



Department of Energy

Washington, DC 20585

January 15, 2004

The Honorable Henry A. Waxman
Ranking Minority Member
Committee on Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Waxman:

This letter is in partial response to the letter that you and certain other members of the Committee on Government Reform sent to Secretary Abraham earlier today.

The December 22, 2003 letter from Congressmen Waxman and Dingell, which is referenced in the letter you sent earlier today, focused on a meeting attended by Deputy Secretary McSlarrow, and the Department of Energy (DOE) already has fully responded to the requests in the December 22 letter as to Deputy Secretary McSlarrow's participation in that meeting. Specifically, in a letter from DOE General Counsel Otis dated January 6, 2004, DOE stated that on the day the Senate announced that further consideration of the energy bill would be delayed until 2004, Deputy Secretary McSlarrow, along with Mr. Dan Brouillette, Staff Director of the House Energy and Commerce Committee, and Mr. Alex Flint, Staff Director of the Senate Energy Committee, addressed attendees at a meeting on the energy bill hosted by the Edison Electric Institute. Deputy Secretary McSlarrow, Mr. Brouillette and Mr. Flint each spoke for 5 to 10 minutes, after which there was a short question and answer period.

The thrust of Deputy Secretary McSlarrow's remarks was to communicate the Administration's resolve to continue working with House and Senate leaders, and in particular Chairmen Domenici and Tauzin, to meet the President's goal of passing an energy bill -- points that Mr. McSlarrow has made repeatedly in many public appearances, including appearances before Congressional committees, both before and since this meeting, at which he has explained the Administration's position on energy legislation. During the question and answer period, the Deputy Secretary declined to endorse specific strategies to meet that goal, instead deferring to the representatives of the Chairmen of the House and Senate Committees, and reiterated the Administration's desire to work with the two Chairmen to successfully produce energy legislation meeting the President's priorities.

General Counsel Otis's letter of January 6, 2004 sets forth the entirety of existing information on Mr. McSlarrow's participation in this meeting. Deputy Secretary McSlarrow has advised me that, since November 21, 2003, he has had no other communications with persons outside the Executive Branch concerning H.R. 6, other than communications he has had directly with Members of Congress or their staffs.



DOE has undertaken a search for communications between DOE officials (other than Deputy Secretary McSlarrow) or other Executive Branch officials, and persons outside the Executive Branch, concerning H.R. 6 and that occurred since November 21, 2003. We will provide a response to you when we have completed that search.

If you have any questions, please call me or Rick A. Dearborn, Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric J. Fygi', written over a horizontal line. The signature is stylized and extends to the right.

Eric J. Fygi
Acting General Counsel

cc: The Honorable Tom Davis
Chairman
Committee on Government Reform