UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
1301 CONSTITUTION AVENUE NW
WASHINGTON, DC 20004

DATE: March 14, 2019 **PREPARED BY:** SA [redacted]

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE**

TITLE: Allegation of Inappropriate Lobbying

CASE CLOSING REPORT

Subject(s)	Location	Other Data
NA	Washington, DC	

VIOLATIONS:

31 U.S.C. § 1341 – Antideficiency Act
Public Law 115-31 – Consolidated Appropriations Act of 2017

ALLEGATION:

On September 26, 2017, the Committee on Energy and Commerce, U.S. House of Representatives requested that the EPA Office of Inspector General (OIG) "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Scott Pruitt and the National Mining Association."

FINDINGS:

The OIG's Office of Investigations conducted seven interviews with members of the National Mining Association and five interviews with EPA personnel who attended the April 2017 meeting. As the purpose of this inquiry was to develop a factual record of said meeting, on March 1, 2019, a written account of the information collected was sent to the Committee on Energy and Commerce, U.S. House of Representatives.

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Released via FOIA EPA-HQ-2019-006592

DISPOSITION:

This was a fact-finding matter. The matter was completed and the appropriate documents provided to Congress. No further action is required. As such, this matter is being closed.

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Released via FOIA EPA-HQ-2019-006592

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
THE INSPECTOR GENERAL

MAR - 1 2019

The Honorable Frank Pallone Jr.
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Pallone:

In a letter dated September 26, 2017, you informed me that on August 1, 2017, you sent a letter to the U.S. Government Accountability Office (GAO) "requesting a legal opinion on whether recent actions by Administrator Scott Pruitt violated the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017 during the time period before President Trump decided to pull the U.S. out of the Paris climate accord." You also stated that "prior to GAO conducting an analysis of whether recent actions by Administrator Pruitt violated the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the CSA, it is necessary to establish a factual record." As a result, you requested that the U.S. Environmental Protection Agency's (EPA's) Office of Inspector General (OIG) "develop a comprehensive factual record for instances where possible legal violations may have occurred, including the April 2017 meeting between Administrator Pruitt and the National Mining Association."

On December 4, 2017, the OIG responded to your request by stating that after discussing our intended approach with your staff and officials of the GAO, the OIG would compile a factual record of the single meeting between EPA Administrator Pruitt and the National Mining Association in April 2017 and provide it to you. In turn, you may provide the OIG record to the GAO.

To that end, the OIG's Office of Investigations conducted seven interviews with members of the National Mining Association and five interviews with EPA personnel who attended the April 2017 meeting. Before agreeing to the interviews, members of the National Mining Association requested confidentiality; hence, all personally identifiable information was omitted from the written account of those interviews, which is enclosed.

We appreciate your interest in the work of the OIG. If you have additional questions about this or any other matter, please contact Jennifer Kaplan, Deputy Assistant Inspector General for Congressional and Public Affairs, at (202) 566-0918.

Sincerely,

Charles J. Sheehan

Charles J. Sheehan
Acting Inspector General

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #: NA**

TITLE: Allegation of Inappropriate Lobbying

INTERVIEWEE (*if applicable*): NA

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
OTHER

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Attached Documents:

1. Memorandum of Interview (b) (6), (b) (7)(C) [redacted]
2. Memorandum of Interview [redacted]
3. Memorandum of Interview [redacted]
4. Memorandum of Interview [redacted]
5. Memorandum of Interview [redacted]
6. Memorandum of Interview – NMA01
7. Memorandum of Interview – NMA02
8. Memorandum of Interview – NMA03
9. Memorandum of Interview – NMA04
10. Memorandum of Interview – NMA05
11. Memorandum of Interview – NMA06
12. Memorandum of Interview – NMA07

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1. Memorandum of Interview – (b) (6), (b)

(b) (6), (b) (7)(C)

2. Memorandum of Interview – (b) (6), (b)

(b) (6), (b) (7)(C)

3. Memorandum of Interview – (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

4. Memorandum of Interview - (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

5. Memorandum of Interview – (b) (6), (b)

(b) (6), (b) (7)(C)

6. Memorandum of Interview – NMA01

MOI NMA01.pdf

7. Memorandum of Interview – NMA02

MOI NMA02.pdf

8. Memorandum of Interview – NMA03

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MOI NMA03.pdf

9. Memorandum of Interview – NMA04

MOI NMA04.pdf

10. Memorandum of Interview – NMA05

MOI NMA05.pdf

11. Memorandum of Interview – NMA06

MOI NMA06.pdf

12. Memorandum of Interview – NMA07

MOI NMA07.pdf

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): (b) (6), (b) (7)(C)

PREPARED BY: (b) (6), (b) (7)(C)

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

On April 12, 2018, Special Agents (SA) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Office of Investigation (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the interview of (b) (6), (b) (7)(C) EPA. The interview was in reference to a fact finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between Administrator Pruitt and the National Mining Association."

Prior to commencing the interview, OIG agents introduced themselves to (b) (6), (b) (7)(C), presented their EPA OIG law enforcement credentials for review, and explained the nature of the interview. (b) (6), (b) (7)(C) provided the following information in sum and non-verbatim:

(b) (6), (b) (7)(C)

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/12/2018

AGENT: (b) (6), (b) (7)(C)

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Concerning (b) (6) presence at the National Mining Association meeting on April 24, 2017, (b) (6) explained that (b) (6) attended the meeting as (b) (6), (b) (7)(C) (b) (6) (b) (6) also said that Administrator Pruitt's speaking engagement lasted approximately 30 minutes. According to (b) (6), during this particular speaking engagement, Administrator Pruitt addressed an audience of nearly 200 people. According to (b) (6), (b) (6) did not hear the Administrator mention anything related to his support for the US to withdraw from the Paris Agreement on Climate Change.

When asked about whether (b) (6) attended the private meeting held between (b) (6), (b) (7)(C) the National Miners Association and Administrator Pruitt, (b) (6) said (b) (6), (b) (7)(C) was asked whether (b) (6) recalls anyone in the audience asking Administrator Pruitt about (b) (6) position concerning the US withdrawal from the Paris Agreement on Climate Change, (b) (6) stated the subject was not discussed. When ask to expand on what type of information was discussed at the meeting, (b) (6) responded that Administrator Pruitt discussed the EPA's goals, however, to the best of (b) (6), (b) (7) knowledge the Paris Agreement on Climate Change was not discussed. (b) (6) was also asked if (b) (6) had any knowledge as to (b) (6), (b) (7)(C) EPA wrote the speech.

When asked about the names of the EPA employees who attended the aforementioned meeting, (b) (6) stated that (b) (6), (b) (7)(C) were at the meeting. (b) (6), (b) (7)(C) was present during the speaking engagement. (b) (6) also said that (b) (6) would be able to provide the names (b) (6), (b) (7)(C) to SA (b) (6), (b) (6) via e-mail. SA (b) (6), (b) (6), asked (b) (6) whether (b) (6) knew the names of the National Miners Association (b) (6), (b) (7)(C) with whom Administrator Pruitt met with subsequent to the speaking engagement, to which (b) (6) responded that (b) (6) would provide SA (b) (6), (b) (7)(C) the names via e-mail.

SA (b) (6), (b) (6) asked (b) (6) the following specific questions:

On April 24, 2017, Mr. Pruitt attended a meeting with the National Miners Association in Naples Florida. During said meeting, did Mr. Pruitt suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) (6), (b) (7) response *"no."*

CASE: 01-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/12/2018

AGENT: (b) (6), (b) (7)(C)

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Did you hear Mr. Pruitt ask any of the National Miners Association members to pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

During said meeting, did you suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

Did you hear any EPA employee who attended said meeting suggest to the National Mining Association that they should support or pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

(b) (6), (b) (7)(C) sent SA (b) (6), (b) (7)(C) an e-mail message which contained the names of the PSD agents who attended the April 24, 2017 meeting between the National Mining Association and Administrator Pruitt [Attachment 1]. The e-mail also contained an attachment with the names of the National Mining Association (b) (6), (b) (7)(C) who met with Administrator Pruitt [Attachment 2].

Attachments:

1. E-mail message from (b) (6), (b) (7)(C) to SA (b) (6), (b) (7)(C) titled: (b) (6), (b) (7)(C)

   NMA Meeting.pdf

2. National Mining Association (b) (6), (b) (7)(C) / Not dated.

   National Mining Association (b) (6), (b) (7)(C)

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/12/2018

AGENT: (b) (6), (b) (7)(C)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*) (b) (6), (b) (7)(C) [redacted]

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

On April 17, 2018, Special Agents (SA) (b) (6), (b) (7)(C) [redacted] Office of Investigation (OI)Environmental Protection Agency (EPA) and (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted] Office of Investigation (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the interview (b) (6), (b) (7)(C) [redacted] EPA. The interview was conducted in reference to a fact finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between Administrator Pruitt and the National Mining Association."

Prior to commencing the interview, OIG agents introduced themselves to (b) (6), (b) (7) [redacted] presented their EPA OIG law enforcement credentials for review, and explained the nature of the interview. (b) (6), (b) (7)(C) [redacted] provided the following information in sum and non-verbatim:

(b) (6), (b) (7)(C) [redacted] accompanied EPA Administrator Scott Pruitt to a speaking engagement with the National Miners Association in Naples, FL. However,

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/17/2018

DRAFTED DATE: 4/18/2018

AGENT: (b) (6), (b) (7)(C) [redacted]

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(b) only recalls working with (b) (6), (b) (7)(C), EPA. (b) stated that even though (b) was present at the meeting the Administrator had with the National Mining Association, (b) does not recall Administrator Pruitt or anyone else discussing the Paris Climate Change Agreement.

(b) concluded by stating that (b) does not remember much of what was said by Administrator Pruitt during said meeting, however, (b) does remember that members of the press did not attend the meeting.

Prior to terminating the interview, (b) was asked the following questions:

On April 24, 2017, Mr. Pruitt attended a meeting with the National Miners Association in Naples Florida. During said meeting, did Mr. Pruitt suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) ' response *"no, I don't remember Pruitt meeting separately with* (b) (6), (b) (7)(C) *"*

Did you hear Mr. Pruitt ask any of the National Miners Association members to pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) response *"I don't recall."*

During said meeting, did you suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) ' response *"no."*

Did you hear any EPA employee who attended said meeting suggest to the National Mining Association that they should support or pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) response *"no."*

As (b) had no further pertinent information the interview was concluded.

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/17/2018

DRAFTED DATE: 4/18/2018

AGENT: (b) (6), (b) (7)(C)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): (b) (6), (b) (7)(C)

PREPARED BY: (b) (6), (b) (7)(C)

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

On April 12, 2018, Special Agents (SA) (b) (6), (b) (7)(C) (b) (6), (b) Office of Inspector General (OIG), Environmental Protection Agency (EPA) and (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) OI, OIG, EPA, conducted the interview of (b) (6), (b) (7)(C), EPA. The interview was in reference to a fact finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between Administrator Pruitt and the National Mining Association."

Prior to commencing the interview, OIG agents introduced themselves to (b) (6), (b) (7)(C) presented their EPA OIG law enforcement credentials for review, and explained the nature of the interview. (b) (6), (b) (7) provided the following information in sum and non-verbatim:

(b) (6), (b) (7)(C)

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/13/2018

AGENT: (b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

When asked about if (b) (6) attended Administrator Pruitt's meeting with the National Miners Association in Naples, FL on April 24, 2017, (b) (6), (b) responded, "yes, I was there for the majority of the meeting, but briefly stepped out." When asked about how long the meeting lasted, (b) (6), said "about 45 minutes." (b) (6), (b) was asked if Administrator Pruitt met with (b) (6), (b) (7)(C) from the National Mining Association prior to the speaking engagement, to which (b) responded that there was no pre-meeting.

When asked if Administrator Pruitt discussed anything related to the US withdrawal from the Paris Agreement on Climate Change, (b) (6), stated not to know for sure if anything was mentioned about the topic. When asked if (b) recalls what Administrator Pruitt's speech was about, (b) (6), (b) (7)(C) Administrator Pruitt talked about "returning the agency to its core mission, process and cooperation." (b) (6), added that (b) does not know for sure if Administrator Pruitt mentioned anything about the Paris Agreement on Climate Change.

As the interview progressed, (b) (6), (b) was asked again if Administrator Pruitt met with (b) (6), (b) (7)(C) from the National Mining Association separate from the speaking engagement, at which point (b) (6), recalled that there was a post-meeting between Administrator Pruitt and (b) (6), (b) (7)(C) the National Mining Association, and that this meeting was attended by a group (b) (6), (b) (7)(C) from the National Mining (b) (6), (b) (7)(C). When asked (b) knows the names of the attendees, (b) (6), (b) said, the only name he recalls is (b) (6), (b) (7) and added that (b) (6), (b) (7)(C), EPA would know the rest of the names. (b) (6), also said that (b) (6), (b) (7)(C) at the EPA was present for the meeting, as well as (b) (6), (b) (7)(C). When asked if during the private meeting Administrator Pruitt had with (b) (6), (b) (7)(C) the National Mining Association he mentioned anything about the Paris Climate Change Agreement, (b) (6), responded that the topic was briefly discussed, however, Administrator Pruitt limited himself to explaining his position on the topic. According to (b) (6), (b) "there was no call" from Administrator Pruitt to the miners to pressure the president into withdrawing from the Paris Agreement on Climate Change. When asked to expand on what exactly Administrator Pruitt said his position was concerning the US withdrawal from the Paris Agreement on Climate Change, (b) (6), (b) said, "the Administrator's position is that withdrawing is a good thing." According to

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/13/2018

AGENT: (b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C), Administrator Pruitt believes "it was an unfair deal for our country" and that "the President did the right thing." (b) (6), (b) (7)(C) uttered, "this is what he says now." (b) (6), (b) later said that (b) (6) does not recall if that is exactly what Administrator Pruitt said during the meeting with the miners.

SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) the following specific questions:

On April 24, 2017, Mr. Pruitt attended a meeting with the National Miners Association in Naples Florida. During said meeting, did Mr. Pruitt suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"Not to my recollection."*

Did you hear Mr. Pruitt ask any of the National Miners Association members to pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

During said meeting, did you suggest to the National Miners Association to support the US withdrawal from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

Did you hear any EPA employee who attended said meeting to suggest to the National Mining Association that they should support or pressure the President into withdrawing from the Paris Climate Change Agreement?

(b) (6), (b) (7)(C) response *"no."*

As (b) (6), (b) (7)(C) had not further information to share the interview was concluded.

CASE: 01-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 4/12/2018

DRAFTED DATE: 4/13/2018

AGENT: (b) (6), (b) (7)(C)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
61 FORSYTH STREET, SW
ATLANTA, GA 30303

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE: (b) (6), (b) (7)(C) **EPA-**(b) (6), (b) (7)(C)

PREPARED BY: (b) (6), (b) (7)(C)

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

On May 21, 2018, SA (b) (6), (b) (7)(C) contacted (b) (6), (b) (7)(C) (b [redacted] to schedule an interview regarding an allegation of possible Antideficiency Act and Consolidated Appropriations Act of 2017 violations committed by EPA Administrator Scott Pruitt during an April 2017 meeting with the National Mining Association. When informed of the purpose of the interview, (b) (6), (b) (7)(C) stated that (b) was not present at this meeting. (b) (6), (b) (7)(C) reported the following:

(b) (6), (b) (7)(C) [redacted] During (6) this trip, Pruitt was scheduled to meet with the National Mining Association. (b) (6), (b) (7)(C) [redacted]

(b) (6), (b) (7)(C) [redacted]

CASE #:	INTERVIEWEE (*if applicable*):	
OI-HQ-2018-ADM-0039	(b) (6), (b) (7)(C) [redacted]	
DATE OF ACTIVITY:	**DRAFTED DATE:**	**AGENT(S):**
05/21/18	05/21/18	(b) (6), (b) (7)(C) [redacted]

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(b) (6), (b) (7)(C) [redacted]

[redacted] but was too far away to overhear any of their conversations.

CASE #:
OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):
(b) (6), (b) (7)(C) [redacted]

DATE OF ACTIVITY:
05/21/18

DRAFTED DATE:
05/21/18

AGENT(S):
(b) (6), (b) (7)(C) [redacted]

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1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA01

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between (b) (6), (b) (7)(C) [redacted] *representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted] *and EPA Office of Inspector General, except for* (b) (6), (b) (7)(C) [redacted] *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On August 13, 2018, Special Agent (SA) (b) (6), (b) (7)(C) [redacted] Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protections Agency (EPA), and SA (b) (6), (b) (7)(C) [redacted] (OI), (OIG), (EPA), telephonically interviewed NMA01. The interview was conducted in reference to a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were (b) (6), (b) [redacted] and another NMA attorney.

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 8/16/2018

DRAFTED DATE: 8/21/2018

AGENT: (b) (6), (b) (7)(C) [redacted]

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Prior to commencing the interview SA (b) (6), (b) (7) restated the purpose of the interview. NMA01 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses provided by NMA01.

During the initial stages of the interview, NMA01 confirmed (b) (6), (b) (7)(C) with the NMA. NMA01 stated (b) (6) attended the meeting with former Administrator Pruitt, and recalls that Pruitt's speech consisted of discussing issues related to the environment and environmental regulations. According to NMA01, (b) (6) has no recollection of Pruitt discussing the Paris climate accord, and added that neither Pruitt nor any other EPA employee mentioned anything related to the Paris climate accord. NMA01 also said that no one asked (b) (6) to publicly support the US withdrawal from the Paris climate accord. NMA01 reiterated that (b) (6) has no recollection of Pruitt discussing the Paris accord during the meeting, and added that Pruitt only spoke about the regulatory issues affecting the US.

NMA01 stated that the proposal to vote on whether or not to support the US withdrawal from the Paris climate accord was made by (b) (6), (b) (7)(C) and decided day after the (b) (6), (b) (7)(C) met with former Administrator Pruitt. According to NMA01, some (b) (6), (b) (7)(C) expressed the Paris accord was not a good policy for the coal industry.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE: O1-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 8/16/2018

DRAFTED DATE: 8/21/2018

AGENT: (b) (6), (b) (7)(C)

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA02

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between (b) (6), (b) (7)(C) [redacted] *representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted], *and the EPA Office of Inspector General, except for* (b) (6), (b) (7)(C) *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On August 2, 2018, Special Agents (SA) (b) (6), (b) (7)(C) [redacted] and (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted] Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the telephonic interview of NMA02. The interview was conducted in reference to a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were: (b) (6), (b) (7)(C) [redacted] and an executive from NMA02's organization.

CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 8/2/2018

DRAFTED DATE: 8/2/2018

AGENT: (b) (6), (b) (7)(C) [redacted]

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Prior to commencing the interview SA (b) (6), (b) restated the purpose of the interview. NMA02 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses provided by NMA02.

(b) (6), (b) (7)(C) was present during the speaking engagement and subsequent meeting between former Administrator Pruitt and the NMA (b) (6), (b) (7)(C). NMA02 stated that during the speaking engagement and private meeting, former Administrator Pruitt mentioned the Paris climate accord along the lines that the EPA was deregulating. NMA02 reported that former Administrator Pruitt also said that "the U.S. should withdraw from the Paris accord," and added that (b) recalls former Administrator Pruitt said that the Paris accord is unfair and that "the U.S. should withdraw."

NMA02 said that neither former Administrator Pruitt nor any member of Pruitt's staff urged (b) (6), (b) to publicly support the U.S. withdrawal from the Paris climate accord. NMA02 stated (b) was not urged by former Administrator Pruitt to pressure President Trump to withdraw from the Paris climate accord. NMA02 reiterated that former Administrator Pruitt did not ask (b) (6), (b) to pressure President Trump to withdraw from the Paris climate accord.

According to NMA02, arrangements to convene a meeting to vote on whether or not to support the U.S. withdrawal from the Paris climate accord were made before (b) (6), (b) (7)(C) met with former Administrator Pruitt; therefore, said meeting or the decisions made by (b) (6), (b) in said meeting were not influenced by former Administrator Pruitt's meeting with the NAM (b) (6), (b) (7)(C). NMA02 added that (b) "would not be able to say with any degree of certainty that (b) (6), (b) (7)(C) were influenced by the conversation with Pruitt. To say so would be speculation."

As NMA02 had not further information to share, the interview was concluded.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE: O1-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 8/2/2018

DRAFTED DATE: 8/2/2018

AGENT: (b) (6), (b) (7)(C)

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CASE: OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):

DATE OF ACTIVITY: 8/2/2018

DRAFTED DATE: 8/2/2018

AGENT: (b) (6), (b) (7)(C) [redacted]

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA03

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between M(b) (6), (b) (7)(C) [redacted] *representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted], *and the EPA Office of Inspector General, except for* (b) (6), (b) [redacted] *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On August 15, 2018, Special Agents (SA) (b) (6), (b) (7)(C) [redacted] and (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted] Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the telephonic interview of NMA03. The interview was conducted about a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were: (b) (6), (b) (7)(C) [redacted] another NAM attorney, NMA03, and NMA's corporate counsel.

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE (*if applicable*):** NMA03	
DATE OF ACTIVITY: 8/15/2018	**DRAFTED DATE:** 8/16/2018	**AGENT:** (b) (6), (b) (7)(C) [redacted]

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Prior to commencing the interview SA (b) (6), (b) reiterated the purpose of the interview. NMA03 was asked a total of 10 questions. [See attachment 1]. The following is the non-verbatim account of the responses NAM03 provided to the questions.

During the initial stages of the interview, NMA03 confirmed (b) (6), (b) (7)(C) NMA03 explained (b) (6), (b) (7)(C) and nothing was mentioned about the Paris Accord. (b) (6), (b) (7)(C) . When asked if (b) (6) was pressured by Pruitt or any other EPA employee to support the US withdrawal from the Paris Accord, NMA03 replied, "I don't recall that." NMA03 further stated that no one asked (b) (6) to pressure President Trump to withdraw from the Paris Accord.

About whether the meeting with Pruitt influenced (b) (6), personal or organizational ((b) (6), (b) (7)(C) decision to withdraw from the Paris Accord, NMA03 said that (b) (6), (b) (7)(C) when the members decided to vote on whether to express support for the US withdrawal from the Paris Accord. NMA03 added that (b) (6) company did not support the US withdrawal from the Paris Accord, and further stated that (b) (6), (b) (7)(C) said to (b) (6) that one of the (b) (6), (b) (7)(C) was "pushing" for the vote to support the withdrawal. NMA03 concluded by stating that because (b) (6) company did not support the US withdrawal from the Paris Climate Accord, (b) (6) could not say that the NMA's decision to support the withdrawal was influenced by Pruitt.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE: O1-HQ-2018-ADM-0039	**INTERVIEWEE** (*if applicable*): NMA03	
DATE OF ACTIVITY: 8/15/2018	**DRAFTED DATE:** 8/16/2018	**AGENT:** (b) (6), (b) (7)(C)

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA04

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between (b) (6), (b) (7)(C) [redacted] *, representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted] *, and the EPA Office of Inspector General, except for* (b) (6), (b) (7)(C) *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On August 16, 2018, Special Agents (SA (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted] Office of Inspector General (OIG), Environmental Protection Agency (EPA) and (b) (6), (b) (7)(C) [redacted] OI, OIG, EPA, conducted the telephonic interview of NMA04. The interview was conducted in reference to a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE (*if applicable*):** NMA04	
DATE OF ACTIVITY: 8/16/2018	**DRAFTED DATE:** 8/23/2018	**AGENT:** (b) (6), (b) (7)(C) [redacted]

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Present for the interview were (b) (6), (b), a second NMA attorney, NMA04 and a corporate attorney representing NMA04.

Prior to commencing the interview SA (b) (6), (b) restated the purpose of the interview. NMA04 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses provided by NMA04.

NMA04 confirmed (b) association with the NMA (b) (6), (b) (7)(C) and stated (b) attended the speaking engagement with former Administrator Pruitt on April 24, 2017. Regarding (b) recollection of whether former Administrator Pruitt discussed the Paris Climate Accord, NMA04 said "I don't think he did." NMA04 added that what (b) recalls about former Administrator Pruitt is that he was focused on the EPA's priorities and regulations, such as rolling back some of the EPA laws.

According to NMA04, neither former Administrator Pruitt nor any members of Pruitt's cabinet urged (b) to publicly support the U.S. withdrawal from the Paris Climate Accord. NMA04 also stated that former Administrator Pruitt did not ask (b) to pressure President Trump to withdraw from the Paris Climate Accord. NMA04 stated that the meeting with former Administrator Pruitt had no impact on (b) personal or organizational decision to send a letter to President Trump expressing support of the U.S. withdrawal from the Paris Climate Accord.

As NMA04 had not further information to share, the interview was concluded.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE:
OI-HQ-2018-ADM-0039

INTERVIEWEE (*if applicable*):
NMA04

DATE OF ACTIVITY:
8/16/2018

DRAFTED DATE:
8/23/2018

AGENT:
(b) (6), (b) (7)(C)

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA05

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between (b) (6), (b) (7)(C) [redacted] *representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted], *and the EPA Office of Inspector General, except for* (b) (6), (b) (7)(C) [redacted] *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On August 29, 2018, Special Agent (SA) (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted], Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the telephonic interview of NMA05. The interview was conducted in reference to a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were: (b) (6), (b) (7)(C) [redacted] a second NMA attorney, NMA05 and a corporate attorney representing NMA05.

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE (*if applicable*):** NMA05	
DATE OF ACTIVITY: 8/29/2018	**DRAFTED DATE:** 8/31/2018	**AGENT:** (b) (6), (b) (7)(C) [redacted]

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Prior to commencing the interview SA (b) (6), (b) (7) reiterated the purpose of the interview. NMA05 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses provided by NMA05 to the interview questions.

NMA05 explained that (b) (6), (b) (7)(C) [redacted]; consequently, (b) (6) represents said company before the NMA. Concerning the meeting between former Administrator Pruitt and the NMA (b) (6), (b) (7)(C) [redacted], NMA05 stated (b) (6) attended the meeting with former Administrator Pruitt, and recalls Pruitt mentioning that the Paris Climate Accord was under review by the Trump administration. NMA05 also said that former Administrator Pruitt's speech was broad and that he mentioned something about deregulation and job creation.

According to NMA05, neither Pruitt nor anyone from Pruitt's staff requested of [redacted] or any other NMA (b) (6), (b) (7)(C) [redacted] to publicly criticize the Paris Accord. NMA05 also said that (b) (6) was not asked to pressure President Trump to withdraw from the Paris Accord. About the letter the NMA sent to President Trump expressing the organization's support of the U.S. withdrawal from the Paris Accord, NMA05 stated (b) (6), (b) (7)(C) when the voting decision was made by the NMA (b) (6), (b) (7)(C) [redacted]; however, the company (b) (6) represents opposed the U.S. withdrawal from the Paris Accord.

Since NMA05 had no further information concerning the matter under investigation, the interview was concluded.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE (*if applicable*):** NMA05	
DATE OF ACTIVITY: 8/29/2018	**DRAFTED DATE:** 8/31/2018	**AGENT:** (b) (6), (b) (7)(C) [redacted]

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: ALLEGATION OF INAPPROPRIATE LOBBYING

INTERVIEWEE (*if applicable*): NMA06

PREPARED BY: (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

On August 16, 2018, Specials Agents (SA) (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted] Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted the telephonic interview of NMA06. The interview was conducted in reference to a fact-finding inquiry pursuant to a Congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were: (b) (6), (b) (7)(C) [redacted] and a second NMA attorney.

Prior to commencing the interview SA (b) (6), (b) (7)(C) [redacted] reiterated the purpose of the interview. NMA06 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses NMA06 provided to the questions.

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE (*if applicable*):** (b) (6), (b) (7)(C) [redacted]	
DATE OF ACTIVITY: 8/16/2018	**DRAFTED DATE:** 8/21/2018	**AGENT:** (b) (6), (b) (7)(C) [redacted]

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NMA06 stated (b) attended the speaking engagement with former Administrator Pruitt, (b) (6), (b) (7)(C) [redacted] NMA06 stated, that during the speaking engagement, Pruitt mentioned the Paris Climate agreement, in specific that the Paris agreement did not serve the interest of the country.

About whether former Administrator Pruitt urged (b) (6), (b) or any of the attending (b) (6), (b) (7)(C) to publicly support the U.S. withdrawal from the Paris Climate agreement, NMA06 stated (b) did not hear Pruitt ask for the organization or anyone to take any action concerning the Paris agreement. NMA06 also said that no one from Pruitt's staff asked (b) (6), (b) (7)(C) [redacted] to publicly criticize the Paris Climate agreement to pressure Mr. Trump to withdraw.

In discussing the private meeting that former Administrator Pruitt had (b) (6), (b) (7)(C) [redacted], NMA06 stated that during that particular meeting, (b) (6) did not hear anything from former Administrator Pruitt that could be construed as him asking the NMA to take any action about the Paris Climate Accord. NMA06 added that (b) did not hear former Administrator Pruitt asking (b) nor anyone else to pressure President Trump to withdraw from the Paris Accord. Concerning the letter the NMA sent to President Trump in support of the U.S. withdrawal from the Paris Accord, NMA06 said that (b) (6), (b) (7)(C) decided to send said letter, and that (b) (6) personal decision to support or not to support the U.S. withdrawal from the Paris Accord was not influenced by anything former Administrator Pruitt said.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE:
OI-HQ-2018-ADM-0039

INTERVIEWEE ***(if applicable)*****:**
(b) (6), (b) (7)(C) [redacted]

DATE OF ACTIVITY:
8/16/2018

DRAFTED DATE:
8/21/2018

AGENT:
(b) (6), (b) (7)(C) [redacted]

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CASE #: OI-HQ-2018-ADM-0039 **CROSS REFERENCE #:**

TITLE: Allegation of Inappropriate Lobbying

INTERVIEWEE (*if applicable*): NMA07

PREPARED BY: SA (b) (6), (b) (7)(C) [redacted]

MEMORANDUM OF ACTIVITY
INTERVIEW

NARRATIVE:

To comply with the confidentiality agreement made between (b) (6), (b) (7)(C) [redacted] *representing the National Mining Association (NMA)* (b) (6), (b) (7)(C) [redacted], *and the EPA Office of Inspector General, except for* (b) (6), (b) (7)(C) [redacted] *and the OIG Special Agents who conducted the interview, the names of all other participants are omitted from this report.*

On October 11, 2018, Special Agent (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) [redacted], Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), conducted a telephonic interview of NMA07. The interview was conducted in reference to a fact-finding inquiry pursuant to a congressional request to "develop a comprehensive factual record for instances where possible violations of the Antideficiency Act and the publicity or propaganda and anti-lobbying provisions of the Consolidated Appropriations Act (CSA) of 2017, may have occurred, during an April 2017 meeting between former Administrator Pruitt and the National Mining Association (NMA)."

Present for the interview were: (b) (6), (b) (7)(C) [redacted] NMA; a second NMA attorney; and two other attorneys representing NMA07.

Prior to commencing the interview, SA (b) (6), (b) (7)(C) [redacted] reiterated the purpose of the interview. NMA07 was asked a total of 10 questions. [See attachment 1]. The following is a non-verbatim account of the responses NMA07 provided to the questions.

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During the initial stages of the interview, NMA07 stated (b) attended the April 24, 2017 meeting with former EPA Administrator Scott Pruitt. When asked if [redacted] recalled former Administrator Pruitt discuss the US withdrawal from the Paris climate accord, NMA07 said that (b) did not recall the specific issues former Administrator Pruitt discussed; however, [redacted] recalled former Administrator Pruitt discussing policies and mining, but nothing in specific. NMA07 was asked if during the speaking engagement former administrator Pruitt urged (b) to publicly support the US withdrawal from the Paris climate accord, (b) responded "no." When asked if any EPA employee asked (b) to publicly criticize the Paris climate agreement to pressure President Trump to withdraw from the accord, NMA07 answered "no."

NMA07 was asked if during the private meeting that former Administrator Pruitt had with the NMA (b) (6), (b) (7)(C) [redacted], he asked [redacted] or the NMA to support the US withdrawal from the Paris climate accord, [redacted] responded "no." NMA07 also said that (b) was not asked by former Administrator Pruitt to pressure President Trump to withdraw from the Paris climate accord. Additionally, NMA07 stated that the meeting with former Administrator Pruitt did not influence (b) personal views, the views of (b) organization, or the views of the NMA concerning the Paris accord.

Attachment:

1. Interview questions/Undated

Interview Questions.doc

CASE: OI-HQ-2018-ADM-0039	**INTERVIEWEE** (*if applicable*): NMA07	
DATE OF ACTIVITY: October 11, 2018	**DRAFTED DATE:** October 16, 2018	**AGENT(S):** (b) (6), (b) (7)(C) [redacted]

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