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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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February 2, 2012

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STAFF DIRECTOR

The Honorable Steven Chu
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Secretary:

The Committee on Oversight and Government Reform has been trying to secure your presence before the Committee for over six months concerning government spending on energy-related initiatives. I first invited you to testify on June 28, 2011, for an August 3, 2011, hearing.¹ Department of Energy (DOE) staff did not answer this invitation until July 8, 2011, only to let my staff know that you would be “on personal travel for the first couple weeks of August” and would, therefore, be unavailable to testify before Congress on August 3rd (this is presumably something that DOE staff could have relayed to Committee staff much earlier in order for us to make alternative accommodations).² The Committee is actively investigating the DOE’s implementation of the American Recovery and Reinvestment Act which has been plagued by missed goals,³ waste of taxpayer funds,⁴ and loan guarantees to companies that have failed.⁵ Your in-person testimony is vital to our oversight.

On July 26, 2011, Committee staff communicated to DOE staff that the Committee was postponing a previously announced hearing until September 8, 2011, because of changes to the House schedule and “the importance of this issue necessitates the Committee hear testimony from Secretary Chu”.⁶ My staff stated that in doing so they were giving DOE over a month’s

¹ Letter from Rep. Darrell Issa, Chairman, House Committee on Oversight and Government Reform, to Steven Chu, Secretary, U.S. Department of Energy, June 28, 2011.

² E-mail from Christopher Davis, Department of Energy, to Tyler Grimm, Staff, House Committee on Oversight and Government Reform, July 8, 2011.

³ Gregory Friedman, “Statement of Gregory Friedman Before the Subcommittee on Regulatory Affairs, Stimulus Oversight, and Government Spending,” Inspector General, U.S. Department of Energy, November 2, 2011.

Available at: [http://oversight.house.gov/images/stories/Testimony/11-2-](http://oversight.house.gov/images/stories/Testimony/11-2-11_RegAffairs_IG_Friedman_Testimony.pdf)

[11_RegAffairs_IG_Friedman_Testimony.pdf](http://oversight.house.gov/images/stories/Testimony/11-2-11_RegAffairs_IG_Friedman_Testimony.pdf).

⁴ *Id.*

⁵ Dawn McCarty, “Beacon Power, Backed by U.S. Loan Guarantees, Files Bankruptcy,” *Bloomberg*, October 31, 2011. *Available at:* <http://www.businessweek.com/news/2011-10-31/beacon-power-backed-by-u-s-loan-guarantees-files-bankruptcy.html>.

⁶ E-mail from Tyler Grimm, Staff, House Committee on Oversight and Government Reform, to Christopher Davis, Department of Energy, July 26, 2011.

notice and expected you to be available. DOE did not respond in the affirmative or negative to the staff communication. On August 4, 2011, Committee staff emailed to follow up and stated the Committee would be willing to hold a hearing on several other dates during September 2011 in order to better accommodate the Secretary's schedule.⁷ According to your staff you were willing to testify during that time frame but no mutual date could be agreed upon. However, your staff also indicated that you would be willing to testify at a later date.

On January 12, 2012, I sent you a letter inviting you to testify before the Committee on either March 7, 2012, or March 28, 2012, regarding DOE's activities related to the American Recovery and Reinvestment Act of 2009.⁸ I sent you this invitation two months in advance and with two separate options to accommodate any scheduling challenges. DOE staff responded suggesting that DOE's Chief Financial Officer would be more qualified than you to testify about the Department's Recovery Act activities.⁹ Committee staff reiterated my belief that you, as Secretary and the highest ranking official at DOE, are the most appropriate person to testify about the billions of dollars in Recovery Act money for which the Department is responsible.¹⁰ DOE staff again wrote back that someone else at DOE was more qualified than you to testify, this time suggesting Deputy Secretary Daniel Poneman, who has already testified before the Committee. Specifically, DOE staff communicated to the Committee that you would not be in a position to talk about DOE activities under the Recovery Act in broad terms and would not agree to testify if that were the case.¹¹

I am amazed that your staff thinks that you are not qualified to discuss DOE's Recovery Act-related work. While some have questioned your ability to manage DOE's broad responsibilities,¹² I believe that as Secretary of DOE you are best suited to discuss "an extremely broad topic" that involves many facets of DOE activity.

The Committee eagerly anticipates, and expects, your presence on either March 7, 2012, or March 28, 2012. For the past six months, the Committee has been accommodating and respectful of your schedule; however, I will be forced to consider the use of compulsory process if you are not willing to testify on either of those dates or will give us a date agreeable to the Committee that occurs in the next 60 days. The American people have a right to know why

⁷ E-mail from Tyler Grimm, Staff, House Committee on Oversight and Government Reform, to Christopher Davis, Department of Energy, August 4, 2011.

⁸ Letter from Rep. Darrell Issa, Chairman, House Committee on Oversight and Government Reform, to Steven Chu, Secretary, U.S. Department of Energy, January 12, 2012.

⁹ E-mail from James Secreto, Department of Energy, to Tyler Grimm, Staff, House Committee on Oversight and Government Reform, January 27, 2012.

¹⁰ E-mail from Tyler Grimm, Staff, House Committee on Oversight and Government Reform, to Christopher Davis, Department of Energy, January 27, 2012.

¹¹ E-mail from James Secreto, Department of Energy, to Tyler Grimm, Staff, House Committee on Oversight and Government Reform, January 30, 2012.

¹² See, e.g., Darren Samuelsohn, "Is Energy Secretary Steven Chu up for the job?" *Politico*, October 1, 2011.

Available at: <http://www.politico.com/news/stories/0911/64862.html>; Raymond Leary, "The Half-Billion Solyndra Debacle—Why Is Steven Chu Energy Secretary?" *Huffington Post*, September 26, 2011. Available at:

http://www.huffingtonpost.com/raymond-j-leary/the-half-billion-solyndra_b_981325.html; and Andrew Stiles, "On Solyndra, Chu Pleads Incompetence," *National Review*, November 18, 2011. Available at: <http://www.nationalreview.com/articles/283534/solyndra-chu-pleads-incompetence-andrew-stiles>.

The Honorable Steven Chu

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DOE, under your leadership, has wasted billions of dollars of their money. Please have your staff contact my staff as soon as possible to make arrangements for you to testify.

If you have any questions about this request, please contact Mike Whatley or Tyler Grimm of the Committee Staff at 202-225-5074. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darrell Issa", with a large, sweeping flourish that loops back under the name.

Darrell Issa
Chairman

cc: The Honorable Elijah E. Cummings, Ranking Minority Member
Committee on Oversight and Government Reform