

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

June 23, 2011

Mr. Jacob Lew
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Lew,

I am writing to you regarding the Office of Management and Budget's (OMB) response to a letter from the Committee on Energy and Commerce (Committee) dated March 14, 2011. This letter requested documents and a briefing from OMB relating to its role in the approval of a \$535 million Department of Energy (DOE) loan guarantee to Solyndra, Inc., a California company.

In the three months since this letter was sent, this Committee has worked extensively with OMB staff to obtain production of the requested documents. Committee staff has repeatedly attempted to accommodate OMB's concerns regarding these documents. In order to accommodate your staff's concerns, I myself came to an agreement with Deputy Director Jeffrey Zients to have a briefing and an *in camera* review of communications responsive to the Committee's request. I was astonished when OMB subsequently violated our agreement and refused to bring the agreed upon documents to the briefing. At that meeting, your staff told Committee staff that, in OMB's opinion, it was not necessary for this Committee to see the requested documents. This is unacceptable.

Congress has a right to this information. This Committee has jurisdiction over the DOE Loan Guarantee Program. It is conducting an investigation pursuant to Rules X and XI of the U.S. House of Representatives. We have a direct interest in understanding how OMB and DOE carried out their roles with respect to approving over \$11 billion in financing, and whether they properly weighed the risks presented by these guarantees, and the Solyndra guarantee in particular. OMB's opinion that this Committee does not need to see certain documents is not a proper basis for withholding these documents, and betrays a fundamental misunderstanding of the Constitutional roles of Congress and the Executive Branch.

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I expect OMB to produce the documents requested in the March 14 letter. I expect Deputy Director Zients to appear before this Committee tomorrow and answer the questions of this Committee fully and without qualification regarding OMB's actions during the Solyndra loan review. It is time for OMB to stop stonewalling and allow this investigation to proceed.

Sincerely,



Cliff Stearns
Chairman
Subcommittee on Oversight
And Investigations

cc: The Honorable Fred Upton, Chairman

The Honorable Henry A. Waxman, Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations