

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

MINORITY (202) 225-5051

<http://oversight.house.gov>

April 5, 2018

The Honorable Trey Gowdy
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In light of a string of very troubling new allegations, I request that the Oversight Committee hold a hearing next week with sworn testimony from Environmental Protection Agency Administrator Scott Pruitt and his top aides. In addition, I request that the Committee obtain several categories of documents relating to these new allegations.

Based on the events of the past week, it appears that the leadership at EPA is coming apart at the seams. It is our responsibility on the Oversight Committee to conduct credible, robust oversight in a timely manner that protects the interests of the American taxpayers.

The Oversight Committee is already investigating Mr. Pruitt's lavish travel at taxpayer expense, which is a small step in the right direction, but he has failed to produce many of the documents sought by the Committee. For these reasons, I also now request that the Committee issue a subpoena to compel Mr. Pruitt to produce documents he has withheld in response to our Committee's previous request on February 20, 2018.

Recent Allegations

Over the past week, there have been a number of new allegations against Mr. Pruitt and several of his top aides who came with him from Oklahoma to serve at EPA:

- On March 29, 2018, *ABC News* reported that Mr. Pruitt rented a condominium from the wife of the head of a lobbying firm known as Williams & Jensen. One of Williams & Jensen's clients in 2017 was Cheniere Energy Inc., which "owned the only active Liquefied Natural Gas export plant in the United States at the time." Mr. Pruitt flew first-class at taxpayer expense to Morocco in December to promote the export of liquefied natural gas.¹

¹ *Exclusive: More Cabinet Trouble for Trump? EPA Chief Lived in Condo Tied to Lobbyist 'Power Couple'*, ABC News (Mar. 29, 2018) (online at <http://abcnews.go.com/Politics/exclusive-cabinet-trouble-trump-epa-chief-lived-condo/story?id=54095310>). See also *EPA Chief Jets to Morocco to Help Promote Fossil Fuel Use*,

- On the same day, March 29, 2018, *Bloomberg* reported that “Pruitt paid \$6,100 to use the room for roughly six months, according to copies of rental checks” that “show varying amounts paid on sporadic dates—not a traditional monthly ‘rent payment’ of the same amount each month.”²
- On March 30, 2018, the *Washington Post* reported that “agents in Pruitt’s security detail broke an exterior door at the condo after he had gone home sick and was not responding to calls” and that “EPA ultimately reimbursed the condo association \$2,460 for the cost of the wood and glass door.”³
- On March 31, 2018, *ABC News* reported that “Pruitt’s adult daughter used a second room in the Capitol Hill condo ... despite statements from the EPA that Pruitt paid for only one bedroom.” According to this report, Mr. Pruitt’s daughter “served as a White House intern” in the White House Counsel’s office “between May and August of 2017, according to her Linked In page.”⁴
- On April 2, 2018, the *New York Times* reported that there were “at least a half dozen regulatory matters before the E.P.A. related to clients who were represented by Williams & Jensen at the time that Mr. Pruitt was living part-time in the Capitol Hill condo.” One of these matters was the Alberta Clipper oil pipeline expansion, a project of Enbridge Inc. Williams & Jensen was then a lobbyist for Enbridge. EPA informed the State Department that it “had no serious environmental objections,” allowing the project to clear “a significant hurdle.”⁵
- Also on April 2, 2018, the *Daily Beast* reported that the condo “also served as a hub for Republican lawmakers hoping to raise money for their congressional campaigns.” They reportedly included Senator Mike Crapo, who apparently hosted “monthly luncheons,” Rep. Bill Huizenga, who reportedly held a breakfast fundraiser on March 9, 2017, and Save America PAC, the political action committee for Senator Jim Risch, which reportedly “held an event at the house in mid-July.”⁶

Associated Press (Dec. 13, 2017) (online at <http://abcnews.go.com/amp/Politics/wireStory/epa-chief-jets-morocco-promote-fossil-fuel-51776732>).

² *EPA Chief’s \$50-a-Night Rental Raises White House Angst*, *Bloomberg* (Mar. 29, 2018) (online at www.bloomberg.com/news/articles/2018-03-30/epa-chief-s-50-a-night-rental-said-to-raise-white-house-angst).

³ *As New Details Emerge, Scott Pruitt’s Housing Arrangements Come Under Scrutiny*, *Washington Post* (Mar. 30, 2018) (online at www.washingtonpost.com/news/energy-environment/wp/2018/03/30/as-new-details-emerge-scott-pruitts-housing-arrangements-come-under-scrutiny).

⁴ *EXCLUSIVE: EPA Chief Pruitt Joined By Family in Condo Tied to Lobbyist ‘Power Couple’*, *ABC News* (Mar. 31, 2018) (online at <http://abcnews.go.com/Politics/exclusive-epa-chief-pruitt-joined-family-condo-tied/story?id=54125092>).

⁵ *Pruitt Had a \$50-a-Day Condo Linked to Lobbyists. Their Client’s Project Got Approved.*, *New York Times* (Apr. 2, 2018) (online at www.nytimes.com/2018/04/02/climate/epa-pruitt-pipeline-apartment.html).

⁶ *EPA Administrator Scott Pruitt’s Lobbyist-Owned Pad Was GOP Fundraising Hub*, *Daily Beast* (Apr. 2,

- On April 3, 2018, the *Daily Beast* reported that campaign finance records in Oklahoma show that Steven and Vicki Hart “began donating to Pruitt’s campaigns for Oklahoma attorney general in 2010,” that Steven Hart “hosted a fundraiser for Pruitt’s reelection effort,” and that the condominium on Capitol Hill was known as “the Williams & Jensen condo.”⁷
- On the same day, April 3, 2018, the *Atlantic* reported that Mr. Pruitt “bypassed” the White House to give raises to a “small group of staffers who had traveled with Pruitt to Washington from Oklahoma” using an “obscure provision” in the Safe Drinking Water Act intended to “expedite the hiring of experts.” The aides are Sarah Greenwalt, who “worked as Pruitt’s general counsel in Oklahoma” and “was now his senior counsel at the EPA,” and Millan Hupp, who “was working on his political team before she moved to D.C. to become the agency’s scheduling director.”⁸
- On April 4, 2018, Mr. Pruitt appeared on national television and denied any knowledge of these raises, claiming on *Fox News*: “My staff and I found out about it yesterday and I changed it.” He also stated: “I found out this yesterday and I corrected the action and we are in the process of finding out how it took place.” He also asserted: “I did not know that they got pay raises until yesterday.”⁹
- Less than 24 hours after his interview, the *Hill* reported that Samantha Dravis, a top aide and close friend of Mr. Pruitt’s who served as Senior Counsel and Associate Administrator in EPA’s Office of Policy, had “tendered her resignation last week.” According to this report, Ms. Dravis was Mr. Pruitt’s “best friend” and someone he had dinner with “several times every week.”¹⁰ Mr. Pruitt did not disclose her termination during his appearance on *Fox News*.
- Earlier today, on April 5, 2018, the *Washington Post* reported that Kevin Minoli, EPA’s top ethics official, stated “that he lacked key facts when he concluded recently that Administrator Scott Pruitt’s rental lease with a lobbyist last year did

2018) (online at www.thedailybeast.com/epa-administrator-scott-pruitts-lobbyist-owned-pad-was-gop-fundraising-hub).

⁷ *Scott Pruitt’s D.C. Lobbyist Landlord Also Funded His Oklahoma Attorney General Campaign*, Daily Beast (Apr. 3, 2018) (online at www.thedailybeast.com/scott-pruitts-dc-lobbyist-landlord-also-funded-his-oklahoma-attorney-general-campaign).

⁸ *Scott Pruitt Bypassed the White House to Give Big Raises to Favorite Aides*, The Atlantic (Apr. 3, 2018) (online at www.theatlantic.com/politics/archive/2018/04/pruitt-epa/557123/).

⁹ *EPA’s Scott Pruitt Pushes Back on Pay Raise, Condo Controversy in Fox News Exclusive*, Fox News (Apr. 4, 2018) (online at www.foxnews.com/politics/2018/04/04/epas-scott-pruitt-pushes-back-on-pay-raise-condo-controversy-in-fox-exclusive.html).

¹⁰ *Top Pruitt Aide Resigns from EPA Amid Controversies*, The Hill (Apr. 5, 2018) (online at <http://thehill.com/policy/energy-environment/381773-top-pruitt-aide-resigns-from-epa-amid-controversies>).

not violate any federal gift rules.”¹¹ In a memo dated one day earlier, Mr. Minoli wrote that he “addressed the terms of the lease as they were written in the lease agreement only” and that ethics officials did not review “whether the actual use of the space was consistent with the terms of the lease.” He also noted that the review of Mr. Pruitt’s lease “did not address other portions of the Federal ethics regulations such as the impartiality rule” and that “Federal ethics regulations regarding impartiality apply regardless of whether something involves receiving a prohibited gift.”¹²

- Also today, *CBS News* reported that just weeks after assuming office, “Pruitt was running late and stuck in Washington, D.C., traffic. Sources tell *CBS News* that he wanted to use his vehicle’s lights and sirens to get to his official appointment, but the lead agent in charge of his security detail advised him that sirens were to be used only in emergencies. Less than two weeks later that agent was removed from Pruitt’s detail, reassigned to a new job within the EPA.”¹³
- Also today, the *New York Times* reported that at least “five officials at the Environmental Protection Agency, four of them high-ranking, were reassigned or demoted, or requested new jobs in the past year after they raised concerns about the spending and management of the agency’s administrator, Scott Pruitt.”¹⁴

In addition to holding a hearing on these and other allegations, I request that the Committee obtain from EPA, for the period from January 20, 2017, to the present, all documents relating to, and communications with or regarding:

- (1) J. Steven Hart, Vicki Hart, and Williams & Jensen, its clients, officers, or employees;
- (2) Cheniere Energy Inc.;
- (3) Administrator Pruitt’s December 2017 trip to Morocco;
- (4) Enbridge Inc.;

¹¹ *Top EPA Ethics Official Says He Lacked Key Facts About Pruitt’s Condo Rental*, Washington Post (Apr. 5, 2018) (online at www.washingtonpost.com/news/energy-environment/wp/2018/04/05/top-epa-ethics-official-says-he-lacked-key-facts-about-pruitts-condo-rental/).

¹² Memorandum from Kevin S. Minoli, Designated Agency Ethics Official and Principal Deputy General Counsel to Matthew Z. Leopold, General Counsel, Environmental Protection Agency (Apr. 4, 2018) (online at <http://cdn.cnn.com/cnn/2018/images/04/04/new.record.re.view.of.lease2018-04-04-163433.pdf>).

¹³ *Scott Pruitt Asked to Use Sirens in D.C. Traffic and Was Told No for Non-Emergency*, CBS News (Apr. 5, 2018) (online at www.cbsnews.com/news/scott-pruitt-asked-to-use-sirens-in-dc-traffic-and-was-told-no-for-non-emergency/).

¹⁴ *Job Changes for E.P.A. Officials Who Questioned Scott Pruitt*, New York Times (Apr. 5, 2018) (online at www.nytimes.com/2018/04/05/business/epa-officials-questioned-scott-pruitt.html).

- (5) the Alberta Clipper oil pipeline expansion;
- (6) discussions with the White House regarding pay increases for EPA political appointees;
- (7) pay increases for EPA political appointees, including but not limited to, Sarah Greenwalt and Millan Hupp;
- (8) the resignation of Samantha Dravis;
- (9) all communications between Mr. Pruitt and Ms. Dravis;
- (10) the reassignment of any members of Mr. Pruitt's security detail, including but not limited to Special Agent Eric Weese;
- (11) the reassignment, demotion, or placing on leave of any career employees or political appointees after raising any concerns regarding management issues;
- (12) all deliberations and conclusions of EPA ethics officials regarding any of the issues outlined above; and
- (13) any communications with officials at the Office of Government Ethics or the White House regarding any of the issues outlined above.

Request for Subpoena on Travel Documents Withheld from Congress

On February 20, 2018, the Committee sent a letter to Mr. Pruitt requesting documents relating to each flight he took for official business in the previous year. The Committee requested documents showing the departure airport; the arrival airport; the official agency reason for the travel; whether the ticket was for coach, business, or first class; and the total airfare cost.

For trips that Mr. Pruitt flew first class or business class, the Committee also requested copies of all waivers that were granted to purchase first class or business class tickets; all documentation related to those waivers; all other EPA employees or security detail members who accompanied him in first class or business class; and the total airfare cost for those individuals.¹⁵

¹⁵ Letter from Chairman Trey Gowdy, House Committee on Oversight and Government Reform, to Administrator Scott Pruitt, Environmental Protection Agency (Feb. 20, 2018) (online at <https://oversight.house.gov/wp-content/uploads/2018/02/2018-02-20-TG-to-Pruitt-EPA-re-First-Class-Travel-due-3-6.pdf>).

Documents Relating to Morocco Trip

On March 20, 2018, EPA responded by providing four pages of documents specifically relating to Mr. Pruitt's trip to Morocco. These documents show that Mr. Pruitt's seat cost \$16,164. According to these documents, the stated purpose of the trip was: "To meet with partners and key stakeholders for EPA cooperation activities to advance EPA programs and priorities in Morocco in support of this administrations [sic] mission."

The documents include a notation indicating that after flying to Paris overnight on December 9, 2017, Mr. Pruitt missed his connecting flight from Paris to Morocco at 10:25 am the next morning. Based on the documents, it appears that Mr. Pruitt stayed in Paris for the full day and night on December 10, 2017. The documents do not indicate whether events were planned for that day in Morocco that had to be canceled. As a result, although the trip was scheduled for December 9 through 13, 2017, it included only one full day in Morocco—December 12, 2017—and Mr. Pruitt returned to the United States the following day.

EPA did not produce any documents in response to the Committee's request to indicate how many other EPA employees traveled with Mr. Pruitt on this trip. EPA also did not produce any documents indicating whether other EPA officials also flew first class, whether they also missed their connecting flight and had to spend the night in Paris, or how much the entire trip cost the U.S. taxpayers.

Documents Relating to Additional Trips

In response to the Committee's request, EPA produced documents relating to 35 trips taken by Mr. Pruitt between March 2017 and February 2018 at a cost to the taxpayers of nearly \$107,000. A list of these trips is attached to this letter.

EPA failed to produce the documents requested by the Committee relating to other EPA officials who joined Mr. Pruitt on these trips. As a result, the Committee has been prevented from determining the full cost of these trips to the U.S. taxpayers.

For example, EPA produced documents indicating that Mr. Pruitt flew from New York to Rome last summer at a cost of \$6,688. However, EPA failed to produce documents relating to costs for the rest of Mr. Pruitt's entourage, which reportedly included "more than \$120,000 in public funds," "expenses for Pruitt's security detail," and nearly \$90,000 "for food, hotels, commercial airfare and a military jet used by Pruitt and nine EPA staff."¹⁶

The documents indicate that Mr. Pruitt took 13 trips at taxpayer expense with stops in Oklahoma, where he maintains a residence. The official purposes of these trips, as listed in the documents, include the following:

¹⁶ *EPA Head's Italy Work Trip Cost Taxpayers \$120,000*, CBS News (Mar. 20, 2018) (online at www.cbsnews.com/news/epa-heads-italy-work-trip-cost-taxpayers-120000/).

- “to receive an award and give a speech at the National Stripper Well Association’s Energy Gala”;
- “to conduct meetings in the state and to serve as a keynote speaker for ALEC event”;
- “meeting with the CEO of National Rural Water in Tulsa”;
- “to tour the Brainerd Chemical Company”;
- “cost effective to return him one way from Tulsa, OK to DC ... then Houston, TX to DCA one way”;
- “to do a tour of the Bird Creek contamination site in Osage County”;
- “will travel to Tulsa per invitation from Ardagh for a tour a [sic] meeting”; and
- “This trip will be a continuation of the Administrator’s State Action Tour.”

For the reasons set forth above, I now request that you issue a subpoena to compel EPA to produce, by April 19, 2018, all of the documents that were requested by the Committee on February 20, 2018. If you decline to issue this subpoena yourself, then I request that you place this issue on the agenda for our Committee’s next business meeting so all Committee Members have the opportunity to debate and vote on this motion.

Thank you for your consideration of this request.

Sincerely,



Elijah E. Cummings
Ranking Member

PRUITT FLIGHTS INCLUDED IN EPA DOCUMENT PRODUCTIONS TO DATE

1. March 8-12, 2017: \$576 flights from Washington, DC, to Houston, TX, to Tulsa, OK, to Washington, DC.
2. March 23-27, 2017: \$450 flights from Washington, DC, to Oklahoma City, OK, to Tulsa, OK, to Washington, DC.
3. April 13-24, 2017: \$2,480 flights from Washington, DC, to Pittsburgh, PA, to Tulsa, OK, to Chicago, IL, to Columbia, MO, to Tulsa, OK, to Naples, FL, to Washington, DC.
4. May 11-15, 2017: \$2,690 flights from Washington, DC, to Colorado Springs, CO, to Tulsa, OK, to Washington, DC.
5. May 4-8, 2017: \$848 flights from Washington, DC, to Tulsa, OK, to Washington, DC.
6. May 19-22, 2017: \$1,927 flights from Washington, DC, to Tulsa, OK, to Washington, DC.
7. May 25-29, 2017: \$2,628 flights from Washington, DC, to Tulsa, OK, to Washington, DC (grounded in Minneapolis overnight)
8. March 6-7, 2017: \$594 flights from Tulsa, OK, to Phoenix, AZ, to Washington, DC.
9. April 27-28, 2017: \$53 flights from Washington, DC, to New York, NY, to Washington, DC.
10. May 16-17, 2017: \$1,316 flights from Washington, DC, to New York, NY, to Washington, DC.
11. June 7-11, 2017: \$6,688 flights from New York, NY, to Rome, Italy, to Washington, DC.
12. September 27-28, 2017: \$1,791 flights from Washington, DC, to New York, NY, to Washington, DC.
13. June 22-26, 2017: \$2,603 flights from Washington, DC, Tulsa, OK, to Washington, DC.
14. July 6, 2017: \$2,438 flights from Washington, DC, to Birmingham, AL, to Washington, DC.
15. July 7, 2017: \$1,847 flights from Washington, DC, to Atlanta, GA, to Washington, DC.
16. July 17-20, 2017: \$4,627 flights from Washington, DC, to Salt Lake City, UT, to Minneapolis, MN, to Little Rock, AR, to Washington, DC.

17. July 24, 2017: \$1154 flights from Washington, DC, to Charleston, SC, to Washington, DC.
18. July 26-30, 2017: \$2,603 flights from Washington, DC, to Tulsa, OK, to Washington, DC.
19. August 2-10, 2017: \$10,671 flights from Washington, DC, to Evansville, IN, to Denver, CO, to Tulsa, OK, to Des Moines, IA, to Fargo, ND, to Dallas, TX, to Tulsa, OK (for vacation)
20. August 30, 2017: \$3,704 flights from Tulsa, OK, to Corpus Christi, TX, to Tulsa, OK.
21. September 14-19, 2017: \$3,330 flights from Washington, DC, to Houston, TX, to Tulsa, OK, to New York, NY, to Washington, DC.
22. October 4-9, 2017: \$4,813 flights from Washington, DC, to Cincinnati, OH, to Colorado Springs, CO, to Phoenix, AZ, then from Tulsa, OK, to Lexington, KY, to Washington, DC.
23. October 11-12, 2017: \$2,978 flights from Washington, DC, to Jackson, MS, to Washington, DC.
24. October 19-20, 2017: \$3,610 flights from Washington, DC, to Houston, TX, to Omaha, NE, to Washington, DC.
25. October 23, 2017: \$2,744 flights from Washington, DC, to Nashville, TN, to Washington, DC.
26. October 27-30, 2017: \$2,076 flights from Washington, DC, to New Orleans, LA, to Tulsa, OK, to Washington, DC.
27. November 8, 2017: \$1,172 flights from Washington, DC, to Chicago, IL, to Washington, DC.
28. November 9, 2017: \$2,866 flights from Washington, DC, to Charleston, SC, to Washington, DC.
29. November 27, 2017: \$2,056 flights from Washington, DC, to Orlando, FL, to Washington, DC.
30. November 30-December 4, 2017: \$3,197 flights from Washington, DC, to Louisville, KY, to Des Moines, IA, to Washington, DC.

31. December 9-13, 2017: \$16,164 flights from Washington, DC, to Paris, France, to Rabat/Marrakesh, Morocco, to Washington, DC.
32. January 16, 2018: \$1,636 flight from Dallas, TX, to Washington, DC.
33. January 31-February 2, 2018: \$3,071 flights from Washington, DC, to New York, NY, to Tallahassee, FL, to Orlando, FL, to Washington, DC.
34. February 4-6, 2018: \$3,529 flights from Washington, DC, to Reno, NV, to Las Vegas, NV, to Washington, DC.
35. February 13-14, 2018: \$1,321 flights from Washington, DC, to Boston, MA, to Washington, DC.