

United States Senate

WASHINGTON, DC 20510

May 4, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

In your State of the Union address, you said: “We know what it takes to compete for the jobs and industries of our time. We need to out-innovate, out-educate, and out-build the rest of the world. We have to make America the best place on Earth to do business.”

We agree. Global competition for business and jobs is more important than ever as our country struggles to recover from the lingering recession and cope with the massive debt burden imposed on the economy by increased government spending.

Unfortunately, recent actions by your handpicked political appointees at the National Labor Relations Board are making it more difficult for America to win the future.

The NLRB, at the behest of Acting General Counsel Lafe Solomon, has taken unprecedented legal action against The Boeing Company to prevent it from expanding productions into South Carolina, a state that assures workers the freedom not to join a union as a condition of employment. We consider this an attack on millions of workers in 22 right-to-work states, as well as a government-led act of intimidation against American companies that should have the freedom to choose to build plants in right-to-work states.

If the NLRB prevails, it will only encourage companies to make their investments in foreign nations, moving jobs and economic growth overseas. America will not win the future if Washington penalizes workers in states that have discovered winning economic strategies. Right-to-work states have faster job growth, faster income growth, and faster population growth than forced-unionism states. This winning strategy should be duplicated nationwide. Instead, successful workers rights are being stamped out by political appointees who serve at your pleasure and have not been confirmed by the Senate.

You nominated Mr. Solomon to become General Counsel for NLRB and serve a full four-year term on January 5, 2011, yet, members of the Senate have not been able to vet him. Mr. Solomon has not appeared for a Senate confirmation hearing, nor has he been subjected to a full Senate confirmation vote. Additionally, you granted a recess appointment to Craig Becker, a former lawyer for the Service Employees International Union and AFL-CIO, to become one of the five members of the NLRB’s powerful board over widespread, bipartisan objections in the Senate to his nomination. The Senate rejected his nomination in February 2010. All 41 Republican senators wrote you a letter in March 2010 urging you not to give Mr. Becker a recess

appointment, which you did later that month, effectively circumventing the will of the U.S. Senate.

The Senate has been unacceptably denied the ability to exercise its constitutional duty of advise and consent in regards to the NLRB. In light of the NLRB's recent actions that would have a deleterious effect on job creation and economic opportunity across the country, it is time to hold the NLRB accountable.

We urge you to withdraw both Mr. Solomon's and Mr. Becker's nominations to their respective positions immediately. If not, we will vigorously oppose both nominations, vote against cloture and use all procedural tools available to defeat their confirmation in the Senate.

Sincerely,

Joni DeMint

Mike DeLoe

Ron Johnson

Chuck Grassley

Pat Romney

Richard Shelby

Kelly Ayotte

John Thune

David Vitter

Rand Paul

Liz Cheney

Tim Wirth

Chris Coons

Kelly Bailey Hutchinson

Richard Shelby

Tom Cotton

Tom Cohen

John McLean

Lily
