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April 13, 2012

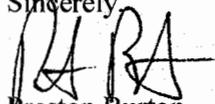
The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Re: April 16, 2012 Hearing

Dear Mr. Chairman:

I received your letter earlier this evening. Contrary to your assertion, I did not advise your staff that Mr. Neely would not appear voluntarily. On April 12, 2012, Ashley Callen, an attorney on your Staff, informed me that you personally insisted on issuing a subpoena for "Mr. Neely's protection" after I requested that Mr. Neely be excused from appearing because he would assert his constitutional privilege to remain silent and, consequently, that requiring him to appear would not advance any legitimate purpose. After Ms. Callen informed me that you insisted on issuing a subpoena, I agreed to accept service of the subpoena on Mr. Neely's behalf as a courtesy to the Committee.

Mr. Neely will appear at the hearing. As I have advised you and your Staff orally and in writing, he will decline to respond to the Committee's questions given the ambiguous circumstances in which he is ensnared. If the Committee wishes to immunize Mr. Neely, which you have suggested in your letter as a possibility, we will abide by any appropriate court order and the procedures set forth under the immunity statute.

Sincerely,

Preston Burton

cc: The Hon. Elijah E. Cummings, Ranking Minority Member