

**Statement of Rep. Diana DeGette**  
**Subcommittee on Oversight and Investigations**  
**Business Meeting Regarding a Proposed Subpoena to the White House**  
**November 3, 2011**

Mr. Chairman, this is a sad day in the annals of this august Subcommittee.

In my 15 years on this Subcommittee, we have forged a strong bipartisan tradition of thorough and meaningful investigations. That could have been the case with the Solyndra investigation.

We have here a \$525 million loan guarantee made with taxpayer funds that went bad. We need to learn the circumstances of the original deal as the restructuring. We need all the facts, all the witnesses, all the documents.

Sadly, after seeing the Majority's conduct of this investigation, I do not believe they share this goal.

For example, in the last hearing that we had in this Subcommittee, where there were emails from Treasury employees suggesting the loan restructuring be sent to DOJ, the Majority only brought the Treasury Department in, never giving anyone the opportunity to find out why the DOE didn't get an opinion from justice and in fact resisting that effort, giving the impression there was some ulterior motive.

Let me be clear, I believe White House documents should be produced.

To date, the Administration has provided the Committee with over 80,000 pages of documents. The Departments of Energy and the Treasury and the Office of Management and Budget have all produced documents on this matter and sent witnesses to testify before this Subcommittee. The White House also has already produced documents regarding communications with Solyndra and investors in Solyndra.

I believe the majority's action in moving forward with a subpoena resolution today is an act of irresponsible partisanship.

The Committee has every right to seek and obtain relevant information from the White House to advance its legitimate oversight needs. But a subpoena to the White House is a serious step in a congressional investigation. And it is a step that should be taken only after alternative avenues have been exhausted. We clearly do not face those circumstances today.

In contrast to subpoenas to executive branch agencies, a subpoena to the White House has the potential to reach communications all the way to the President's desk. That is why it is the longstanding practice of Congress and the White House to engage in meaningful discussions to attempt mutual accommodation when congressional oversight needs for White House information confront executive branch equities.

In fact, I am unaware of any subpoena to the White House from the Committee on Energy and Commerce under previous chairs – both Republicans

and Democrats, and both when they did and did not share party affiliation with the Administration.

With respect to the subject of today's resolution to subpoena the White House, the starting point was the Committee's October 5, 2011, request for all White House documents relating to the Solyndra loan guarantee. In response to this request, the White House proposed the Committee narrow its request to the following areas:

- (1) the influence of campaign contributions on the decision whether or not to grant or restructure the Solyndra loan guarantee;
- (2) involvement by the White House in the decision whether or not to make a conditional commitment to Solyndra for its loan guarantee
- (3) involvement by the White House in the decision whether or not to close the Solyndra loan guarantee
- (4) involvement by the White House in the decision to subordinate the government's interest as part of the restructuring of the Solyndra loan guarantee

This proposal identifies the core issues on which the Committee has focused in its Solyndra investigation and is a good faith effort on the part of the White House to reach an accommodation.

We should exhibit good faith in return and not vote to authorize subpoenas.

The American people want us to stop the partisanship and start focusing on their priorities: rebuilding our economy and creating jobs. This meeting is a partisan diversion from the work we should be doing

And in fact, the inflammatory but brazenly inaccurate rhetoric of the Chairman's press release last night only further serves to prove that this morning's unprecedented step is a political sideshow.

I therefore will oppose the resolution before us today.