

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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November 30, 2021

The Honorable Carolyn Maloney
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

We write to you again with serious concerns regarding the Committee's investigation into the oil and gas industry. Since its inception, Committee Democrats' investigation has been fraught with pre-determined conclusions, reckless accusations, and an abuse of Congress' oversight authority. The most egregious of these abuses is your decision to unilaterally issue subpoenas for documents that strike at the heart of protections offered by the First Amendment. Your investigation is an attack on the First Amendment. Meanwhile, Democrats continue to ignore the American people who are dealing with rising energy costs. Many families will be faced with the choice between buying Christmas gifts or putting gas in their vehicles or heating their homes—all thanks to the Biden Administration. It is time for this Committee to exercise its oversight authority properly by returning our focus to the issues that are critical for the American people. We respectfully request that you immediately convene a hearing to examine the rising energy costs in America to determine what solutions exist to ease the burdens caused by Biden Administration policies instead of pursuing a baseless investigation of American industry.

Inflation in October reached 6.2 percent—the highest level it has been in over 30 years.¹ According to AAA, which tracks gas price trends, gas prices are more than a dollar per gallon than they were a year ago.² Instead of solving this problem, the Committee Democrats are engaged in an “investigation” that challenges the limits of Congress' oversight authority and continues to amount to nothing more than partisan political theater. After badgering the witnesses at a six-hour Congressional hearing on October 28, 2021, you concluded the hearing with an announcement you intended to subpoena the witnesses for documents—witnesses who appeared voluntarily and whose organizations had already produced over 100,000 pages of documents by that time. What a reckless use of our Committee's subpoena authority.

According to recent letters sent to the Committee, these entities have made it clear that some of the documents subject to the subpoenas raise critical First Amendment implications.³ It

¹ Jeanna Smialek, “Fastest Inflation in 31 Years Puts More Heat on Washington,” N.Y. Times, Nov. 14, 2021.

² National Average Gas Prices, American Automobile Assoc., *available at* <https://gasprices.aaa.com/>.

³ Letter from Counsel for American Petroleum Institute, to Majority, H. Comm. on Oversight and Reform, Nov. 16, 2021; Letter from Counsel for U.S. Chamber of Commerce, to Hon. Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight and Reform, Nov. 16, 2021; Letter from Counsel for BP America Inc., to Hon. Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight and Reform, Nov. 16, 2021; Letter from Counsel for Exxon Mobil Corp., to

is improper for this Committee to abuse the power bestowed upon us by the American people to infringe or chill any Constitutional right—let alone the right to petition the government. Again, we urge you to withdraw these unnecessary subpoenas—particularly since all parties are continuing to provide the Committee with documents which now number over 200,000 pages—and reset the Committee’s oversight objectives toward the goal of helping Americans address the real issues they face on a daily basis.

Heading into the holiday season, Americans are now dealing with difficult decisions due to the rising costs for household goods and skyrocketing energy prices. The U.S. Energy Information Administration reports that American families should brace for vast price increases for heating costs for those who use either natural gas or heating oil to heat their homes.⁴ Committee Democrats current investigation does nothing to solve this impending crisis. Committee Republicans believe it is necessary for this Committee to use its oversight authority to examine how we can work with industry to increase domestic production of our natural resources to alleviate the burden that these rising costs will have on hardworking American families.

The Biden Administration’s recent actions demonstrate they are in desperation mode as Americans endure the energy crisis created by their policies. One of President Biden’s first actions after his inauguration was to implement a moratorium on new oil and gas leases on federal lands.⁵ However, on November 17, 2021, due only to a court order, the Biden Administration was forced to conduct an auction for oil and gas leases on 80 million acres in the Gulf of Mexico.⁶ Ironically on the same day, President Biden sent a letter to the Federal Trade Commission (FTC) directing them to investigate “anti-consumer” behavior by oil and gas companies.⁷ Then, in the ultimate act of desperation, on November 23, 2021, two days before Thanksgiving, President Biden announced that he was releasing 50 million barrels of oil from the Strategic Petroleum Reserve (SPR) in an effort to reduce gasoline prices.⁸ The fact that President Biden would weaponize a federal agency, the FTC, against American businesses to avoid accountability for his Administration’s policies and then deplete the SPR, which analysts agree will have practically no impact on gasoline prices, is merely cowardly blame shifting and vilification of the domestic energy companies that must stop. This Committee is uniquely positioned to use our oversight authority to find a constructive path forward by working with—not against—industry to solve the current energy crisis.

The Committee on Oversight and Reform exists to provide the necessary oversight of federal government actions and policies to protect the American people and their taxpayer dollars. This Committee needs to act now and use its authority to address the most pressing issues facing the country. The American people look to our Committee to hold the government

Hon. Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight and Reform, Nov. 16, 2021; Letter from Counsel for Shell Oil Co., to Hon. Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight and Reform, Nov. 16, 2021.

⁴ Winter Fuels Outlook, October 2021, U.S. Energy Information Administration, *available at* <https://www.eia.gov/outlooks/steo/report/WinterFuels.php>.

⁵ Jordan Blum, “Biden Issues Broad Moratorium on Oil and Gas Leases on Federal Lands and Waters,” S&P Global, Jan. 27, 2021.

⁶ Nichola Groom, “Chevron, Exxon are Among Top Spenders at Biden Offshore Auction,” Reuters, Nov. 17, 2021.

⁷ Letter from President Joe Biden, to Hon. Lina Khan, Chair, Federal Trade Commission, Nov. 17, 2021.

⁸ Kate Sullivan, Betsy Klein, and Devan Cole, “Biden Announces Release of Oil Reserves, but Says Gas Prices Will Not Drop Overnight, Nov. 23, 2021.

The Honorable Carolyn Maloney

November 30, 2021

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accountable for its actions. We should use the authority of this Committee to immediately convene a hearing to examine the rising cost of energy in this country and the ways that government can work with industry to lower gas prices and heating costs for the American people.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Ralph Norman
Ranking Member
Subcommittee on Environment



Jody Hice
Ranking Member
Subcommittee on Government Operations



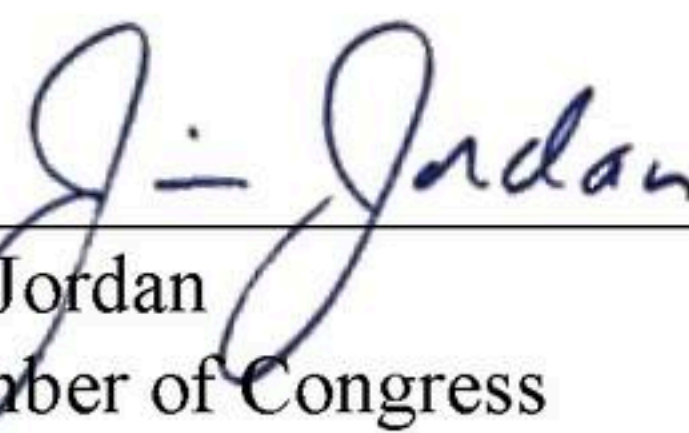
Glenn Grothman
Ranking Member
Subcommittee on National Security



Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



Jim Jordan
Member of Congress



Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



Clay Higgins
Member of Congress



Pete Sessions
Member of Congress

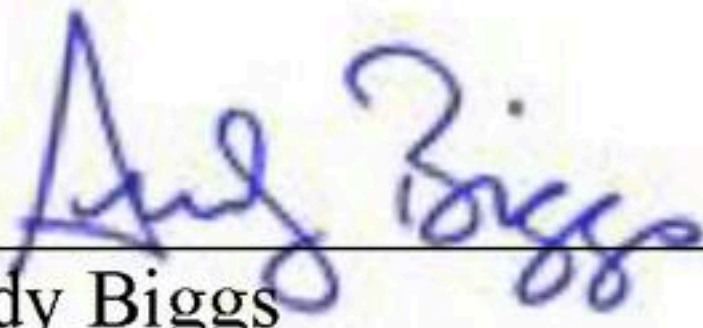


Fred Keller
Member of Congress

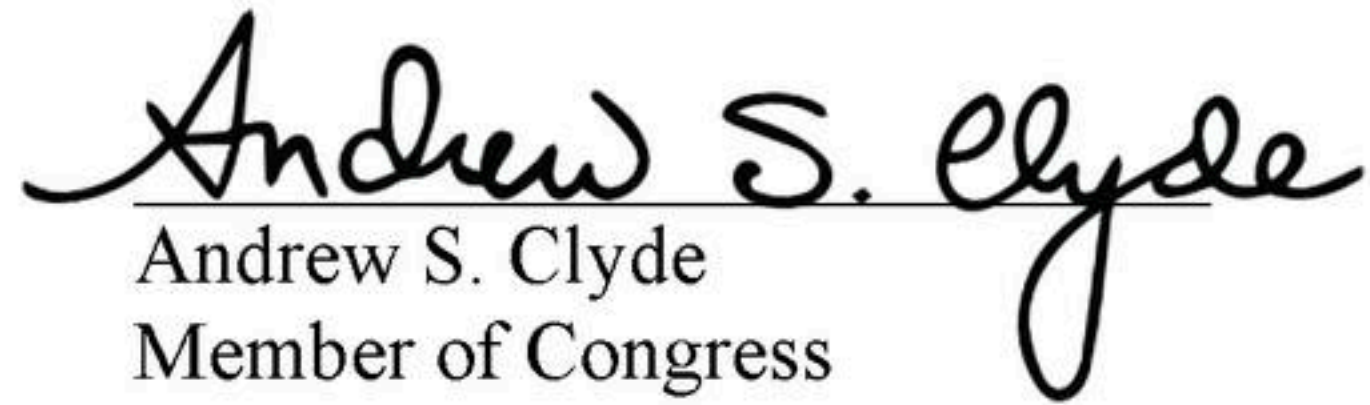
The Honorable Carolyn Maloney

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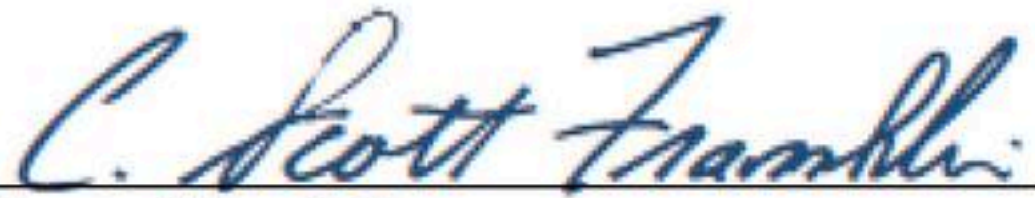
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Andy Biggs
Member of Congress



Andrew S. Clyde
Member of Congress




Scott Franklin
Member of Congress



Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties