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October 20, 2009

The Honorable Hilda Solis  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Secretary Solis:

The reporting and disclosure requirements contained in the Labor Management Reporting and Disclosure Act (LMRDA) are the front line of defense against the misuse of funds by unions and their officials, and in many instances provide the only source of transparency and protection to rank-and-file union workers. In that light, I am troubled by the Department's recent rule, published in the *Federal Register* on October 13, 2009, to withdraw enhanced disclosure requirements previously contained in the LM-2 form.

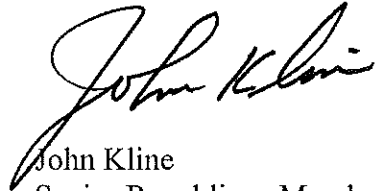
This Administration promised the American people transparency and accountability, principles I believe are undermined by the recent decision to rescind tools that would have allowed workers to hold their union leadership accountable. I am therefore requesting specific information from the Department regarding its decision to withdraw LMRDA regulations, including the basis by which this decision was made and the individuals who are responsible for making it.

I respectfully request you produce the documents requested to my office no later than November 13, 2009. If you have any questions, please contact Jim Paretti of the Committee staff at (202) 225-4527.

The Honorable Hilda Solis  
October 20, 2009  
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Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "John Kline". The signature is written in a cursive style with a large, sweeping initial "J".

John Kline  
Senior Republican Member

cc: The Honorable George Miller, Chairman

Enclosures: Documents Requested  
Supplemental Instructions and Definitions

**Documents Requested**

1. All documents that were sent or received by any employee or officer of the Department on or after January 21, 2009 relating to: (1) the final rule withdrawing regulations relating to Form LM-2 promulgated on October 13, 2009 (74 FR 52401 *et seq.*); (2) any earlier drafts or versions of such rule; and (3) any notices related to such rulemaking.
2. All documents that were sent or received by any employee or officer of the Department on or after January 21, 2009 relating to: (1) the proposed rule extending the proposed effective date of regulations relating to Form LM-2 promulgated on February 3, 2009 (74 FR 5899); (2) any earlier drafts or versions of such rule; and (3) any notices related to such rulemaking.
3. All documents that were sent or received by any employee or officer of the Department on or after January 21, 2009 relating to: (1) the rule extending the effective date of certain regulations relating to Form LM-2 promulgated on February 20, 2009 (74 FR 7814); (2) any earlier drafts or versions of such rule; and (3) any notices related to such rulemaking.
4. All documents that were sent or received by any employee or officer of the Department on or after January 21, 2009 relating to: (1) the proposed rule extending the proposed effective date of regulations relating to Form LM-2 promulgated on March 19, 2009 (74 FR 11700); (2) any earlier drafts or versions of such rule; and (3) any notices related to such rulemaking.
5. All documents that were sent or received by any employee or officer of the Department on or after January 21, 2009 relating to: (1) the rule extending the proposed effective date of regulations relating to Form LM-2 promulgated on April 21, 2009 (74 FR 18132); (2) any earlier drafts or versions of such rule; and (3) any notices related to such rulemaking.

**Information Request Supplemental Instructions and Definitions**

**Instructions**

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Records, documents, data, or information called for by this request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Requestor.
2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. Each document produced should be produced in a form that renders the document capable of being copied.
4. When you produce documents, you should identify to which paragraph in the request the documents respond.
5. Documents produced in response to this request should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by any matter prior to production.
6. Each folder and box should be numbered, and a description of the contents of each folder and box, including the request number to which the documents are responsive, should be provided in an accompanying index.
7. It is not proper to refuse to produce a document on the basis that any other person or entity also possesses a non-identical or identical copy of the same document.
8. If any of the requested information is stored in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer backup tape), you should consult with the staff contact indicated in the request to determine the appropriate format in which to produce the information.
9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.

10. In the event that a responsive document is withheld on any basis, you should provide the following information concerning the document: (a) the reason the document is not being produced; (b) the type of document; (c) the general subject matter; (d) the date, author, and addressee; and (e) the relationship of the author and addressee to each other.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject, and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive if the date or otherwise descriptive detail were correct.
13. This request is continuing in nature and applied to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be bates-stamped sequentially and produced sequentially.
15. Two sets of documents should be delivered to the Rayburn House Office Building, Room 2101, to the attention of the General Counsel.

#### Definitions

1. The term "Department" means any officer, representative, employee, or agent of the Department of Labor or any subdivision thereof; the Department of Labor or any subdivision thereof generally; or any combination thereof.
2. The term "Form LM-2" means the Form LM-2 administered by the Office of Labor-Management Standards of the Department of Labor.
3. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and

surveys, and works sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voicemails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind of nature, however or otherwise recorded. A document bearing any notation not a part of the original text is to be considered a separate document. A draft of a non-identical copy is a separate document within the meaning of this term.

4. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.
5. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
6. The term "person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business, or government entities and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
7. The terms "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.