



CONGRESSMAN MICHAEL R. TURNER
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For Immediate Release:

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Turner, Boehner, Portman Lead New Push for Delphi Salaried Retirees

Washington, D.C.—This week, Congressman Mike Turner (R-OH), Speaker John Boehner (R-OH), and Senator Rob Portman (R-OH) were joined by the entire Ohio Republican Delegation in a letter requesting that the Office of Inspector General conduct an inquiry into the Pension Benefit Guaranty Corporation's lengthy delay in providing final benefit determinations for Delphi Salaried Retirees.

In 2009, more than 20,000 Delphi Salaried Retirees had their pensions unjustly terminated in the wake of the federal government's bailout of General Motors.

Despite the PBGC's stated policy of issuing these determinations in three years, these retirees have waited in earnest for nearly five years to the day for the PBGC to complete the basic documentation necessary to **begin** the benefit determination process.

"This letter is a simple request for accountability," **said Congressman Turner (R-OH)**. "Five years ago, the government picked winners and losers in a taxpayer-funded bailout that resulted in drastic reductions to the hard-earned pensions and benefits of the Delphi Salaried Retirees. Today, we continue to seek answers on behalf of these men and women and provide them with the information they deserve."

"I applaud Congressman Turner for leading this continued effort to press this administration for the truth on the Delphi Salaried Retirees. Here we are, almost five years later, with unanswered questions and a sheer lack of transparency from the president and his administration on the pensions and benefits that these retirees so rightly earned. They've lost so much, and we won't let up until they get the straight answers they deserve," **said Speaker Boehner (R-OH)**.

"The Delphi Salaried Retirees and their families have gone too long without adequate answers regarding their pensions," **said Senator Portman (R-OH)**. "It's important we continue to hold the Administration accountable and work for answers for these Ohioans who lost their pensions through no fault of their own."

When Delphi's defined benefit pension plan was terminated, 20,000 Delphi salaried retirees lost up to 70 percent in benefits, including 5,000 Ohioans. Of the 5,000 Delphi Salaried Retirees and their families in Ohio, about 1,500 are in the Mahoning Valley, 2,000 are in the Dayton area, and a majority of the remaining 1,500 are in Columbus and Sandusky.

The letter was also signed by Ohio Republican Reps. Steve Stivers, Steve Chabot, Pat Tiberi, Bill Johnson, Bob Latta, Bob Gibbs, David Joyce, Brad Wenstrup, Jim Renacci, and Jim Jordan.

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June 25, 2014

Ms. Deborah Stover-Springer
Acting Inspector General
Pension Benefit Guaranty Corporation
1200 K Street NW, Suite 480
Washington, D.C. 20005

Dear Acting Inspector General Stover-Springer:

We are writing to express our concern regarding the Pension Benefit Guaranty Corporation's (PBGC) extreme delay in processing the final benefit determinations for plan participants in the Delphi Retirement Program for Salaried Employees (the Salaried Plan), and ask the Office of Inspector General to conduct an inquiry into the matter.

As you may know, the more than 20,000 Salaried Plan participants are Salaried Retirees of the Delphi Corporation, whose pensions were unjustly terminated in 2009 in the wake of the federal government's bailout of General Motors. Years later, having suffered drastic reductions on their hard-earned pension benefits, these retirees continue to wait on final benefit determinations from the PBGC. Until those determinations are completed, the retirees have no way of confirming or challenging the PBGC's interim reductions to their pensions.

The PBGC has a stated policy of trying to complete final benefit determinations for plan participants within three years of a plan's termination and trusteeship. It has now been almost five years to the day since the Delphi Salaried Plan was terminated; however, not only have benefit determinations not been completed, but it has also come to our attention that the PBGC has also not completed the basic documentation of plan assets and liabilities necessary to *begin* the benefit determination process.

Specifically, our concerns stem from Freedom of Information Act (FOIA) requests dated January 7, 2013 and April 9, 2014, each requesting that the PBGC provide the requesting individual with the following documents relating to the Salaried Plan: (1) Actuarial Case Memo, (2) Actuarial Case Report, (3) Participant Data Report, (4) Recovery Valuation and Allocation Memo, and (5) Plan Asset Audit. In its response to the January 7, 2013 FOIA request, the PBGC responded on February 4, 2013, stating that "none of the items you requested have been completed." In its response, the PBGC also estimated that the Participant Data Review would be completed "in the late Spring/early Summer of this year [2013], while all other reports are at least a year away from completion."

Similarly, in response to the April 9, 2014 FOIA request, the PBGC responded on May 28, 2014, stating "...we conducted a search of agency records and failed to locate responsive records." PBGC went on to provide yet another estimate of when the documents would be completed. In its response, the PBGC provided the following estimated completion dates: Actuarial Case Memo – March 31, 2015; Plan Asset Evaluation – September 30, 2015; and Participant Data

Report and Recovery Valuation and Allocation Memo – three to four months from the date of the PBGC response letter. Neither FOIA response contained any explanation or justification for the continued delays.

We are extremely concerned that the PBGC's delays will continue to impose unnecessary hardship on these retirees, with the PBGC having failed to meet its own estimated dates of completion, and having issued new estimates that extend six years after the date the PBGC terminated the Salaried Plan just to complete the basic documentation (with the final benefit determinations to presumably be issued years later). Clearly, the Administration has the ability to influence the pace at which agencies operate, having orchestrated one of the most expedited bankruptcies in American history. Unfortunately, it appears that it does not share that same sense of urgency in performing the work and providing these documents to the Salaried Retirees in a timely manner.

Given these troubling facts, we respectfully request that the Office of Inspector General review PBGC's undue delay in this matter. Specifically, we are requesting the inquiry:

Identify the reasons for lengthy delays in the process of calculating final benefits determinations for participants in the Delphi Retirement Program for Salaried Employees.

Determine the status of any preliminary work done by the PBGC to complete the five documents requested in the January 7, 2013 and April 9, 2014 FOIA requests.

Thank you for your consideration of our request, and please do not hesitate to contact us if we may be of any assistance.

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<http://www.portman.senate.gov/public/index.cfm/2014/6/portman-turner-and-boehner-lead-new-push-for-delphi-salaried-retirees>
<http://turner.house.gov/news/documentsingle.aspx?DocumentID=386075>