



For Immediate Release

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**Statement of Michael B. Enzi  
Senate Committee on Health, Education, Labor and Pensions  
Executive Session Related to Nominations**

**October 21, 2009**

I'd like to thank Chairman Harkin for granting us an additional week before holding this Executive Session today. I understand that we have ten nominees who have undergone the Committee vetting process, responded to questions for the record and submitted completed paperwork to the Committee. We have three nominees to serve in Board positions on the National Labor Relations Board (NLRB) and nominees for the Legal Services Corporation and the National Council on the Humanities.

Because of the large number of nominees referred to the HELP Committee each Congress, the Committee has a long history of vetting nominations in a variety of ways. At times we have held public hearings on nominees and at other times we have asked nominees questions for the record that require written responses. With respect to today's markup agenda, we have done extensive vetting through questions for the record and in meetings with members and staff. The three NLRB nominees have answered a total of 353 questions for the record. These responses have been filed with the Committee Clerk, and have been made available to all members. I urge the Committee to make these responses available to the public as soon as possible.

The National Labor Relations Board consists of five Senate confirmed positions. These positions have been historically confirmed in packages of either two at a time or three at a time with at least one member from the Minority party in any package. In fact, we find ourselves in virtually same situation as we were in back in 2006 when I was Chairman of the Committee. At that time, the National Labor Relations Board nominees comprised of one Democratic nominee and a Republican nominee for the Board and a Republican nominee for the General Counsel position. We did not hold a hearing on those nominations but asked questions for the record.

Right now there are three open positions with two Democrat nominees and one Republican being considered today. While I support moving the package forward as the

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Chairman and Ranking Member have done in previous Congresses and Senator Kennedy and I did back in 2006, I do have some serious concerns with Mr. Becker's writings – particularly the potential for radical changes in labor law he has advocated, and argued can be implemented, without Congressional authorization. I understand that other Senators have concerns they would like to express with Mr. Becker's nomination.

The Republican nominee, Brian Hayes, has worked as a member on my HELP Committee staff since 2005, when I first assumed the Chairmanship. Brian has extensive knowledge and experience in the issues that come before the Board – he has previously served as both a Law Clerk and Attorney for the NLRB. I have come to value Brian's counsel and insight over the past five years – and while I am sorry to see him leave the Senate family, I am pleased that he has decided to continue his career in public service.

We also have five nominees pending for Board positions with the Legal Services Corporation, and two nominees to be members of the National Council on the Humanities.

All of the nominees before us today have successfully completed the Committee's vetting process and all the necessary paperwork. For these reasons, I support reporting these nominees to the full Senate.

Mr. Chairman, thank you again for granting us an additional week before holding this Executive Session.

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