

Congress of the United States
Washington, DC 20515

July 9, 2013

Senator Mitch McConnell
317 Russell Senate Office Building
Washington, DC 20510

Dear Senator McConnell:

We are writing to express our serious concern over recent press reports detailing your position regarding the National Labor Relations Board (NLRB). Specifically, your office stated that the Senate will not vote on the full package of Board nominees unless current Board members Ms. Sharon Block and Mr. Richard Griffin are replaced. This is nothing more than a blatant and cynical attempt to shut down the NLRB's lawful ability to investigate and remedy unfair labor practices.

As you are well aware, the United States Court of Appeals for the District of Columbia Circuit (DC Circuit), *Noel Canning v. NLRB*, decision to invalidate the President Obama's recess appointments of Ms. Block and Mr. Griffin is not the final legal say on the matter. Therefore, their current nominations should not be disqualified. The President has asked the Supreme Court to review the decision, and there is pending litigation in at least five other district courts. Demanding the resignation of Ms. Block and Mr. Griffin is counterproductive and ignores both legal process and precedent.

At the moment, only three members are sitting on the NLRB, with one member's term due to expire in August. As a result, the Board is at risk of being unable to function. Furthermore, employers are already using the *Noel Canning* decision to challenge the NLRB's decisions and the DC Circuit Court is putting these cases on hold, leaving workers without remedy when they are illegally fired or when their employer refuses to negotiate in good faith.

These delays and the uncertainty that they cause have real world consequences for American workers. For example, Marcus Hedger from Illinois has lost his family home while waiting for a final decision on his illegal firing¹. In September 2012 a unanimous bipartisan panel of the NLRB determined in that Mr. Hedger was terminated as a result of union activity and ordered that he be reinstated with back pay. However, the company appealed that decision to the DC Circuit Court. In January, the case was delayed due to the *Noel Canning* decision, leaving Mr. Hedger without any remedy. It has been several years since the situation began and he still is struggling for justice.

The NLRB provides critical protections to American workers and gives businesses much needed labor certainty. Each day that the Board sits idle is one in which workers' lawful rights are put at risk. This continued ideological obstructionism is denying hardworking Americans the crucial worker protections that the NLRB provides. We urge you to withdraw this partisan demand and

¹ www.nlr.gov/case/13-CA-046331

allow the Senate to fulfill its constitutional responsibility to consider presidential appointments, and to do so without continued delay.

Sincerely,



Linda T Sánchez
Member of Congress



Joe Courtney
Member of Congress



André Carson
Member of Congress



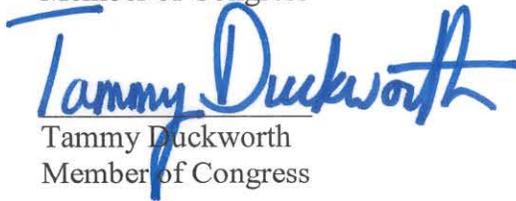
Gregorio Kilili Camacho Sablan
Member of Congress



Robert A. Brady
Member of Congress



Donald M. Payne, Jr.
Member of Congress



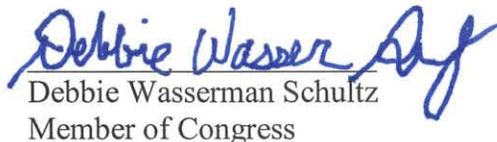
Tammy Duckworth
Member of Congress



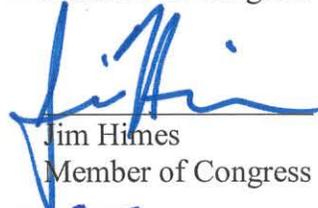
Kurt Schrader
Member of Congress



James Langevin
Member of Congress



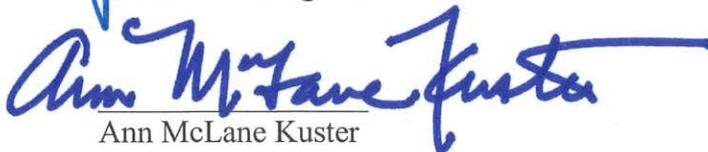
Debbie Wasserman Schultz
Member of Congress



Jim Himes
Member of Congress



David Cicilline
Member of Congress



Ann McLane Kuster
Member of Congress



Lloyd Doggett
Member of Congress



Kathy Castor
Member of Congress



Frederica Wilson
Member of Congress



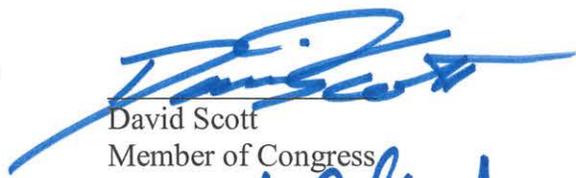
Jackie Speier
Member of Congress



Joaquin Castro
Member of Congress



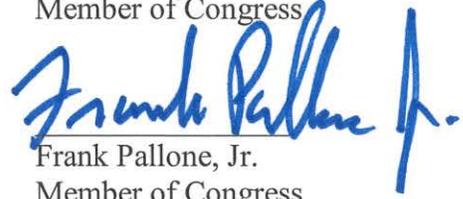
Michelle Lujan Grisham
Member of Congress



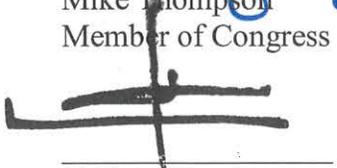
David Scott
Member of Congress



Mike Thompson
Member of Congress



Frank Pallone, Jr.
Member of Congress



Colleen Hanabusa
Member of Congress



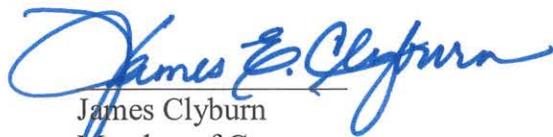
Mike Doyle
Member of Congress



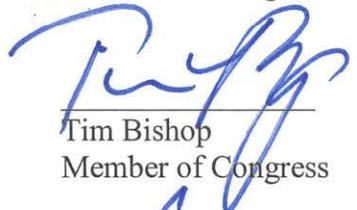
Cedric Richmond
Member of Congress



Anna Eshoo
Member of Congress



James Clyburn
Member of Congress



Tim Bishop
Member of Congress



Mark Pocan
Member of Congress



William Keating
Member of Congress



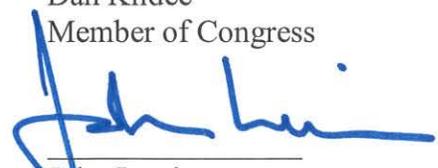
Brad Schneider
Member of Congress



Dan Kildee
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Ana Kirkpatrick
Member of Congress



John Lewis
Member of Congress



Dina Titus
Member of Congress



John Yarmuth
Member of Congress



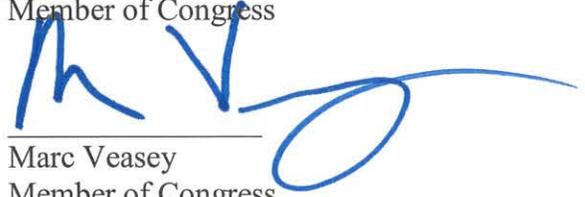
Janice Hahn
Member of Congress



Bill Owens
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Karen Bass
Member of Congress



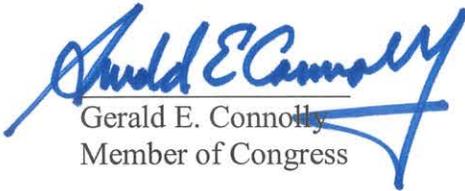
Marc Veasey
Member of Congress



Joyce Beatty
Member of Congress



Dan Maffei
Member of Congress



Gerald E. Connolly
Member of Congress



Dennis Heck
Member of Congress



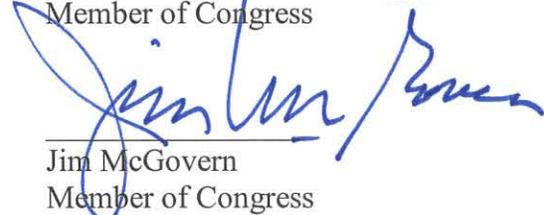
Alan Grayson
Member of Congress



Pete Gallego
Member of Congress



Filemon Vela
Member of Congress



Jim McGovern
Member of Congress



Suzanne Bonamici
Member of Congress



Eric Swalwell
Member of Congress



Tulsi Gabbard
Member of Congress



Elizabeth Esty
Member of Congress

Alan Lowenthal

Alan Lowenthal
Member of Congress

Julia Brownley

Julia Brownley
Member of Congress

Rob Barber

Rob Barber
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Jim McDermott

Jim McDermott
Member of Congress

Earl Blumenauer

Earl Blumenauer
Member of Congress

Mike Quigley

Mike Quigley
Member of Congress

Terri Sewell

Terri Sewell
Member of Congress

Jerry McNerney

Jerry McNerney
Member of Congress

Rush Holt

Rush Holt
Member of Congress

Cheri Bustos

Cheri Bustos
Member of Congress

Fred Deutch

Fred Deutch
Member of Congress

Tim Walz

Tim Walz
Member of Congress

Lois Frankel

Lois Frankel
Member of Congress

Loretta Sanchez

Loretta Sanchez
Member of Congress

Sam Farr

Sam Farr
Member of Congress

Bobby Scott

Robert C. "Bobby" Scott
Member of Congress

Pedro Pierluisi

Pedro Pierluisi
Member of Congress

Joe Kennedy III

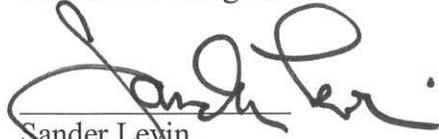
Joe Kennedy III
Member of Congress



Xavier Becerra
Member of Congress



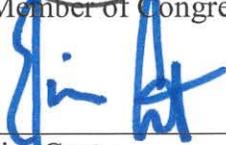
Allyson Y. Schwartz
Member of Congress



Sander Levin
Member of Congress



Kyrsten Sinema
Member of Congress



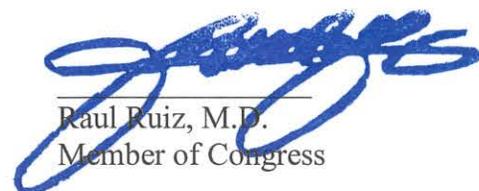
Jim Costa
Member of Congress



Grace Meng
Member of Congress



Chellie Pingree
Member of Congress



Raul Ruiz, M.D.
Member of Congress



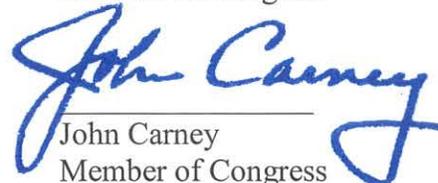
Steve Horsford
Member of Congress



Hakeem Jeffries
Member of Congress



Zoe Lofgren
Member of Congress



John Carney
Member of Congress



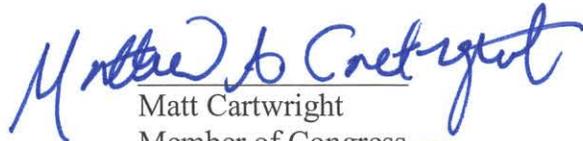
Ami Bera
Member of Congress



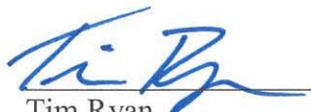
Ed Perlmutter
Member of Congress



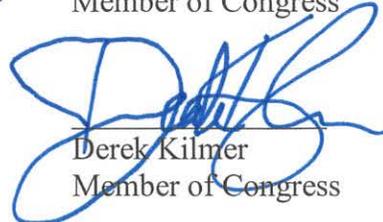
Michael E. Capuano
Member of Congress



Matt Cartwright
Member of Congress



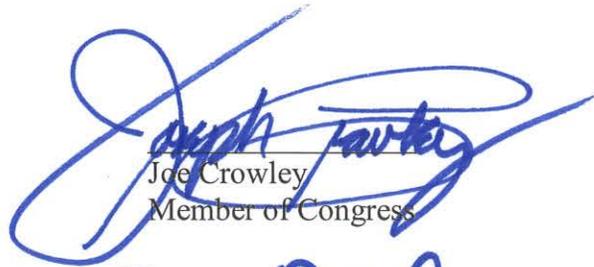
Tim Ryan
Member of Congress



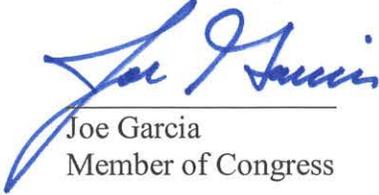
Derek Kilmer
Member of Congress



Jared Polis
Member of Congress



Joe Crowley
Member of Congress



Joe Garcia
Member of Congress



John Larson
Member of Congress



Ron Kind
Member of Congress



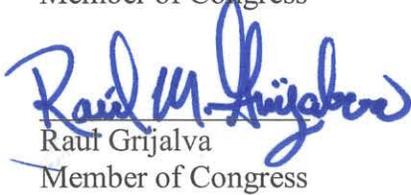
Mark Allan Takano
Member of Congress



Tony Cardenas
Member of Congress



Donna Christensen
Member of Congress



Raul Grijalva
Member of Congress



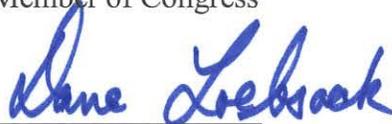
Patrick Murphy
Member of Congress



Judy Chu
Member of Congress



Susan Davis
Member of Congress



Dave Loebsack
Member of Congress



Sean Patrick Maloney
Member of Congress



Carol Shea-Porter
Member of Congress



Jim Cooper
Member of Congress



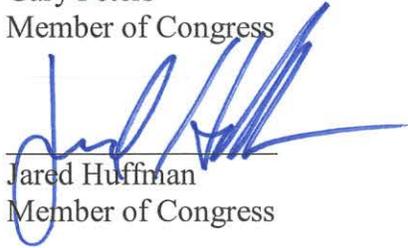
Juan Vargas
Member of Congress



Niki Tsongas
Member of Congress



Gary Peters
Member of Congress



Jared Huffman
Member of Congress



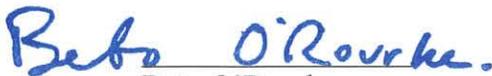
Gloria Negrete McLeod
Member of Congress



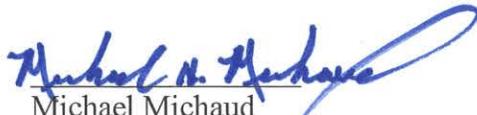
Chris Van Hollen
Member of Congress



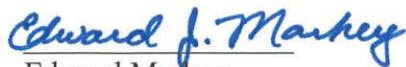
Betty McCollum
Member of Congress



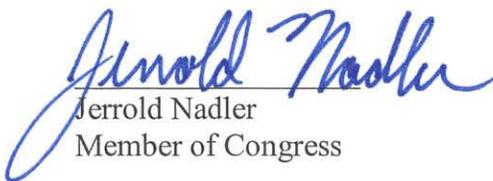
Beto O'Rourke
Member of Congress



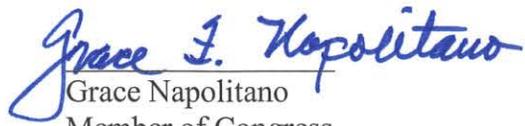
Michael Michaud
Member of Congress



Edward Markey
Member of Congress



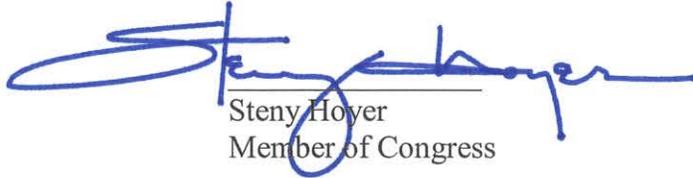
Jerrold Nadler
Member of Congress



Grace Napolitano
Member of Congress



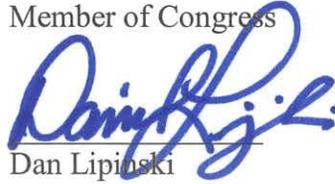
John Delaney
Member of Congress



Steny Hoyer
Member of Congress



Michael M. Honda
Member of Congress



Dan Lipinski
Member of Congress



Bill Enyart
Member of Congress



Suzan DelBene
Member of Congress



Collin Peterson
Member of Congress



Corrine Brown
Member of Congress

Bill Foster

Bill Foster
Member of Congress

Stephen Lynch

Stephen Lynch
Member of Congress

Eleanor Holmes Norton

Eleanor Holmes Norton
Member of Congress

Sheila Jackson Lee

Sheila Jackson Lee
Member of Congress

David Price

David Price
Member of Congress

Al Green

Al Green
Member of Congress

Henry A. Waxman

Henry A. Waxman
Member of Congress

Richard E. Neal

Richard E. Neal
Member of Congress

Jose E. Serrano

Jose E. Serrano
Member of Congress

Rick Larsen

Rick Larsen
Member of Congress

Peter DeFazio

Peter DeFazio
Member of Congress

Danny K. Davis

Danny K. Davis
Member of Congress

Eliot L. Engel

Eliot Engel
Member of Congress

Marcy Kaptur

Marcy Kaptur
Member of Congress

John Barrow

John Barrow
Member of Congress

George Miller

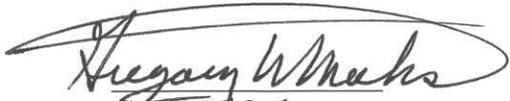
George Miller
Member of Congress

Maxine Waters

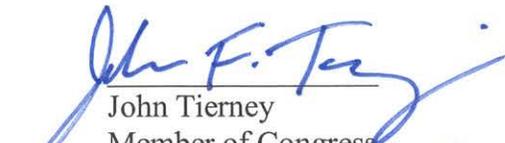
Maxine Waters
Member of Congress

Lois Capps

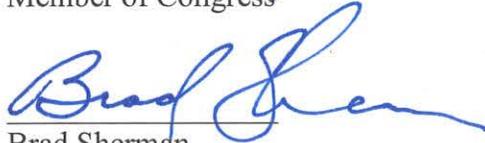
Lois Capps
Member of Congress


Gregory Meeks
Member of Congress


Elijah Cummings
Member of Congress


John Tierney
Member of Congress


Henry C. "Hank" Johnson, Jr.
Member of Congress


Brad Sherman
Member of Congress

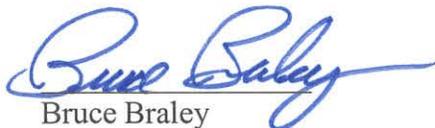

Keith Ellison
Member of Congress

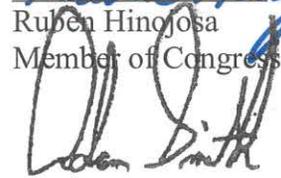

Gwen Moore
Member of Congress


James P. Moran
Member of Congress


Pete Visclosky
Member of Congress

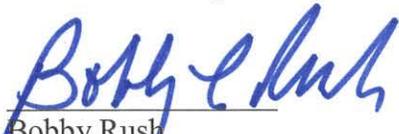

Ruben Hinojosa
Member of Congress


Bruce Braley
Member of Congress


Adam Smith
Member of Congress

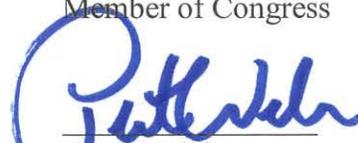

Robert E. Andrews
Member of Congress


Barbara Lee
Member of Congress


Bobby Rush
Member of Congress


Chaka Fattah
Member of Congress


Nydia Velazquez
Member of Congress


Peter Welch
Member of Congress

G. K. Butterfield
Member of Congress

Nick Rahall, II
Member of Congress

Carolyn Maloney
Member of Congress

John D. Dingell
Member of Congress

Lucille Roybal-Allard
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Emanuel Cleaver
Member of Congress

Albio Sires
Member of Congress

Marcia Fudge
Member of Congress

Carolyn McCarthy
Member of Congress

Yvette D. Clarke
Member of Congress

Alice L. Hastings
Member of Congress

Charles Rangel
Member of Congress

Nita Lowey
Member of Congress

Jan Schakowsky
Member of Congress

Diana DeGette
Member of Congress

Bill Pascrell, Jr.
Member of Congress

Steve Cohen
Member of Congress

Luis V. Gutierrez
Member of Congress



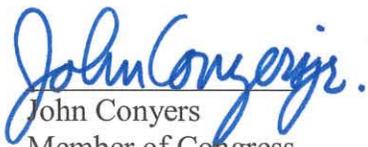
Scott Peters
Member of Congress



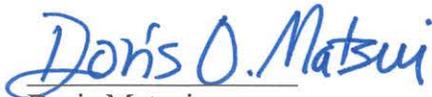
Rosa DeLauro
Member of Congress



William Lacy Clay
Member of Congress



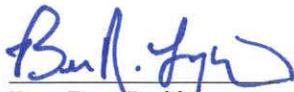
John Conyers
Member of Congress



Doris Matsui
Member of Congress



John Sarbanes
Member of Congress



Ben Ray Lujan
Member of Congress



Steve Israel
Member of Congress



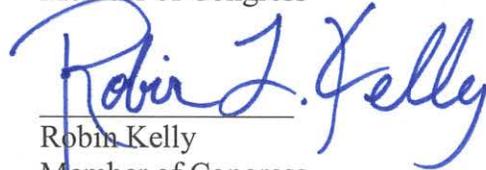
Paul Tonko
Member of Congress



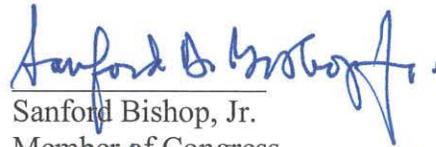
Adam Schiff
Member of Congress



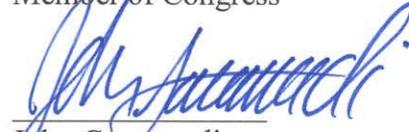
Dutch Ruppersberger
Member of Congress



Robin Kelly
Member of Congress



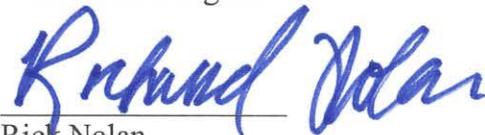
Sanford Bishop, Jr.
Member of Congress



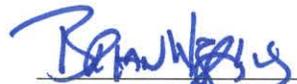
John Garamendi
Member of Congress



Donna F. Edwards
Member of Congress



Rick Nolan
Member of Congress

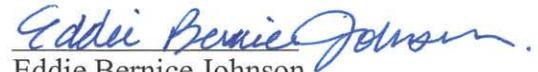


Brian Higgins
Member of Congress



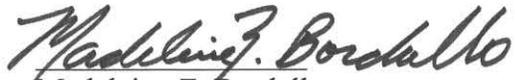
Ed Pastor
Member of Congress


Bennie Thompson
Member of Congress


Eddie Bernice Johnson
Member of Congress


Louise M. Slaughter
Member of Congress


Gene Green
Member of Congress


Madeleine Z. Bordallo
Member of Congress