

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
E.O. 12065, Section 6-103
By JMV NARS, Date 5/2/2012

The Honorable Joseph I. Lieberman
Chairman
Committee on Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Carl Levin
Chairman
Permanent Subcommittee on Investigations
Committee on Governmental Affairs
United States Senate
199 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Lieberman and Chairman Levin:

Thank you for your letter of January 16, 2002 to Chairman Pitt regarding the interest of the Committee and Subcommittee in recent events involving Enron Corporation and Arthur Andersen. The Commission shares your concern over these events.

The staff of the Commission has sought and received authorization from the Commission to provide your staff with the briefing requested in your letter and access to related non-public documents concerning Enron. We appreciate your agreement not to make public the nonpublic information being made available to you without prior consultation with the Commission. As I am sure you can understand, we have to be very concerned with the possibility of any disclosure of information that could unduly prejudice the subject of an investigation, raise questions about the independence of the Commission enforcement process, or otherwise jeopardize Commission enforcement actions. See Securities and Exchange Commission v. Wheeling Pittsburgh Steel Corp., 482 F. Supp 555 (W.D. Pa. 1979), vacated and remanded on other grounds, 648 F. 2d 118 (3d Cir. 1981). We appreciate your understanding of these concerns

We look forward to working with you on these important issues. Please have your staff contact Casey Carter, Director of the SEC's Office of Legislative Affairs, at (202) 942-0010, should you require any further assistance with this matter.

Yours truly,

David M. Becker
General Counsel