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May 22, 2017

The Honorable Philip A. Miscimarra
Chairman
National Labor Relations Board
1015 Half Street SE
Washington, DC 20003

Dear Chairman Miscimarra:

The Committee on Education and the Workforce (Committee) congratulates you on President Trump's decision to name you as chairman of the National Labor Relations Board (NLRB). As you know, the NLRB's day-to-day operations, Board decisions, and the general counsel's actions are all under the Committee's jurisdiction. We are eager to establish an effective and collaborative working relationship with you and your staff during the 115th Congress. A significant part of that relationship entails the Committee's continuing oversight efforts to ensure good governance and the protection of taxpayer dollars. Working together, we can identify and abate fraud, waste, and abuse, as well as better ensure federal policies are efficient, effective, and accountable to the American people.

Congress' broad authority to conduct oversight and investigative actions is inherent in Article I of the Constitution.¹ The Supreme Court also has repeatedly ruled that the power to conduct oversight is an essential function of Congress.² Additionally, House rules provide direction to standing committees in matters of oversight. Specifically, House Rule X outlines the organization, general oversight responsibilities, and special oversight functions assigned to standing committees.³ The Committee takes these responsibilities seriously and reserves the right to review and investigate any issues within its jurisdiction.

¹ U.S. Constitution art. 1

² See, e.g., *Nixon v. Admin'r of Gen. Serv.*, 433 U.S. 435 (1977); *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491 (1975); *Barenblatt v. U.S.*, 360 U.S. 109 (1959); *Watkins v. U.S.*, 354 U.S. 178 (1957); *McGrain v. Daugherty*, 273 U.S. 135 (1927).

³ House Rule X: Clauses 1, 2, and 3.

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Rigorous oversight takes many forms. Official hearings, letters, document requests, briefings, roundtables, and informal communications are all an important part of the Committee's oversight responsibilities and will help inform legislative actions throughout the 115th Congress. Further, the Committee views oversight as a tool to analyze the efficacy of federal laws, regulations, and programs and to increase transparency regarding the administration's decision-making. These practices will produce more beneficial policies and ensure tax dollars are well-spent.

Again, congratulations on your new position. We look forward to working with you, your colleagues on the Board, and the general counsel's office to help ensure that the NLRB is abiding by the law. In an effort to begin collaboration on common priorities and to build a foundation for a strong working relationship, we encourage your legislative affairs staff to schedule an introductory meeting with Committee staff. We look forward to working together in creating an efficient, accountable government that appropriately serves the American people. Our best wishes.

Sincerely,



Virginia Foxx
Chairwoman



Tim Walberg
Chairman
Subcommittee on Health, Employment,
Labor, and Pensions

CC: The Honorable Robert C. "Bobby" Scott, Ranking Member
The Honorable Mark Gaston Pearce, Board Member
The Honorable Lauren McFerran, Board Member
The Honorable Richard F. Griffin, Jr., General Counsel