

United States Senate

WASHINGTON, DC 20510

March 6, 2018

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Administrator Pruitt,

We write to request that you provide information about the role Pasquale “Nino” Perrotta plays at Environmental Protection Agency (“EPA”). It has come to our attention that, in addition to being employed by EPA, Mr. Perrotta is also a Principal at Sequoia Security Group. We understand that at least one business partner of Mr. Perrotta’s at Sequoia, Edwin Steinmetz, has received a security-related contract from EPA within the last year. These facts raise questions about Mr. Perrotta’s compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest.

It is our understanding that Mr. Perrotta is a key member of your protective security detail. His LinkedIn profile states he serves as “Acting Special Agent in Charge” of a U.S. Government agency.¹ According to records provided by EPA to Senator Whitehouse last year, Mr. Perrotta has accompanied you on several trips outside Washington DC, including trips to Kentucky on June 7, 2017, Tulsa and Guymon, OK on July 27, 2017, Denver and Durango, CO on August 4, 2017, and Grand Forks, ND on August 9, 2017. This is likely an incomplete list of out-of-state travel by you and Mr. Perrotta because the documents provided were related only to your travel on non-commercial flights through August 2017, and Mr. Perrotta accompanied you on all four of the flights identified.

Sequoia Security Group, Inc. is a Maryland-based firm that purports to provide “unique and proven senior executive strategic leadership...in national security, cyber security, protection, investigations, risk, compliance, emergency preparedness and technical surveillance countermeasures.”² As a Principal in this company, Mr. Perrotta highlights his experience “in threat analysis/mitigation, physical and facility security, major event logistics and VIP travel.”³ His firm biography includes the following:

Since 2004, Nino has been a Senior Special Agent with a United States Government [sic] Agency. He is charged with a dual mission, protecting a member of the U.S. Presidential cabinet and coordinating protective intelligence information. Nino has conducted numerous security preparations for his mission and has been responsible for the coordination of both domestic and foreign security advances and conducted sensitive

¹ <https://www.linkedin.com/in/nino-perrotta-6b8bb412/>

² <http://sequoiasecuritygroup.com/about.html>

³ <http://sequoiasecuritygroup.com/nino-perrota.html>

internal and contract investigations valued up to \$250 million relating to waste, fraud, abuse and other violations of criminal and civil law.⁴

The firm has described Mr. Perrotta as its founder.⁵ His biography on the Sequoia website does not specifically mention that he works for EPA or that the cabinet member he protects is you.

In December, the Associated Press reported that you hired one or more private contractors with federal funds to have your “office swept for hidden listening devices and bought sophisticated biometric locks for additional security.”⁶ That article indicated that a \$3,000 contract was given to Edwin Steinmetz Associates for a “bug sweep” and two other contracts, both under the \$3,500 threshold for public reporting, were given for the purchase of biometric locks. Mr. Steinmetz is Vice President of Technical Surveillance Countermeasures at Sequoia; in other words, he is a business partner of Mr. Perrotta.⁷ The recipients of the other contracts were not identified in the article.

EPA has adopted supplemental regulations governing outside employment by EPA employees. Those regulations:

- Require approval from an EPA ethics official before an employee engages in outside employment, including consulting services or a subject matter that deals with the policies, programs or operations of EPA;
- Require that any request for approval of outside employment be submitted in writing, and specify the nature of the activity, the name of the organization for which the work will be done, the estimated time to be devoted to the job, and whether the service will be performed entirely outside business hours;
- Prohibit the use of official duty time or federal resources from being used for the outside employment;
- Require that the employee submit revised requests for approval upon a change in the nature and scope of the employee’s duties at EPA or the employee’s outside employment; and
- Limit any approval to five years.⁸

EPA employees are also subject to federal law and regulations governing conflicts of interest. 18 U.S.C. 208 prohibits federal employees from participating “personally and substantially as a Government officer or employee...in a...contract, claim...or other particular matter in which, to his knowledge, he, his...general partner, [or] organization in which he is serving as officer, director, trustee, general partner or employee...has a financial interest.” A waiver to the provisions of section 208 may be granted only if EPA determines in advance that the “employee's financial interest in the particular matter or matters is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such employee.”⁹

⁴ Id.

⁵ <https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html>

⁶ Michael Biesecker, “EPA chief sweeps office for bugs, installs high-tech locks” Associated Press, Dec. 19, 2017, available at: <https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1>.

⁷ <http://sequoiasecuritygroup.com/edwin-steinmetz.html>

⁸ 5 C.F.R. 6401.103

⁹ 5 C.F.R. 2635.402(d)(2)(ii).

So we can understand how EPA is ensuring that Mr. Perrotta is complying with the requirements of 5 C.F.R. 6401.103, please provide the following:

- All requests for approval of outside employment by Mr. Perrotta, including supporting documentation and any other information relevant to the requirements of 5 C.F.R. 6401.103.
- All approvals given by EPA for his outside employment, including any guidance about or limitations to those approvals in any form.
- All financial disclosures made by Mr. Perrotta during his employment at EPA. If Mr. Perrotta did not make financial disclosures for any period of his employment at EPA, please provide an explanation of those gaps.

With respect to Mr. Perrotta's current work at EPA:

- What are Mr. Perrotta's current job title and responsibilities? How have his position and responsibilities changed during your tenure as Administrator?
- Mr. Perrotta's LinkedIn page describes his current position as "Acting Special Agent in Charge." If that is an accurate description, why is he in an "acting" role? Are there plans to post that position for all eligible applicants to compete for? If not, why not? Under what circumstances did the prior Special Agent in Charge leave?
- If Mr. Perrotta's job responsibilities have changed, how did EPA account for them in decisions authorizing his outside employment pursuant to 5 C.F.R. 6401.103?
- In his private employment at Sequoia, Mr. Perrotta notes his expertise in "threat analysis and mitigation" and "VIP travel." Please provide any written assessments authored in whole or in part, or reviewed by, Mr. Perrotta, of security threats to you, including but not limited to the determination that security considerations required you to fly first-class, that you needed to have your office swept for electronic listening devices, that you needed to install biometric locks, that you needed a secure communications booth, that you require around-the-clock security protection, and any other non-disclosed security measure or project you have decided to undertake.
- Is Mr. Perrotta responsible for any contracting decisions, including the determination that EPA should contract for private security services or who should be awarded a contract?
- Please provide any waivers to the conflict of interest provisions of 18 U.S.C. 208 issued by EPA to Mr. Perrotta.

With respect to Sequoia and Edwin Steinmetz Associates:

- Please provide copies of all contracts between EPA and Sequoia, Edwin Steinmetz Associates, or any other person associated with Sequoia.
- Please provide copies of all three contracts related to the bug sweep and biometric locks identified in the Associated Press article.
- Was Mr. Perrotta involved in any decision related to the need for this particular security assessment or the award of these contracts in particular? If so, please provide any documentation authorizing him to participate in these decisions.

- Were these contracts competitively bid? If not, why not and please describe how contractors were selected.

We would appreciate a response to these questions, and responsive documents, not later than March 21, 2018.

Sincerely,

Thomas R. Carper
United States Senator

Sheldon Whitehouse
United States Senator