

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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September 24, 2018

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 a subpoena to compel the Department of Veterans Affairs to produce documents it is withholding relating to the nature and scope of the relationship between the Department and three Mar-a-Lago members, Bruce Moskowitz, Ike Perlmutter, and Marc Sherman.

On August 14, 2018, I wrote to Secretary Robert Wilkie to request information after *ProPublica* reported that Mr. Moskowitz, Mr. Perlmutter, and Mr. Sherman exercised unprecedented influence over decisions made by the Department.¹ Mr. Moskowitz, Mr. Perlmutter, and Mr. Sherman hold no positions within the Department and seem to have no government or military experience. In the article published on August 7, 2018, *ProPublica* reported that Department officials sought express approval from Mr. Moskowitz, Mr. Perlmutter, and Mr. Sherman for agency personnel and policy decisions.² One former official even stated: “Everything needs to be run by them.”³

The safety and health of our nation’s veterans is of the utmost importance. Any allegation of impropriety or improper influence over Department policies or decision-making is deeply concerning. For these reasons, I requested that the Department produce information and documents about these allegations by August 28, 2018.

My staff followed up with the Department’s Congressional Liaison office on August 30, 2018, and on September 4, 2018. On September 14, 2018, Secretary Wilkie sent a letter declining to provide the documents and stating that they would not be “appropriate for release at

¹ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Robert Wilkie, Secretary of Veterans Affairs, Department of Veterans Affairs (Aug. 14, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2018-08-14.EEC%20to%20Wilkie-VA%20re%20improper%20influence%20doc%20and%20briefing%20request.pdf>).

² *The Shadow Rulers of the VA*, *ProPublica* (Aug. 7, 2018) (online at www.propublica.org/article/ike-perlmutter-bruce-moskowitz-marc-sherman-shadow-rulers-of-the-va).

³ *Id.*

this time” due to “ongoing litigation alleging violations of the Federal Advisory Committee Act.”⁴

The gravity of these allegations cannot and should not be ignored or delayed until after ongoing civil litigation is completed. We have a duty to protect our nation’s veterans and honor their sacrifices, and that requires us to conduct oversight of the Department that is tasked with serving them in order to determine whether outside individuals improperly influenced Department policy and decision making.

For all these reasons, I ask that you issue a subpoena to compel the Department to produce the following information:

- (1) all documents and communications in the possession, control, or custody of the Department sent to or received from Mr. Moskowitz, Mr. Perlmutter, or Mr. Sherman;
- (2) all documents and communications in the possession, control, or custody of the Department referring or relating to Mr. Moskowitz, Mr. Perlmutter, or Mr. Sherman;
- (3) all documents and communications relating to Department officials’ taxpayer-funded travel to Mar-a-Lago to meet with Mr. Moskowitz, Mr. Perlmutter, or Mr. Sherman;
- (4) all documents and communications relating to any personal referrals to the agency by Mr. Moskowitz, Mr. Perlmutter, or Mr. Sherman related to current or future agency projects or contracts;
- (5) all documents and communications referring or relating to the Veterans Day event at the stock exchange where then-Secretary Shulkin appeared alongside Marvel and Johnson & Johnson promotional material;
- (6) all documents and communications relating to Aaron Moskowitz’s participation or contemplated participation in agency projects;
- (7) all documents and communications referring or relating to the agency working with the Biomedical Research and Education Foundation; and
- (8) all policies, personnel decisions, and procedures created as a result of communications between agency personnel and Mr. Moskowitz, Mr. Perlmutter, or Mr. Sherman.

⁴ Letter from Robert L. Wilkie, Secretary of Veterans Affairs, Department of Veterans Affairs, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (Sept. 14, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/VA.091408.Response%20to%20EEC%20re%20Improper%20Influence%20Doc%20and%20Briefing%20Request.pdf>).

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If you decide not to issue this subpoena, then I ask that you place this matter on the agenda for our next regularly scheduled business meeting so all Committee Members will have the opportunity to debate and vote on this motion.

Thank you for your consideration of this request.

Sincerely,



Elijah E. Cummings
Ranking Member