

## **Cummings: Oversight Committee Again Denied Opportunity to Debate, Vote on Subpoena**

August 8, 2011

Washington, DC – Ranking Member Elijah E. Cummings issued the following statement in response to Chairman Darrell Issa’s subpoena to the National Labor Relations Board (NLRB) for documents regarding its complaint against the Boeing Corporation.

“Chairman Issa has yet again issued a subpoena on his own, refusing to give the full Committee an opportunity to debate the merits of the subpoena and exercise its will,” said Cummings. “This case is particularly troubling given that the disclosure of privileged documents could unduly influence the ongoing legal proceeding between the NLRB and Boeing. The Chairman has an obligation to use his authority to issue subpoenas responsibly and not to exercise it in an inappropriate manner to assist a private party, even one as powerful as the Boeing Corporation.”

To date, Issa has issued 19 unilateral subpoenas without a vote of the Committee, breaking with his commitment to “consider seeking full committee votes” and to “take your [Ranking Member Cummings’s] thoughts on why you object seriously” prior to issuing a subpoena. Issa’s subpoena of NLRB is a broader request for documents than his initial request and comes after months of correspondence between the Committee and the NLRB Office of General Counsel.

On July 26, all the [Committee Democrats sent a letter to Chairman Issa](#) requesting a full Committee debate and vote before issuing any subpoena to NLRB for documents related to its ongoing litigation against Boeing. Democrats urged Chairman Issa to consider testimony provided to the Committee that Congress historically has been very careful to avoid interfering with ongoing proceedings.

NLRB’s Acting General Counsel has alleged that Boeing engaged in unlawful retaliation against workers in its Washington state operation when it moved jobs from Washington state to South Carolina. The agency alleges that Boeing violated the National Labor Relations Act (NLRA) by intentionally moving those jobs as a reprisal for Washington workers engaging in legal union activities.

Last week, [thirty-four law professors wrote to Chairman Issa](#) urging him not to issue a subpoena to NLRB because it would impede the agency's ability to "do its job without undue interference."