

Office and Professional Employees International Union, AFL-CIO and CLC

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MARCH, 1978

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# WE MUST WIN SENATE FIGHT! Foes Going All-Out to Kill Labor Law Reform

Because of the Labor Law Reform Bill's importance to the entire union movement and the mounting opposition of anti-union forces in efforts to kill it in the U.S. Senate, the March edition of White Collar is devoted entirely to this one issue, and is being rushed to press ahead of its usual deadline.

For technical reasons, this bill (S. 1883) has now been designated S. 2467. The new number lets the bill go before the senate in the form it was approved by the Senate Human Resources Committee on a 13-2 vote. Under the old number, it would have been subject to parliamentary procedures that would have favored opponents.

We must ensure its victory in the Senate. The key to this is a massive deluge of mail from all union members in the U.S. to their respective Senators urging their support. Time is also of the essence!

Defeat of S. 2467 threatens the very existence of all unions; white-collar as well as others. In fact, anti-union forces seek to wipe out the entire concept of collective bargaining. This is their objective, and they have unlimited funds at their disposal. Only our united efforts can defeat them because every union member has a personal stake in this effort. (See President Coughlin's appeal to members on Page 3.)

So, if you haven't already written, sign the two blanks elsewhere. Fill in your home address, place the blanks in envelopes, and mail them to both your Senators at the U.S. Senate Office Building, Washington, D.C. 20510. Please, don't delay. Every minute counts NOW!

# America's Leaders See Labor Law Reform Urgently Needed

The Labor Law Reform Bill is half-way home. The bill was passed by the House last autumn. The companion bill (S. 2467) is pending now in the Senate.

Here's a sampling of the opinions of prominent Americans on the need for labor law reform . . . now, without delay, without weakening amendments:



**President Jimmy Carter** 

"...it seems clear that legislation is actually needed to enable the (National Labor Relations) Board to administer the labor laws properly. Unnecessary delays are the most serious prob-



Vice President Walter F. Mondale

Vice President Walter F. Mondale

"... If we can defend human rights throughout
the world, as we are, we can protect the rights
of American workers here at home. . . Any
employer who cares to, and has enough money,
can totally irustrate the law of the land. . .

"Labor law reform, as we now push it, is
not changing the law. We are not asking employers to do anything they are not required to
do by the law."

"What we are asking is that the law be
enforceable, prompily, so that when election is
called lor. it is called immediately and fairly,
So when some people use their legal right to
organize and participate in a union, they are
protected; and if they are fired, they are reinstated immediately with back pay."

"When a union is recognized, they must
bargain in good faith, it is enforceable by law."



Senator Harrison Williams (D. N.J.), Chairman, Senate Human Resources Committee,

"I helieve the changes embodied in this bill will make it possible once again for the mnorganized worker to exercise his right to gain representation. That right should not be dependent on the acquiescence of the employer. The present law can be made to work if the most glaring procedural and remedial deficiencies are corrected and enforcement made swift as well as just. If the preamble of the Wagner Act is to be nothing but a hollow promise. I believe this bill must be enacted into law."



Senator Jacob Javits (R. N.Y.)

Co-Sponsor

"The present Labor Law Reform bill which we are engaged in is but the tip of the iceberg considering the enormity of problems and difficulties with which we must deal. . . . Justice on the Job is a very appropriate name for what we are all about 1 look forward to success in lahor law reform."



Eleanor Smeal

National Organization of Women

The National Organization of Women strongly

ing as one of the most effective means of better-ing the fives of all American workers."

believes in the institution of collective burga-

The Late Senator Hubert H, Humphrey

.. The time has come to protect the rights of The time has come to protect the rights of our workers. . . We cannot permit some employers to ignore these rights with disdain for the law. You and I know that most of our employers obey the law. They hargain in good faith. They are happy to work with their unions. "The reforms that we suggest will not hurt

anybody. For those that are lawful, it will be a blessing. It's designed to get tough on the chiselers and the cheats who have wiggled around the law at great cost to our working people for years. And we know who they are and we can put an end to this injustice, and we must do it."



Executive Oirector, National Association for the Advancement of Colored People.

"... We have taken a position in favor of labor law reform. We know the paintstaking effort that has gone into the whole question of the passage of tabor laws, and the time demands our constant re-examination."



**Governor Jerry Brown** 

We need a law that is clear and can be reason-"We need a law that is clear and can be reasonably enforced, so that working men and women can vote, without undue hindrance, for the union of their choice. When they've made that choice, under Federal labor law, they should run no risk of penalty, and the union they've chosen whould be recognized. S, 1883—the Labor Law Reform Act—does just that—and that's why I support it."



Rev. Donald W. Shriver, Jr.

President, Union Theological Seminary New York, N.Y.

"The aim of S. 1883 is to make it unlikely that any company will continue to find it more profitable to break the law than to observe it.

observe it.

"The proposed law... addresses the crisis
of injustice in the lives of people who are among
the lowest paid workers in industrial America.
Unions are not the only answer to their economic problems; as a clitten and as a Christian.
I know that well executed, But these medicals



Senator Daniel Patrick Movnihan

"... The bill passed by the House, on October 6. HR 8410, serves to protect the right of workers to organize, and attempts to ensure that no employer can with impunity violate the labor laws and rulings of the NLRB. ... This is not precipitous change in our labor laws, but rather a carefully negotiated bill which constitutes the first major revision in the law in 18 years."



Vernon E. Jordan, Jr. Executive Director, National Urban League

Governor Ella Grasso

"I wholeheartedly support the National Labor Relations Act reforms proposed this year by President Carter. Since its passage in 1935, the Act has served our country well, but amend-ment's to ensure a more effective functioning of the National Labor Relations Board are long overther."

Senator Edward M. Kennedy

(D. Mass.)

for Justice on the Joh and stand ready to do whatever I can to further those objectives."

(D. Mess.)
"I believe that the bill offers very necessary reforms in the National Labor Relations Act. It is
important that those who do not adhere to the
principles underlying the Act are not rewarded
for doing so.
"... it is important to note that the vast
majority of employers do not not in violation of
the law and, therefore, will not be affected by
changes in the Act. The proposed changes are
geared nally to those relatively few employers
who choose to defy the National Labor Relations Act."



"Since I have been an active trade unionist for many years, I felt I had to support the Americans for Justice on the Job in the effort to pass the reform bill. "You may rest assured that I will continue to wholeheart-edly support the legislation through the Senate."



John H. Fanning Chairman, National Labor Relations Board

The institution of collective bargaining is a mainstay of our free enterprise system and our free political processes, I am happy, there-fore, to endorse legislation which will more surely fulfill the promise of the National Labor Relations Act. S. 1883 seeks to fulfill that promise..."



Theodore Bikel President, Actors' Equity

As the scope of theater widens, the labor law heads to be applied more and more to the heater. It is a matter of some organicy that we 



### WHITE COLLAR

Official Organ of
OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION
affiliated with the AFL-CIO, CLC

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WILLIAM A. LOWE Secretary-Treasurer

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# Voluntary VOTE Check-off

The enemies of organized labor have formed a united front for an all-out assault on the labor movement. This is an extremely dangerous threat to the institution of trade unionism itself. (See President Coughlin's column on Page 3).

Their immediate and long-range objectives are:

1. The nullification of trade unions politically.

- 2. The prevention of unions where they attempt to organize the unorganized, and
- 3. The decertification of bargaining units where they already are in place.
- It is absolutely essential that all our OPEIU members be aroused to this threat to their union and the contracts that now protect them. Consequently, they must be alerted to the grave facts behind this attack, and the people and organizations behind

The only way we can to any extent offset the millions of dollars corporate Political Action Committees and right-wing groups contribute to anti-union candidates, is through a check-off of member contributions to our Voice of the Electorate (VOTE).

Several bargaining units already have negotiated a voluntary check-off of member contributions to VOTE with managements without difficulties. In fact, the OPEIU pioneered this approach more than a year ago at the American Income Life Insurance Company with very gratifying results. Below we reproduce the **VOTE** Deduction Authorization:

I hereby authorize the (name of company) to deduct \$...... each month from my pay check and to forward this amount to the Secretary-Treasurer of Office & Professional Employees International Union Local ....., AFL-CIO. This authorization is signed voluntarily and on the understanding that the OPEIU Voice of the Electorate (VOTE) Committee will use this money to make political contributions and expenditure in connection with federal, state and local elections, and that this voluntary authorization is in response to a joint fund-raising effort by the Office & Professional Employees International Union and the AFL-CIO.

Signed Dated ..... Witness .....

We urge that this clause in future be negotiated into all new or renegotiated OPEIU contracts.

### Georgia Businessman Tells Why Labor Law Reform Is Needed

President Carter fielded an anti-labor law reform question in a telephone hookup with the annual convention of the National Newspaper Association. A Kentucky publisher who heads the group asked:

The so-called labor law reform bill recently passed in the House and now pending in the Sonate would impose severe economic sanetions against employers, deprive employers of their rights and representation in elections, and give unrectignized unions access to the premises and time of employers. It says nothing about

premises and time of employers. It says nothing about the rights of the employers. Why do you so strongly support this, what seems to be one-sided and unfair legislation?



more inclined toward the employer's position than it was in its original form, because I have the same concern that

want to be sure that both the rights of workers and their employers are protected. I consider the proposal to be very

nodest in its scope, and the major thrust of it is to expedite whatever decision is made.

I have seen in Georgia, for instance, that when the application of the present law was attempted, that because of subterfuge or delay, a final determination in the labor dispute may be drugged our two, three, four years. And I don't think it is right to circumven the law by unnecessary delay. This would expedite it.

Also, I don't think that any worker should be punished

through immediate discharge who tries to seek the rights that are applicable in almost all parts of the country for

ed about the legislation originally. The deeper I got into it, the more I could see it was fair, was moderate, and had a primary thrust of expediting decisions that ultimately had in be dragged out through the courts for several years and quite often burt employment and burt the economic satability and strength and prosperity in the small communities in particular.

# The Case for S. 2467 in NLRB Statistics

I. The Growth in Unfair Labor **Practice Cases** 

The number of contested unfair labor practice cases is rising. These are only the cases that get all the way through the process, to the full five-member,

1976 That increase is about 900 percent.

Result:

NLRB.

Delay. By 1976, the median time from the issuance of an Administrative Law Judge's decision to a decision from the full Board in an unfair labor practice case was 120 days.

### II. Employer Violations of Employee Rights **Have Also Risen Sharply**

**Total Unfair Labor Practice Charges Filed:** 

Approximately TWO-THIRDS of those charges were against employers. And the number found meritorious by the NLRB general counsel has TRIPLED in the last 16 years.

**Number of complaints** issued against employers:

1976 That increase is 100%.

-69 percent of all complaints were against employers.

-82 percent of all complaints were against employers.

### **Workers Who Received Backpay from Employers**

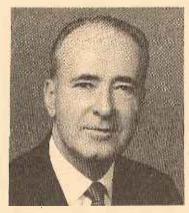
1960

Total pay involved: \$1,189,810

90 percent of all backpay came from employers.

\$11,635,885

95 percent of all backpay came from employers.



from the desk of the

# **Urgent Appeal to Members** To Write Senators Now

The Labor Law Reform Bill, S. 2467, is expected to be debated in the Senate in March. This Bill actually does not in any way revolutionize the processes of the National Labor Relations Board, but rather makes such procedures more expedient and more efficient.

For example, by expanding the Board membership from five to seven, it allows the Board to act on routine appeals of NLRB. hearing officers' rulings by panels of two. It provides that elections be held within 15 days after request for same in uncontested cases, with a 75-day limit in contested cases after a petition has been filed. It proposes that employers who willfully violate labor laws be denied access to U.S. Government contracts. It provides premium pay for employees reinstated after an unjust discharge.

In the main the Labor Law Reform Bill, if enacted, will help speed up case-processing which has been a major obstacle to workers seeking unionism and collective bargaining. At the present time, cases will take anywhere from one to three years before a final decision is arrived at. While the proposals contained in the Labor Reform Measure will not in any way change existing law, they will tend to speed up decision-making.

Organized labor had expected opposition from some segments of management. Despite that, we are appalled by the combination of management forces which have united in an effort to defeat labor reform. The U.S. Chamber of Commerce, the National Association of Manufacturers, the Business Round-Table, the National Right-to-Work Committee and numerous others have banded together to kill the Labor Reform Bill in the Senate.

They are not deterred by the fact that J. P. Stevens has been found guilty of violating the law on 13 separate occasions with penalties insufficient to prevent this company from violating the law on numerous future occasions. Instead, for example, the National Right-to-Work Committee has taken full page ads in major newspapers throughout the country proclaiming:

(1) Hundreds of thousands more workers will be forced to join or support unions against their will.

(2) Union treasuries will swell with millions more dollars in forced union dues, and

(3) Numerous other misleading statements.

Nowhere is these advertisements can you find any support whatsoever for expediting elections to be conducted by the National Labor Relations Board. Nowhere in these advertisements can you find any criticism whatsoever of J. P. Stevens. The advertisements are completely devoid of any sympathy whatsoever for employees discharged for union activity. Instead, labor is referred to as "Big Labor officials—The union bosses' steamroller—Union power grab-Freedom-loving Americans must contact their Senators and make their voices heard."

Despite overwhelming passage of the Labor Reform Bill in the House of Representatives, the anti-union forces have prevailed upon Senator John Tower of Texas and Senator Orrin Hatch of Utah to lead a filibuster against the passage of this Bill. It does not bother this anti-union combination one bit that a filibuster is an insult to democracy.

Instead, the business blitzkrieg openly brags that it has already killed common situs legislation and delayed, at least for now, the Consumer Protection Agency Bill. Chamber of Commerce President Richard Lesher on one hand tells the public that the sky would fall again if S. 2467 passes and, at the same time, brags about beating down both workers and consumers.

One thousand five hundred businessmen have visited U.S. Senators to prevent the Labor Law Reform Measure from being enacted in the Senate. While the Bill has a great deal of popular support, it needs additional millions of messages from labor union members in order to ensure its enactment. These messages should be sent to your respective Senators.

Let's get busy and get messages of support for S. 2467 to our Senators immediately!

### Making It Easy For You

For your convenience we have inserted two appeals on the last page. All you need do is write your name and address, place them in envelopes and mail to both senators from your



All across America, leading newspapers have looked at the provisions of the Labor Law Reform Bill, analyzed them, and recommended passage of the bill S. 2467, because it meets fair standards of need and

Some may conclude that this support for Labor Law Reform is unusual. Not at all! We believe, rather, that it shows there is an obvious and essential need to correct the un-

Chicago Tribune July 18, 1977 "The bill's proputal to help speed up cases by increasing NLRII membership to seven frum the current five should benefit both sides... We sup-port critish of sheep proposed changes because they sirike us as fair,"

Cleveland Plain Dealer Aug. 21, 1977

San Francisco Examiner Oct. 10, 1977

Youngstown, Ohlo, Vindicator Sept 27, 1977

Evansville, Ind., Courier & Press Aug 28, 1977

"(The NLRA m Appleton, Wisc., Post-Cresent fairness of a law that has been working inequitably.

We feel confident that editors of other newspapers will before or during the Senate debate on S. 2467 conclude that the bill merits the support of every fair-minded American. It deserves to become law.

Here's what some of the papers are saying.

Claremont, N.H., Eagle Times

Dalles Times Herald

"It is important to the working man that his rights as an individual in protected under the

Philadelphia Tribune July 9, 1977 "When weaknesses in the labor laws frus-trate the abilities of workers to organize, it be a hurrier to racial equality must economic justice..." The bill would make the laws which govern inhor-management colutions work more efficiently, quick-

The Cherago Daily Actus

The Chaffanooga Times

ST COURS POST-DISPATCH July 23, 1977

Orlando, Fla., Sentinei-Star

Che New Hork Cimes any 22, 2017

## 2 Million Cards and Letters Needed!

Some Senators Say We've Now **Pulled Even** 

Reports from some Senate offices on the mail campaign on Labor Law Reform suggest we've pulled even in a few states, it's only a few, but it's far better than in January when the bosses' blitz had us far behind everywhere.

We're about running even in Alabama, Connecticut, Maine, Maryland, Mississippi, Montana. Tennessee and

But the reports say we're 100 to 1 behind in California. Colorado, Florida, Massachusetts, New Jersey and South

**Engineers Add** 120,000 Total

The Operating Engineers delivered to the Senate 120,-000 pieces of mail last week—including about 7,000 letters. The rest were the return from the cards distributed in the union's magazine, the Engineer, in its December issue. J. C. Turner, president of the Operating Engineers, said the response around the country was overwhelming.

Alabama Pleads 'Say It Ain't So'

Alabama got 1,400 postcards together for each of its senators, talked to both of them-and wham, read the news that Sen. James Allen wants to lead the parade against us. "Please say it isn't so, Senator!" AFL-CIO President Barney Weeks said in a letter to Allen, "When we met with you in your Birmingham office, I thought you Indicated an open mind on the Labor Law Reform.

New York State, City of Akron **Back Our Bill** 

The New York State Assembly and the city of Akron, Ohio have joined the list of supporters of labor law reform. in a resolution passed January 25, the New York resolution declared "that this proposed legislation ought to be enacted into law for the benefit of all whose lives, welfare and economic well-being are affected by the climate of the industrial and labor relations milieu." With the urging of the Chemical Workers, the city of Akron, Ohio, also passed a resolution urging Congress to enact the re form biil.

Jewish Groups Call for Action

The National Jewish Community Relations Advisory Council (NJCRAC), the umbrella organization for all the major Jewish social agencies, urged its affiliates to write their senators in support of labor law reform, S. 2467. The action was taken at a recent meeting in Tucson. The resolution stated that "unionization of workers has been a major positive element in the combat of discrimination in employment and the extension of economic and social justice."

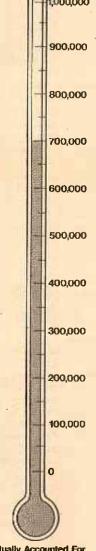
**Environment And Consumer Groups Help** 

Environmentalists and consumers share the concern for rights for American workers. In a special January action alert to their participants, Environmentalists for Full Employment called for support of S. 2467 opposition to any reakening amendments and a vote for cloture in the event of a filibuster. They are joined by Ralph Nader's Congress

In a letter to Congress, 26 leading environmentalists told members: "Just as environmentalists claim the right to organize, so in fairness we support the right of working people to organize, without abuse and unnecessary and

Watch and the Urban Environment Conference.

Write Your Senators Today! 1)1,000,000



**Actually Accounted For** 

# How Anti-Union Employers Harass Workers

During House hearings on the Labor Law Reform bill, numerous workers appeared to tell in human terms what it means to try to form a union when a sophisticated employer is equipped to resist them. Here are excerpts from some of their stories:

Waiter Cokrell Electrical, Radio & Machine Workers at Montgomery Ward



"Before the election it seems to me they broke all the laws they could break. They gave the girls flowers on the day of the

"I have been an employee of Montgomery Ward for 13 years as an outside service technician. I was fired three years and two months ago for union activities, which has been proven by the Board. They gave me my job back four weeks ago. The harassment has still continued, I started the IBEW union several years ago and we had a 100 percent vote. They would not bargain with us and we eventually just let it die

"Then again at the beginning of 1974 we organized

for IUE. We had an election about eight days later. I was fired for a service call I made to a retired Montgomery Ward manager's home. It seemed to me it was a set-up deal because I had never had a complaint in the previous nine years.

"The NLRB found I was discriminated against and ordered the company to rehire me and pay me my back salary. I am back on the job, but I have not received the backpay. Every morning I am in the boss' office for what they call a donkey barbecue.'

Jess Rudd Clothing & Textile Workers (ACTWU) at American Enka Whitakers, N.C.



"We hope your law will stop this kind of stalling."

"I have been working at American Enka for 10 years. I am only making \$3.69 an hour. . . . The

company has at least 200 less workers in the plant now than when they were voting for the union. . . .

**Johnny Davis** ACTWU at Wellman Industries Johnsonville, S.C. R



"After five years of fighting...we are praying that the law will be strong enough to help us, because we really need help."

"I have been working at Wellman Industries in Johnsonville, S.C. for the last 19 years. In 1970 we started a campaign there trying to get a union organized. I took an active part in signing the committee sheet and helped the people who was unable to sign their names and further instructed them how to fill the cards out

'We lost the first one in 1970. And we tried again in 1971. That one was put aside. So we still didn't give up. We tried the third time in 1972 and were lucky enough to win.

"But during the three years that we were fighting, we lost a lot of people fired by the company for taking active parts in trying to organize the union there.

Further, later in 1972 we finally got authorized to have a panel of bargaining negotiators and I was appointed to be on that committee. Finally in 1976, the early part of the year, we got the first meeting set up. We held meetings from the first of the year through about five months. At that time the company refused to continue bargaining. So we come to the union organizers. They started filing complaints over and over and over. And the company in turn appealed over and over, the same as they filed the complaints.

"So we continue through five years of fighting, from 1972 to 1977. We still have no union yet. . . .

**Pauline Frazier** Carpenters at Craftool Fort Worth, Tex.



"The assistant plant manager propositioned me in a crude and offensive manner.... said no.... I was passed over for raises a number of times after that."

"I am a member of the United Brotherhood of Carpenters and have been working since early 1973 for Craftool in Fort Worth as a knurling machine operator. Craftool is a division of the Tandy Corp.

"I received a couple of raises shortly after I began working. There was no clear raise system except that the plant manager would walk through with a tablet and notify people of a raise. About six months after I began working, the assistant plant manager proposisioned me in a crude and offensive manner. First he asked a fellow machine operator to lunch and she told me that the assistant plant manager wanted me to go to lunch. I said no and she said, 'Girl, you'll never get anywhere unless you do.' Then, when we were both working, she told him that I refused. A week later he made a crude advance with suggestive language. I told him, 'An idle mind is the devil's workshop and idle hands are the devil's tools, so you better find yourself something to do before my husband learns of this.' I was passed over for raises a number of times after that even though management had held me up as a model, fast and efficient worker.

Three identical bills have been introduced in the House and Senate which seek to destroy the present American system of collective bargaining.

These bills were clearly introduced to confuse efforts to reform the nation's basic labor laws. President Carter, whose legislative proposals led to introduction of the Labor Law Reform Act of 1977, would guarantee to workers the rights provided 42 years ago to freely choose to be represented by a union, without any employer coercion or harassment, and to engage in collective bargaining with their employer on wages, hours and working conditions without delay.

Unlike President Carter's proposals, which seek to protect the rights of workers without changing the general rules as to what unions and employers may and may not do, these bills seek no such limited objective. They would open the entire labor law to revision, instead of simply improving procedures and strengthening weak remedies. Because of its present weaknesses, the present labor law is tilted heavily in favor of those employers who resort to illegal tactics to oppose unions. The Erlenborn-Ashbrook-Hatch-Tower bills would only increase that imbalance.

The House bills are H.R. 8289 and H.R. 8310, introduced by Rep. Erlenborn (R-III.) and Rep. Ashbrook (R-Oh.); the identical Senate measure is S. 1855, introduced by Sen. Hatch (R-Utah) and Sen. Tower (R-Texas).

### What's wrong with these bills?



- They would mean a 180-degree turnaround in the present American system of encouraging collective bargaining as a rational, peaceful means of resolving labor-management disputes, and instead would foster increased tests of strength.
- They would give employers broad new powers, and remove long-held rights of workers.
- They would impose heavy new work and cost burdens on the National Labor Relations Board and the courts.
- They would force even lengthier delays in protecting the rights of workers to freely choose if they want union representa-
- They would cause the Congress to engage in official hypocrisy by labeling a flagrantly anti-worker bill with the absurd title of "The Employee Bill of Rights."

### We've Got a Date Early in '78!

Dear Senator:

Soon the Senate will be considering S.2467, the Labor Law Reform BIII, which the House passed by a heavy margin. We ask: Please, make sure it comes up early for debate and vote.

Please, vote YES for S.2467 without crippling amendments. Labor law reform will be good for business, good for working people, good for the government.

	Inank	you	tor	your	anbbou

Name		
Address		
City	State	Zip

Senator. **United States Senate** Washington, D.C. 20510

CLIP OUT, SIGN, PUT IN ENVELOPE AND MAIL TO YOUR SENATOR AT SENATE OFFICE BUILDING, WASH., D.C. 20520.

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Name			_			
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Senator\_ **United States Senate** Washington, D.C. 20510

CLIP OUT, SIGN, PUT IN ENVELOPE AND MAIL TO YOUR SENATOR AT SENATE OFFICE BUILDING, WASH., D.C. 20510.