. Darr, Henry L. Crotts, G. P. Swisher, Dr. W. L. Thompson, Jr., and Leonard Warner as Members of the Forsyth County Board of Commissioners, and the County of Forsyth, Defendants

Before Craven, Circuit Judge, Gordon, Chief Judge, and Ward, District Judge.

Argued July 12, 1974, decided September 17, 1974.

William G. Pfefferkorn of Winston-Salem, North Carolina, for the plaintiff.

Edwin M. Speas, Jr., Assistant Attorney General, North Carolina Department of Justice, Raleigh, North Carolina, for defendants A. Craig Phillips, Frank Crane, and Robert B. Morgan; William F. Womble, Jr., of Womble, Carlyle, Sandridge & Rice, Winston-Salem, North Carolina, for Winston-Salem/Forsyth County School Board; and P. Eugene Price, Jr., County Attorney, Winston-Salem, North Carolina, for Forsyth County Board of Commissioners, and the County of Forsyth.

OPINION OF THE COURT

Ward, District Judge:

This case presents a renewed attack on North Carolina General Statute 95-98 which provides that contracts between state governmental units and public employee labor organizations shall be void.[1] Previously, in *Atkins v. City of Charlotte*, 296 F. Supp. 1068 (W.D.N.C. 1969), a three-judge court upheld the constitutionality of that statute while declaring related sections to be unconstitutional.[2]

In the instant case, plaintiffs request injunctive and declaratory relief against the statute on the grounds that it operates to violate their rights of freedom of association guaranteed by the First Amendment of the United States Constitution and of equal protection and due process guaranteed by the Fourteenth Amendment. Jurisdiction is premised upon 28 U.S.C. §§ 2201 and 1343 and 42 U.S.C. § 1983. A three-judge court has been properly convened pursuant to 28 U.S.C. §§ 2281 and 2284.

Plaintiff Winston-Salem/Forsyth County Unit of the North Carolina Association of Educators is an unincorporated labor association representing professional employees, including teachers and administrators. The individual plaintiff is a teacher in Forsyth County and a member of the association. She wishes to represent all teachers in the Winston-Salem/Forsyth County School System. The defendants are State officials, the Winston-Salem/Forsyth County School Board, the Forsyth County Board of Commissioners, and the County of Forsyth.

The discontinuation of a salary supplement plan in 1972 supplied the irritant which caused plaintiffs to bring this action. In 1967, the school officials proposed the plan whereby the teachers in the Winston-Salem/Forsyth County school district would receive a portion of a school tax as part of their salary supplement. Since the supplement was tied to a county tax, it would increase along with the tax base of the county. The school board approved the plan. In 1972, the County Commissioners terminated the plan when they adopted the final budget for the county. Plaintiffs admit that no one source can be blamed for the discontinuation of the plan. They say that the determination of local school salaries results from input by the State Board of Education and the local units composed of the school board and county commissioners. Plaintiffs suggest that one of the reasons for the termination of the salary supplement was the discovery of the statute, N.C.G.S. 95-98, by the governmental officials between 1967 and 1969. Plaintiffs claim that upon this discovery, the school officials became increasingly intransigent in their discussions with the teachers' association. They would like to blame a drop in their membership to their claimed growing ineffectiveness in discussions with the school officials after the purported discovery of N.C.G.S. 95-98.

In this case, there never was a signed contract between the teachers' organization and the school board. Defendants suggest that plaintiffs lack standing because there is no contract which is rendered void by N.C.G.S. 95-98. We agree that the plantiffs never had a contract or agreement with the school. However, we read that fact as the basis of their complaint. They say that the school refuses to enter into a contract with them, or even engage in meaningful discussion, because of the statute. Viewed in this light, the question before this court is not moot and plaintiffs have standing to litigate the issue.

Plaintiffs allege that the statute is unconstitutional because of the detrimental effect it has on their ability to associate in a labor organization. They contend the statute renders nugatory their right to associate since it voids any contract obtained by the association. Thus, they say, it becomes fruitless for the organization to discuss matters with the school, and the individual teachers in turn become disenchanted with their organization.

Accepting those consequences as true, we cannot accept the premise that plaintiffs' alleged right of association requires that state governmental units negotiate and enter into contracts with them. The Constitution does not mandate that anyone, either the government or private parties, be compelled to talk to or contract with an organization. What Judge Craven wrote in *Atkins, supra*, at 1077, is controlling and bears repeating:

"We find nothing unconstitutional in G.S. § 95-98. It simply voids contracts between units of government within North Carolina and labor unions and expresses the public policy of North Carolina to be against such collective barganing contracts. There is nothing in the United States Constitution which entitles one to have a contract with another who does not want it. It is but a step further to hold that the state may lawfully forbid such contracts with its instrumentalities. The solution, if there be one, from the viewpoint of the firemen, is that labor unions may someday persuade state government of the asserted value of collective bargaining agreements, but this is a political matter and does not yield to judicial solution. The right to a collective bargaining agreement, so firmly entrenched in American labor-management relations, rests upon national legislation and not upon the federal Constitution. The State is within the powers reserved to it to refuse to enter into such agreements and so to declare by statute."

The other cases considering the problem raised here have likewise rejected plaintiffs' argument. *Newport News F.F.A. Loc. 794* v. *City of Newport News, Va.*, 339 F. Supp. 13 (E.D. Va. 1972); *Hanover Tp. Fed. of Teach. L. 1954* v. *Hanover Com. Sch. Corp.*, 457 F.2d 456 (7th Cir. 1972). While the First Amendment may protect the right of plaintiffs to associate and advocate, not all of their associational activities have the protection of that amendment. The State is not required to provide plaintiffs with a special forum in order to advocate their views. It is under no duty to provide a "guarantee that a speech will persuade or that advocacy will be effective." *Hanover Tp. Fed. of Teach. L. 1954* v. *Hanover Com. Sch. Corp., supra*, at 461.

Plaintiffs' reliance on *Healy v. James*, 408 U.E. 169, 92 S.Ct. 2338, 33 L.Ed.2d 266 (1972), in support of the request for reconsideration of *Atkins* is misplaced. *Healy* concerned a college's denial of recognition to a student group. The Court held that the nonrecognition abridged the student group's First Amendment rights. The college had denied the group a formal meeting place, and the use of college bulletin boards and the college newspaper. Significantly, it had granted those rights to other student groups. The court noted that "the group's possible ability to exist outside the campus community does not ameliorate significantly the disabilities imposed by the President's action." (408 U.S. at 183, 33 LdEd.2d at 280). Thus the restriction in *Healy, supra*, directly affected the student group's right of advocacy and ability to organize in a situation where the college had granted those rights to other groups. In the present case the statute we are concerned with does not differentiate between public employee labor associations, nor does it restrict in any material way the ability to organize.

In *Healy, supra*, the college's action materially and discriminatorily affected the student group's right to speak and advocate. Here the statute has no such effect. All that it does is to render void contracts between the labor association and the State. As stated previously, the First Amendment does not guarantee that an organization's advocacy will be effective; it only protects the right to speak.[3]

The State, as a matter of public policy, has chosen not to enter into enforceable contracts with public employee organizations. That policy decision cannot be regarded lightly, or as merely the result of anti-union animus. The decision of whether to permit public employees to engage in collective bargaining with the government involves far greater interests than the mere right to association claimed by the plaintiffs here. Professor Sylvester Petro in "Sovereignty and Compulsory Public-Professor Bargaining," 10 *Wake Forest Law Review* 25 (1974), ably and thoroughly discusses the case against the recognition of public employee labor organizations and bargaining with them. Even in an article more sympathetic to plaintiffs' position, Professor Summers discusses serious problems which cannot be avoided if collective bargaining problems which cannot be avoided if collective bargaining is permitted. *See* Summers, "Public Employee Bargaining: A Political Perspective," 83 *Yale Law Journal* 1156 (1974). There the author views collective bargaining by public employees as part of the political decision-making process. As such it cannot be fairly compared with collective bargaining in the private sector. While he sees collective bargaining in the public sector as giving the public employees a chance to give unity, clarity, and persuasion in discussing their views with a governmental body, he also notes that, at present, permitting public employee collective bargaining might well over-shift the balance of power because of the inability, in some instances, of present governmental structure to effectively deal with a collective bargaining situation. Moreover, to the extent that the public employees gain power through recognition and collective bargaining, other interest groups with a right to a voice in the running of the government may be left out of vital political decisions. Thus the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups in order to advocate their special interests to the government. It is something entirely different to grant any one interest group special status and access to the decision-making process. As Professor Summers notes at 1193-94:

"In the private sector the parties may agree at the bargaining table to expand the subjects of bargaining, but a public employee union and a public official do not have the same freedom to agree that certain decisions should be removed from the ordinary political processes and be decided by them in a special forum. The private employer's prerogatives are his to share as he seet fit, but the citizen's right to participate in governmental decisions cannot be bargained away by any public official.

"In legal terms the principal question in the private sector is what the *mandatory* subjects of bargaining are, *i.e.*, what decisions the employer *must* share with his employees. The principal question in the public sector is what the *permissible* subjects of bargaining are, *i.e.*, what decisions *may* be made through the specially structured political process."

Viewed in this context, plaintiffs' purported right to associate via collective bargaining must compete with equally, if not more, important rights belonging to the citizenry.

The actual decision of how to accommodate public employees in the decision-making process without denying the right of association to others is a legislative decision.[4] Both legally and logically that decision is the prerogative of the legislature, which is much better suited to make it than are the federal courts, whose many duties cannot, under our system of government, include those of legislation. In North Carolina, the legislature has decided to resolve the competing interests by voiding contracts between the state and public employee labor organizations.

Plaintiffs also urge that N.C.G.S. 95-98 violates equal protection and due process. We disagree. While an unwarranted or unjustified interference with a First Amendment right may also be a violation of a Fourteenth Amendment right, *McLaughlin v. Tilendis*, 398 F.2d 287 (7th Cir. 1968); *Shelton v. Tucker*, 364 U.S. 479, 81 S.Ct. 247, 5 L.Ed.2d 231 (1960), we have concluded that the statute in question does not violate plaintiffs' right of freedom of association under the First Amendment. From our previous discussion it follows, and we so hold, that plaintiffs' Fourteenth Amendment rights are not violated.

Plaintiff's request for injunctive and declaratory relief is, therefore, denied.

[No. C-286-WS-72]

IN THE U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, WINSTON-SALEM DIVISION

Winston-Salem/Forsyth County Unit of the North Carolina Association of Educators, An Unincorporated Association, and Jacqueline A. Ballentine, Individually and on Behalf of Other Similarly Situated Teachers in the Winston-Salem/Forsyth County School System, Plaintiffs, v. A. Craig Phillips, State Superintendent of Public Instruction; Frank Crane, Commissioner of Labor for the State of North Carolina; Robert B. Morgan, Attorney General of the State of North Carolina; and John C. Kiger, Omeda Brewer, Eunice Burge, Richard Janeway, Mary Lauerman, William F. Maready, Alan R. Perry, Carol G. Thompson, As Members of the Winston-Salem/Forsyth County School Board, and the Winston-Salem/Forsyth County School Board, and

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[1] N.C.G.S. 95-98 reads as follows:

"*Contracts between units of government and labor unions, trade unions or labor organizations concerning public employees declared to be illegal.*—Any agreement, or contract, between the governing authority of any city, town, county, or other municipality, or between any agency, unit, or instrumentality thereof, or between any agency, instrumentality, or institution of the State of North Carolina, and any labor union, trade union, or labor organization, as bargaining agent for any public employees of such city, town, county or other municipality, or agency or instrumentality of government, is hereby declared to be against the public policy of the State, illegal, unlawful, void and of no effect."

[2] The statutes declared unconstitutional in *Atkins, supra*, were N.C.G.S. 95-97, which prohibited fire fighting employees of a governmental unit from becoming members of or from assisting a labor organization which was affiliated with a national or internationl labor organization that had collective bargaining as one of its purposes, and N.C.G.S. 95-99, which provided a criminal penalty for violation of the related sections of the chapter.

[3] In *Aurora Ed. Ass'n E. v. Board of Ed., Etc., Kane County, Ill.*, 490 F.2d 431 (7th Cir. 1973), the court distinguished *Hanover Tp. Fed. of Teach L. 1954 v. Hanover Com. Sch. Corp., supra*, from the issue before it concerning whether a school could penalize a teacher who merely *believed* that teachers should ge given the right to strike. It said at 434:

"Whatever else may be said about the case, it dealt with the question whether a public body is under a constitutional duty, apart from statute, to bargain collectively with the labor representative of its employees. There was no occasion to consider in that case, and the court did not consider, the problem of this case, that is, whether a public body may interfere with its employees' freedoms to think and to speak—which from the beginning of time have been recognized as wholly different from the freedom to associate and to seek to use the strength which comes from union in assembly and action. See Wyzanski, "The Open Window and the Open Door," 35 Cal.L.Rev. 336 (1947)."

[4] The Tenth Amendment of the United States Constitution reserves to the states those powers not delegated to the federal government. The Amendment is a clear expression of the desire that the states would retain their sovereignty within our federal form of government. The decision by the State of North Carolina to void contracts between public employee organizations and governmental units is a matter entrusted to the state's sovereign discretion. See *Atkins, supra*, as quoted above. It cannot be emphasized enough that in speaking of a state's sovereignty, the term means more than prerogatives belonging to some inanimate object, rather it signifies the right of the people of a state to govern themselves under the form of government of their choosing. Therefore, since the prospect of public employee collective bargaining impinges upon those rights, it truly is important that the legislature, elected by the people, determine whether to permit such collective bargaining, and if so; on what terms.

David W. Darr, Henry L. Crotts, G. P. Swisher, Dr. W. L. Thompson, Jr., and Leonard Warner as Members of the Forsyth County Board of Commissioners, and the County of Forsyth, Defendants

ORDER

For the reasons set forth in an Opinion of the Court entered contemporaneously herewith,

It is ordered that the relief requested by the plaintiffs in the prayer for relief be and the same hereby is denied, and the action is dismissed.

For the Court:

HIRAM H. WARD,
U.S. District Judge.

SEPTEMBER 17, 1974.

The PRESIDING OFFICER. Under the previous order, the Senator from Pennsylvania (Mr. SCHWEIKER) is recognized for not to exceed 15 minutes.

SENATE RESOLUTION 100—SUBMISSION OF A RESOLUTION RELATING TO DISCRIMINATION IN INTERNATIONAL COMMERCE

(Referred to the Committee on Commerce.)

Mr. SCHWEIKER. Mr. President, on behalf of myself and Senator WILLIAMS, and Senators ALLEN, BAYH, BEALL, BENTSEN, CASE, CLARK, CRANSTON, DOMENICI, FONG, GARN, PHILIP A. HART, HARTKE, HUMPHREY, LEAHY, MATHIAS, McGEE, McGOVERN, MONDALE, MOSS, MUSKIE, NELSON, PACKWOOD, PROXMIRE, RIBICOFF, ROTH, HUGH SCOTT, STAFFORD, STONE, TUNNEY, and WEICKER, I submit today a sense of the Senate resolution condemning blacklisting in international trade.

In recent weeks, it has become clear that Arab investors are using their vast economic leverage to dictate the ethnic composition of international business institutions. Two of Britain's most prestigious investment banking houses, N M Rothschild & Sons and
Co., were excluded fr
bond issue at the requ
Arab Foreign Bank an
eign Trading, Contrac
ment Co. Lazard Frer
banking institution ass
ard of Manhattan, wa
$25 million bond issue
a company funded by E
Lebanon. And apparer
U.S. companies have
the Arab boycott list,
have even tried to ne
off.

The standard apolo
ing are that companie
cannot be denied the
who they will do bu
anyway, the Arabs h
boycott list for years.
ourselves, Mr. Preside
not simply a business
more. It is now an
weapon, deployed to
composition of inter
firms.

And while the Arabs
taining boycott lists fo
countries were never a
ket—until the oil mon
denly the Arab countr
as the only flourishing
economy, and the Arab boycott lists are now backed up with massive economic leverage. So it is an entirely new situation, Mr. President, and I do not think we can afford to silently acquiesce to these discriminatory tactics.

I was gratified by President Ford's strong reaction to this situation last week, and I commend him for it. But I think we in the Senate also have a responsibility to face this issue, and to put the world on notice that the full force of this Government's influence will be used to counter discriminatory demands. If we accept these economic strong-arm tactics today, I predict we will face an uglier choice next month or next year—and the stakes wil be higher then.

The Senate can make two responses to blacklisting tactics, Mr. President: We can condemn these tactics unconditionally and urge individuals and institutions to resist them, and we can prepare detailed legislative countermeasures. The resolution we introduce today accomplishes the former objective, and I hope the Senate moves promptly to consider legislation in this area.

Today's resolution does not push us into any precipitous action in the Middle East, and it allows sufficient flexibility so current diplomatic efforts are not impeded.

But it also suggest very clearly certain legislative approaches which might be considered if these tactics continue. First, individual Americans—and American institutions—must be encouraged to say "no" to discriminatory demands. One way to accomplish this is to insure that those who take discriminatory actions to obtain approval from the blacklisters immediately forfeit all U.S. Government assistance from such agencies as the Commerce Department, the Export-Import Bank and the Overseas Private Investment Corporation. This would give practice of commerce as it has flourished in this country";

Whereas the Export Administration Act of 1969 declares "it is the policy of the United States . . . to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States . . . "; and

Whereas acquiescence, by individuals, institutions, or nations, to such discrimination undermines international commerce and the fundamental rights of every American citizen: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Discrimination in international commerce against individuals or institutions on religious, racial, or ethnic grounds must not be tolerated, and all Americans are urged not to cooperate in any way with such discriminatory practices.

(2) Every individual or institution approached to participate in any such discriminatory practice shoud be required to make a full report of such action to the appropriate agency of the United States Government, which should make this information a matter of public record.

(3) Appropriate agencies of the United States Government should discourage such discriminatory practices and review all forms of Government support, subsidy, or assistance to American companies which acquiesce in such discrimination.

(4) The United States Government should examine its relationships with countries which practice such discrimination, and the President should advise the Congress as to any justification for continuing any foreign aid, sales of defense articles or services (whether for cash or by credit, guarantee, or any other means) or other assistance programs for the benefit of any country practicing such discrimination.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President of the United States.

Mr. SCHWEIKER. Mr. President, I yield 5 minutes of my time to the distinguished Senator from Florida (Mr. STONE), who is one of the sponsors of my resolution.

RIGHT TO WORK
NEWS
From the NATIONAL RIGHT TO WORK COMMITTEE
8316 Arlington Boulevard • Fairfax, Virginia 22030
TELEPHONE: 573-8550—AREA CODE 703

Hold for 3:00 pm Release,
Tuesday, March 25, 1975
Contact: Hugh C. Newton
Herb Berkowitz

Fundamental Conflict of Interest?

BIG LABOR CONTRIBUTES HALF MILLION
TO 33 MEMBERS OF HOUSE LABOR COMMITTEE

Washington, D.C., March 25 -- Members of the House Education and Labor Committee are indebted to union officials to the tune of nearly half a million dollars in "reported" contributions alone, the National Right to Work Committee revealed here today.

The announcement by Reed Larson, executive vice president, came at a National Press Club news conference.

" The totals do not include the additional hundreds of thousands of dollars which union organizers routinely provide to candidates in cash-equivalent manpower and services," Larson said. "The cost of these 'in-kind' contributions is believed to be in the range of ten times the actual cash contributions. Cash is only the tip of the iceberg."

" Under the circumstances," Larson said, "there is no way this committee, as a whole, can objectively sit in judgment of legislation which would grant additional powers and privileges to the men who gave them all that money.

"While these contributions presumably were 'legal,' we need to ask ourselves whether Congressmen can judge legislation fairly if that legislation involves special interest groups which have provided MAJOR financial help to their campaigns. Or do we have a fundamental legislative conflict of interest here?"

(MORE)

GROWING CONTROVERSY

Larson said the question is not academic, since the Education and Labor Committee currently is at the center of a growing controversy over legislation which would put the federal government in the business of organizing public sector unions, regulating labor relations policies of the states and their political subdivisions, and promoting compulsory unionism at all levels of government.

He released results of a new nationwide public opinion study showing that 83 percent of the public, including 77 percent of all union members, oppose compulsory unionism in government.

PARALLEL SITUATION

Only a few weeks ago the WASHINGTON POST and other papers reported that the "trucking lobby" contributed some $134,000 to the 1974 election campaigns of 126 House candidates and 10 Senators. The sum included $16,500 in last minute gifts to 14 members of a key House transportation subcommittee. The largest single contribution was $3,000.

Following this, Congress passed a controversial highway bill allowing truckers to operate larger, heavier trucks on the Interstate highway system. Expressing outrage, many media opinion leaders accused the trucking lobby of buying the bigger-trucks bill.

Big Labor's "reported" contributions to members of the key labor relations subcommittee were six times greater than the trucking lobby's gifts to transportation subcommittee members.

According to the National Committee's review of campaign funding reports filed with the Clerk of the House, 33 of the 39 members of the labor committee received union contributions totaling $429,632. The 14 members with the largest contributions received $328,047 alone -- with one Congressman receiving $36,900 from Big Labor.

The eight members of the key subcommittee on labor, chaired by Rep. Frank Thompson, D-N.J., ($26,300), received a total of $96,300, and the 17 committee members who are on record in favor of legislation authorizing compulsory

unionism in government received contributions totaling $204,160.

Nineteen members of the committee received contributions of more than $10,000 from union officials, and 22 or more committee members received at least 10 percent of their total reported campaign funds from Big Labor.

Larson noted that last year's so-called campaign "reform" law supposedly improved disclosure procedures, but that it "neither provides for disclosure of 'in-kind' contributions, nor guarantees the public's right to know.

"Without the public's right to know, even full disclosure would be meaningless."

ORC SURVEY RESULTS

On the matter of public sector labor legislation, Larson announced new survey findings by Opinion Research Corporation, Princeton, N.J., showing that an overwhelming majority of Americans oppose compulsory unionism in government.

In addition to the 83 percent who said they believe a federal, state or local government employee should be able to "work for the government whether or not he belongs to a union," the ORC study showed that:

. By a margin of more than seven-to-one (79 percent versus 11 percent) Americans feel Congress should NOT "pass a law which would allow agreements requiring employees to join or pay dues to a union in order to work for the federal government."

. By a margin of nearly eight -to-one (79 percent versus 10 percent) Americans feel Congress should NOT "pass a law which would allow agreements requiring employees to join or pay dues to a union in order to work for state, county and municipal governments."

. By a margin of nearly eight-to-one (78 percent versus 10 percent) Americans feel their state legislatures should NOT pass laws which would legalize compulsory government unionism.

The findings were based on interviews with a scientifically constructed sampling of 2,038 citizens conducted in January of this year.

Currently, 34 states guarantee public employees the right to either support of refrain from supporting unions. Only a dozen states now permit compulsory unionism.

Federal employees are guaranteed freedom of choice by presidential executive orders dating back to John F. Kennedy, as are postal service employees, by a federal law.

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#5

1975 OPINION RESEARCH CORPORATION "CARAVAN SURVEY"

COMPULSORY UNIONISM IN THE PUBLIC SECTOR

Summary of Findings

Question: Which of these arrangements do you favor for Federal, state, and local government employees: 1) A person can work for the government whether or not he belongs to a union; 2) A person can go to work for the government if he doesn't already belong to a union, but has to join after he is hired to hold his job; 3) A person can get a job with the government only if he already belongs to a union; 4) No Opinion.

	Total U. S. Public	North-East	North-Central	South	West	Union Members	Republican	Democrat	Independent
1.	83%	78%	79%	88%	87%	77%	85%	81%	87%
2.	10%	13%	12%	5%	7%	17%	7%	11%	9%
3.	1%	2%	1%	2%	--	2%	2%	2%	--
4.	6%	7%	8%	5%	6%	4%	6%	6%	4%

Question: Should the U. S. Congress pass a law which would allow agreements requiring employees to join or pay dues to a union in order to work for the Federal government?

Yes	11%	14%	11%	9%	9%	19%	11%	13%	9%
No	79%	74%	78%	82%	82%	71%	78%	77%	84%
No Opinion	10%	12%	11%	9%	9%	10%	11%	10%	7%

Question: Should the U. S. Congress pass a law which would allow agreements requiring employees to join or pay dues to a union in order to work for state, county, and municipal governments?

Yes	10%	12%	12%	6%	9%	19%	10%	10%	9%
No	79%	77%	77%	82%	82%	73%	78%	79%	84%
No Opinion	11%	11%	11%	12%	9%	8%	12%	11%	7%

Question: Should your state legislature pass a law which would allow agreements requiring employees to join or pay dues to a union in order to work for the state, county, and municipal governments?

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No Opinion	12%	12%	10%	12%	11%	8%	12%	11%	8%

Note: Copies of the full Opinion Research Corporation survey and House Labor Committee financing report are available on request.

REPORTED UNION CAMPAIGN CONTRIBUTIONS TO MEMBERS OF THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, 94TH CONGRESS

Source: Clerk of the House

*Michael Blouin (D-Iowa)	$36,900	4
*Paul Simon (D-Ill.)	$34,400	4
John Dent (D-Pa.)	$29,275	2,3,4
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Patsy Mink (D-Hawaii)	$ 3,560	2
Ronald Sarasin (R-Conn.)	$ 2,350	
Shirley Chisholm (D-N.Y.)	$ 2,125	2,3,4
Al Quie (R-Minn.)	$ 2,000	
Alphonzo Bell (R-Cal.)	$ 1,900	
Marvin Esch (R-Minn.)	$ 1,900	
Augustus Hawkins (D-Cal.)	$ 1,400	2
John Ashbrook (R-Ohio)	$ 500	
*Bill Goodling (R-Pa.)	$ 500	
Carl Perkins (D-Ky.)	$ 500	2,3,4
John Buchanan (R-Ala.)	None	
John Erlenborn (R-Ill.)	None	
Edwin Eshelman (R-Pa.)	None	
*James Jeffords (R-Vt.)	None	
*Larry Pressler (R-S.D.)	None	
*Virginia Smith (R-Neb.)	None	
TOTAL	$429,632	

* First term Congressman elected in 1974.

1 Public statements indicate support of compulsory unionism in public sector.

2 Voted in 1970 against the Right to Work provision in the Postal Reorganization Act.

3 Has sponsored legislation which would compel federal, U.S. postal service, or state, county and local government employees to support unions in order to work for their own government.

4 Received ten percent or more of total campaign contributions from union sources.

5 Total campaign contributions not available on March 1, 1975.

COMPULSORY UNIONISM FOR GOVERNMENT EMPLOYEES

LEGISLATIVE FACT SHEET

THESE BILLS, NOW PENDING IN CONGRESS, WOULD FORCE PUBLIC SECTOR EMPLOYEES TO PAY UNION OFFICIALS FOR UNWANTED "REPRESENTATION" AS A CONDITION OF EMPLOYMENT WITH THEIR OWN GOVERNMENT.

* H.R. 77, by labor relations subcommittee chairman Rep. Frank Thompson, D-N.J., would subject the nation's 11.5 million state, county and local government workers to the provisions of the compulsory unionism-promoting National Labor Relations Act -- which specifically authorizes agreements "requiring membership in a labor organization as a condition of employment." A similar proposal, H.R. 1488 by Rep. Edward Roybal, D-Cal., would put the federal government directly into the business of organizing public sector unions by 1) forcing public administrators to recognize and bargain with public sector unions; 2) force state, county and local governments to abide by decisions of a federal Public Employment Relations Board; 3) grant monopoly status to unions, and 4) require public employees to support monopoly unions even though they may feel the union's officials are not acting in their, or the public, interest. This bill also is similar to H.R. 8677 by Rep. William Clay, D-Mo., which was introduced in the 93rd Congress and is expected to be reintroduced in the near future.

No hearings are scheduled at this time on either H.R. 77 or H.R. 1488. Both bills have been referred to the House Education and Labor Committee.

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These bills have been referred to the House Post Office-Civil Service Committee chaired by Rep. David Henderson, D-N.C. No hearings have been scheduled yet. Congressman Wilson's subcommittee is a part of this committee.

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(OVER)

Truckers Gave Candidates $75,000

By George Lardner Jr.
Washington Post Staff Writer

The trucking lobby made last-minute campaign contributions of almost $75,000 to House members last fall during a successful drive to put heavier trucks on the nation's interstate highways.

The donations included $16,500 for 14 members of the key House subcommittee on transportation, which played an important role in adoption of the measure. The House had rejected it earlier in the year.

The subcommittee chairman, the late Rep. John C. Kluczynski (D-Ill.), got the biggest single contribution, $3,000.

The contributions were disclosed yesterday in the year-end report of the Truck Operators Nonpartisan Committee (TON), the political arm of the American Trucking Associations, Inc.

President Ford signed the highway bill containing the heavier trucking provision into law this month. It permits rigs with gross weights up to 80,000 pounds on the interstate system in contrast to the old maximum of 73,280 pounds.

The House had rejected a truck size and weight increase

THE WASHINGTON POST
January 31, 1975

To: john vickerman
white house

John, wanted to get this down to you in a rush -before your "vacation."

I'll follow with a letter and a few more interesting items. we look forward to arranging a briefing with members of the domestic council.

thanks for calling

From
Hugh Newton

National Right To Work Committee

A COALITION OF EMPLOYEES AND EMPLOYERS

HEADQUARTERS AT THE NATION'S CAPITAL

FOR FURTHER INFORMATION
CONTACT: Hugh C. Newton or
Herb B. Berkowitz
(703) 573-8555

IF $134,000 WILL HELP PASS A HIGHWAY BILL

WHAT WILL HALF-A-MILLION ACCOMPLISH?

WHAT -- News Conference

WHEN -- Tuesday, March 25, 1975, 3:00 p.m.

WHERE -- National Press Club, Capitol & Executive Rooms

WHO -- National Right to Work Committee -- Reed Larson, Executive Vice President; Andrew Hare, Legislative Director

WHY -- Full disclosure is meaningless unless the public's right to know is fulfilled. National Committee will release total union contributions to 33 members of the House Education and Labor Committee, names of unions and how much they contributed to each member and position of Congressmen on special interest public employee legislation supported by donors.

Committee will also release new and comprehensive public opinion attitude study on compulsory unionism in the public sector.

At a news conference in Washington, Tuesday, March 25, the National Right to Work Committee will reveal that 33 members of the House Education and Labor Committee received $429,632 in campaign contributions from Big Labor and will point out that most of these members support legislation establishing public sector compulsory unionism -- urged by the union officials who approved contributions to help elect them . . .

And compare all this with results of new public opinion poll that shows 83% of the American public opposes compulsory union

membership for public employees -- a provision in all public employee bargaining legislation supported by these members and Big Labor.

It is interesting to note that a number of major national news stories in February were devoted to the $134,000 contributed to 126 House candidates by the trucking lobby and the $16,500 in last minute contributions to 14 key members of the House subcommittee on transportation . . . One highlight of the material to be revealed at the RTW news conference shows that Big Labor contributed hundreds of thousands to 14 members of the Labor and Education Committee and of these 14, all but one are on record as in favor of one of the bills legalizing compulsory unionism for public employees, voted for forced membership in 1970 for postal workers or received 10% or more of their total campaign contributions from unions in favor of such legislation.

Hugh C. Newton
Director of Public Relations

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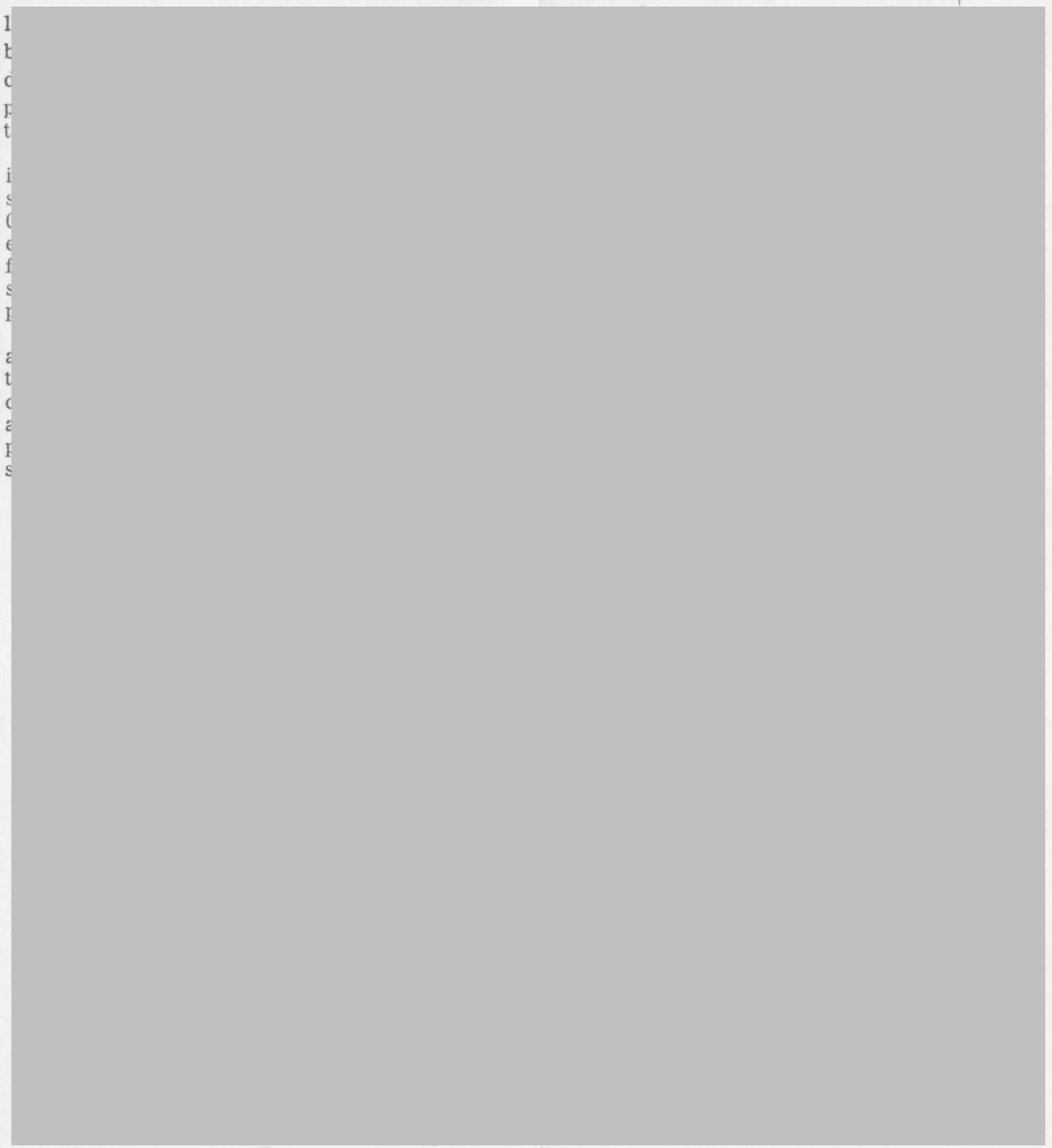

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Alphonzo Bell (R-Cal.)	$ 1,900	
Marvin Esch (R-Minn.)	$ 1,900	
Augustus Hawkins (D-Cal.)	$ 1,400	2
John Ashbrook (R-Ohio)	$ 500	
*Bill Goodling (R-Pa.)	$ 500	
Carl Perkins (D-Ky.)	$ 500	2,3,4
John Buchanan (R-Ala.)	None	
John Erlenborn (R-Ill.)	None	
Edwin Eshelman (R-Pa.)	None	
*James Jeffords (R-Vt.)	None	
*Larry Pressler (R-S.D.)	None	
*Virginia Smith (R-Neb.)	None	
TOTAL	$429,632	

* First term Congressman elected in 1974.

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