

Congress of the United States
Washington, DC 20515

May 13, 2011

Lafe E. Solomon
Acting General Counsel
National Labor Relations Board
1099 14th Street, N.W.
Washington, D.C. 20570

Dear Acting General Counsel Solomon:

We have closely monitored the activities at your office for several months and have become increasingly concerned by what we perceive to be an activist, job-destroying agenda.

Since September 2010, you have issued multiple memoranda on issues ranging from the use of uncommon remedies to the scope of deference to a contractual arbitration award. On March 11, 2011, you asked regional staff to identify opportunities for the National Labor Relations Board (NLRB) to overrule the 2007 decisions in *Grosvenor Resort* and *St. George Warehouse*, requiring employers to show that workers who lost their jobs due to unfair labor practices did not make reasonable efforts to reduce or mitigate their damages. Just last month, you informed the Attorneys General of Arizona, South Dakota, Utah, and South Carolina of plans to initiate a federal lawsuit that would invalidate amendments to their state constitutions guaranteeing secret ballot elections in union representation campaigns. These actions represent a pattern of bureaucratic activism that calls into question the objectivity and credibility of your office.

The most recent example of this apparent bias is found in your complaint against The Boeing Corporation (Boeing). Although the facts of the case are still in dispute, it appears no union employee at the Puget Sound facility has lost his or her job as a result of Boeing's decision to open a second production line in South Carolina. On the contrary, Boeing has added more than 2,000 union jobs in Puget Sound. In filing this complaint, you are sacrificing South Carolina jobs to further an activist agenda, effectively robbing Peter to pay Paul. The ramifications of this case extend beyond one specific state and will instead have a lasting impact on job creators across the country as they weigh the advantages and disadvantages of future investment in the United States.

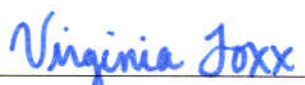
Taken together, your actions threaten future economic growth and job creation and reflect an unsavory culture of union favoritism. We demand you cease your bureaucratic activism

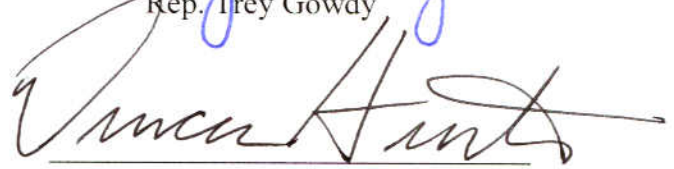
immediately and restore the objectivity that is essential to the effectiveness and credibility of the General Counsel's office.

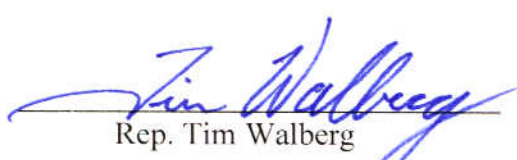
Sincerely,

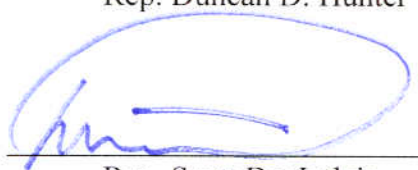

Rep. Joe Wilson


Rep. Trey Gowdy


Rep. Virginia Foxx


Rep. Duncan D. Hunter

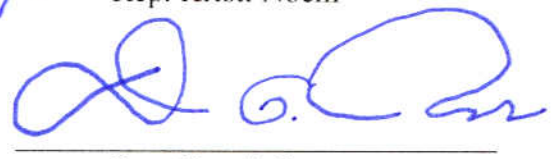

Rep. Tim Walberg


Rep. Scott DesJarlais


Rep. Todd Rokita


Rep. Kristi Noem


Rep. Martha Roby


Rep. Dennis Ross


Rep. Mike Kelly