

Congress of the United States
Washington, DC 20510

April 12, 2018

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Administrator Pruitt,

We write with grave concerns regarding information our staffs received during a meeting with Mr. Kevin Chmielewski, a long-time supporter and campaign aide of President Donald Trump, who served as your Deputy Chief of Staff for Operations at EPA. Based on the information he provided, we now request that you produce several categories of documents.

Mr. Chmielewski provided new details and corroborated other reports regarding allegations of wasteful spending of taxpayer funds and your disregard for the ethical and legal requirements of your position. Mr. Chmielewski described an environment in which you sought to marginalize, remove or otherwise retaliate against agency employees who advised you not to take these troubling actions, or refused to take or justify such actions at your direction.

Mr. Chmielewski claims that when he first started in his role as a politically appointed Senior Executive Service official at EPA, Chief of Staff Ryan Jackson informed him that “the nightmare is now yours.” Mr. Chmielewski said those words turned out to be accurate.

As Mr. Chmielewski learned more about your wasteful spending, irresponsible travel and inappropriate security efforts, he reported that he also learned that “every time you tried to find out about something you got in trouble.” He said that when he refused to approve your inappropriate and unethical spending, he claimed he was marginalized, removed from his senior position and placed on administrative leave. He said that he watched as others were punished, demoted, and retaliated against when they tried to resist inappropriate directions that came from you or through your favored staff.

What follows below is a more specific summary of the information Mr. Chmielewski provided our staffs during the meeting, as well as our request for documents:

Concerns About Wasteful Spending, Unethical Behavior, and Inappropriate Use of Resources and Personnel

- Mr. Chmielewski provided several examples of wasteful security spending beyond justifying the use of first-class travel under the guise of security. This includes the purchase of bulletproof vests and weapons, biometric locks, a security sweep of your office, one or more new SUVs for your travel (rather than obtaining vehicles from the

General Services Administration), and a \$30,000 contract with private Italian security personnel entered into by Mr. Nino Perrotta, the Special Agent who leads your security detail.¹ Mr. Chmielewski explained that at least one security-related contract was awarded to an individual who works at Mr. Perrotta's private security firm, and he believes that other contracts may also have been awarded to friends or associates of Mr. Perrotta's.

- Mr. Chmielewski told our staffs that you spent well beyond the \$5,000 allowed by law to decorate your office, including refinishing an antique desk, purchasing an additional standing desk, paying leases for art on loan from the Smithsonian Institution, framing an 8x10 foot United States flag, and building a \$43,000 soundproof phone booth.
- Mr. Chmielewski said that you have insisted on the use of lights and sirens to transport you more quickly through traffic to the airport, meetings, and social events on numerous occasions, and that you permitted your drivers to speed through residential neighborhoods and red lights, far in excess of posted speed limits.
- Mr. Chmielewski said that you had EPA's Director of Scheduling and Advance Millan Hupp act as your personal real estate representative, spending weeks improperly using federal government resources and time to contact rental and seller's agents, and touring numerous properties in which you might wish to reside.
- Mr. Chmielewski stated that for a period of weeks, he did not personally see Samantha Dravis, the former Associate Administrator for EPA's Office of Policy and one of your closest confidants, at EPA headquarters.
- Mr. Chmielewski disputed your definitive and public claims that you "didn't know" about controversial salary raises given to your favored aides, saying that those raises were "100% Pruitt himself." Mr. Chmielewski explained that he was called into your Chief of Staff's office and told that you wanted to move him out of his position in order to give Ms. Hupp his title and a pay increase. Mr. Chmielewski said he raised his concerns about this with White House Associate Director of Presidential Personnel Jennifer Locetta, who told him that the White House would not approve of Ms. Hupp being placed into the Deputy position and receiving that level of a raise. However, Mr. Chmielewski was moved out of his position and Ms. Hupp was given a \$28,130 raise using obscure hiring authority under the Safe Drinking Water Act.
- Mr. Chmielewski also provided our staffs with new evidence of your inappropriate rental arrangement. He explained that he was in your Chief of Staff's office when he heard a conversation on the speakerphone in which your landlord, energy lobbyist J. Steven Hart, was complaining that you had never paid any rent to him, and that your daughter damaged his hardwood floors by repeatedly rolling her luggage across the unit when she was staying there.

Concerns About Travel

¹ Mr. Chmielewski stated that a heavily redacted document released by EPA under FOIA listing \$30,553.88 in "Expenditures" for this trip likely provided evidence of this contract. See <https://www.environmentalintegrity.org/news/italy-travel-security-costs/>.

- Mr. Chmielewski said that Ms. Hupp, at your direction, sought to have the agency enter into a \$100,000 per month contract to rent a private jet, which would have cost more than the Administrator's annual travel budget of approximately \$450,000. Mr. Chmielewski claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office.
- Mr. Chmielewski said he observed that your travel destinations are often dictated by your desire to visit particular cities or countries rather than official business, and that you tell your staff to "find me something to do [in those locations]" to justify the use of taxpayer funds. He stated that you direct your staff to book flights on Delta, even when they are not the federal government's contract carrier for the route, because you want to accrue more frequent flyer miles.
- He also informed our staffs that you directed your staff to find reasons for you to travel to Oklahoma, so that you could be in your home state for long weekends at taxpayers' expense. Mr. Chmielewski described the official meetings in Oklahoma as being pretextual, such as scheduling an official meeting with an old friend.
- According to Mr. Chmielewski, you frequently stayed in hotels that exceeded the allowable U.S. government per diem, sometimes even exceeding the 300 percent cap permitted in exceptional circumstances. He added that while you were reimbursed for these expenses, on some occasions members of your security detail were not reimbursed for the portion of their expenses that exceeded allowable maximums.
- On at least two occasions when planning international trips to Australia and Italy, Mr. Chmielewski claimed that you refused to stay at hotels recommended by the U.S. Embassy, although the recommended hotel had law enforcement and other U.S. resources on-site. He alleged you chose to stay instead at more expensive hotels with fewer standard security resources, and to bring your security team with you, at taxpayer expense.
- After your Chief of Staff raised concerns about your travel, Mr. Chmielewski reported that you texted the Chief of Staff to tell him that his presence was no longer welcome at scheduling meetings for your travel. Mr. Chmielewski further described your effort to marginalize your Chief of Staff as he refused to follow some actions you directed, and he described Ms. Hupp and Sarah Greenwalt, your senior counsel, as running the agency.
- Mr. Chmielewski reported that you provided approval for Ms. Dravis to fly first-class with you on your return trip from Morocco in December 2017, even though there was no legal justification for her to do so. Mr. Chmielewski said that he refused to retroactively sign paperwork after the trip justifying that decision because it violated federal travel regulations. Mr. Chmielewski claimed that Ms. Dravis and Ms. Hupp each separately told Mr. Chmielewski that you had approved the decision, and asked him to reconsider, but he did not. He added that another employee ultimately agreed to justify the decision.

According to Mr. Chmielewski, his refusal to retroactively approve Ms. Dravis's first-class return flight from Morocco appears to him to have been the final straw that caused you to remove him. He told our staffs that following his refusal, Chief of Staff Ryan Jackson called Mr. Chmielewski into his office and informed him that you wished to fire or reassign him. In addition, Mr. Chmielewski explained that EPA's White House Liaison, Charles Munoz, also informed him in February 2018 that you wanted him to resign when he returned from a trip to Japan to staff Vice-President Pence.

When Mr. Chmielewski returned from Japan, he said that your head of security, Mr. Nino Perrotta, sought to have his credentials for entering the EPA building confiscated. According to Mr. Chmielewski, during a call that included Mr. Munoz, Mr. Perrotta said that he was going to go to Mr. Chmielewski's home and forcibly retrieve his EPA parking pass and that he "didn't give a f—k who is on this call". Mr. Chmielewski found the statements to be threatening and reported them to the local police, the White House Office of Presidential Personnel and numerous EPA officials.

Mr. Chmielewski has been on administrative leave since that time, although he said he recently read news reports that his employment may have been terminated. Mr. Chmielewski explained that other employees have had similar experiences. For example, he reported that when the Director of EPA's Office of Administrative and Executive Services Reginald Allen refused to authorize some of your exorbitant spending, his responsibilities were removed.

Conclusion and Request for Documents

Although your spokesperson has repeatedly described those who raise concerns about your actions as "disgruntled employees" whose stories should not be believed, our staffs found Mr. Chmielewski to be a credible professional who continues to express deep loyalty to the President and Vice-President. He came forward because, as he said, "right is right, and wrong is wrong."

The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed.

Mr. Chmielewski informed us that emails, documents and other records exist that will verify these events. Consequently, we request that you provide us with copies of all documents, including emails, meeting minutes, memos, correspondence, and other materials related to all of the matters raised in this letter to the extent such documents exist. For the reasons set forth above, we request that you provide the following documents for the time period of January 20, 2017 to the present date:

1. All documents and communications referring or relating to the purchase or potential purchase of security items to support the Administrator's security, including but not limited to bulletproof vests, weapons, biometric locks or similar locking devices, bulletproof vehicles, and SUVs;
2. All documents and communications referring or relating to the hiring or potential hiring of Sequoia Security Group, anyone associated with Sequoia Security Group, or any other non-federal entity providing security for the Administrator;
3. All documents and communications referring or relating to the hiring of security contractors or foreign nationals to support Administrator Pruitt's trip to Italy;
4. All documents and communications referring or relating to the costs of decorating and/or otherwise furnishing Administrator Pruitt's office, including but not limited to the refinishing costs of the Administrator's desk, the purchase of a standing desk, the leasing

and/or costs of borrowing art from the Smithsonian Institution or any other party, the framing of a United States flag, and the purchase of a coffee maker for the use of Administrator Pruitt;

5. All documents and communications referring or relating to the construction and financing of a secure, classified or soundproof space in Administrator Pruitt's office;
6. All documents and communications referring or relating to the use of lights and sirens by Administrator Pruitt's security detail;
7. All documents and communications referring or relating to Millan Hupp's assistance with the Administrator's rental or purchase of real estate, including but not limited to contacts with any rental or seller's agents, travel to and from rental properties, and documents showing the time spent on this project;
8. All documents and communications referring or relating to any absence from work by Samantha Dravis;
9. All documents and communications referring or relating to any potential contracts or signed contracts to rent and/or lease a private jet for Administrator Pruitt's use or the use of any other EPA employee;
10. A complete and unredacted copy of Administrator Pruitt's calendar for his June 2017 trip to Rome as well as all documents and communications referring or relating to Administrator Pruitt's June 2017 trip to Italy;
11. All documents and communications referring or relating to Samantha Dravis's travel to and/or from Morocco in December 2017, including the justification for her first class and/or business class travel;
12. All documents and communications referring or relating to employee travel to Oklahoma, including the travel of Administrator Pruitt;
13. All documents and communications referring or relating to Nino Perrotta's authority to justify his own first-class or business class travel;
14. All documents and communications referring or relating to Administrator Pruitt exceeding per diem limits, including documents and communications referring or relating to members of Administrator Pruitt's security detail not being reimbursed because of the expenses incurred by Administrator Pruitt;
15. All documents and communications referring or relating to the decision to fire, place on administrative leave, or reassign Kevin Chmielewski or Reginald Allen, including but not limited to any documents or communications regarding removing Mr. Chmielewski's credentials, parking pass, computer, secure phone, or other equipment;
16. All documents and communications referring or relating to the current employment status of Kevin Chmielewski;
17. All documents and communications referring or relating to the decision to promote and/or increase the pay of Millan Hupp and Sarah Greenwalt;
18. All documents and communications referring or relating to the Administrator's lease, rental, or purchase of property in the Washington, DC metropolitan area, including but not limited to ethics opinions or advice, evidence of payment or lack of payment, and complaints made of the Administrator or his family and associates; and
19. All documents and communications referring or relating to the Administrator, his staff, and his security team's use of hotel rooms on domestic and international travel, including the costs and the security of those rooms.

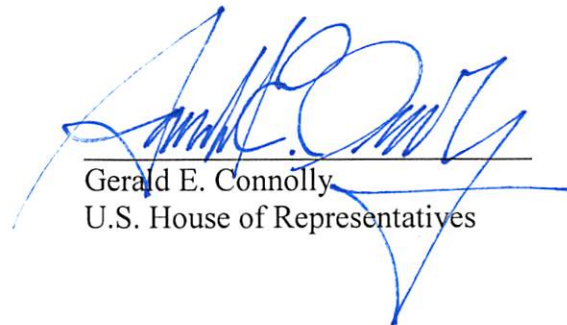
If any of the documents requested contain personal or law enforcement sensitive information, please specify arrangements for us to review these documents in unredacted form. We request that you provide these documents by April 25, 2018.

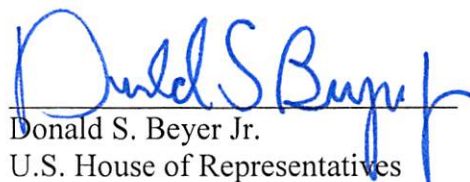
Sincerely,


Thomas R. Carper
U.S. Senate


Sheldon Whitehouse
U.S. Senate


Elijah Cummings
U.S. House of Representatives


Gerald E. Connolly
U.S. House of Representatives


Donald S. Beyer Jr.
U.S. House of Representatives

cc:

Senator John Barrasso, Chairman of the Senate Committee on Environment and Public Works
Congressman Trey Gowdy, Chairman of the House Committee on Oversight and Government Reform