

Testimony of Den Black, DSRA Chairperson
Monday, November 14, 2011
U.S. House Oversight and Government Reform Committee

Thank you for the opportunity for this panel to share the “Story” of the Delphi **Salaried** Retirees Association (DSRA) and to ask that the Committee leave here today with renewed determination to ensure that **an immediate end** to our 32 month long search for “Justice” is forthcoming.

My name is Dennis Black. I am trained as a Mechanical Engineer whose career spanned 36 years with General Motors and Delphi Corporations. 34 years with GM **and only 2 years** with Delphi. During my career, I served GM and Delphi in a large variety of capacities including Project Engineer, Engineering Supervisor, Production Superintendent, Chief Engineer of two(2) Business Units, Chief Engineer for Global Future Products, Global Quality Management and Divisional Strategic Planning.

Along the way, I was fortunate enough to be the inventor of what has turned out to be a “Game Changing” Innovation in the field of providing Automotive Air Conditioning comfort for millions of vehicle owners around the Globe. This Innovation—the first infinitely variable displacement automotive A/C Compressor—was spawned by the need to radically reduce the gasoline consumption required to provide you with vehicle A/C comfort. This Innovation has subsequently created, literally, tens of thousands of “Living Wage” jobs around the globe. Jobs that have allowed workers to support their families since the mid-1980's. This Innovation has been emulated by every major competitor, and so it has changed the entire, global, A/C industry. As a result, I was honored to receive GM's highest Engineering honor--the Boss Kettering Award--for Inventions considered to be of particular significance to General Motors. I have brought this award ,and the Patent which initiated it, along today should you wish to verify what I have said. Please understand that I only tell you this to emphasize that it is the **Salaried** workers of GM and Delphi whose historical role has been to first imagine, then design and develop the automotive products, and to design the production facilities. Without question, Salaried Workers have made tremendous contributions to the American auto industry, and our contributions were in no way less valuable than those of our Union counterparts.

I have served as the Chairperson for the Delphi **Salaried** Retirees Association (DSRA) since its inception in early February 2009--1012 very long and stressful days ago. The DSRA seeks to represent the interests of as many as 20,000 Delphi **Salaried** Supervisors, Accountants, Administrators, Administrative Assistants, Technicians and Engineers whose economic futures have been intentionally and needlessly “Torn Asunder” since our ordeal began. As I mentioned, we organized the DSRA in February, 2009, and subsequently we have left “No Stone Unturned” in our efforts to seek “Justice”. We have taken our “Story” to the Federal Courts, to our Congressional Officials, to the GAO and SIGTARP, to our Union Counterparts, to the National and Local Media—everywhere. We have expended several million \$\$\$'s in our unrelenting quest--\$\$\$'s that many simply cannot afford to contribute due to their depleted financial resources. Nevertheless, they find a way to contribute anyhow. And we will **never, never, cease our unrelenting quest for “Justice”** until we obtain the Pension Benefits that we earned after a lifetime of “Playing By the Rules”.

We have collected hundreds of “**Human Impact**” testimonials, and a large sampling of these have been submitted for the Hearing record. Please read them, but be sure to keep a box of tissues close by. The consequences of these huge economic losses have resulted in bankruptcies, foreclosures, massive family trauma and worse. These are stories of taxpaying American Citizens, who have never been a burden to American society, and who have never asked for anything but “Fair and Equitable” treatment from their government officials. These tell of the damage **already done** as a result of the loss of

benefits—earned over a lifetime—by folks who simply “Played by the Rules”. However, they **do not tell of the damage to come** ,over the next 10 to 30 years. They **do not tell** of victims **who have not yet drowned**. Those who continue to **slowly sink**—like sinking in quicksand--due to **negative cash flows** which insidiously deplete their monetary reserves. Fortunately, my wife and I have not drowned –**as of YET**. But it is entirely possible that we could succumb, due to the huge, 30%, Pension losses imposed upon us, in years to come.

Here is just one letter from an Ohio resident to share with you. He wrote this, on November 3rd, following a November 1st Detroit News article by David Shepardson entitled--**Rattner Applauds Auto Bailouts 'Happy Ending'**.

Mr. Shepardson:

I am a Delphi Salaried Retiree. The Delphi story may have been a happy ending for Mr. Rattner, who's all warm & fuzzy to the point of almost crying tears of joy, but for many of us, myself being one, we've been crying tears of pain and anguish over what Delphi did to us. The game changed radically to the disadvantage of us Salaried Retirees. Some were able to adjust and /or weather the change. Many others, and again myself included, given our age, health, and other restrictive factors, have little recourse but to take the beating imposed upon us by the reduction in our pensions and loss of health care, which we worked so hard for and still are so dependent upon because we have been unable to find ways to replace what was taken from us.

Please note my 330 cell phone # below. Truthfully, I had to give up the cell phone I was paying for as I couldn't afford it anymore. Note that I live in the 419 area code, but the area code for this cell phone is 330. That's because my children couldn't stand the thought of not being able to contact me, and one of my sons, who lives in Cuyahoga Falls, Ohio gave me this phone and pays for it on his plan. I work 4 jobs now and my wife and I struggle to keep the roof over our heads. For a college educated person who gave over 35 years of loyal service to the company, that really sucks.

In the Delphi story, one man's gain became another man's suffering.

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Since those first chaotic days of the DSRA, we have come a long way with regard to our factual understanding of how we have become hapless victims of the discriminatory actions of our Federal Government Executive Branch. These actions have resulted in egregious harm to thousands while using Taxpayer \$\$\$'s.

We have learned:

* That the **earned** Pension Benefits of the Non-Union Delphi Retirees have been slashed by as much as 70% as a result of the needless and inappropriate termination of our Delphi Salaried Pension Fund to the Pension Benefit Guaranty Corporation (PBGC) in July 2009.

*We have learned that we were “Singled Out as Losers” by the Executive Branch while the **earned** Pension Benefits of our Union counterparts were “Kept Whole” via “Top Ups” using Taxpayer \$\$\$'s.

Let me be clear that we do not “Begrudge” the fact that our Union counterparts have remained “Whole” and are receiving the Pension Benefits that they **earned** over decades. But, we cannot abide by the loss of **our earned** Benefits.

*In addition, our ordeal has caught the attention of a growing number of media sources which include FOX News, the New York Times, the Wall Street Journal, the Daily Caller, the Detroit News, and many more. Also, our “Story” has been reported in a recent, 2011, book by David Freddoso, of the Washington Examiner. **Chapter 2** (Stop Us If You Can: Saving the UAW) is recommended reading.

* We have learned that our, and Congressional, requests for Full Disclosure have consistently been ignored and obstructed by the Executive Branch.

In closing, our “situation” is not complicated. Very simply, our Major Union counterparts, received “Taxpayer Provided Top Ups” to keep their earned Pension Benefits “Whole”. In contrast Non-Union Delphi people did not receive equal treatment. This is wrong, This was needless. This is illegal. All that we require of our Federal Government is “Fair and Equitable” treatment They have **earned** their Pension Benefits, we have **earned** ours. **We simply ask** that this Committee continue to demand immediate, full disclosure, of all details that have been so zealously guarded by this Administration.

Thank you,

Now, Bruce Gump, Mary Miller, and Tom Rose will provide more facts about the negative effects of our Pension loss on individuals, families, Communities, entire States and the Nation.