



December 4, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

We strongly urge you to withdraw your recent Executive Order excluding thousands of federal employees from the Federal Labor-Management Relations Program and rescinding their collective bargaining rights.

We reject the view that union membership undermines a worker's ability to effectively perform his or her job functions, particularly in regard to national security issues. Unionized employees serve with great distinction in a range of national and homeland security positions. Although federal law permits the President to exclude certain national security employees from collective bargaining when such rights are inconsistent with national security requirements, he should apply this exclusion narrowly and infrequently. This Executive Order fails that test. Indeed, by harming the morale of the affected employees, this Executive Order may undermine rather than support national security.

Of particular concern are positions that will be exempted from the protections of the Program for the first time, including those within the Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). For more than 30 years, ATF employees have exercised collective bargaining rights while continuing to perform their jobs diligently and without risk to national security. Under the Executive Order, these hard-working men and women will be unfairly stripped of their rights and protections based on national security concerns that were never deemed applicable to them in the past. We are troubled by the exclusion of these individuals from employment protections and freedoms they traditionally have enjoyed.

The freedom to associate and the right to bargain collectively help make this nation great. In order to better understand the rationale for restricting those freedoms, we respectfully request more detailed information on your determination that the national security exemption applies to the divisions and subdivisions of the Departments covered by the Executive Order.



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Please have a member of your staff contact Thomas Richards with Senator Akaka at (202) 224-4551 or via email at [Thomas\\_Richards@hsgac.senate.gov](mailto:Thomas_Richards@hsgac.senate.gov) by December 9, 2008, to arrange a briefing for our staffs on this issue.

Sincerely,

Samuel K. Akaka

Patricia Leahy

Robert A. Neuharth

Ed Kennedy

Jon Hill