

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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November 1, 2017

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

Dear Mr. Chairman:

I am writing to request that you issue subpoenas to compel the White House and the Department of Health and Human Services (HHS) to produce all documents that have been requested as part of our Committee's investigation into the use of non-commercial, charter, and military flights. If you decline, I ask that you allow Committee Members to debate and vote on a motion for the Committee to issue these subpoenas.

As you know, President Trump fired HHS Secretary Tom Price for taking dozens of non-commercial flights at taxpayer expense, some of which were also reportedly joined by Counselor to the President Kellyanne Conway.¹

To investigate these and other troubling reports, you and I sent bipartisan requests to the White House, HHS, and other agencies seeking documents, including "the aircraft manifest (including all passenger names), destinations, dates of use, purpose, cost of each trip, and the source of payment for the trip." We set a deadline of October 10, 2017, for these offices to produce these documents to the Committee.²

When those offices failed to produce the documents we requested, we sent bipartisan follow-up requests on October 17, 2017, seeking compliance no later than October 31, 2017.³

¹ *Price Traveled By Private Plane at Least 24 Times*, Politico (Sept. 21, 2017) (online at www.politico.com/story/2017/09/21/tom-price-private-charter-plane-flights-242989) (reporting that former Secretary Price and Ms. Conway "made stops in four different states in the span of two days").

² *See, e.g.*, Letter from Chairman Trey Gowdy and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Chief of Staff John F. Kelly, The White House (Sept. 26, 2017) (online at <https://oversight.house.gov/wp-content/uploads/2017/09/2017-09-26-TG-EEC-to-Kelly-WH-Travel-due-10-10.pdf>).

³ *See, e.g.*, Letter from Chairman Trey Gowdy and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Chief of Staff John F. Kelly, The White House (Oct. 17, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-10-17.Gowdy%20EEC%20to%20Kelly-WH%20re%20Travel%20Followup%20due%2010-31.pdf>).

By now, the White House and HHS should have produced complete manifests with lists of all passengers who joined these flights, as well as the full costs of each flight. We also should have received answers to two related questions I have raised over the past several weeks:

- First, did former Secretary Price in fact submit the check he promised to reimburse the American taxpayers for his flights?⁴
- Second, will Ms. Conway provide a similar reimbursement for the flights she joined with former Secretary Price and others?⁵

Unfortunately, the White House has provided no response whatsoever to the Committee's bipartisan follow-up request on October 17, 2017. We have received no manifests, destinations, dates of use, purposes, or costs of trips. We have received no information on why the White House has failed to respond to this Committee's second request for these documents. As a result, we are not able to determine the number of flights Ms. Conway joined with former Secretary Price or others, how much these flights cost the American taxpayers, or whether she will reimburse the Treasury for the costs of flights the President has already deemed inappropriate enough to fire former Secretary Price.

In addition, to date neither HHS nor the Department of the Treasury has produced a copy of Secretary Price's reimbursement check, which is clearly within the scope of our joint document request, which asked HHS to provide the "source of payment" for the travel. The agencies also have refused to explain to us whether they have received a copy of the reimbursement check.

Moreover, last night HHS sent documents to the Committee in response to our requests, but these documents are so highly redacted that it is impossible to tell which other government officials or non-government officials joined Secretary Price on his charter flights. For example, if Ms. Conway in fact joined any of these trips, it appears that her name has been intentionally concealed from these documents to eliminate any public reference to her participation. A sample of these highly redacted documents is attached for your review.

For these reasons, I request that you issue subpoenas to compel the White House and HHS to comply fully with the Committee's requests for documents. If you choose not to do so, then I ask you to place this matter on the agenda for our next regularly scheduled business

⁴ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Acting Secretary Don Wright, Department of Health and Human Services, and Secretary Steven T. Mnuchin, Department of the Treasury (Oct. 4, 2017) (online at democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-10-04.EEC%20to%20Mnuchin%2C%20Wright%20re%20Private%20Jet%20Doc%20Request_0.pdf) (requesting copy of any check or other form of payment former Secretary Price submitted to reimburse his expenses for these flights).

⁵ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Kellyanne Conway, Counselor to the President (Oct. 4, 2017) (online at democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-10-04.EEC%20to%20Conway-WH%20re%20Private%20Jet.pdf).

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meeting so all Committee members will have the opportunity to vote on a motion to subpoena the White House and HHS for the documents information they are withholding.

Thank you for your consideration of this request.

Sincerely,



Elijah E. Cummings
Ranking Member