

United States Senate

WASHINGTON, DC 20510

April 10, 2018

The Honorable John Barrasso
Chairman
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Barrasso,

We write to request that the Senate Environment and Public Works (EPW) Committee immediately initiate bipartisan oversight hearings into the extent and justification of security spending for Environmental Protection Agency (EPA) Administrator Scott Pruitt. Documents provided to us by EPA official(s) suggest the agency has relied on questionable “threats” to the Administrator, including reports of non-violent protests, negative feedback about the Administrator’s actions, or other First Amendment protected activity, to justify millions of dollars in additional security spending, including first-class air travel, as compared to his predecessors at the agency. These non-public documents include security threat assessments from the United States Secret Service that identify no “reports of behaviors of interest” against Administrator Pruitt, and an internal EPA Intelligence Office report that disputes the Administrator’s claims that the nature of the threats against him justify his expenditures. We are providing this information to you under confidential cover in an abundance of caution to protect any specific ongoing security efforts.

Administrator Pruitt has adopted numerous, unprecedented safety measures during his tenure at EPA: 24-7 security staffed by a detail of as many as 20 EPA officers, first-class flights ostensibly to more effectively protect the Administrator while travelling by air, and a security sweep of and biometric locks for the Administrator’s office. The Associated Press reported this weekend that total security costs and associated travel expenses have already cost taxpayers \$3 million.¹

EPA spokesman Jahan Wilcox was quoted on April 6 as saying the Administrator and his family have faced an “unprecedented” number of death threats, a statement that was amplified the following day by President Trump who stated that “Scott Pruitt has received death threats because of his bold actions at EPA.”² In its March 21, 2018 response to a February 15, 2018 letter from Senators Tom Carper and Gary Peters about the Administrator’s first-class flights, EPA wrote that its Protective Security Detail (PSD) “has identified specific, ongoing threats associated with the Administrator’s air travel” and has relied on assessments from EPA’s Office of Inspector General (EPA OIG) that the Administrator is facing more security threats than his predecessor. These assertions do not appear to be consistent with the non-public EPA documents we have obtained and enclose here.

For example, one document we are providing to you is an October 17, 2017 memorandum from William Stull, Special Agent on the Administrator’s PSD, to Pasquale Nino Perrotta, the PSD’s

¹ Michael Biesecker, “AP sources: EPA chief spent millions on security and travel,” *The Associated Press*, April 7, 2018 <https://www.apnews.com/e2fdc3fe88be432792817795a34fda46>.

² https://twitter.com/realDonaldTrump/status/982770847046922240?ref_src=twsrc%5Etfw&ref_url=https%3A%2F%2Fwww.cnn.com%2F2018%2F04%2F07%2Fpolitics%2Ftrump-pruitt-epa-tweet%2Findex.html

Special Agent in Charge.³ The memo purports to summarize available threat information regarding Administrator Pruitt, claiming that the EPA OIG data showed 16 threats directed against the Administrator, a 400% increase over threats in the previous fiscal year against then-EPA Administrator Gina McCarthy. A closer look at the description of many of these threats cast doubt that they appropriately justify the kinds of security measures Mr. Pruitt has sought, as they include:

- Protestors attempting to disrupt a speech given by Mr. Pruitt at a closed event.
- A social media post in which an individual “stated he is not happy with some of the Administrator’s policies and wanted to express his displeasure.”
- A postcard sent to the Administrator stating “CLIMATE CHANGE IS REAL!!! We are watching you. For the sake of our planet, our children & our grandchildren, will you be a reasonable man? I repeat, we are watching you!”
- An email stating: “Hi, I am considering dumping the old paint I just scraped off of my home outside your office door on Tuesday.”
- A letter addressed to the Administrator that did not include “overt threatening language” from an incarcerated individual.

Notably, none of the incidents listed in this report concerned air travel and the only threat to Administrator Pruitt currently being prosecuted by a United States Attorney’s office was a threat made to him and his predecessor Gina McCarthy.

The October 17 assessment also states that at the time there were “no known investigations underway concerning threats to Scott Pruitt” by the Joint Terrorism Task Force, and that an open-source review of social media uncovered “no evidence of a direct threat to the Administrator’s life or physical well-being.”

We have also obtained, and are providing to you, a document dated February 14, 2018, from EPA’s Office of Homeland Security Intelligence Team titled “Preliminary Intelligence Enterprise Threat Assessment Review,” which reviewed the PSD’s October 17, 2017 memo. This memo concluded PSD’s October 17 memo “**DOES NOT** employ sound analysis or articulate relevant ‘threat specific’ information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the Administrator.” (Emphasis in original.) The memo states that “[u]sing all source intelligence resources, **EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator.**”⁴ (Emphasis in original.)

The February 2018 memo describes repeated efforts by EPA Intelligence officials to tell EPA OIG and EPA’s senior leadership that “the ‘threat’ to the Administrator was being inappropriately

³ We wrote to EPA on March 6, 2018, raising numerous concerns about Mr. Perrotta, including potential self-dealing, and questioning his ability to run a security consulting business while employed at EPA. We also raised concerns about how Mr. Perrotta came to be Special Agent in Charge, which have been heightened in light of recent reporting by the New York Times that Mr. Perrotta’s predecessor, Eric Weese, was removed from his position for when he “questioned Mr. Pruitt’s desire to use flashing lights and sirens in his motorcade.” See Eric Lipton, Kenneth P. Vogel, Lisa Friedman, “E.P.A. Officials Sidelined After Questioning Scott Pruitt,” *New York Times*, April 5, 2018. We have not yet received a response from EPA to that letter.

⁴ One role of this office “is to identify potential vulnerabilities, and to provide information and guidance to mitigate potential violent actions evolving from inappropriate communications and/or threats that are directed at EPA protected persons and facilities.” Apparently it has been excluded from assessments and decision-making related to the Administrator’s security. This suggests a breakdown of communication and coordination within EPA that should also be an area of inquiry by the EPW Committee.

mischaracterized by the Protective Service Detail (PSD) and the OIG” and notes that EPA Intelligence has “not seen any analysis to indicate why the Administrator would be at any greater risk on a commercial airline than any other passenger, or why a trained EPA PSD member could not protect the Administrator in a different location on the aircraft [than in the business or first-class section].”

EPA’s Intelligence Team requested from the United States Secret Service a “Direction of Interest Query” on February 21, 2017 and on February 22, 2018 for potential threats against Administrator Pruitt. Neither query returned any “reports of behaviors of interest directed toward EPA Administrator Pruitt.” We have provided you both United States Secret Service reports with this letter.

It is hard to reconcile the public statements of EPA, and the President, with these internal and external assessments. It may be that the materials we have been provided are incomplete and that EPA has additional information that justifies its public position. However, another view is that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the Administrator’s first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the Administrator himself or others in the agency. Either way, the EPW Committee has a responsibility to look into these matters.

As you review this information, we urge you to remind EPA of its obligations under the Whistleblowers Protection Act, as amended. In our view, the documents provided to us may constitute evidence of a “violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.”⁵ As such, any adverse personnel action against a person providing this information to Congress is prohibited, and it is in our shared interest that these rights be protected.

We thank you for your prompt attention to this matter, and look forward to working with you.

Sincerely,



Thomas R. Carper
United States Senator



Sheldon Whitehouse
United States Senator

cc: Arthur A. Elkins, Jr., Inspector General, Environmental Protection Agency

⁵ 5 U.S.C. 2302(b)