



United States Government  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570  
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June 29, 2011

The Honorable Darrell Issa, Chairman  
Committee on Oversight and Government Reform  
House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515

The Honorable Dennis Ross, Chairman  
Subcommittee on Federal Workforce, U.S.  
Postal Service and Labor Policy  
Committee on Oversight and Government Reform  
House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515

The Honorable Trey Gowdy, Chairman  
Subcommittee on Health Care, District of Columbia,  
Census and the National Archives  
Committee on Oversight and Government Reform  
House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Issa, Chairman Ross, and Chairman Gowdy:

This letter serves as my continuing response to your May 12, 2011 request for documents related to the Boeing hearing now pending before an administrative law judge in Seattle, Washington. In that regard, I am enclosing a CD containing documents relating to communications between the Office of the General Counsel and the International Association of Machinists or the Boeing Company that I believe specifically address your immediate articulated concerns.

Further, during the South Carolina field hearing held by the full Committee on Oversight and Government Reform on June 17, 2011, you ruled that it would be appropriate for me to disclose, through my testimony, only discoverable information related to the Boeing administrative hearing. Your ruling strikes an appropriate and fair balance between the Committee's legitimate informational needs and the Agency's legitimate needs to secure the due process rights of the parties to a fair trial.

The Honorable Darrell Issa  
The Honorable Dennis Ross  
The Honorable Trey Gowdy  
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I believe that extending the application of your ruling to the document request would continue to ensure fairness to the litigants. The production of documentary information exchanged by the parties at the Boeing administrative hearing to the Committee will appropriately protect the due process rights of the parties to a fair trial and will provide a detailed accounting of the exact nature of the case, the facts proffered in support and rebuttal, and the precise precedent invoked and relied upon. On the other hand, the premature disclosure of information not yet available to the parties to the proceeding could seriously compromise the litigation and result in an unfair advantage to one litigant over another.

I trust that you will agree that your ruling on June 17, 2011 at the South Carolina field hearing continues to strike the appropriate balance between both of our legitimate needs. If you have further questions, please do not hesitate to contact Jose Garza, Special Counsel for Congressional and Intergovernmental Affairs, at 202-273-3700.

Sincerely,



Lafe E. Solomon  
Acting General Counsel

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Minority Member  
Committee on Oversight and Government Reform

The Honorable Stephen Lynch, Ranking Minority Member  
Subcommittee on Federal Workforce, U.S. Postal Service & Labor Policy

The Honorable Danny Davis, Ranking Minority Member  
Subcommittee on Health Care, District of Columbia, Census and the National  
Archives