



May 6, 2011

The Honorable Barack Obama  
President of the United States  
The White House  
Washington, D.C. 20500

Re: Withdrawal of Lafe Solomon as NLRB General Counsel Nominee

Dear Mr. President:

National Labor Relations Board (NLRB) General Counsel Lafe Solomon's complaint against The Boeing Company ("Boeing") in Case No. 19-CA-32431, to force a private aircraft manufacturer to move jobs from a Right To Work state to a compulsory unionism state, overstretches legal precedents and abuses the power that Congress granted the NLRB. As Acting General Counsel, Solomon should dismiss such filings rather than issuing ill-considered complaints.

The NLRB complaint against Boeing, and in effect the workers in South Carolina who will lose their jobs, seeks to force Boeing to halt its South Carolina (Right To Work State) factory expansion and re-locate it to the state of Washington (Forced Unionism State).

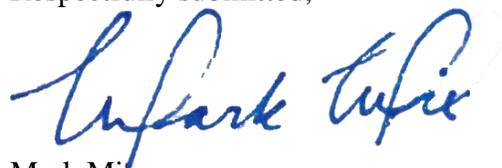
Boeing has already hired more than 1,000 new South Carolina-based employees for its 787 Dreamliner factory in Charleston. But simultaneously, Boeing has increased its employment in its Puget Sound, Washington factory. Boeing's actions have created no loss of jobs for the International Association of Machinists (IAM) and its represented workers there. Yet, the NLRB's proposed remedy will result in lost jobs immediately for 1,000 workers in the Charleston, South Carolina area. Ironically, many of these workers have already decertified the IAM at this same plant under a prior employer, thereby expressing their legally protected choice to work without union compulsion.

Without regard to the loss of jobs to workers in South Carolina and the fact that there has been no harm to the workers in Washington, General Counsel Solomon is attempting to curtail free speech, harm workers who have chosen to work without union representation, intimidate employers, discourage other employers from locating in Right To Work States, and encourage employers to leave the United States. The NLRB's complaint has virtually no legal support, and its claim that Boeing committed "unlawful employer speech" for saying that the company "cannot afford to have work stoppages every three years" like it has experienced at the hands of the IAM in Washington since the 1980s is frivolous.

The NLRB position ignores that "the Supreme Court has long held that firms may consider the economic effect of strikes when making business decisions. Also, Boeing's existing collective bargaining agreement with the IAM allows Boeing to build facilities at other locations."

Solomon's poor judgments regarding the deliberations that brought about his complaint and the complaint itself disqualify him as an acceptable nominee for NLRB General Counsel. The Foundation requests that you withdrawal Lafe Solomon's nomination to serve as General Counsel of the NLRB immediately.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mark Mix". The signature is written in a cursive, flowing style.

Mark Mix  
President