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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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April 22, 2013

The Honorable Tom Harkin
Chairman
Committee on Health, Education, Labor and Pensions
731 Hart Senate Office Building
Washington, DC 20510-6300

Chairman Harkin,

We write to request that you temporarily postpone the committee mark-up of Assistant Attorney General Thomas Perez to be the U.S. Secretary of Labor that you announced would be held on April 24, 2013.

We are concerned that this is premature for consideration because there are a number of requests for information that remain outstanding and this information should be received prior to a mark-up of Mr. Perez's nomination.

Specifically, we have requested that:

- 1) the Department of Housing and Urban Development make available two witnesses for transcribed interviews regarding their involvement in evaluating the *Newell* whistleblower case;
- 2) copies of the emails Mr. Perez sent from his personal email account while conducting government business be provided to congressional investigators; and
- 3) the Department of Justice Inspector General provide transcripts of interviews gathered during the Inspector General's investigation that resulted in the March 12, 2013 report.

In addition, several senators have submitted a number of written questions following the hearing that are not likely to be fully answered before the scheduled mark-up of this nomination.

We believe that the Senate's power to provide advice and consent to a president's nominees is perhaps this body's most important and best known responsibility. We believe a president should have the service of his cabinet but we also take seriously our obligation to review carefully a nominee's fitness for office. Without the requested information, we cannot complete that evaluation.

Sincerely,

Michael B. Enzi

Lamar Alexander

[Signature]

Clayton Kiewit

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Jim S.

Rand Paul

Robin L. Hatch
