

April 6, 2021

The Honorable Mitch McConnell
Republican Leader
US Senate
Washington, D.C. 20510

The Honorable Richard Bur
HELP Committee Ranking Member
U.S. Senate
Washington, D.C. 20510

Dear Leader McConnell and Ranking Member Burr,

We write to urge you to support the renomination of Kyle Fortson to be a member of the National Mediation Board (NMB). President Biden will soon nominate two new Democratic members of the board, leaving only one Republican seat, which we believe should be filled by Ms. Fortson.

As an independent federal government agency, the NMB facilitates the relationship and settles disputes between labor and management within the railroad and airline industries of the United States. The three-member board is statutorily tasked with preventing disruptions to the commerce or the operation of any industry carrier, giving it a critical role in the smooth functioning of the nation's economy.

Ms. Fortson currently serves as the Chairman of the NMB and previously held the position between 2018 and 2019. Her tenure as Chairman has been marked by the resolution of several high-profile mediation cases, and Ms. Fortson was the key architect of a rule providing employees covered by the Railway Labor Act a clear and simple path to removing unwanted union representation.

Additionally, under Ms. Fortson's watch, the NMB's long-standing backlog of arbitration cases was reduced by nearly 60%. Before being confirmed to the NMB, she served as Labor Policy Director for this committee's previous Chairman, Senator Lamar Alexander, where she amassed a bounty of experience working on issues related to labor and employment.

As the nation's labor market continues to recover from the COVID-19 induced pandemic, it is critical that the economy avoid unnecessary disruptions, and the NMB will continue to play an important role in avoiding them in the airline and railroad industries. We believe that Ms. Fortson is the right choice to continue at the NMB at this time, and respectfully request that members of the Senate HELP Committee support her renomination.

Sincerely,

Jessica Anderson
Executive Director
Heritage Action for America

Iain Murray
Vice President for Strategy
Competitive Enterprise Institute

Tom Herbert
Federal Affairs Manager
Americans for Tax Reform
Americans for Tax Reform
Executive Director
Open Competition Center

Russ Brown
President
Center for Independent Employees

F. Vincent Vernuccio
President
Institute for the American Worker