

**Congress of the United States**  
**Washington, DC 20515**

October 24, 2013

The Honorable Harry Reid  
Senate Majority Leader  
S-221, The Capitol  
Washington, DC

The Honorable Mitch McConnell  
Senate Minority Leader  
S-230, The Capitol  
Washington, DC

Dear Majority Leader Reid and Minority Leader McConnell:

On September 18, 2013, the Senate Committee on Health, Education, Labor, and Pensions voted to advance the nomination of Richard Griffin, Jr. as general counsel to the National Labor Relations Board (NLRB). We write today to urge you to oppose Mr. Griffin's confirmation when his nomination is brought before the full Senate for a vote.

This nomination comes after Mr. Griffin's controversial tenure as a board member on the NLRB. Even after Mr. Griffin's recess appointment to the Board was ruled unconstitutional by the D.C. Circuit Court of Appeals in January of 2013, he defiantly, and illegally, remained on the Board for months, issuing more than 200 labor dispute rulings. President Obama's decision to shuffle Mr. Griffin's nomination from board member to general counsel is a consolation prize for losing a constitutional fight.

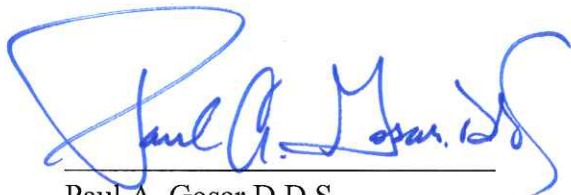
The position of general counsel is a powerful one. While it is the board that ultimately issues the ruling on cases it considers, it is the general counsel who decides when to investigate and prosecute companies that are charged with unfair labor practices. Mr. Griffin's three decades as a union advocate and his work as general counsel for the influential and controversial International Union of Operating Engineers is a clear indication of the agenda the pro-union counselor would set for the Board.

If the NLRB is to maintain even the appearance of competence and adjudicatory neutrality, a person so patently committed to one side cannot be placed in a position that requires judgment and temperance. The Board's ability to act impartially has already been called into question in recent years by both industry and government leaders. A 2012 report by the House Committee on Oversight and Government Reform details how, under the Obama Administration, the NLRB has devolved from an "independent regulator to dysfunctional union advocate."

After years of controversy and decreasing public trust in the NLRB, the confirmation of a partisan labor advocate as general counsel to the Board would only further decrease the agency's

ability to fulfill their mandate as an impartial adjudicator of labor disputes. We urge you to oppose the nomination of Richard Griffin as general counsel to the National Labor Relations Board.

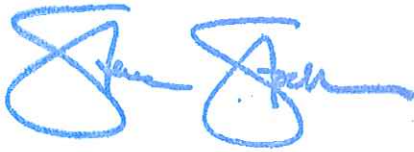
Sincerely,

A handwritten signature in blue ink, appearing to read "Paul A. Gosar", written over a horizontal line.

Paul A. Gosar D.D.S.  
Member of Congress

A handwritten signature in blue ink, appearing to read "Trent Franks", written over a horizontal line.

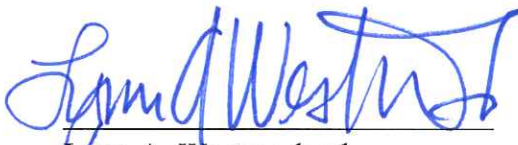
Trent Franks  
Member of Congress

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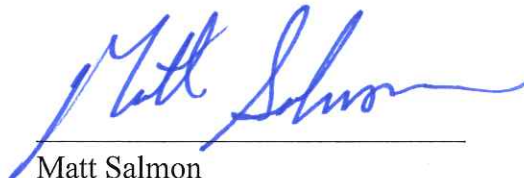
Steve Stockman  
Member of Congress

A handwritten signature in blue ink, appearing to read "Cory Gardner", written over a horizontal line.

Cory Gardner  
Member of Congress

A handwritten signature in blue ink, appearing to read "Lynn A. Westmorland", written over a horizontal line.

Lynn A. Westmorland  
Member of Congress

A handwritten signature in blue ink, appearing to read "Matt Salmon", written over a horizontal line.

Matt Salmon  
Member of Congress