

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<http://oversight.house.gov>

July 6, 2017

Timothy O. Horne
Acting Administrator
General Services Administration
1800 F Street, NW
Washington, D.C. 20405

Dear Acting Administrator Horne:

We are writing for the third time with our request that the General Services Administration (GSA) produce documents we have requested pursuant to the statutory “Seven Member Rule.”¹

On February 8, 2017, we sent a letter requesting complete, unredacted copies of documents related to the administration of the Old Post Office lease agreement with President Donald Trump’s company, and we invoked our authority under the Seven Member Rule to make this request.²

We wrote to you after receiving a letter from GSA on February 6, 2017, stating that while the agency would not provide the documents in response to a request from a Member who is not a Committee Chairman, the agency would consider a request submitted pursuant to the Seven Member Rule.³

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

² Letter from Ranking Member Elijah E. Cummings, et al., House Committee on Oversight and Government Reform, to Acting Associate Administrator Saul Japson, General Services Administration (Feb. 8, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-02-08.EEC%20et%20al%20to%20Japson-GSA%20re%20Trump%20International%20Hotel.pdf>).

³ Letter from Acting Associate Administrator Saul Japson, General Services Administration, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (Feb. 6, 2017) (<https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/GSA%20letter.pdf>).

In fact, your predecessor complied with a previous request we made for documents in 2016 regarding exactly the same topic, explicitly noting the agency's compliance with the Seven Member Rule.⁴

Our February 8 letter requested a response by February 13, 2017, but GSA provided no response. Committee staff emailed GSA staff on February 14, 16, 17, and 22, but never received a substantive reply. GSA staff responded to two of those emails by saying they would check on the status of the response but then stopped responding altogether.

During a briefing by GSA officials to Republican and Democratic Committee staff on April 4, 2017, our staff asked about the status of GSA's response to our request, and the GSA officials responded that they would provide a status update. Unfortunately, that never happened.

On June 5, 2017, all 18 Democratic Members of the Committee sent another letter requesting unredacted documents relating to the administration of the lease agreement pursuant to the Seven Member Rule. That letter requested:

1. all monthly reports submitted to GSA since November 2016 by Trump Old Post Office LLC describing revenues and expenses;
2. all correspondence and documents from Trump Old Post Office LLC relating to liens or any action to resolve liens;
3. all correspondence with representatives of Trump Old Post Office LLC, the Trump transition team, or the Trump Administration regarding compliance with the lease before or after the presidential election, Section 37.19 of the lease, the monthly financial reports, the structure of the trust created to address Section 37.19 of the lease, or any other matters above;
4. all correspondence and documents relating to funds received from any foreign country, foreign entity, or foreign source;
5. correspondence from Adam L. Rosen on December 16, 2016, and December 29, 2016, to GSA, referenced in the attachment to GSA's February 6, 2017, letter to Members of this Committee;
6. all correspondence and documents relating to representatives of the tenant in its interactions with GSA;
7. all documents containing legal interpretations of Section 37.19 of the lease

⁴ Letter from Lisa A. Austin, Associate Administrator, General Services Administration, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (Jan. 3, 2017) (<https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/GSA%20Response%20to%20Seven%20Member%20Rule%2001-03-17.pdf>).

created within GSA or received from the tenant;

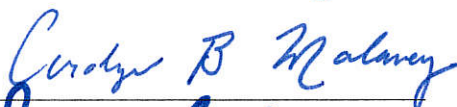
8. any legal opinion relied upon by GSA in making a determination regarding the President's compliance with Section 37.19; and
9. all drafts and edits of Kevin Terry's letter on March 23, 2017, including who authored the drafts or edits.⁵

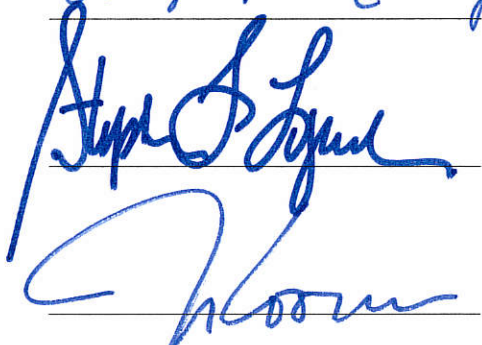
We requested that GSA provide these documents by June 23, 2017, but again, we have received no response. Committee staff emailed GSA staff on June 27, and 30, but received no reply.

If we do not receive a written response by July 20, 2017, we will have no option but to conclude that GSA has made the decision not to respond to our inquiry, and we will consider other options to enforce the Seven Member Rule.

Sincerely,


Elijah E. Cummings

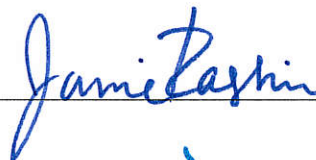

Carolyn B. Maloney


Stephen L. Solarz


Ben Ray Lujan

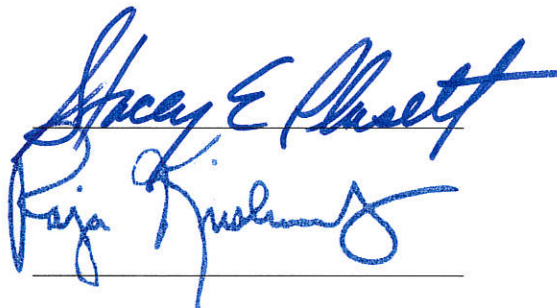

Brenda L. Lawrence

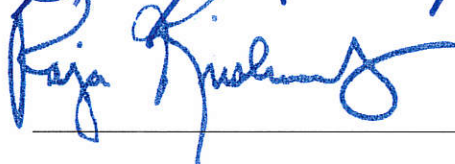

Matthew A. Cartwright


Jamie Raskin


Vee B. Dering


Mark E. Ross


Space E. Plasett


Raja Krishnamoorthi

⁵ Letter from Ranking Member Elijah E. Cummings, et al., House Committee on Oversight and Government Reform, to Timothy O. Horne, Acting Administrator, General Services Administration (June 5, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-06-05.Dem%20Members%20to%20GSA%20re.Seven%20Members.pdf>).

Peter W. 204
John P. Linder

Wm. Lang Clay

cc: The Honorable Trey Gowdy, Chairman

Eleanor H. Norton

Pat. Kelly

Frank R. Doolittle