

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

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<http://oversight.house.gov>

December 22, 2016

The Honorable Denise Turner Roth
Administrator
General Services Administration
1800 F Street, NW
Washington, D.C. 20405

Dear Administrator Roth:

We are writing pursuant to the statutory “Seven Member Rule” to obtain unredacted copies of documents related to the imminent breach-of-lease and conflict-of-interest issues created by President-elect Donald Trump’s ownership interest in the lease with the U.S. Government for the Trump International Hotel building in Washington, D.C.

Ranking Member Elijah E. Cummings and Subcommittee on Government Operations Ranking Member Gerald E. Connolly, along with Transportation and Infrastructure Committee Ranking Members Peter DeFazio and André Carson, first requested these documents in a letter to you on December 14, 2016.¹ Their letter requested that the documents be produced by December 20, 2016, but GSA did not produce the requested documents by that time.

The Seven Member Rule is unique authority passed by Congress and signed by the President in 1928 that requires any executive agency to “submit any information requested of it relating to any matter within the jurisdiction of the committee” when requested by seven members of the Committee on Oversight and Government Reform.²

¹ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, Ranking Member Peter A. DeFazio, House Committee on Transportation and Infrastructure, Ranking Member Gerald Connolly, Subcommittee on Government Operations, and Ranking Member André Carson, Subcommittee on Economic Developments, Public Buildings and Emergency Management, to the Honorable Denise Turner Roth, Administrator, General Services Administration (Dec. 14, 2016) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2016-12-14.EEC%20DeFazio%20Connolly%20Carson%20to%20Roth%20re%20Trump%20Hotel%20Conflicts%20....pdf>).

² 5 U.S.C. § 2954. 45 Stat. 996 (1928). The statutory language refers to the “Committee on Government Operations.” The Committee was renamed several times since the statute was originally drafted, and in the 110th Congress it was renamed the Committee on Oversight and Government Reform. References in law to the Committee on Government Operations are treated

For example, in *Henry A. Waxman v. Donald L. Evans*, United States District Court Judge Lourdes G. Baird granted sixteen members of the Committee summary judgment in a case brought against the Department of Commerce to enforce the Seven Member Rule. The court ruled that the Department was required to provide adjusted data from the 2000 census.³

Similarly, in September, the State Department produced an unredacted email exchange between former Secretary of State Colin Powell and former Secretary of State Hillary Clinton in response to a request sent by Oversight Committee Members under the “Seven Member Rule.”⁴

Under House Rule X, the Oversight Committee has jurisdiction over “Government management and accounting measures generally,” as well as the “Overall economy, efficiency, and management of government operations and activities, including Federal procurement.”⁵ In addition, as the primary investigative body in the House, the Committee also has the broad authority “at any time to conduct investigations” of “any matter.”⁶

Pursuant to the Seven Member Rule, please provide unredacted copies of the following documents by 5 p.m. on December 28, 2016:

1. a list of any currently available, unleased space within the hotel;
2. a copy of the fifth amendment to the lease;
3. a copy of Exhibit G to the lease, which lists the ownership of the leasing corporate entity;
4. all monthly expense and profit projections;
5. any legal memos regarding potential conflict of interest of Mr. Trump having an ownership interest in the hotel and serving as President;
6. the first monthly report submitted to GSA by the Trump Organization in November describing revenues and expenses for September and, when it is provided this month, the next monthly report describing revenues and expenses for October; and

as referring to this Committee.

³ *Henry A. Waxman v. Donald L. Evans*, CV 01-4530 LGB (AJWx) (C.D. Cal. 2002).

⁴ Letter from Julia Frifield, Assistant Secretary Legislative Affairs, Department of State, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (Rec'd Sept. 7, 2016) (online at <https://democrats-oversight.house.gov/news/press-releases/cummings-releases-full-powell-email-advising-clinton-on-personal-email-use>).

⁵ House rule X, clause (1)(n).

⁶ House rule X, clause (4)(c)(2).

7. a summary or analysis of the bankruptcy of the previous tenant leasing the Old Post Office.

If you have any questions about this request, please contact Krista Boyd on my staff at (202) 225-5051. Thank you for your cooperation with this matter.

Sincerely,

Eliza E. Cummings

Wm. Laury Clay

April S. Lynd

J. Cooper

Ann E. Conly

Ted W. Lee

Brian W. Mahler

Mark D. Se.

Brendan J. Boyle

Patricia

Michelle Lujan Bigham

cc: The Honorable Jason Chaffetz, Chairman