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January 16, 2020

Rick Perry  
Member of the Board of Directors  
Energy Transfer LP  
8111 Westchester Drive  
Suite 600  
Dallas, TX 75225

Dear Mr. Perry:

I write regarding reports that you have re-joined the Board of Directors of Energy Transfer, the company responsible for the Dakota Access Pipeline and other controversial fossil fuel infrastructure projects.<sup>1</sup> Given that this company lobbied the Department of Energy while you were Energy Secretary,<sup>2</sup> I urge you reconsider this unethical decision, which would further discredit your years in public office.

As Energy Secretary for the first two years of the Trump administration, you were one of the chief architects in planning and executing the federal government's energy policy, notably "aggressively promot[ing] President Trump's fossil fuel agenda" and "energetically trumpet[ing] oil and gas development while overseeing plans to reduce funding for wind, solar and other forms of renewable energy."<sup>3</sup> You were responsible for numerous agency actions to weaken environmental protections and suppress climate science as part of the Trump administration's anti-climate policy agenda.<sup>4</sup> You also worked steadfastly to boost the fossil fuel industry.<sup>5</sup>

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<sup>1</sup> Houston Chronicle, "Rick Perry rejoins Energy Transfer board of directors," Sergio Chapa, January 3, 2020, <https://www.houstonchronicle.com/business/energy/article/Rick-Perry-rejoins-Energy-Transfer-board-of-14948307.php>.

<sup>2</sup> OpenSecrets, "Client Profile: Energy Transfer Equity: Agencies Lobbied by Energy Transfer Equity, 2018," Accessed January 13, 2020, <https://www.opensecrets.org/federal-lobbying/clients/agencies?cycle=2018&id=D000025688>.

<sup>3</sup> New York Times, "Rick Perry Is Said to Be Resigning as Energy Secretary by Year's End," Lisa Friedman and Maggie Haberman, October 4, 2019, <https://www.nytimes.com/2019/10/04/climate/rick-perry-energy-secretary.html>.

<sup>4</sup> Sabin Center for Climate Change Law, "Climate Deregulation Tracker," Accessed January 9, 2020, <https://climate.law.columbia.edu/climate-deregulation-tracker>; Sabin Center for Climate Change Law, "Silencing Science Tracker," Accessed January 9, 2020, <https://climate.law.columbia.edu/Silencing-Science-Tracker>; New York Times, "95 Environmental Rules Being Rolled Back Under Trump," Nadja Popovich, Livia Albeck-Ripka, and Kendra Pierre-Louis, December 21, 2019, <https://www.nytimes.com/interactive/2019/climate/trump-environment-rollbacks.html>.

<sup>5</sup> NBC News, "Energy Secretary Rick Perry Says Fossil Fuels Can Prevent Sexual Assault," Dartunorro Clark, November 2, 2017, <https://www.nbcnews.com/politics/white-house/rick-perry-says-fossil-fuels-can-prevent-sexual-assault-n816896>; Houston Chronicle, "Perry calls shift away from fossil fuels 'immoral,'" James Osborne, March 7, 2018, <https://www.chron.com/business/energy/article/Perry-drops-in-on-CERA-12734786.php>.

The policies you oversaw directly benefitted the fossil fuel industry, including Energy Transfer and its role building and promoting controversial fossil fuel infrastructure. In October 2019, you announced your resignation as Energy Secretary and left office about a month later.<sup>6 7</sup> Within weeks of leaving office, you were appointed as a director of the general partner of Energy Transfer.<sup>8</sup> This is a lucrative move for you; you are reportedly eligible for “annual retainer[s] of \$100,000 as well as annual stock awards worth up to \$100,000 in value” in your new role.<sup>9</sup> This appointment, however, raises important concerns about corruption and conflicts of interest.

Prior to your confirmation as Energy Secretary, various reports outlined your potential conflicts of interest between serving as a board member for Energy Transfer and its subsidiary Sunoco prior to serving as Energy Secretary, particularly given your close ties to the fossil fuel industry and its political arms.<sup>10</sup> According to reports, “[your] involvement with [Energy Transfer], which is building the controversial Dakota Access Pipeline, had drawn attention as a potential conflict of interest after Trump tapped [you] for the Cabinet post.”<sup>11</sup> Reports further detailed close political ties between you and Energy Transfer, as well as its CEO Kelcy Warren. During your 2016 presidential campaign, “[a]t the same time [you] sat on the [Energy Transfer] board, [Energy Transfer] CEO Kelcy Warren poured millions of dollars into [your] political ambitions... [and] chipped in \$6 million to super-PACs backing [you].”<sup>12</sup> I am concerned that, given your decision to rejoin Energy Transfer’s board immediately after resigning from federal public service and your tenure overseeing the weakening of environmental protections that may benefit the fossil fuel industry, you may have used your time as Energy Secretary to benefit your former business affiliates, political allies, and future benefactor.

This is exactly the kind of unethical, revolving-door corruption that has made Americans cynical and distrustful of the federal government. I have introduced far-reaching ethics legislation, the *Anti-Corruption and Public Integrity Act*, which would prevent senior government officials from spinning through the revolving door by prohibiting corporations like

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<sup>6</sup> New York Times, “Perry to Resign as Energy Secretary,” Maggie Haberman and Lisa Friedman, October 17, 2019, <https://www.nytimes.com/2019/10/17/us/politics/rick-perry-energy-secretary-resigns.html>.

<sup>7</sup> Reuters, “U.S. Energy Secretary Perry to step down December 1: DOE,” Timothy Gardner, October 21, 2019, <https://www.reuters.com/article/us-usa-trump-whistleblower-perry/us-energy-secretary-perry-to-step-down-december-1-doe-idUSKBN1X01XT>.

<sup>8</sup> Securities and Exchange Commission, “Form 8-K: Energy Transfer LP,” January 1, 2020, <https://www.sec.gov/ix?doc=/Archives/edgar/data/1276187/000127618720000004/et8-k01032020newdirect.htm>.

<sup>9</sup> Houston Chronicle, “Rick Perry rejoins Energy Transfer board of directors,” Sergio Chapa, January 3, 2020, <https://www.houstonchronicle.com/business/energy/article/Rick-Perry-rejoins-Energy-Transfer-board-of-14948307.php>.

<sup>10</sup> OpenSecrets, “Rick Perry, with multiple ties to CEO of controversial pipeline project, tapped for Energy Dept.,” Ashley Balcerzak, December 13, 2016, <https://www.opensecrets.org/news/2016/12/rick-perry-tapped-for-energy-dept/>.

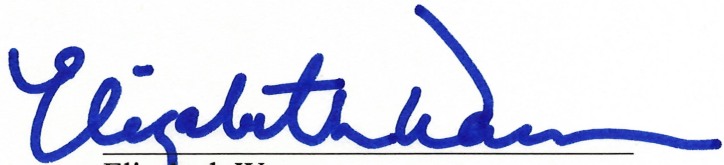
<sup>11</sup> Texas Tribune, “Rick Perry resigns from board of Dallas company building Dakota Access Pipeline,” Patrick Svitek, January 5, 2017, <https://www.texastribune.org/2017/01/05/perry-tapped-energy-secretary-resigns-pipeline-com/>.

<sup>12</sup> Newsweek, “Rick Perry Has a Paid Position on the Board of the Company Behind the Dakota Access Pipeline,” Patrick Caldwell, December 15, 2016, <https://www.newsweek.com/rick-perry-board-energy-transfer-partners-dakota-access-pipeline-532405>.

Energy Transfer from hiring or compensating the Energy Secretary, or any other senior government official from an agency that Energy Transfer lobbied in the past two years.<sup>13</sup>

I intend to keep working to make that plan law. In the interim, however, you should rectify your mistake and immediately resign from your position on the Board of Directors of Energy Transfer. Doing so would send a strong and necessary message about government ethics and your own integrity.

Sincerely,



Elizabeth Warren  
United States Senator

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<sup>13</sup> Anti-Corruption and Public Integrity Act, S.3357 (115<sup>th</sup> Congress), <https://www.congress.gov/bill/115th-congress/senate-bill/3357>.