

Congress of the United States
Washington, DC 20515

May 16, 2020

The Honorable Steven A. Linick
Inspector General
U.S. Department of State
Office of the Inspector General
SA-39
1700 North Moore St.
Arlington, VA 22209

Dear Mr. Linick:

We, the Chairman of the House Foreign Affairs Committee and the Ranking Member of the Senate Committee on Foreign Relations (the “Committees”), write regarding your late-night firing on Friday, May 15. President Trump’s unprecedented removal of you as the Inspector General for the U.S. Department of State is only his latest sacking of an inspector general, our government’s key independent watchdogs, from a federal agency. We unalterably oppose the politically-motivated firing of inspectors general and the President’s gutting of these critical positions.

Reports indicate that Secretary Pompeo personally made the recommendation to fire you,¹ and it is our understanding that he did so because the Office of the Inspector General (“OIG”) had opened an investigation into wrongdoing by Secretary Pompeo himself. Such an action, transparently designed to protect Secretary Pompeo from personal accountability, would undermine the foundation of our democratic institutions and may be an illegal act of retaliation. This concern is amplified by the fact that it came only hours after the House of Representatives passed the Heroes Act, which contains additional legal protections for inspectors general.

Congress has a constitutionally-mandated obligation to conduct oversight, protect the integrity of our institutions, and ensure that inspectors general – one of our nation’s first lines of defense against corruption, waste, fraud, and abuse – are able to perform their vital function without interference. In order to fulfill this obligation and determine what legislative reform and actions may be required, we hereby request that the OIG preserve all documents, communications, and other data (“records”), regardless of format, that may be required for the

¹ See Tweet by Manu Raju, CNN, May 15, 2020 at 11:39 PM (“A senior State official confirmed that Pompeo made the recommendation that Linick be removed, but the official did not know the reasons why. The decision to choose Akard as his successor was done in consultation with his management team, but Pompeo ultimately made the decision”).

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Committees' oversight and investigative duties relating to this subject. The term "records" is broad and includes both paper and electronic records.² Specifically, the OIG should:

1. identify and notify all current and former employees and contractors, subcontractors, consultants, and Special Government Employees who may have access to such records that they are to be preserved;
2. identify, record, and preserve any records which have been deleted or marked for deletion but are still recoverable; and
3. if it is the routine practice of any employee or contractor to destroy or otherwise alter such records, either halt such practices or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production, if requested.

In addition, we request that the OIG produce to the Committees any and all records referring or relating to the following, no later than **5pm Friday, May 22**:

1. The termination, removal, or replacement of Inspector General Linick, for any period of time;
2. Any discussion or evaluation of the tenure, performance, qualifications, or suitability of Inspector General Linick or any employees in the Office of Inspector General from April 1, 2018 to the present;
3. Any assessment of qualifications, suitability, or performance of Stephen J. Akard related to his ability to perform the role or functions of Inspector General, for any period of time; and
4. Any and all investigations, inquiries, audits, preliminary work, recommendations, reviews, requests for information, or other matters originating from the Office of the Inspector General and relating in any way to the Office of the Secretary that were open, pending, or remained incomplete in any way as of May 15, 2020.

² This includes emails, electronic messages (including, but not limited to, both government and commercial/personal email accounts, text messages, or messaging services such as WhatsApp, Signal, Viber, Facebook, Twitter, and/or Telegram), regardless of whether such records were created, modified, sent, or received on an official or personal address or device, as well as log files and metadata. For purposes of this request, "preserve" means taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutilation of records, including but not limited to emails and handwritten notes, as well as negligent or intentional handling which would foreseeably make such records incomplete or inaccessible.

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As the House and Senate Committees with primary responsibility for oversight of the State Department, we intend to look deeply into this matter. We anticipate contacting your office in the coming days to request additional documents and interviews of OIG officials related to this matter, and trust that the OIG will cooperate fully with our investigation.

Sincerely,



ELIOT L. ENGEL
Chairman
House Committee on Foreign Affairs



ROBERT MENENDEZ
Ranking Member
Senate Committee on Foreign Relations

CC:
Diana R. Shaw, Deputy Inspector General
Kevin S. Donohue, Acting General Counsel