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ONE HUNDRED ELEVENTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515-6328

November 4, 2009

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The Honorable Heath Shuler
U. S. House of Representatives
422 Cannon House Office Building
Washington, DC 20515

Re: TVA Office of the Inspector General Investigation

Dear Congressman Shuler:

As you are aware, the Tennessee Valley Authority (TVA) Office of the Inspector General (OIG) conducted a review of TVA's Maintain and Gain Program, which it concluded on May 22, 2009. During its review, the OIG reviewed the Maintain and Gain application filed with TVA for property known as Blackberry Cove, in which you had an interest. After the review, the OIG forwarded its report, Inspection 2008-12003, to the Committee on Standards of Official Conduct (the Committee). According to the OIG, the report was forwarded because it had no jurisdiction over a sitting United States Congressman.

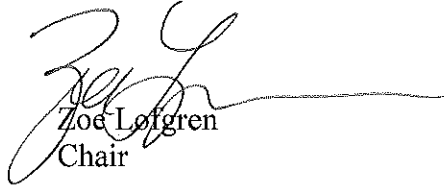
The Committee reviewed the OIG report and the findings contained therein. After a thorough investigation into several projects, Blackberry Cove included, the OIG could not find any evidence that you violated any ethics rules. According to the OIG, the FBI also reviewed the facts surrounding the application and also concluded that there was no evidence that criminal statutes were violated. In fact, the OIG found that the TVA took steps to ensure that the Maintain and Gain process was followed and that any contact you had with TVA was not improper. The OIG found no evidence that you or your staff used your Congressional office to exert any influence over the adjudication of Blackberry Cove's Maintain and Gain application.

Additionally, the OIG found that TVA employees "labored in good faith to hold Blackberry to the same standards as everyone else." In fact, the OIG also stated that it appeared that Blackberry was "forced to endure the Maintain and Gain gauntlet while others were simply told they could have their waterfront access." In other words, in order to avoid the appearance of partiality, Blackberry was held to a higher standard for approval than were others.


The Standards Committee, after thorough review, has determined that your actions in these matters were not improper in any way and did not violate House Rules. Accordingly, after a careful review of the OIG report and findings, along with other information known to the

Committee, the Committee is closing this matter without further action. If you have any questions about this matter please contact the Committee's Chief Counsel, R. Blake Chisam, at (202) 225-7103.

Sincerely,



Zoe Lofgren
Chair



Jo Bonner
Ranking Republican Member