



Committee on Transportation and Infrastructure
U.S. House of Representatives

Washington, DC 20515

Peter A. DeFazio
Chairman

Sam Graves, MO
Ranking Member

Katherine W. Dedrick, Staff Director

Paul J. Sass, Republican Staff Director

October 17, 2019

The Honorable Emily Murphy
Administrator
General Services Administration (GSA)
1800 F Street, NW
Washington, DC 20405

Dear Administrator Murphy:

The General Services Administration (“GSA”) continues to withhold key documents from the House Transportation and Infrastructure Committee (“the Committee”). The Committee has legislative and oversight jurisdiction over GSA and its public buildings program, including the Old Post Office Building lease to the Trump International Hotel. The Committee is concerned with GSA oversight of the lease due to potential conflicts of interest and constitutional emoluments violations on the part of the President who has refused to divest from his financial interests in the hotel.

As Ranking Member of the Committee, Mr. DeFazio sent several requests to GSA for documents related to the lease and only received extremely limited information in response. In January 2019, as Chair of the Committee and Chair of the Subcommittee on Economic Development, Public Buildings and Emergency Management (“Subcommittee”) we both sent a letter to you requesting several categories of documents related to this lease.¹ While GSA has produced some records to the Committee, to date GSA has failed to provide the Committee with critical categories of records we require to conduct appropriate congressional oversight of your agency and this lease, including financial records and legal memos and opinions related to the Old Post Office lease. Below is a snapshot of correspondence between GSA and the Committee over the past year on this subject:

- January 22, 2019: Letter from Chair DeFazio and Subcommittee Chair Titus to GSA requesting records related to the Old Post Office lease.
- February 2019: GSA provides first production of documents to the Committee.

¹ Letter to GSA Administrator Emily Murphy, Jan. 22, 2019, available here: <https://transportation.house.gov/news/press-releases/chairman-defazio-rep-titus-press-gsa-on-the-repeated-refusal-to-respond-to-questions-surrounding-trumps-conflicts-of-interest>.

- May 2019: GSA provides second production of documents to the Committee and GSA forwards to the Committee an April 2019 letter from an attorney at the Trump Old Post Office LLC, which owns the Trump International Hotel, to GSA in which this attorney falsely disputes the Committee's legislative authority for obtaining financial records related to the hotel lease.
- July 12, 2019: GSA emails Committee staff asserting attorney client and deliberative process privilege over GSA legal memoranda and opinions related to the hotel lease and requesting that the Committee provide its legislative purpose for requesting financial records related to the hotel lease.
- September 2019:
 - September 10, 2019: Chair DeFazio and Subcommittee Chair Titus send a letter to you, as Administrator of GSA, clarifying the Committee's clear, broad, and legitimate oversight authority to obtain the requested financial documents and objecting to GSA's assertions of privilege regarding the legal records requested in the January 22, 2019 letter.
 - September 25, 2019: Subcommittee Hearing titled, "Landlord & Tenant: Trump Administration Oversight of the Trump International Hotel Lease."
- October 1, 2019: Letter from Chair DeFazio and Subcommittee Chair Titus to GSA reiterating the request for outstanding documents and requesting that GSA conduct an audit and examine hotel financial records pursuant to the lease. The deadline for responding to that letter and providing these records was October 16, 2019.

As part of the document production accommodation process, the Committee has made clear that we have the authority to receive and review all of the records requested in the January 2019 letter. GSA Public Buildings Commissioner Daniel Mathews affirmed the Committee's legitimate oversight authority at the September 25 hearing. As documented in the Committee's September 10, 2019² and October 1, 2019³ letters to GSA, of particular concern to the Committee are the financial records and legal memos and opinions related to the lease. Therefore, GSA must provide the Committee with the following records by Wednesday, October 23, 2019:

- "All Legal Memos or opinions created pursuant to the Old Post Office lease agreement." This should include all draft versions of these records.

² Letter to GSA Administrator Emily Murphy, Sept. 10, 2019, available here: <https://transportation.house.gov/imo/media/doc/2019-09-10%20DeFazio-Titus%20Letter%20Response%20to%20GSA.pdf>.

³ Letter to GSA Administrator Emily Murphy, Oct. 1, 2019, available here: [https://transportation.house.gov/imo/media/doc/2019-10-01%20LTR%20GSA%20-%20Requesting%20Audit%20of%20Old%20Post%20Office%20\(002\).pdf](https://transportation.house.gov/imo/media/doc/2019-10-01%20LTR%20GSA%20-%20Requesting%20Audit%20of%20Old%20Post%20Office%20(002).pdf).

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- “All monthly reports submitted by the tenant describing revenues, expenses, and budgets, pursuant to the Old Post Office lease agreement.”
- All “profit statements for the Trump International Hotel for 2016, 2017, 2018,” and 2019.

If your agency does not produce all of these records by Wednesday, October 23, 2019 to the Committee, I will be forced to use the compulsory process and issue a subpoena soon after to obtain these and all other outstanding documents responsive to this Committee’s January 22, 2019 request letter. The Committee also reserves the right to include additional document requests in the subpoena.

Thank you for your assistance in this matter. Any questions regarding this request should be directed to [REDACTED] on the Majority Staff at [REDACTED]

Sincerely,



PETER A. DeFAZIO
Chair



DINA TITUS
Chair
Subcommittee on Economic
Development, Public Buildings, and
Emergency Management

cc: The Honorable Sam Graves, Ranking Member
Committee on Transportation & Infrastructure

The Honorable Mark Meadows, Ranking Member
Subcommittee on Economic Development,
Public Buildings, and Emergency Management