

**Brotherhood of Maintenance of Way Employes Division
of the International Brotherhood of Teamsters**



NEWS CLIPS

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March 21, 2010

Obama Hails Vote on Health Care as Answering ‘the Call of History’

By [ROBERT PEAR](#) and [DAVID M. HERSZENHORN](#)

WASHINGTON — House Democrats approved a far-reaching overhaul of the nation’s health system on Sunday, voting over unanimous Republican opposition to provide medical coverage to tens of millions of uninsured Americans after an epic political battle that could define the differences between the parties for years.

With [the 219-to-212 vote](#), the House gave final approval to legislation passed by the Senate on Christmas Eve. Thirty-four Democrats joined Republicans in voting against the bill. The vote sent the measure to [President Obama](#), whose yearlong push for the legislation has been the centerpiece of his agenda and a test of his political power.

After approving the bill, the House adopted [a package of changes to it](#) by [a vote of 220 to 211](#). That package — agreed to in negotiations among House and Senate Democrats and the White House — now goes to the Senate for action as soon as this week. It would be the final step in a bitter legislative fight that has highlighted the nation’s deep partisan and ideological divisions.

On a sun-splashed day outside the Capitol, protesters, urged on by House Republicans, chanted “Kill the bill” and waved yellow flags declaring “Don’t Tread on Me.” They carried signs saying “Doctors, Not Dictators.”

Inside, Democrats hailed the votes as a historic advance in social justice, comparable to the establishment of [Medicare](#) and [Social Security](#). They said the bill would also put pressure on rising health care costs and rein in [federal budget](#) deficits.

“This is the Civil Rights Act of the 21st century,” said Representative James E. Clyburn of South Carolina, the No. 3 Democrat in the House.

Mr. Obama celebrated the House action in [remarks at the White House](#).

“We pushed back on the undue influence of special interests,” Mr. Obama said. “We didn’t give in to mistrust or to cynicism or to fear. Instead, we proved that we are still a people capable of doing big things.”

“This isn’t radical reform,” he added, “but it is major reform.”

After a year of combat and weeks of legislative brinksmanship, House Democrats and the White House clinched their victory only hours before the voting started on Sunday. They agreed to a deal with opponents of [abortion](#) rights within their party to reiterate in an executive order that federal money provided by the bill could not be used for abortions, securing for Democrats the final handful of votes they needed to assure passage.

Winding up the debate, Speaker [Nancy Pelosi](#) said: “After a year of debate and hearing the calls of millions of Americans, we have come to this historic moment. Today we have the opportunity to complete the great unfinished business of our society and pass [health insurance](#) reform for all Americans that is a right and not a privilege.”

The House Republican leader, Representative [John A. Boehner](#) of Ohio, said lawmakers were defying the wishes of their constituents. “The American people are angry,” Mr. Boehner said. “This body moves forward against their will. Shame on us.”

Republicans said the plan would saddle the nation with unaffordable levels of debt, leave states with expensive new obligations, weaken Medicare and give the government a huge new role in the health care system.

The debate on the legislation set up [a bitter midterm campaign season](#), with Republicans promising an effort to repeal the legislation, challenge its constitutionality or block its provisions in the states.

Representative Paul D. Ryan, Republican of Wisconsin, denounced the bill as “a fiscal Frankenstein.” Representative Lincoln Diaz-Balart, Republican of Florida, called it “a decisive step in the weakening of the United States.” Representative Virginia Foxx, Republican of North Carolina, said it was “one of the most offensive pieces of social engineering legislation in the history of the United States.”

But Representative [Marcy Kaptur](#), Democrat of Ohio, said the bill heralded “a new day in America.” Representative Doris Matsui, Democrat of California, said it would “improve the quality of life for millions of American families.”

The health care bill would require most Americans to have health insurance, would add 16 million people to the [Medicaid](#) rolls and would subsidize private coverage for low- and middle-income people, at a cost to the government of \$938 billion over 10 years, the [Congressional Budget Office](#) said.

The bill would require many employers to offer coverage to employees or pay a penalty. Each state would set up a marketplace, or exchange, where consumers without such coverage could shop for insurance meeting federal standards.

The budget office estimates that the bill would provide coverage to 32 million uninsured people, but still leave 23 million uninsured in 2019. One-third of those remaining uninsured would be illegal immigrants.

The new costs, according to the budget office, would be more than offset by savings in Medicare and by new taxes and fees, including a tax on high-cost employer-sponsored health plans and a tax on the investment income of the most affluent Americans.

Cost estimates by the budget office, showing that the bill would reduce federal budget deficits by \$143 billion in the next 10 years, persuaded some fiscally conservative Democrats to vote for the bill.

Democrats said Americans would embrace the bill when they saw its benefits, including some provisions that take effect later this year.

Health insurers, for example, could not deny coverage to children with medical problems or suddenly drop coverage for people who become ill. Insurers must allow children to stay on their parents’ policies until they turn 26. Small businesses could obtain tax credits to help them buy insurance.

The Democratic effort to secure the 216 votes needed for passage of the legislation came

together only after last-minute negotiations involving the White House, the House leadership and a group of Democratic opponents of abortion rights, led by Representative [Bart Stupak](#) of Michigan. On Sunday afternoon, members of the group announced that they would support the legislation after Mr. Obama promised to issue an [executive order](#) to “ensure that federal funds are not used for abortion services.”

Mr. Stupak described the order as a significant guarantee that would “protect the sanctity of life in [health care reform](#).” But supporters of abortion rights — and some opponents — said the order merely reaffirmed what was in the bill.

The vote to pass the Senate version of the bill means that it will become the law of the land as soon as Mr. Obama signs it, regardless of when — or even whether — the Senate acts on the package of changes the House also passed.

The Senate majority leader, [Harry Reid](#) of Nevada, has promised to take up the package of changes in short order, and he has said he has the votes to pass it. The Senate will consider it under a parliamentary maneuver that will allow the Democrats to pass it with a simple majority, averting the threat of a Republican [filibuster](#).

Indeed, Senate Republicans were quickly faced with a need to recalibrate their message from one aimed at stopping the legislation to one focused on winning back a sufficient number of seats in Congress to repeal it.

Mr. Obama, in his remarks shortly before midnight in the East Room, urged the Senate to complete the final pieces of the legislation. “Some have predicted another siege of parliamentary maneuvering in order to delay it,” he said. “I hope that’s not the case.”

He continued, “It’s time to bring this debate to a close and begin the hard work of implementing this reform properly on behalf of the American people.”

Mr. Obama watched the roll call with Vice President [Joseph R. Biden Jr.](#) in the Roosevelt Room in the White House.

The House galleries were full, and the floor was unusually crowded, for the historic debate on health care.

Working together, Mr. Obama and Ms. Pelosi [revived the legislation when it appeared dead](#) after Democrats lost their 60th vote in the Senate and with it their ability to shut off Republican filibusters.

Republicans said they would use the outcome to bludgeon Democrats in this year’s Congressional elections. The White House is planning an intensive effort to convince people of the bill’s benefits. But if Democrats suffer substantial losses in November, Mr. Obama could be stymied on other issues.

The campaign for a health care overhaul began as a way to help the uninsured. But it gained momentum when middle-class families with health insurance flooded Congress with their grievances. They complained of soaring premiums. They said their insurance had been canceled when they got sick.

“It’s not just the uninsured,” said Representative Jim McGovern, Democrat of Massachusetts. “We also have to worry about people with insurance who find, for crazy reasons, that they are

somehow going to be denied coverage.”

In the end, groups like the United States Chamber of Commerce and the National Federation of Independent Business tried to stop the bill, saying it would increase the cost of doing business. But other groups, including the [American Medical Association](#) and [AARP](#), backed it, as did the pharmaceutical industry.

Lawmakers agreed that Sunday’s debate was historic, but they were poles apart in assessing the legislation.

Representative Rodney Alexander, Republican of Louisiana, said, “You cannot expect to expand coverage to millions of individuals and to curb costs at the same time.”

Republicans said the picture painted by the budget office was too rosy, because the new taxes and fees would start immediately, while the major costs would not show up for four years.

Moreover, Republicans said Democrats would pay a price for defying public opinion on the bill.

“Are you so arrogant that you know what’s best for the American people?” Representative Paul Broun, Republican of Georgia, asked the Democrats. “Are you so ignorant to be oblivious to the wishes of the American people?”

Lawmakers spoke with deep conviction in explaining their votes.

“Health care is not only a civil right, it’s a moral issue,” said Representative [Patrick J. Kennedy](#), Democrat of Rhode Island, who invoked the memory of his father, Senator [Edward M. Kennedy](#), a Massachusetts Democrat and a lifelong champion of health care for all.

After the legislation passed, Mr. Obama sought to place the day in perspective.

“In the end what this day represents is another stone firmly laid in the foundation of the American dream,” the president said. “Tonight, we answered the call of history as so many generations of Americans have before us. When faced with crisis, we did not shrink from our challenges. We overcame them. We did not avoid our responsibilities, we embraced it. We did not fear our future, we shaped it.”

Arbitrator awards CN engineers wage increases



March 21, 2010

Canadian National says that an arbitrator’s award released Thursday provides three annual pay increases for 1,700 locomotive engineers represented by Teamsters Canada Rail Conference (TCRC)—a 1.8% wage increase retroactive to January 1, 2009, 2.4% in 2010, and 2.6% in 2011. It also provides dental plan improvements that go into effect on April 1, 2010.

Andrew Sims’ arbitration ruling setting the terms and conditions of a new three-year collective agreement expires on Dec. 31, 2011.

"With a secure labor agreement in place, we will now work to re-establish a positive dialogue with the TCRC, focusing on issues of common interest for the company, its employees and its customers," said Claude Mongeau, CN's president and chief executive officer.

The federal government named Sims in December 2009 to arbitrate the CN-TCRC contract dispute, after the company and union agreed to further negotiations and binding arbitration of wages and benefits if renewed talks failed. The parties' agreement ended a five-day strike.

Lauby to replace Cothen at FRA



March 21, 2010

The Federal Railroad Administration has named Robert Lauby Deputy Associate Administrator for Regulatory and Legislative Operations in the Office of Safety, effective March 28, 2010. Lauby, who has more than 30 years of experience in railroad safety and regulatory affairs, will replace Deputy Associate Administrator For Safety Standards and Program Development Grady Cothen, who is retiring. Lauby's title will be different from Cothen's "to better reflect the responsibilities he is charged with," FRA spokesman Warren Flatau explained.

Lauby has managed national and international-level programs for the National Transportation Safety Board and the FRA. His past experience also includes designing and testing brake systems for Amtrak and high speed rail systems, and developing and managing the NTSB's National Railroad and Rail Transit Safety Program. Lauby has extensive experience participating with government and industry groups as a member of the RSAC (Railroad Safety Advisory Committee) since its inception, and as a member of the American Public Transportation Association Passenger Rail Equipment Safety Standards Committee.

The FRA describes Lauby as the agency's "leading expert on Positive Train Control deployment" and "instrumental in carrying out numerous initiatives related to the Rail Safety Improvement Act, including ECP (electronically controlled pneumatic) brakes." As co-chair of the RSAC General Passenger Safety task force, he oversaw development of system safety programs, and passenger car door control regulations.

Lauby was "a key player in developing FRA's High-Speed Passenger Rail Safety Strategy, a critical element of FRA's High-Speed Intercity Passenger Rail Program under the American Recovery and Reinvestment Act and Passenger Rail Investment and Improvement Act." He also represents FRA on the RSAC Engineering task force, which was established to consider the use of alternate crashworthiness standards for passenger railcars used in high speed service.

STB February tally: U.S. Class I workforce up from January's count, down from 2009's total

After contracting a tad in January, the U.S. Class I workforce expanded a smidge in February. As of mid-February, the workforce stood at 146,308, up 0.5 percent from January's level, according to [Surface Transportation Board \(STB\)](#) data. But on a year-over-year basis, the workforce shrank 6.8 percent.

The transportation (other than train and engine) workforce of 6,811 registered the largest month-over-month gain at 4.3 percent, yet declined 5.1 percent compared with February 2009's level. Transportation (train and engine) ranks, which numbered 56,355 in mid-February, increased 0.9 percent vs. January's level and decreased 8.1 percent vs. February 2009's count.

Meanwhile, the maintenance-of-way and structures workforce of 32,833 rose 0.3 percent on a month-over-month basis and dropped 4.5 percent on a year-over-year basis. The number of maintenance-of-equipment and stores workers totaled 28,066, down 0.4 percent and 7.4 percent compared with January and February 2009 figures, respectively.

Executives/officials/staff assistants numbering 8,977 declined 0.6 percent vs. January's level and 11.4 percent vs. February 2009's total. Professional and administrative staff, which numbered 13,266, inched up 0.1 percent from January's count, but dropped 2.8 percent from February 2009's level.

AMTRAK REQUESTS FUNDS TO REPLACE AGING FLEET AND SUPPORT DOMESTIC RAIL MANUFACTURING \$446 million to build new locomotives and passenger rail cars

WASHINGTON – Testifying before a House Appropriations subcommittee today, Amtrak President and CEO Joseph Boardman asked Congress to address the railroad's "most urgent unfunded need": the replacement, expansion and modernization of an aging fleet of locomotives and passenger rail cars. The funding will buy new equipment and support the development of a domestic rail manufacturing base to create American jobs, he said.

Boardman explained that it is "vitally important that we begin the process of seeding the industry and replacing obsolescent equipment now" as "the average age of our passenger cars is at an all-time high...and it will continue to rise in the time it will take to order and build new equipment."

On March 22, Amtrak sent to Congress a \$446 million supplemental funding request to be added to Amtrak's previously submitted FY 2011 budget of \$2.1 billion, consistent with the authorized funding approved in the Passenger Rail Investment and Improvement Act of 2008.

Boardman said that if this additional funding is received, it will support a procurement process initiated last year to buy new equipment to address Amtrak's two most critical needs— retiring passenger rail cars built from 1948-1956 and replacing the hard-run electric locomotives that operate on the Northeast Corridor.

He noted that between 2002 and 2008 Amtrak ridership increased by 32 percent to record-levels and the railroad handled the new passengers without buying a single piece of new equipment. "That's a

remarkable achievement, but one that cannot be sustained indefinitely," he said, especially as the demand for more passenger rail service continues to grow.

The current procurement is part of a comprehensive Fleet Strategy Plan released by Amtrak in February 2010 which describes the urgent need for new equipment and lays out a detailed plan to manage the process of replacing the entire fleet by 2040. Boardman stressed it is "designed to accomplish the replacement of equipment not in large blocks, but in regular annual purchases" which "supports the [Obama] Administration's stated intent to develop and sustain a strong domestic rail manufacturing capability...by projecting long-term large scale procurement streams that will nurture and sustain suppliers."

He added that the Amtrak Fleet Strategy Plan can incorporate equipment purchases by states as they develop new, or expand existing, state-supported corridor services and that "the best way...to advance the vision for high-speed and intercity passenger rail is to fund our plan."

To illustrate the need to purchase new equipment, Boardman displayed a photograph of an actual Amtrak train in revenue service made up of a locomotive built in 1980, a baggage car built between 1950-1961, sleeping cars built in 1995-1996, a dining car built between 1948-1958 and coach cars built from 1981-1983.

Court to decide whether two-member NLRB can work

(AP) – 3 hours ago

WASHINGTON — The Supreme Court on Tuesday questioned whether the leading federal agency that referees labor-management disputes can make decisions when it only has two people sitting on its five-member board.

The full National Labor Relations Board delegated its authority to the smaller group when it became obvious that battles between the White House and Congress over nominations to the board was going to keep them from getting enough new members to fill out a required three-member quorum.

"It doesn't seem to you like an evasion of the whole purpose of the quorum requirement?" said Justice Antonin Scalia.

When at full strength, the National Labor Relations Board has five members. But it has operated with only two members for more than two years because Democrats refused to confirm President George W. Bush's nominees because of complaints that they were pro-business. Republicans now are blocking President Barack Obama's nominees, complaining that some of them favor union interests.

Decisions in hundreds of worker-employer battles could be thrown out if the Supreme Court rules against the NLRB. That decision could also force the shutdown of the NLRB when Republicans and Democrats in the Senate and White House can't agree on who should be on the board.

Federal appellate courts have split on whether a short-staffed board could keep working, with the court in Washington saying that a two-person board is illegal and judges in Chicago and Boston saying that the delegation of authority to the smaller group was OK.

Opponents say all the decisions the two board members have made are illegal because the board needs at least three members for a quorum. "One of the things that we think is clear is that the remedy for fixing an undersized board is not for the board to redefine itself ... but for Congress or the president to act," said lawyer Sheldon E. Richie, who represented New Process Steel, L.P., which lost an unfair labor practices case in front of the short-staffed NLRB.

But government lawyers said the full board legally voted to give all of its power to the two members, and the decisions made since then are legal. NLRB Chair Wilma Liebman, a

Democrat, and fellow board member Peter Schaumber, a Republican, have issued about 586 decisions as a two-member board.

"I am not here suggesting that the two-member board is ideal or equivalent or optimal," Deputy Solicitor General Neal Katyal said. "But faced with a vacancy crisis and shutting down the board entirely, I think the board did the prudent thing here by continuing to operate, continuing for these 800 or so days to decide these cases."

The NLRB is an independent federal agency created by Congress in 1935 to administer the National Labor Relations Act, the primary law governing relations between unions and employers. The five members are nominated to five-year terms by the president and must be confirmed by the Senate.

The court is expected to make a decision by the fall.

The case is *New Process Steel v. NLRB*, 08-1457.

Business Groups Urge Obama Against Naming Becker to Labor Board

March 23, 2010, 5:52 PM EDT

By Holly Rosenkrantz

March 23 (Bloomberg) -- The U.S. Chamber of Commerce led 20 business lobbying groups in urging President Barack Obama not to use his executive power to appoint union lawyer Craig Becker to the National Labor Relations Board.

"We urge you to respect" the "overwhelming sentiment of our members throughout the business community," groups including the American Trucking Association, the National Association of Manufacturers and the National Retail Federation said today in a letter to the president. Tens of thousands of members have written to oppose Becker, the letter said.

Becker, a lawyer for the Service Employees International Union and the AFL-CIO, failed to win Senate confirmation last month after two Democrats joined Republicans in blocking a vote on his nomination. The groups told Obama "not to disregard the bipartisan Senate vote against moving forward" on Becker.

U.S. presidents have the power to circumvent the Senate by making appointments during a congressional recess. Labor Secretary Hilda Solis told the AFL-CIO this month that unions "will be very pleased" by Obama's actions on Becker in the next congressional recess, which begins next week.

The National Labor Relations Board was created in 1935 to remedy unfair labor practices and certify union elections. The five-member board has had three vacancies for more than two years, and has more than 200 cases pending, including a matter involving MGM Mirage's New York New York Hotel & Casino in Las Vegas.

Business groups oppose Becker over a 1993 *Minnesota Law Review* article saying union-election rules should be rewritten in favor of labor, and that the NLRB can do this through regulation, without the consent of Congress.

Becker, at a Senate confirmation hearing in February, said that his views 17 years ago were those of a “scholar” and he will respect Congress’s wishes on labor laws if he joins the board.

3/25/2010 Year in Review

CSX survives - even thrives - in 'tumultuous' 2009, annual report states

In 2009, [CSX Corp.](#) positioned itself as a “stronger and more capable company” despite a tumultuous year, Chairman, President and Chief Executive Officer Michael Ward said in a message to shareholders that’s included in a recently released annual report.

Although a 15 percent volume decline led to a 22 percent reduction in earnings per share from continuing operations, CSX set a safety record and posted an all-time-low annual operating ratio of 74.7. The Class I also reduced operating expenses 20 percent year over year to \$6.8 billion.

“Our 30,000 employees didn’t just let the economy happen ‘to’ us. When the downturn began, we moved quickly to respond,” said Ward. “Many of the operational changes we made are systemic and permanent.”

Ward also reiterated CSX’s plan to invest \$1.7 billion in its network in 2010.

The Class I will hold its annual shareholders meeting May 5 at The Rittenhouse Hotel in Philadelphia.

3/25/2010 MOW

UP to bolster infrastructure in Kansas, Washington

[Union Pacific Railroad](#) plans to spend \$6 million to upgrade a line between Wichita and Caldwell, Kan.

To be completed by mid-August, the project calls for removing and installing more than 41,500 ties, spreading 33,500 tons of ballast and renewing roadway surfaces at 70 grade crossings.

In addition, UP expects to spend \$5.7 million to upgrade track between Seattle and Fife, Wash. To be completed by mid-2010, the work includes the installation of more than 35,000 ties and 9,000 tons of ballast, and upgrades to 42 public crossings.

UP has budgeted \$2.5 billion for capital improvements in 2010, including infrastructure upgrades.

U.S. carload gains continue for fourth straight week



March 26, 2010

For the fourth consecutive week, including the latest week ended March 20, freight traffic on U.S. railroads was up compared with the same period a year ago according to the Association of American Railroads.

U.S. railroads originated 287,639 carloads during the week, up 4.3% from the comparable week in 2009, though still down 10.7% from 2008, prior to the onset of severe recession. Intermodal traffic totaled 201,300 trailers and containers, up 9.5% from last year but also down 4.6% compared with 2008. Total volume for the week was estimated at 31.3 billion ton-miles, up 5.4% from last year but down 7.7% from 2008.

U.S. railroads in the West saw traffic gain 5.9% compared with the same week last year, but off 7.8% compared with 2008. In the East, freight carloads were up 2.1% compared with 2009, but down 14.6% compared with 2008.

Sixteen of 19 carload commodity groups showed gains from a year ago, with 13 of them showing double-digit gains, led by a 69.2% increase in loadings of metals and products. Other gainers included grain, up 24%; motor vehicles, up 20.8%; waste and scrap, up 33.1%; lumber and wood products, up 21.8%, and chemicals, up 14.4%. Coal loadings continued to lag behind as per recent weeks, down 6.4% during the week ended March 20, while pulp, paper, and allied products slipped 6.1%.

Canadian railroads reported volume rose 21.1% from last year, while intermodal climbed 12.8% from 2009. Mexico's two major railroads reported carload freight traffic rose 10.4% while intermodal soared, up 63.3%.

Combined North American rail volume for the first 11 weeks of 2010 on 13 reporting U.S., Canadian, and Mexican railroads totaled 3,941,811 carloads, up 3.6% from last year, and 2,772,992 trailers and containers, up 8.7% from last year.

3/26/2010 Labor

Traffic controllers union to vote on CN pact; two BMWED divisions to merge

Yesterday, [CN](#) announced it reached a tentative three-year agreement with the [Teamsters Canada Rail Conference/Rail Canada Traffic Controllers \(TCRC/RCTC\)](#).

The Class I and union, which represents about 200 rail traffic controllers in Canada, are withholding details of the pact until TCRC/RCTC members conduct a ratification vote, a process that's expected to take about six weeks, according to CN. If approved, the agreement would be

retroactive to Jan. 1, 2009.

Meanwhile, the [Brotherhood of Maintenance of Way Employees Division's \(BMWED\)](#) Unified System Division and Pacific Federation reached an agreement to merge on April 1. The newly created federation will retain the name Unified System Division.

The division will represent more than 5,000 BMWED members who build, construct, inspect, maintain and provide parts for tracks, bridges, buildings and equipment. The current Unified System Division represents workers employed at Union Pacific Railroad, a number of short lines and Nortrak's Cheyenne, Wyo., plant.

The new federation will be led by General Chairman Wayne Morrow. Former Pacific Federation General Chairman Louis Below and Vice Chairman Ricardo Canchola will become vice chairs of the new Unified System Division.

Obama appointment to labor board sparks opposition

By the CNN Wire Staff

STORY HIGHLIGHTS

- Fury is aimed at labor relations board appointee Craig Becker
- Critics point to his support for skirting Congress to allow "card-check" union votes
- Republicans, business leaders say legislation would discourage private ballots
- Sen. John McCain: "This is clear payback by the administration to organized labor"

(CNN) -- One of President Obama's Saturday recess appointments to the National Labor Relations Board quickly triggered intense opposition from business groups and Republicans, who called the appointee a radical who represents a White House gift to labor unions.

The fury is aimed at Obama's appointment of Craig Becker -- a labor lawyer -- to the NLRB, the federal agency that oversees relations between unions and employers.

"Mr. Becker's prolific writings ... suggest a radical view of labor law that flies in the face of established precedent and case law and is far outside the mainstream," the U.S. Chamber of Commerce said in a statement Saturday.

"This recess appointment disregards the Senate's bipartisan rejection of Craig Becker's nomination to the NLRB," said Randel K. Johnson, the chamber's senior vice president of labor, immigration and employee benefits. "The business community should be on red alert for radical changes that could significantly impair the ability of America's job creators to compete."

Obama announced Saturday that he will make recess appointments of 15 nominees to administration posts who are awaiting confirmation by the full Senate. None has generated nearly as much outcry as Becker.

The Republican National Committee sent out a memo Saturday titled "Union Bosses' Bailout Begins -- Recess Appointment Of Becker Payback From Obama To His Union Paymasters, With More Job-Killing Bailouts To Come."

Becker is currently a general counsel for the Service Employees International Union and for the AFL-CIO. He has taught at the law schools of the University of Chicago and Georgetown University, among other places.

Business groups and Republicans say that Becker has voiced support for skirting Congress to enact so-called card-check legislation regarding labor unions. They say that he has proposed that the bill be enforced through federal regulators such as the NLRB.

The card-check bill -- officially called the Employee Free Choice Act -- would allow employees at a workplace to join a union if a majority signed cards. Opponents say the system is undemocratic because it discourages secret ballot elections.

On Thursday, all 41 Republican senators signed a letter urging Obama not to appoint Becker, saying it would "bypass the advice and consent traditions of the Senate."

Senate Republicans, along with two Democrats, effectively blocked Becker's nomination on February 9.

"The president's decision to override bipartisan Senate rejection of Craig Becker's nomination is yet another episode of choosing a partisan path despite bipartisan opposition," said U.S. Senate Minority Leader Mitch McConnell.

McConnell also objected to Obama's appointment of Mark Pearce, a labor lawyer, to the NLRB, because he said that both he and Becker are Democrats.

"This is a purely partisan move that will make a traditionally bipartisan labor board an unbalanced agenda-driven panel," he said in a statement.

Many other Republican lawmakers blasted Becker's appointment.

"This is clear payback by the administration to organized labor," said Sen. John McCain in a statement on Saturday. "Time and again questions have been raised over Mr. Becker's ability to serve in an honest and impartial manner on the NLRB, yet this administration chose to ignore the questions and concerns and instead forced their will on the American people."

Labor groups, meanwhile, applauded Becker's appointment.

"When jobs are scarce, workers are often forced to endure unfair working conditions," said Kimberly Freeman Brown, executive director for American Rights at Work. "America's workers need a fully functioning NLRB to mediate their claims

for better wages, benefits and other rights now more than ever -- and after two long years they have one."