

March 26, 2010

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

We are writing to urge you to exercise your legal authority to make recess appointments to install Craig Becker and Mark Pearce on the National Labor Relations Board (NLRB) during the Congressional recess that begins on March 29, 2010.

For far too long, the five-member NLRB has consisted of only two members - one Democratic appointee and one Republican appointee. This has resulted in a growing caseload of contentious issues left unresolved. Thousands of American workers who seek resolution of their disputes have been put on hold due to continued gridlock at the government agency charged with administering the National Labor Relations Act.

The Senate voted by a significant majority to allow the chamber to exercise its constitutional right to advise and consent on the merits of your nomination of Mr. Becker to serve on the NLRB. Unfortunately, the obstructionist tactics of a few have prevented the majority from confirming your choices for the NLRB. The consequences of an extended impasse are serious. Further inaction will increase the backlog of unresolved disputes, delay justice, and send the message to American workers that there is no referee in labor disputes.

As you are aware, there is precedent to use recess appointments to fill NLRB vacancies. President Bush filled seven out of the nine seats on the Board during his Administration using recess appointments. We urge you to use the same mechanism during the upcoming Congressional recess in the event the Senate once again fails to confirm your nominees before it adjourns.

Sincerely,

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