

tax cuts to the rich. It is very clear he doesn't want to do anything to deal with the tax cuts to the rich, and he wants to go after entitlements—and he said so this morning—which are Medicare, Social Security, and Medicaid.

We have a lot of work to do. The only way we are going to work our way through this is on a bipartisan basis. It is the only way we can do it. The heavily Republican House has to recognize that, the Democrats in the Senate have to realize that, and the President has to realize that. And he does. That is why he has convened this bipartisan meeting at the Blair House today, conducted by the Vice President of the United States.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent to speak for 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NLRB COMPLAINT

Mr. HATCH. Mr. President, I rise to speak about an unfortunate and, quite frankly, disturbing matter.

While we were all back home during the most recent Senate recess, the National Labor Relations Board's acting general counsel, Lafe Solomon, after 17 months of indecision, issued one of the most far-reaching and outrageous complaints ever issued by the Board against a private business. This complaint against Boeing is one of the most outlandish and regrettable complaints I have seen in all my years in the Senate.

The NLRB's acting general counsel—emphasis on the “acting”—sitting in his ivory tower in Washington, DC, essentially substituted his business judgment for that of a private corporation. In essence, Mr. Solomon claimed the authority to determine where and how a private company is permitted to do business.

This is a specious claim. Boeing did nothing wrong, and I am confident it will ultimately prevail. Yet this complaint carries a potential cost of bil-

ions of dollars and thousands of new jobs for the company in the community where it chose to operate.

So why make this decision at all? Why attack a private company with a legal challenge that will cost an enormous amount of money to defend, disrupts business, undermines the efforts of States to increase jobs and promote economic recovery but that will fail for its lack of merit? The answer is simple. The unions want it. This is another chapter in the sorry relationship between unions, big government, and the party of big government.

I have to say, I admire Mr. Solomon's moxie. By making this decision during a congressional recess, it is almost as if he thought it might avoid our scrutiny. Maybe he thought news such as this might not make its way back to the States. To that I say: Nice try, but you will not escape the scrutiny of the American people when it comes to an action this over the top. Sunshine will fall on a decision this politically motivated. In the light of day, the decision and the decisionmakers are going to look awfully bad.

The NLRB's Boeing complaint has been widely criticized in the media, in the Senate by a number of my colleagues, and throughout the business community as a prime example of a Federal bureaucracy run amok. But this is more than another example of an unaccountable bureaucracy harming job creators and employees. What makes this case particularly ugly is, this is a case of regulators conveniently supporting the interests of big labor against private enterprise. What makes this case appalling is, it is a gift-wrapped present to the interests that just so happen to be the largest contributors to Democratic Party campaigns.

The NLRB issued its complaint against Boeing—one of our Nation's iconic companies—for allegedly transferring assembly work on its Dreamliner 787 fleet of airplanes from Puget Sound, WA, to North Charleston, SC. Boeing made a legitimate business decision to open a new plant with new workers in a new more business-friendly climate. It chose South Carolina, in part, to avoid labor disputes and crippling strikes which had befallen the company repeatedly over the past few years.

When Boeing first made this decision way back in 2009, it had experienced four major labor strikes in 20 years. The most recent work stoppage—a 58-day strike in 2008—cost the company \$1.8 billion.

Was the decision to bring new work to South Carolina a prudent business decision? Boeing faces significant global competition. The French company, Airbus, is anxious to take Boeing's business with the help—and backing, I might add—of the French Government.

Was the decision good for American workers? Clearly, Boeing's decision was. In the current marketplace, many of Boeing's competitors might have

considered moving jobs overseas. Instead of following that course, Boeing saved American jobs.

The President likes to talk about jobs he has created and saved. Well, not a single job—union or nonunion—was lost in the State of Washington as a result of Boeing's decision. In fact, over 2,000 new jobs have been created in Puget Sound since the company's announcement to begin work on the new facility. This is not to mention South Carolina, where hundreds of new jobs were created. Added jobs in Washington plus added jobs in South Carolina sounds like a win-win for American workers to me.

So, yes, Boeing's decision to build its new plant in South Carolina was good for just about everybody. Yet, without asserting any evidence of anti-union animus on the part of Boeing or of an adverse impact on union workers exercising their legal rights, the NLRB filed its complaint and has sought to step in and make Boeing's business decisions for them.

As South Carolina Gov. Nikki Haley described it in an April 26 Wall Street Journal editorial:

The excitement of South Carolina turned to gloom for millions of South Carolinians who are rightly aghast at the thought of the greatest economic development success our state has seen in decades being ripped away by federal bureaucrats who appear to be little more than union puppets.

Governor Haley should be applauded for calling the NLRB's decision for what it is: a hand-wrapped present to big labor, courtesy of their friends in the Federal bureaucracy and the administration.

Let's take a look at the NLRB's complaint for a moment. First, let's consider the timing of the complaint. It is highly suspect, if you ask me. The Boeing complaint comes just a few short months before the new South Carolina facility was scheduled to open in July and well after most of the construction was completed and the new workers were hired. In other words, after most of Boeing's substantial investments had been made, the heavy hand of the Federal bureaucracy intervened to dictate that its business decision must be reversed.

In its April 21 editorial, the Wall Street Journal describes the Boeing complaint saying:

After 17 months and \$2 billion, the NLRB sandbags Boeing.

The editorial continued:

There are plentiful legal precedents to give business the right to locate operations in Right to Work states. That right has created healthy competition among the states and kept tens of millions of jobs in America rather than overseas.

An opinion editorial by Steven Pearlstein in the April 26 Washington Post is even more telling. Although Mr. Pearlstein was, not unexpectedly, somewhat supportive of big labor and the NLRB's actions in this case, he nevertheless acknowledged that:

[i]f the agency prevails and is able to force Boeing to open an additional production line