

# Letter opposing the nomination of Eugene Scalia for Labor Secretary

**Letter** • By [Celine McNicholas](#) and [Margaret Poydock](#) • September 19, 2019

*The Economic Policy Institute Policy Center sent the following letter to the Senate Committee on Health, Education, Labor and Pensions, objecting to the nomination of Eugene Scalia to be Secretary of Labor and urging the committee members to vote against his confirmation.*

U.S. Senate Committee on Health, Education, Labor and Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

Re: Nomination of Eugene Scalia

Dear Members of the Senate Committee on Health, Education, Labor and Pensions:

The EPI Policy Center strongly opposes the nomination of Eugene Scalia for U.S. Secretary of Labor, and we strongly urge you to vote against his confirmation. The mission of the Department of Labor is to enforce labor law and improve the wages and working conditions of everyday Americans. In contrast, Mr. Scalia has built a career representing corporations, financial institutions, and other business organizations while fighting against worker protections like health and safety regulations, retirement security, and collective bargaining rights.

This is not Mr. Scalia's first nomination for a role in the Department of Labor. In 2001, President George W. Bush nominated him for Solicitor of Labor, an appointment that was swiftly blocked because of Mr. Scalia's extreme views against worker health and safety protections. President Bush circumvented the Senate and installed Mr. Scalia as Solicitor through a recess appointment. Since leaving the Labor Department in 2003, Mr. Scalia has represented powerful corporations and financial institutions—such as HSBC, Boeing, and Walmart—in labor cases while working as a partner at the Washington, D.C.–based law firm Gibson, Dunn & Crutcher. Mr. Scalia's reputation as the go-to lawyer for corporations looking to avoid worker protections is so infamous that the headline for a profile piece on Mr. Scalia in *Bloomberg Businessweek* read “Suing the Government? Call Scalia!”<sup>1</sup>

This nation's workers deserve a Labor Secretary who will look out for their interests, establish and enforce strong health and safety standards, and safeguard their retirement security. As a corporate attorney, Mr. Scalia has fought against the Department of Labor and the interests of working people in his representation of major corporations ranging from Walmart to Wall Street banks. Mr. Scalia also led the legal challenge to the Department of Labor's April 2016 fiduciary rule, which safeguarded workers' retirement security by ensuring financial advisers are acting in the best interest of workers and do not have conflicts of interest. And he represented SeaWorld when it unsuccessfully tried to avoid responsibility and an Occupational Safety and Health Administration (OSHA) citation and fine for failing to protect Dawn Brancheau, a trainer at SeaWorld who was killed on the job by a killer whale. Simply put, Mr. Scalia is the wrong person for the job.

We are not alone in our concerns about Mr. Scalia. As of September 6, 2019, more than 93,000 people have signed a petition opposing Mr. Scalia's confirmation,<sup>2</sup> and that number is growing.

Signed,

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EPI Policy Center

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EPI Policy Center

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1. Robert Schmidt, "[Suing the Government? Call Scalia!](#)," *Bloomberg Businessweek*, January 26, 2012.

2. Action Network, "[Sign Now: Reject a Labor Secretary Who Sides with Big Business over Working People](#)" (online petition), accessed September 4, 2019.