



G A O

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United States Government Accountability Office
Washington, DC 20548

February 9, 2007

Gregory K. McGillivary, Esquire
Woodley & McGillivary
Suite 400
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

Dear Mr. McGillivary:

The Comptroller General of the United States has asked me to respond to your letter to him dated February 1, 2007. In your letter you question statements the Comptroller General made regarding the current organizing campaign by the International Federation of Professional and Technical Engineers (IFPTE) quoted in an article by Karen Rutzick, in "govexec.com" on January 24, 2007, and in an article in the "Government Employee Relations Report" on January 30, 2007. You assert that the Comptroller General's statements were disparaging of the union and ask that the Government Accountability Office (GAO) remain neutral in the election campaign.

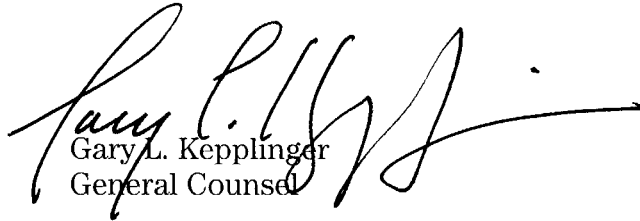
The Comptroller General's comments are fully consistent with applicable laws and regulations and were not intended in any way to suggest or insinuate that he or the agency opposes employees associating with a labor organization or exercising their rights to organize, if that is their choice. His remarks were designed to make clear that no petition to represent GAO employees had been filed with the GAO Personnel Appeals Board.

You also raised concerns about the Comptroller General's statement that he intended to provide employees information concerning unionization in the future. We recognize that the Comptroller General and other agency management and supervisory officials must remain strictly neutral during the pendency of an election and can assure you that the Comptroller General fully intends to pursue such a course of action. However, it is not an unfair labor practice to "encourage employees to exercise their right to vote in such an election" and "correct[] the record with respect to any false or misleading statement made by any person." 5 U.S.C. § 7116(e).

In closing, let me assure you that the Comptroller General is committed to complying with all related labor laws and GAO orders. He has publicly stated on numerous occasions that he recognizes and respects the right of GAO employees to organize if they choose to do so. We are committed to exercising due care with regard to any

statements made by management throughout the union organizing effort, including any election if it is ever held, so that GAO's employees have the right to freely and fairly decide whether to join a labor union.

Sincerely yours,



Gary L. Kepplinger
General Counsel

cc: Julia Akins Clark
IFPTE General Counsel
Anne M. Wagner, General Counsel
GAO Personnel Appeals Board
Gregory J. Junemann
President, IFPTE