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Resolved Interaction

Interaction Number: 15399

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Initiation Date*:	2018-06-11
Title*:	Question about ethics complaint (Huffington Post)
Question*:	<p>Hello,</p> <p>I'm writing about a new complaint to OGE filed by the American Democracy Legal Fund, requesting the agency investigate EPA Administrator Scott Pruitt's use of his office to obtain a Chick-fil-A franchise and a short-term job with the nonprofit Concordia for his wife.</p> <p>Does the OGE plan to fulfill the request?</p>
Update:	
Categories*:	Misuse of Position
Origin Of Interaction*:	Email
Source*:	Non-Agency Press
First Name:	Alexander C.
Last Name:	Kaufman
Title:	Reporter, Huffington Post
Position:	
Email:	(b) (6)
Phone:	(b) (6)
Other Contact Notes:	
Assignment:	Elizabeth D. Horton
Watching:	
Temporary Notes:	
<i>created by:</i>	Elizabeth D. Horton

Resolution Information

Resolution Date*:	2018-06-11
Resolution Category*:	Resolved
Response*:	I informed the reporter on background that OGE was not aware of such a complaint. (Assigned to: Elizabeth D. Horton)
Complexity (level):	1 [Click to view/hide complexity guidelines]
Time Spent (hours):	0-1 hour
Contributor:	
<input type="button" value="reopen"/>	

Interaction History Log

(b)(6) Network Location Information

Closed	06/11/2018 03:16:17 PM by Elizabeth D. Horton
Now Assigned: Elizabeth D. Horton	06/11/2018 03:16:17 PM by Elizabeth D. Horton

Division(s) assigned: IOD

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Resolved Interaction

Interaction Number: 15489

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Initiation Date*:	2018-06-19
Title*:	Question about complaint (E&E News)
Question*:	<p>Elizabeth,</p> <p>Hi, it's Kevin Bogardus with E&E News.</p> <p>I'm working on a story about the Campaign Legal Center filing a complaint with the EPA Inspector General about Administrator Pruitt. Here is CLC's letter linked below.</p> <p>http://www.campaignlegalcenter.org/sites/default/files/Complaint%20to%20EPA%20IG%20-%20CLC%20-%20June%2019%202018.pdf</p> <p>CLC says it also sent this letter to the Office of Government Ethics.</p> <p>I have a few questions about this, which are:</p> <ul style="list-style-type: none"> — Has OGE received this letter? — Does OGE plan to investigate the allegations against Administrator Pruitt using EPA resources to try to secure his wife a Chick-fil-A franchise? <p>Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.</p>
Update:	
Categories*:	Ethics Program Administration
Origin Of Interaction*:	Email
Source*:	Non-Agency Press
First Name:	Kevin
Last Name:	Bogardus
Title:	Reporter, E&E News
Position:	
Email:	(b)(6) K. Bogardus email address
Phone:	K. Bogardus phone #s
Other Contact Notes:	
Assignment:	Elizabeth D. Horton
Watching:	
Temporary Notes:	
created by:	Elizabeth D. Horton

Resolution Information

Resolution Date*: 2018-06-19

(b)(6) Network Location Information

Resolution Category*:	Resolved
Response*:	I told the reporter on background that we were not aware of the letter and referred him to OGE's 6/15 letter to the EPA's OIG. <i>(Assigned to: Elizabeth D. Horton)</i>
Complexity (level):	1 [Click to view/hide complexity guidelines]
Time Spent (hours):	0-1 hour
Contributor:	
<input type="button" value="reopen"/>	

Interaction History Log	
Closed	06/19/2018 01:27:36 PM by Elizabeth D. Horton
Now Assigned: Elizabeth D. Horton	06/19/2018 01:27:36 PM by Elizabeth D. Horton

Division(s) assigned: IOD

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Resolved Interaction

Interaction Number: 17604

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Initiation Date*:	2019-06-07
Title:	PA IG coordinated with OGE on Pruitt Chick-fil-A investigation
Question*:	<p>Hi, it's Kevin Bogardus with E&E News.</p> <p>I'm working on a story about this letter from the EPA Inspector General to Sen. Udall (https://www.tomudall.senate.gov/imo/media/doc/Final%20Response%20to%20RM%20Tom%20Udall.pdf), which was shared in a press release yesterday (please see below). I had a few questions about this, which are:</p> <ul style="list-style-type: none"> The letter says EPA IG "coordinated" with the Office of Government Ethics on the EPA IG investigation of former EPA Administrator Scott Pruitt using his official position and his staff to seek business opportunities with Chick-fil-A and Concordia. What did that coordination entail? Interviews held jointly by EPA IG and OGE? Advice and guidance from OGE? Please be specific as possible. <p>Please get back to me as soon as possible. My deadline is noon EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.</p> <p>Kevin Bogardus E&E News Reporter (b)(6) K. Bogardus email K. Bogardus cell, phone, fax</p>
Update:	
Categories*:	Misuse of Position
Origin Of Interaction*:	Email
Source*:	Non-Agency Press
First Name:	Kevin
Last Name:	Bogardus
Title:	Reporter, E&E News
Position:	
Email:	(b)(6) K.
Phone:	(b)(6) K. Bogardus phone numbers
Other Contact Notes:	
Assignment:	Patrick Shepherd
Watching:	
Temporary Notes:	
created by:	Patrick Shepherd

Resolution Information

Resolution Date*:	2019-06-07
Resolution Category*:	Resolved
Response*:	Shared with reporter hat OGE does not comment on individual cases. (Assigned to: Patrick Shepherd)
Complexity (level):	1 [Click to view/hide complexity guidelines]

Time Spent (hours):	0-1 hour
Contributor:	
<input type="button" value="reopen"/>	

Interaction History Log	
Closed	06/07/2019 10:45:21 AM by Patrick Shepherd
Now Assigned: Patrick Shepherd	06/07/2019 10:45:21 AM by Patrick Shepherd

Division(s) assigned: PCD

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 15, 2018

Arthur A. Elkins, Jr.
Inspector General
U.S. Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Avenue, N.W. (2410T)
Washington, DC 20460

Dear Inspector General Elkins:

As the supervising ethics office for the Executive branch, the U.S. Office of Government Ethics (OGE) leads an ethics program designed to prevent conflicts of interest on the part of Executive branch employees. In an April 6, 2018, letter to Kevin Minoli, Principal Deputy General Counsel and Designated Agency Ethics Official of the U.S. Environmental Protection Agency (EPA), I raised concerns about the various reported actions of Scott Pruitt, Administrator of the EPA as they may have constituted violations of the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct) and Executive Order 13770.¹ I now write to you to request that your office investigate new allegations in addition to those identified in my April 6 letter.²

A variety of sources raise concerns about the Administrator's use of his position. Specifically, recent reports raise additional questions regarding the Administrator's use of subordinates' time to search for housing and furniture for the Administrator.³ Recent news reports further allege that the Administrator used his security detail to complete other personal errands for him on official time.⁴ Additionally, recent articles suggest that Administrator used a staff member and his official position to seek business opportunities for his wife with

¹ Letter from David J. Apol, Acting Dir. and Gen. Counsel, U.S. Office of Gov't Ethics, to Kevin Minoli, Principal Deputy Gen. Counsel and Designated Agency Ethics Official, U.S. Env'tl. Prot. Agency (Apr. 6, 2018), <https://t.co/s4yN7EcbO9>.

² See 5 U.S.C. app. § 402(f)(2); 5 C.F.R. § 2638.501.

³ Lisa Friedman & Eric Lipton, *Aide Sought a New Apartment for Scott Pruitt, and an 'Old Mattress' from Trump Hotel*, N.Y. TIMES (June 4, 2018), <https://www.nytimes.com/2018/06/04/climate/pruitt-epa-apartment-aide.html>; Erica Orden, *EPA Chief Scott Pruitt Asked Employee to Run Personal Errands*, WALL ST. J. (June 4, 2018), <https://www.wsj.com/articles/epa-chief-scott-pruitt-asked-employee-to-run-personal-errands-1528138826>.

⁴ Juliet Eilperin et al., *Pruitt Enlisted Security Detail in Picking Up Dry Cleaning, Moisturizing Lotion*, WASH. POST (June 7, 2018), https://www.washingtonpost.com/news/energy-environment/wp/2018/06/07/pruitt-enlisted-security-detail-in-picking-up-dry-cleaning-moisturizing-lotion/?noredirect=on&utm_term=.fd9997e1e1df.



Chick-fil-A,⁵ among others.⁶ These reports raise concerns about whether the Administrator misused his position.⁷

Based on correspondence from Mr. Minoli,⁸ your letter to Congress,⁹ and OGE's communications with your office in which we have provided technical assistance at your request on several issues related to that investigation, I know that you are already looking into the alleged conduct I raised in my April 6 letter. OGE now requests that you also investigate and analyze the newly alleged conduct described above. Further, it is our understanding that you plan to issue a report concerning the previous (and possibly new) allegations. We ask you to complete your report, as soon as possible, so that we can decide whether to begin a formal corrective action proceeding in order to make a formal recommendation to the President.¹⁰

As noted to Mr. Minoli, the American public needs to have confidence that ethics violations, as well as the appearance of ethics violations, are investigated and properly addressed. The efficacy of, and public trust in, our Government demands it. If you have any questions, please do not hesitate to contact my office.

Sincerely,



David J. Apol
Acting Director and General Counsel

cc: Kevin Minoli, Principal Deputy General Counsel and Designated Agency Ethics Official,
U.S. Environmental Protection Agency

⁵ Alexander C. Kaufman, *Scott Pruitt Faces Mounting Calls for Investigations into Chick-fil-A Scandal*, HUFFINGTON POST (June 11, 2018), https://www.huffingtonpost.com/entry/scott-pruitt-chick-fil-a-investigations-oge_us_5b1ebd43e4b09d7a3d75b3cf; Ellen Knickmeyer & Michael Biesecker, *EPA Director Pruitt Laughs off Chick-fil-A Controversy as Senior Aide Quits*, TIME (June 6, 2018), <http://time.com/5303918/epa-scott-pruitt-chick-fil-a-aide-quits/>; Lisa Friedman, *Scott Pruitt Sought 'Business Opportunity' With Chick-fil-A While Leading E.P.A.*, N.Y. TIMES (June 5, 2018), <https://www.nytimes.com/2018/06/05/climate/pruitt-epa-chick-fil-a.html>.

⁶ Juliet Eilperin et al., *EPA Chief Scott Pruitt Tapped Aid, Donors to Help Wife Land Job at Conservative Group*, WASH. POST (June 13, 2018), https://www.washingtonpost.com/national/health-science/epa-chief-scott-pruitt-tapped-aide-donors-to-help-wife-land-job-at-conservative-group/2018/06/13/f54c87fa-6db1-11e8-afd5-778aca903bbe_story.html?utm_term=.eff67c03c8bf.

⁷ 5 C.F.R. §§ 2635.702, .705(b).

⁸ Letter from Kevin Minoli, Principal Deputy Gen. Counsel and Designated Agency Ethics Official, U.S. Envtl. Prot. Agency, to David J. Apol, Acting Dir. and Gen. Counsel, U.S. Office of Gov't Ethics (Apr. 9, 2018).

⁹ Letter from Arthur A. Elkins, Jr., Inspector Gen., U.S. Envtl. Prot. Agency, to Hon. Don Beyer, U.S. House of Representatives (Apr. 25, 2018).

¹⁰ 5 C.F.R. § 2638.504.