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# Congress of the United States

## U.S. House of Representatives

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JANICE MAYS,  
MINORITY CHIEF COUNSEL

October 23, 2012

Ms. Kathryn Ruemmler  
Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Ms. Ruemmler:

As you know, I am conducting an investigation to determine the extent to which the Executive Office of the President of the United States (EOP) was involved in the decision-making that led to some Delphi pension beneficiaries being treated differently than others during the 2009 General Motors bailout. To this end, I have sought documents from EOP in a letter dated August 13 and again on October 3. I am in receipt of your October 12 letter, which is both unresponsive and perplexing.

You claim that the September 7, 2012 Department of the Treasury (Treasury) response "did address the...[EOP]'s role in the Delphi pension matter." I have thoroughly examined Treasury's response and have found only two references to the EOP: (1) President Obama's decision to create the Presidential Task Force on the Auto Industry (Auto Task Force), and (2) a single, redacted e-mail chain including EOP personnel.<sup>1</sup> Are you claiming that the creation of the Auto Task Force and this email chain constitute the full extent of EOP involvement in the decision to top off the pensions of certain Delphi employees? Given the amount of taxpayer dollars at stake in the GM situation and the more than 20,000 American workers negatively impacted by the Delphi decision, it strains credulity that this single e-mail chain represents the lone involvement of the EOP.

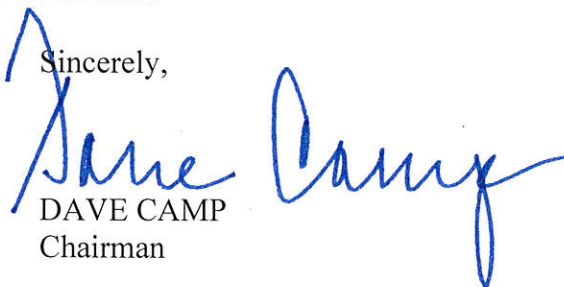
Even if this were the case, your response should have indicated as much. Instead, your letter raised a novel objection by stating, "Your request for all EOP communications implicates longstanding and significant Executive Branch confidentiality interests, an encroachment upon which is unnecessary at this time." I frankly do not know what you

<sup>1</sup> See Attachment. Portions of the e-mail chain produced by Treasury were redacted with embedded references to FOIA exemptions. As you are aware, these exemptions are not applicable to Congressional requests and an unredacted document should have been produced.

mean by “confidentiality interests” and strongly disagree that it is yours to decide what is or is not necessary at this time. Does EOP have in its possession, custody or control, documents responsive to my request? If so, is the President claiming Executive Privilege for each such record?

In the interest of comity, I again request that you provide all responsive documents, a certification that all such documents have been produced, or a privilege log identifying documents withheld to the Committee no later than October 30. If you continue to decline to cooperate with this investigation, I will be forced to consider using compulsory process to secure production of the documents.

Sincerely,

A handwritten signature in blue ink that reads "Dave Camp". The signature is written in a cursive style with a large, sweeping "D" and "C".

DAVE CAMP  
Chairman

Attachments