

Congress of the United States

House of Representatives

Washington, D.C. 20515

July 27, 2017

The Honorable Gene L. Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street NW
Washington, DC 20548

Dear Mr. Dodaro:

Yesterday, Ranking Member Pallone requested that the U.S. Government Accountability Office (GAO) open an investigation into the U.S. Department of Energy's (DOE) potential misuse of funds, potential legal violations, and whether DOE Secretary Rick Perry's editorial weighing in on the health care debate is part of a larger DOE effort whereby the Secretary engages on health care legislation.¹

We now write to submit a request that GAO also investigate whether recent actions by other Cabinet members and members of the Trump Administration, including Department of the Interior (DOI) Secretary Ryan Zinke, are part of a larger effort within the Administration whereby members of the President's Cabinet advocate for health care proposals pending before Congress. We also request a formal GAO determination regarding possible legal violations as a result of Secretary Zinke's actions and other possible actions of members of the Trump Administration. According to a report in today's *Alaska Dispatch News*, on Wednesday morning:

[President] Trump took to Twitter to express displeasure with Murkowski's vote. By that afternoon, each of Alaska's two Republican senators had received a phone call from Interior Secretary Ryan Zinke letting them know the vote had put Alaska's future with the administration in jeopardy.²

Senator Dan Sullivan said "the Interior secretary was clear that his message was in response to the no vote Murkowski cast Tuesday on the motion to proceed with debate on the House passed health care legislation" and that "the call from Zinke heralded a 'troubling message.'"³

¹ Letter from Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce, to Gene Dodaro, Comptroller General, U.S. Government Accountability Office (July 26, 2017).

² *Trump administration threatens retribution against Alaska over Murkowski health votes*, *Alaska Dispatch News* (July 27, 2017).

³ *Id.*

Yesterday's phone calls by Secretary Zinke occurred shortly after President Trump's tweet expressing displeasure with Senator Murkowski, and just one day after DOE Secretary Perry generated concerns of impropriety with an editorial weighing in on the health care debate.⁴ The close timing of these actions suggests an apparent pattern and organized effort within the Trump Administration involving the use of federal resources to advance partisan legislation. We request GAO investigate whether such a pattern or organized effort exists, whereby members of the Trump Administration, including members of the President's Cabinet and their staff, are advocating for health care proposals pending before Congress.

We also request a formal opinion as to whether recent actions by Secretary Zinke and any other member of the Trump Administration in furtherance of partisan legislation pending before Congress were in violation of federal law. We request this determination consider all possible violations of all applicable statutes and regulations within GAO's jurisdiction, including but not limited to the Anti-Lobbying Act,⁵ the Antideficiency Act,⁶ the Congressional Budget and Impoundment Act,⁷ and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017.⁸

Thank you for your attention to this matter. If you have questions please contact Jon Monger on the Committee on Energy and Commerce staff at (202) 225-3641 or Vic Edgerton on the Committee on Natural Resources staff at (202) 225-6065.

Sincerely,



Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce



Raúl M. Grijalva
Ranking Member
Committee on Natural Resources

⁴ *Perry enters Obamacare debate using official Twitter account*, E&E News PM (July 25, 2017).

⁵ 18 USC §1913.

⁶ 31 USC § 1341.

⁷ 2 USC § 681 et seq.

⁸ Consolidated Appropriations Act of 2017, Pub. L. 115-31.