

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074

<https://oversight.house.gov>

July 13, 2021

The Honorable Jennifer Granholm  
Secretary  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Dear Secretary Granholm,

We are continuing oversight of questionable ethical conduct at the Department of Energy (DOE). It appears that acting Assistant Secretary for Energy Efficiency and Renewable Energy, Kelly Speakes-Backman, may be using her position to advance the interests of an energy association where she was most recently the Chief Executive Office (CEO) – the Energy Storage Association (ESA).<sup>1</sup> On May 12, 2021, we first requested information about another conflict of interest regarding your relationship with Proterra, Inc. Your agency has failed to provide a substantive response. This lack of transparency and apparent pattern of ethical issues raises questions about the stewardship of the agency by the Biden Administration.

The ESA represents more than 200 businesses and is dedicated to advancing energy storage, including engaging with DOE to promote energy storage technologies.<sup>2</sup> According to media reports, Ms. Speakes-Backman has continuously mentioned the ESA while appearing in her official capacity at DOE.<sup>3</sup> Ms. Speakes-Backman has even suggested publicly that DOE will be implementing initiatives that would likely benefit the ESA and its members.<sup>4</sup> This appears to be a conflict of interest.

Ms. Speakes-Backman has also made several statements regarding new DOE initiatives that are similar to those proposed by ESA.<sup>5</sup> For example, she stated at a public event that, “[b]ack in December 2020, when I was still with the Energy Storage Association, DOE published the energy storage grand challenge road map, then further explained, “I’m stealing this a little bit from my days at Energy Storage Association.”<sup>6</sup> Additionally, Ms. Speakes-Backman

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<sup>1</sup> Adam Shaw, *Watchdog group says Energy Department official may have violated ethics obligations*, FOX NEWS, May 29, 2021, <https://www.foxnews.com/politics/watchdog-energy-deputy-may-have-violated-ethics-obligations>.

<sup>2</sup> U.S. Energy Storage Ass’n, *About ESA*, available at <https://energystorage.org/about-esa/> (last visited June 29, 2021); see also U.S. Energy Storage Ass’n, *Policies & Issues: Federal*, available at <https://energystorage.org/policies-issues/federal/administration/> (last visited June 30, 2021).

<sup>3</sup> Shaw, *supra* note 1.

<sup>4</sup> *Id.*

<sup>5</sup> *See id.*

<sup>6</sup> *Id.*

delivered a keynote address at an event where her sponsor was a “leadership circle member” of the ESA and raises questions about whether she has been in continuous communications with her former employer.<sup>7</sup> Between these instances and her public statements, Ms. Speakes-Backman has a pattern of working toward advancing the interests of the ESA.<sup>8</sup> In addition to being a potential conflict of interest, this conduct may also violate President Biden’s Ethics Pledge because of her active participation in policy decisions that are substantially related to ESA policies.<sup>9</sup>

It is imperative that all officials at DOE, particularly senior political appointees are taking their ethical obligations seriously and not using positions of public trust to benefit former employers. In order for Committee Republicans to determine if Ms. Speakes-Backman acted inappropriately, please provide the following documents and information as soon as possible but no later than July 27, 2021.

- (1) All documents and communications from January 20, 2021 to present by Ms. Speakes-Backman related to the Energy Storage Association.
- (2) All documents and communications from January 20, 2021 to present between Ms. Speakes-Backman and any employee at the Energy Storage Association.
- (3) All documents and communications from January 20, 2021 to present regarding the appearance by Ms. Speakes-Backman at the International Conservation Caucus Foundation panel.
- (4) All documents and communications from January 20, 2021 to present between Ms. Speakes-Backman and the Department of Energy related to the analysis of any conflict of interest.

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



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Ralph Norman  
Ranking Member  
Subcommittee on Environment



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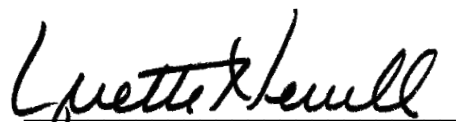
Paul A. Gosar, D.D.S.  
Member of Congress

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Exec. Order No. 13989, 86 Fed. Reg. 7029 (Jan. 25, 2021).

A handwritten signature in black ink, reading "Yvette Herrell". The signature is written in a cursive style with a horizontal line underneath the name.

Yvette Herrell  
Member of Congress

cc: The Honorable Ro Khanna, Chairman  
Subcommittee on Environment