



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

June 23, 2011

The Honorable Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Stearns:

I am writing in response to your letter sent today to Jacob Lew, the Director of the Office of Management and Budget (OMB).

Your letter reaffirms your invitation for my testimony at your subcommittee's hearing that is scheduled for tomorrow, Friday, June 24, 2011, entitled "OMB's Role in the DOE Loan Guarantee Process." I am delighted to appear before your subcommittee to discuss this matter. We were, however, only provided with an unusually short notice of less than four days and unfortunately I had a scheduling conflict on Friday. Your invitation was sent on Monday evening. On Wednesday, I personally discussed with you my willingness to appear and requested an alternative date and time. We restated this response by letter sent later that day and have remained willing to work with your staff to find a mutually acceptable alternative date as quickly as possible. Your staff has not responded to our offer.

Your letter also provides an accounting of the exchanges between your subcommittee and OMB. This accounting does not, however, provide an accurate description of our conversation last month. Your assertion that I agreed to produce all communications responsive to your general March 14 request is not accurate. Rather, I assured you that OMB would provide your staff with a briefing and access to communications between OMB and the Department of Energy (DOE) that would answer the specific questions posed by your staff. Specifically, we agreed to describe and provide access to documents sufficient to identify (1) the questions OMB proposed to DOE regarding its proposed credit subsidy cost for the loan guarantee to Solyndra, Inc., (2) DOE's corresponding answers to those questions, and (3) OMB's final response to DOE's proposal. OMB promptly provided your staff with that briefing and access to those documents.

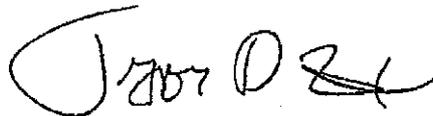
I also take exception to your characterization of OMB as "stonewalling" your inquiry. OMB's extensive work to accommodate your subcommittee is detailed in a letter to you from OMB's Deputy General Counsel on Wednesday, June 22. This has included two briefings, detailed responses to each specific question posed by your staff, and access to a range of documents that squarely answer these questions. These productions are also in addition to the more than 20,000 pages that we understand DOE has provided. Throughout our interactions with your staff, we have consistently emphasized that OMB is willing to work with your subcommittee to answer any specific questions it may have in connection with OMB's role. We remain committed to doing so. Furthermore, as discussed with your staff on several occasions,

and reaffirmed in our Wednesday letter; we are prepared to provide a further briefing that would afford your staff with an opportunity to review certain additional documents.

I'd like to underscore once again that OMB understands and respects Congress' oversight role and remains committed to cooperating with your subcommittee's oversight inquiries, including your inquiry into DOE's loan guarantee to Solyndra. We believe in the importance of the accommodation process, by which the Executive Branch and the committees of Congress can cooperate in addressing each other's legitimate needs and concerns.

I look forward to hearing from you on a mutually acceptable alternative hearing date.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey D. Zients". The signature is stylized with a large, sweeping initial "J" and a long, horizontal flourish extending to the right.

Jeffrey D. Zients
Deputy Director for Management

cc: The Honorable Fred Upton, Chairman
cc: The Honorable Henry A. Waxman, Ranking Member
cc: The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations