

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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September 13, 2018

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing to request that you join me in finally sending a request to the White House to produce documents relating to the Trump Administration's response to the hurricanes last year in Puerto Rico and the U.S. Virgin Islands, which killed nearly 3,000 Americans.

Last week, I issued a staff report documenting how you have walled off the White House from any congressional scrutiny whatsoever—refusing for the past year to request a single document or obtain a single briefing from White House officials relating to the hurricanes in Puerto Rico and the U.S. Virgin Islands.<sup>1</sup>

Your actions stand in stark contrast to your predecessor as Chairman, Rep. Tom Davis, who conducted a robust investigation of the Bush Administration's response to Hurricane Katrina. He obtained more than 20,000 pages of documents from the White House alone, obtained a briefing for Members from the top White House official in charge of the response, issued a subpoena for emails from top cabinet officials, and issued a report that was highly critical of all aspects of the response.

In contrast, you have refused all of our requests to obtain documents from the White House, and you have blocked all of our efforts to put this matter before the Committee to allow Members to decide for themselves whether to exercise our oversight responsibilities under the Constitution.

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<sup>1</sup> Democratic Staff Report, *A FAILURE OF OVERSIGHT: How Republicans Blocked a Credible Investigation of the Trump Administration's Response to the 2017 Hurricanes*, Committee on Oversight and Government Reform (Sept. 6, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/A%20FAILURE%20OF%20OVERSIGHT%20-%20STAFF%20REPORT.pdf>).

I am renewing my request now because we have obtained new documents this week from the Department of Defense that raise serious questions about President Donald Trump's many public statements claiming that his Administration's response was an incredible success.

### **Military Intelligence Assessment**

After waiting nearly a year, we have finally obtained a copy of an unclassified intelligence assessment that was prepared for Defense Secretary James Mattis and the Chairman of the Joint Chiefs of Staff, General Joseph F. Dunford, on September 25, 2017—just five days after the hurricane struck Puerto Rico.

This assessment is stark in its warnings regarding the dire situation on the island and the “potential for government failure,” resulting in a “humanitarian crisis.” It stated:

The potential for governmental failure and the resulting humanitarian crisis on Puerto Rico and the US Virgin Islands is high. Back-to-back strikes by Hurricanes Irma and Maria have wrecked the islands' critical infrastructure and key resources, and overwhelmed the territorial emergency response capacities. The situation is further compounded by their current fiscal crises. Both territories now suffer from devastated power grids and communications networks, lack of potable water, crippled transportation and supply systems, severely degraded medical services, and an economy that will take months to rebuild. The ability to get the territories back on their feet quickly is crucial for a growingly desperate population of 3.6 million American citizens.

Since you have refused to request any documents from the White House, it remains unclear whether President Trump received this information and disregarded it in his many public statements, or if there was a serious communication breakdown between the White House and first responders on the ground. Either scenario raises grave concerns as our nation prepares for the impact of Hurricane Florence in the coming days.

This intelligence assessment appears to parallel the account of San Juan Mayor Carmen Yulín Cruz, who warned just days earlier: “We are dying.” She added: “I am asking the president of the United States to make sure somebody is in charge that is up to the task of saving lives. ... I cannot fathom the thought that the greatest nation in the world cannot figure out logistics for a small island.”<sup>2</sup>

Instead of heeding her warnings, President Trump publicly attacked her, tweeting: “Such poor leadership ability by the Mayor of San Juan, and others in Puerto Rico, who are not able to get their workers to help. They ... want everything to be done for them.”<sup>3</sup>

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<sup>2</sup> *Puerto Rico Crisis: San Juan Mayor Pleads for Federal Aid, Trump Hits Back*, NBC News (Sept. 29, 2018) (online at [www.nbcnews.com/storyline/puerto-rico-crisis/san-juan-s-mayor-pleads-trump-you-are-killing-us-n806116](http://www.nbcnews.com/storyline/puerto-rico-crisis/san-juan-s-mayor-pleads-trump-you-are-killing-us-n806116)).

<sup>3</sup> *Id.*

### Search and Rescue Team Correspondence

In addition to the intelligence assessment, we have also obtained communications from first responders on the ground in Puerto Rico. These communications include an exchange on September 29, 2017—nine days after the hurricane struck—reporting that search and rescue teams had begun finding “mass graves in mud slide areas.” These officials reported: “don’t know if it’s families, or an entire town that was trying to avoid flooding and got buried my [sic] land slide. Planning for the worst.”

The production we obtained this week was partial and did not include additional documents about these matters after this initial period. In addition, because you have refused to send any document request to the White House, we have not been able to ascertain whether this information was provided to the President or his top aides.

### The President’s Claims

Earlier this week, the President claimed that his response was an “incredible unsung success.”<sup>4</sup> Yet, we know from the work of Democratic Members that a contract to deliver millions of emergency meals was completely botched, and urgent requests for fuel to help supermarkets keep food from spoiling went unheeded, resulting in starvation and death.<sup>5</sup>

In addition, for four key days after the hurricane struck Puerto Rico, President Trump reportedly “jetted to New Jersey that Thursday night to spend a long weekend at his private golf club there,” and “[n]either Trump nor any of his senior White House aides said a word publicly about the unfolding crisis.”<sup>6</sup>

However, this morning President Trump went even further, claiming that the death toll of nearly 3,000 people in Puerto Rico was a fictional account manufactured by Democrats. He tweeted:

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<sup>4</sup> *Despite Massive Death Toll, Trump Calls Puerto Rico Hurricane Response ‘An Incredible, Unsung Success,’* CNN (Sept. 11, 2018) (online at [www.cnn.com/2018/09/11/politics/donald-trump-fema-hurricanes/index.html](http://www.cnn.com/2018/09/11/politics/donald-trump-fema-hurricanes/index.html)).

<sup>5</sup> Democratic Staff Report, *A FAILURE OF OVERSIGHT: How Republicans Blocked a Credible Investigation of the Trump Administration’s Response to the 2017 Hurricanes*, Committee on Oversight and Government Reform (Sept. 6, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/A%20FAILURE%20OF%20OVERSIGHT%20-%20STAFF%20REPORT.pdf>).

<sup>6</sup> *Lost Weekend: How Trump’s Time at His Golf Club Hurt the Response to Maria*, Washington Post (Sept. 29, 2017) (online at [www.washingtonpost.com/politics/lost-weekend-how-trumps-time-at-his-golf-club-hurt-the-response-to-maria/2017/09/29/ce92ed0a-a522-11e7-8c37-e1d99ad6aa22\\_story.html?stream=top-stories&utm\\_campaign=newsletter\\_axiosam&utm\\_medium=email&utm\\_source=newsletter&utm\\_term=.eace8e1a7f58](http://www.washingtonpost.com/politics/lost-weekend-how-trumps-time-at-his-golf-club-hurt-the-response-to-maria/2017/09/29/ce92ed0a-a522-11e7-8c37-e1d99ad6aa22_story.html?stream=top-stories&utm_campaign=newsletter_axiosam&utm_medium=email&utm_source=newsletter&utm_term=.eace8e1a7f58)).

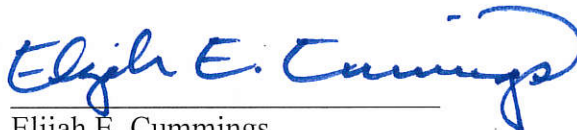
3000 people did not die in the two hurricanes that hit Puerto Rico. When I left the Island, AFTER the storm had hit, they had anywhere from 6 to 18 deaths. As time went by it did not go up by much. Then, a long time later, they started to report really large numbers, like 3000. ... This was done by the Democrats in order to make me look as bad as possible when I was successfully raising Billions of Dollars to help rebuild Puerto Rico. If a person died for any reason, like old age, just add them onto the list. Bad politics. I love Puerto Rico!<sup>7</sup>

President Trump's comments are appalling, offensive, and ignorant of the misery and death suffered by our fellow American citizens in Puerto Rico. It is particularly inappropriate that he is spending his time today defending his indefensible record in Puerto Rico while another major hurricane is bearing down on our nation.

For all of these reasons, I ask you to join me in finally sending a bipartisan request for documents from the White House relating to the hurricanes in Puerto Rico and the U.S. Virgin Islands. If you decline, then I ask you to allow us to place this matter on the agenda for our next business meeting so all Committee Members will have the opportunity to debate and vote on a motion to require the White House to comply with our requests.

Thank you for your consideration of this request.

Sincerely,



Elijah E. Cummings  
Ranking Member

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<sup>7</sup> *Trump Says Puerto Rico Death Toll Inflated by Democrats: '3000 People Did Not Die,'* The Hill (Sept. 13, 2018) (online at <http://thehill.com/homenews/administration/406446-trump-questions-death-toll-of-hurricane-in-puerto-rico?userid=55531>).