

Democrats Call for Full Debate and Vote on Whether to Issue Subpoena to NLRB

Letter Asks Chairman Issa to Honor Previous Commitments

(July 26, 2011) Washington, DC – Today, all [Democratic Members of the Oversight and Government Reform Committee sent a letter to Chairman Darrell Issa](#)

requesting a full Committee debate and vote before issuing any subpoena to the National Labor Relations Board (NLRB) for documents related to its ongoing litigation against the Boeing Corporation for allegedly retaliating against workers in Washington State.

“There is no dispute that you have authority under the House Rules to issue a unilateral subpoena to further legitimate oversight efforts by the Committee,” the Democrats wrote. “But you also have an obligation to use this power responsibly and not to exercise it to affect the outcome of an ongoing legal proceeding.”

Issa has demanded that NLRB produce a wide range of documents relating to the prosecution’s trial strategy and potential settlement discussions, threatening a subpoena if all documents are not turned over by today.

“One serious concern with compelling the production of these documents at this time is that you appear to be using the authority of the Committee in an inappropriate manner to assist a private party, Boeing, during ongoing litigation,” the Democrats wrote.

At a [hearing with NLRB on June 17](#), Chairman Issa had agreed to a compromise that allowed NLRB to testify only about information that would be discoverable in the ongoing litigation. He later abandoned that compromise and demanded all previously requested documents.

Democrats are seeking a full debate and vote pursuant to commitments made by Chairman Issa at the Committee’s January 25, 2011, organizational meeting, when he stated, “I am going to take your thoughts on why you object seriously. To be honest, I will ask other members of my committee, am I doing the right thing, and seek their guidance.” He added, “I will also undoubtedly talk to other members on your side and say, Am I nuts?”

To date, Issa has issued 18 unilateral subpoenas without a vote of the Committee. In response to concerns that he would never schedule a vote on any subpoena, he stated, "I did not intend and do not believe I said that I would never seek. Just the opposite, I would consider seeking full committee votes."

Based on these commitments, the Democrats wrote, "Due to the significant concerns raised in this specific case, and based on your commitment to consider minority requests to vote on select subpoenas, we respectfully request that you schedule a vote to authorize a subpoena you may be considering to compel the production of additional documents from NLRB in this matter."