

# United States Senate

WASHINGTON, DC 20510

April 18, 2018

The Honorable R. Alexander Acosta  
Secretary  
Department of Labor  
200 Constitution Avenue, NW  
Washington, D.C. 20210

Dear Secretary Acosta:

We are writing to request information related to efforts by Charles and David Koch, Koch Industries, and the numerous groups they fund to influence decisions at the Department of Labor (DOL).

The close ties between individuals serving in the Trump administration and the Koch brothers' network have been widely reported over the last year and a half.<sup>1</sup> Long-standing members of the Koch network fill the ranks of the federal government, raising concerns about the network's access to and influence over federal decision-making. Americans have a right to know if special interests are unduly influencing public policy decisions that have profound implications for public health, the environment, and the economy.

Last December, a six-page report titled "Efforts in Government: Advancing Principled Public Policy" was distributed to the Seminar Network—a network of wealthy individuals organized by Charles and David Koch to fund their political and policy efforts.<sup>2</sup> Among other things, this report outlined regulatory rollbacks and laws the Kochs considered successes during the first year of the Trump administration. The report notes, "In the first eleven months of President Trump's Administration, the White House and Congress have closely followed the Network's Roadmap to Repeal."

The Koch network is taking credit for the following actions taken by or related to DOL in the Trump administration:

- rescission of expanded joint employer/independent contractor standards
- the passage and introduction of the Save Local Business Act and Employee Rights Act, respectively, by the House of Representatives
- the Department of Justice's decision not to defend the Overtime Rule

So that we may better understand the role that the Kochs and their affiliated groups have played in shaping public policy decisions in this administration, we request the following information not later than May 15, 2018:

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<sup>1</sup> Public Citizen, *The Koch Government: How the Koch Brothers' Agenda has Infiltrated the Trump Administration*, November 30, 2017, available online at <https://www.citizen.org/sites/default/files/public-citizen-koch.pdf>.

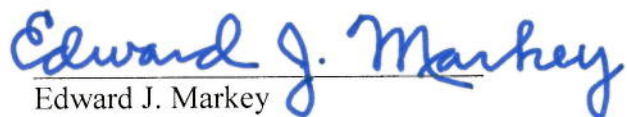
<sup>2</sup> See, e.g., Lee Fang and Nick Surgey, "Koch Document Reveals Laundry List of Policy Victories Extracted from the Trump Administration," *The Intercept*, February 28, 2018, available at <https://theintercept.com/2018/02/25/koch-brothers-trump-administration/>.

- Any communications or documentation thereof (including but not limited to emails, memos, meeting notes, correspondence, and calendar items) between DOL employees and any employee, member, or representative of the following organizations:
  - o Koch Industries or any of its subsidiaries
  - o the Seminar Network
  - o Americans for Prosperity, Americans for Prosperity Foundation
  - o Freedom Partners, Freedom Partners Chamber of Commerce, Freedom Partners Action Fund
  - o Concerned Veterans for America
  - o the LIBRE Initiative
  - o Generation Opportunity
  - o i360
  - o National Federation of Independent Business
  - o Americans for Limited Government
- Any reports, documents, analyses, briefing materials, information, talking points, summaries, or other data pertaining to the aforementioned policy decisions by or pertaining to DOL that DOL employees shared with or received from any employee or representative of any of the organizations listed in the previous request.
- The following individuals at DOL have been employed by, affiliated with, or received compensation from the organizations previously listed: Andrew Wimer, Paul Ray, and Nathan Mehrens. For these individuals, please provide the following:
  - o Executive Branch Personnel Public Financial Disclosure Reports, other OGE Form 201 Covered Records, and any supplemental material.
  - o Lists of all issues these individuals have worked on, are permitted to work on, and are prohibited to work on.
  - o Any ethics agreements, recusals, waivers, or other documentation pertaining to which issues these individuals can and cannot work on.
  - o These individuals' counseling notes, emails, and any other communication between these individuals and DOL's Ethics Office and OGE.
  - o A copy of these individuals' signed "Ethics Pledges."

Thank you for your attention to this matter. If you have any questions or concerns, please ask the appropriate members of your staff to contact my senior advisor, Joe Gaeta at [joe\\_gaeta@whitehouse.senate.gov](mailto:joe_gaeta@whitehouse.senate.gov).

Sincerely,

  
 Sheldon Whitehouse  
 United States Senator

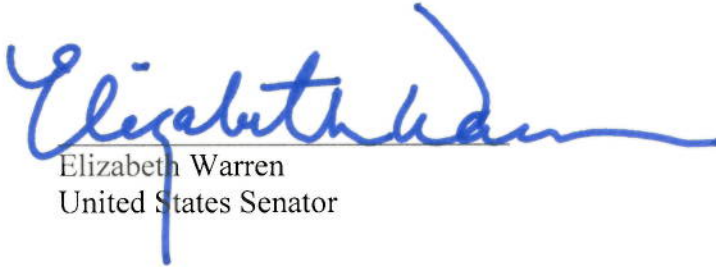
  
 Edward J. Markey  
 United States Senator



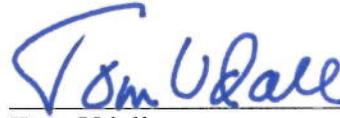
Catherine Cortez Masto  
United States Senator



Ron Wyden  
United States Senator



Elizabeth Warren  
United States Senator



Tom Udall  
United States Senator