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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
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September 27, 2011

Via Electronic Transmission

The Honorable Earl E. Devaney
Chairman
Recovery Accountability and Transparency Board
1717 Pennsylvania Avenue, NW
Washington, DC 20006

Dear Chairman Devaney:

Back in 2009 you were appointed by the president to serve along with Vice President Biden as the “chief cop” of the American Recovery and Reinvestment Act, better known as “the stimulus.”

The Recovery Accountability and Transparency Boards (RAT Board) main mission is to prevent and detect fraud, waste, and mismanagement of stimulus money. Back in June 2011, I wrote to Secretary Donovan of Housing and Urban Development (HUD) and to you regarding misuse of stimulus funds by the Philadelphia Public Housing Authority. The RAT Board responded that possible fraud was detected by the office and reported that to the HUD Office of Inspector General (OIG). At this time HUD OIG is conducting an investigation.

More recently, the now defunct energy industry start-up company Solyndra has been in the news. Solyndra secured a \$528 million loan guarantee from the Department of Energy (DOE) in March 2009. Now Solyndra has filed for Chapter 11 bankruptcy, laid off all employees and been raided by the FBI. Solyndra’s executives have come to Congress and pleaded the fifth. Explanations and answers about what had transpired have been hard to come by.

Did the RAT Board receive any tips, complaints, or other indications of problems regarding Solyndra? If there were any such indications, what actions were taken by the RAT Board? Also, please explain and provide documentation of any communications regarding Solyndra between the RAT Board and FBI, DOE, DOE OIG or the White House.

Finally, please explain whether the RAT Board will use its powers under the Recovery Act to hold public hearings and compel testimony through subpoenas to gain accurate information regarding the millions in stimulus that Solyndra was awarded.

I would appreciate a response by no later than October 7, 2011. If you have any questions regarding this letter, please have your respective staff members contact Chris Lucas or Brian Downey at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Ranking Member