



OREGON HOUSE OF REPRESENTATIVES

Chair Taylor, Vice Chair Bonham, members of the Committee

We strongly oppose HB 3789, a bill that is not only unnecessary but deeply troubling in its motivations, lack of evidence, and potential consequences.

Lack of Evidence for Fraudulent Behavior

The proponents of HB 3789 have failed to provide any credible evidence to support their claims of fraudulent behavior by organizations allegedly impersonating unions. During committee hearings in the House, no public employees testified in favor of this bill. Instead, public employees opposed it. The only examples presented—such as mailers allegedly impersonating unions—were incomplete and doctored to obscure the sender's identity.

The Freedom Foundation's mailers clearly identified themselves and their 'Opt Out Today' project, providing contact information and directing recipients to their website. These materials did not use union logos or branding, nor did they falsely represent themselves as unions.

If proponents cannot substantiate their accusations with clear evidence, how can we justify legislating on this basis? Oregon law already prohibits false impersonation under ORS 165.800 and 165.815. These statutes apply equally to unions as they do to individuals and businesses, making HB 3789 redundant.

Ethical Concerns and Targeting Political Opponents

HB 3789 appears designed not to protect workers but to target a specific organization for its political activities. The committee discussions repeatedly singled out this organization by name, yet no other examples of alleged impersonation were provided. This bill creates an avenue for unions to file lawsuits against their political opponents under terms crafted by the unions themselves. This raises serious ethical concerns about the motivations behind this legislation.

Moreover, the conduct surrounding HB 3789 raises questions about potential violations of ORS 171.764, which prohibits false statements or misrepresentations by lobbyists or public officials. When proponents obscure evidence or make unsubstantiated claims about organizations, they undermine the integrity of this legislative process.

Existing Protections Are Sufficient

Oregon law already ensures that unions are protected from false impersonation and provides avenues for civil damages if such impersonation occurs. HB 3789 seeks to reinvent these protections for unions without demonstrating why existing laws are inadequate. False impersonation should remain a criminal matter rather than a civil dispute between private organizations.



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Restrictive Union Practices

Ironically, some unions supporting HB 3789 impose restrictive conditions on their members that limit their ability to exercise constitutional rights established by *Janus v. AFSCME*. Membership cards often include terms preventing cancellation of dues except during narrow annual windows. How can these unions claim workers are being tricked into opting out when their own policies make it nearly impossible for workers to do so freely?

HB 3789 is a solution in search of a problem—a problem that doesn't exist according to the evidence presented. It duplicates existing laws, undermines ethical standards, and creates a legal weapon for unions to silence political opponents rather than protect workers.

We urge this Committee to reject this misguided legislation and stand for transparency, fairness, and the rights of all Oregonians.

Sincerely,

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