

**Alphabetical List of Letters Committee Chairs Sent Directing White House and Federal Agencies to Preserve Documents**

1. Agency for Global Media (USAGM)
2. Agency for International Development (USAID)
3. Central Intelligence Agency (CIA)
4. Commodity Futures Trading Commission (CFTC)
5. Consumer Financial Protection Bureau (CFPB)
6. Consumer Product Safety Commission
7. Department of Agriculture (USDA)
8. Department of Commerce (Commerce)
9. Department of Defense (DOD)
10. Department of Education (DoEd)
11. Department of Energy (DOE)
12. Department of Health and Human Services (HHS)
13. Department of Homeland Security (DHS)
14. Department of Housing and Urban Development (HUD)
15. Department of Justice (DOJ)
16. Department of Labor (DOL)
17. Department of State (State)
18. Department of the Interior (Interior)
19. Department of the Treasury (Treasury)
20. Department of Transportation (DOT)
21. Department of Veterans Affairs (VA)
22. Election Assistance Commission (EAC)
23. Environmental Protection Agency (EPA)
24. Equal Employment Opportunity Commission (EEOC)
25. Executive Office of the President (EOP)
26. Export-Import Bank of the United States (EXIM)
27. Farm Credit Administration (FCA)
28. Federal Communications Commission (FCC)
29. Federal Election Commission (FEC)
30. Federal Energy Regulatory Commission (FERC)
31. Federal Housing Finance Agency (FHFA)
32. Federal Maritime Commission (FMC)
33. Federal Reserve System
34. Federal Trade Commission
35. General Services Administration (GSA)
36. Interagency Council on Homelessness (USICH)
37. International Development Finance Corporation (DFC)
38. International Trade Commission (ITC)
39. Millennium Challenge Corporation (MCC)
40. National Aeronautics and Space Administration (NASA)
41. National Archives and Records Administration (NARA)
42. National Labor Relations Board (NLRB)
43. National Science Foundation (NSF)
44. National Security Agency (NSA)
45. Nuclear Regulatory Commission (NRC)
46. Office of the Director of National Intelligence
47. Office of Management and Budget (OMB)
48. Office of Personnel Management (OPM)
49. Peace Corps

50. Pension Benefit Guaranty Corporation (PBGC)
51. Securities and Exchange Commission (SEC)
52. Small Business Administration (SBA)
53. Social Security Administration (SSA)

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Michael Pack  
Chief Executive Officer  
Agency for Global Media  
330 Independence Avenue, S.W.  
Washington, D.C. 20237

***Re: Record and Document Preservation Requirements***

Dear Mr. Pack:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

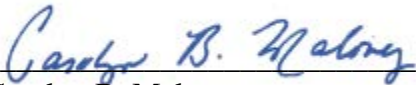
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

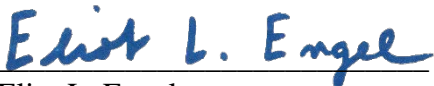
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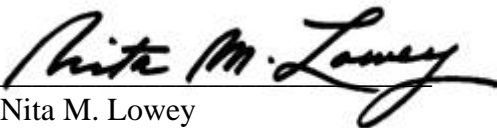
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Eliot L. Engel  
Chairman  
Committee on Foreign Affairs

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. John Barsa  
Acting Deputy Administrator  
U.S. Agency for International Development  
Ronald Reagan Building, Suite 610  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20523

***Re: Record and Document Preservation Requirements***

Dear Acting Deputy Administrator Barsa:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

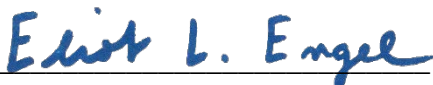
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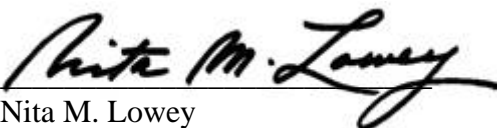
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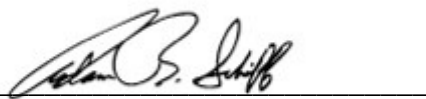
Sincerely,


  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform


  
Eliot L. Engel  
Chairman  
Committee on Foreign Affairs

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

  
Richard E. Neal  
Chairman  
Committee on Ways and Means

  
Collin C. Peterson  
Chairman  
Committee on Agriculture

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means



Mr. John Barsa

Page 4

The Honorable K. Michael Conaway, Ranking Member  
Committee on Agriculture

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Gina C. Haspel  
Director  
Central Intelligence Agency  
McLean, VA 22101

***Re: Record and Document Preservation Requirements***

Dear Director Haspel:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th

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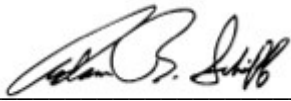
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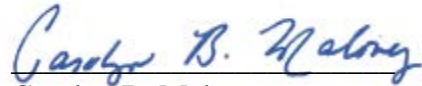
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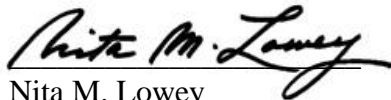
Sincerely,



Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. Anthony “Tony” C. Thompson  
Executive Director  
Commodity Futures Trading Commission  
1155 21st Street, N.W.  
Washington, D.C. 20581

***Re: Record and Document Preservation Requirements***

Dear Director Thompson:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency’s ongoing obligations to preserve information relevant to congressional oversight.

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It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

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Mr. Anthony "Tony" C. Thompson  
Page 3

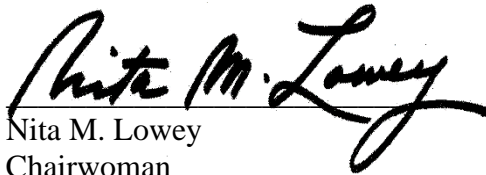
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Collin C. Peterson  
Chairman  
Committee on Agriculture



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable K. Michael Conaway, Ranking Member  
Committee on Agriculture

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Kathleen Kraninger  
Director  
Consumer Financial Protection Bureau  
1700 G Street, N.W.  
Washington, D.C. 20552

***Re: Record and Document Preservation Requirements***

Dear Director Kraninger:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

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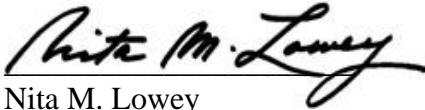
Sincerely,



Carolyn B. Maloney  
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Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Frank Pallone, Jr.  
Chairman  
Committee on Energy and Commerce



Richard E. Neal  
Chairman  
Committee on Ways and Means

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Elliot F. Kaye  
Chairman  
Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

***Re: Record and Document Preservation Requirements***

Dear Chairman Kaye:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

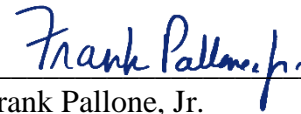
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

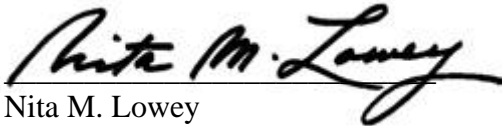
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Sonny Perdue  
Secretary  
Department of Agriculture  
1400 Independence Avenue, S.W.  
Washington, D.C. 20250

***Re: Record and Document Preservation Requirements***

Dear Secretary Perdue:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

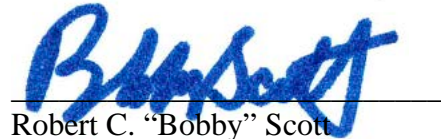
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



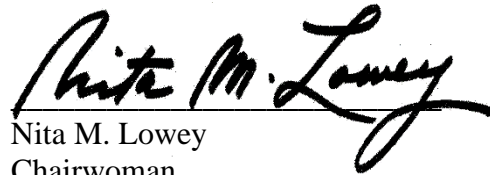
Collin C. Peterson  
Chairman  
Committee on Agriculture



Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor



James P. McGovern  
Chairman  
Committee on Rules



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



Raúl M. Grijalva  
Chairman  
Committee on Natural Resources

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable K. Michael Conaway, Ranking Member  
Committee on Agriculture

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Rob Bishop, Ranking Member  
Committee on Natural Resources



**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Wilbur L. Ross, Jr.  
Secretary  
Department of Commerce  
1401 Constitution Avenue, N.W.  
Washington, D.C. 20230

***Re: Record and Document Preservation Requirements***

Dear Secretary Ross:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

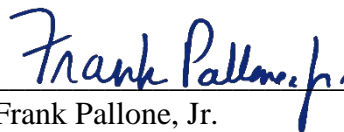
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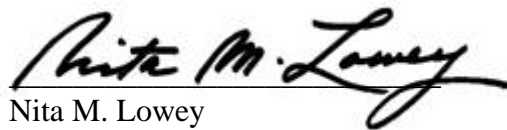
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



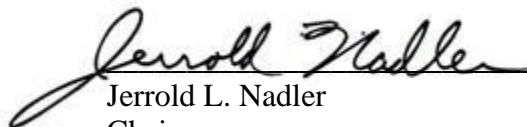
Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Richard E. Neal  
Chairman  
Committee on Ways and Means



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space  
and Technology



Kathy Castor  
Chairwoman  
Select Committee on the Climate  
Crisis



Raúl M. Grijalva  
Chairman  
Committee on Natural Resources

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Wilbur L. Ross, Jr.

Page 4

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space and Technology

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

The Honorable Rob Bishop, Ranking Member  
Committee on Natural Resources

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable David L. Norquist  
Deputy Secretary  
Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

***Re: Record and Document Preservation Requirements***

Dear Deputy Secretary Norquist:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>3</sup> See 18 U.S.C. § 2071.

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

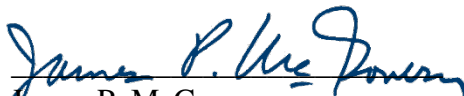
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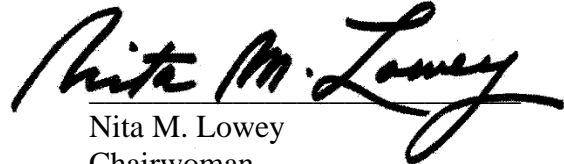
<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Adam Smith  
Chairman  
Committee on Armed Services

  
James P. McGovern  
Chairman  
Committee on Rules

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable William M. "Mac" Thornberry, Ranking Member  
Committee on Armed Services

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Betsy DeVos  
Secretary  
Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

***Re: Record and Document Preservation Requirements***

Dear Madam Secretary:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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<sup>3</sup> See 18 U.S.C. § 2071.

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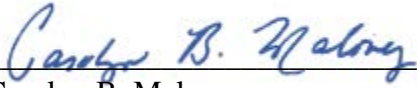
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
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Thank you for your cooperation in this matter.

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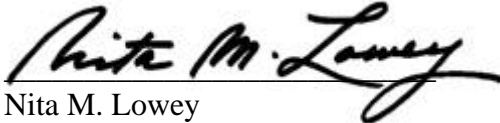
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Dan Brouillette  
Secretary  
Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

***Re: Record and Document Preservation Requirements***

Dear Mr. Secretary:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

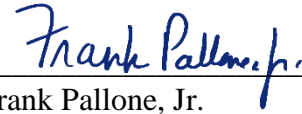
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

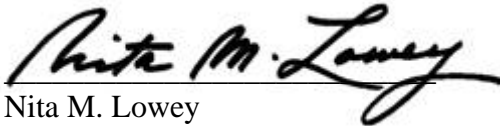
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



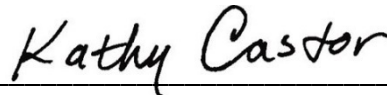
Richard E. Neal  
Chairman  
Committee on Ways and Means



Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space  
and Technology



Kathy Castor  
Chairwoman  
Select Committee on the Climate  
Crisis

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Dan Brouillette

Page 4

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Frank Lucas, Ranking Member  
Committee on Science, Space and Technology

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Alex M. Azar II  
Secretary  
Department of Health & Human Services  
200 Independent Avenue, S.W.  
Washington, D.C. 20201

***Re: Record and Document Preservation Requirements***

Dear Secretary Azar:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

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<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.


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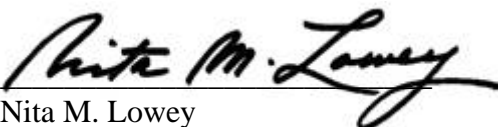
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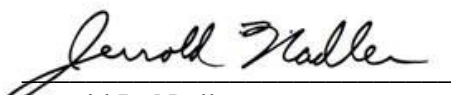
Sincerely,


  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform


  
Richard E. Neal  
Chairman  
Committee on Ways and Means

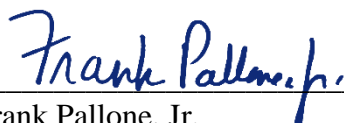
  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Jerrold L. Nadler  
Chairman  
Committee on the Judiciary

  
Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor

  
Peter A. DeFazio  
Chairman  
Committee on Transportation  
and Infrastructure

  
Frank Pallone, Jr.  
Chairman  
Committee on Energy and  
Commerce

- cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform
- The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means
- The Honorable Kay Granger, Ranking Member  
Committee on Appropriations
- The Honorable Tom Cole, Ranking Member  
Committee on Rules
- The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Alex M. Azar II

Page 4

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. Chad F. Wolf  
Department of Homeland Security  
245 Murray Lane, S.W.  
Washington, D.C. 20528

***Re: Record and Document Preservation Requirements***

Dear Mr. Wolf:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

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Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
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Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Mr. Chad F. Wolf

Page 3

Sincerely,



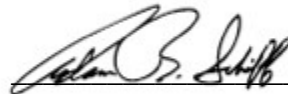
Bennie G. Thompson  
Chairman  
Committee on Homeland Security



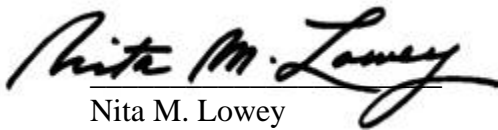
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



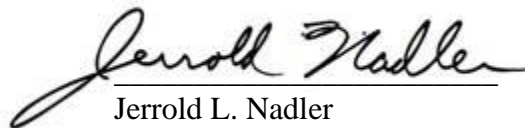
Frank Pallone, Jr.  
Chairman  
Committee on Energy and Commerce



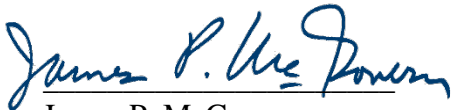
Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



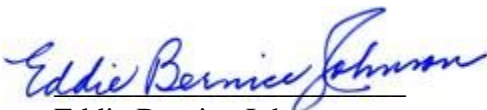
Jerrold L. Nadler  
Chairman  
Committee on the Judiciary



James P. McGovern  
Chairman  
Committee on Rules



Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space  
and Technology



Zoe Lofgren  
Chairperson  
Committee on House Administration



Kathy Castor  
Chairwoman  
Select Committee on the Climate Crisis

Mr. Chad F. Wolf

Page 4

cc: The Honorable Mike Rogers, Ranking Member  
Committee on Homeland Security

The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space and Technology

The Honorable Rodney Davis, Ranking Member  
Committee on House Administration

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Benjamin S. Carson  
Secretary  
Department of Housing and Urban Development  
451 7th Street, S.W.  
Washington, D.C. 20410

***Re: Record and Document Preservation Requirements***

Dear Secretary Carson:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

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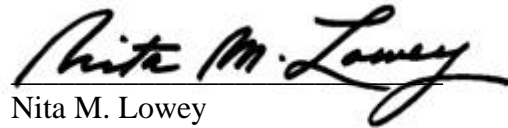
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable William P. Barr  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

***Re: Record and Document Preservation Requirements***

Dear Attorney General Barr:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency’s ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

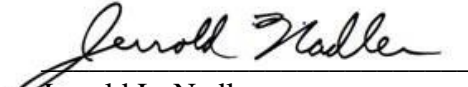
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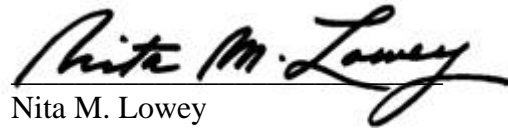
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence



Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure



Richard E. Neal  
Chairman  
Committee on Ways and Means

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable William P. Barr  
Page 4

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Eugene Scalia  
Secretary  
Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

***Re: Record and Document Preservation Requirements***

Dear Secretary Scalia:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

---

<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

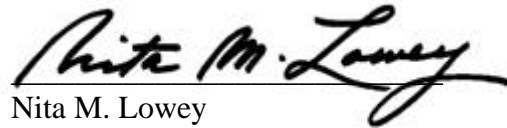
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



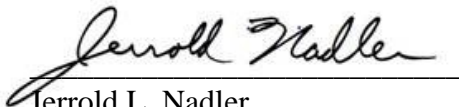
Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary



Richard E. Neal  
Chairman  
Committee on Ways and Means

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means



**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Michael R. Pompeo  
Secretary of State  
Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

***Re: Record and Document Preservation Requirements***

Dear Secretary Pompeo:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

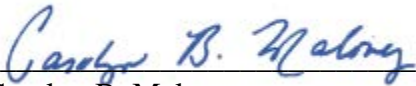
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

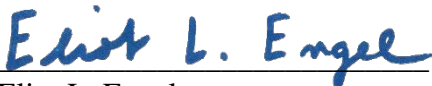
Thank you for your cooperation in this matter.

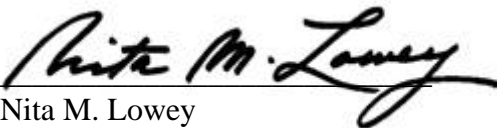
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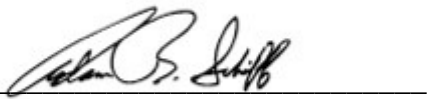
Sincerely,

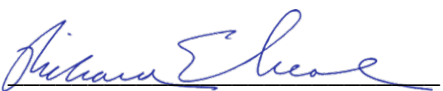
  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

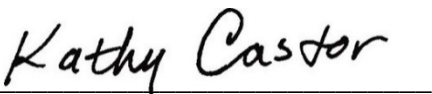
  
Eliot L. Engel  
Chairman  
Committee on Foreign Affairs


  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

  
Richard E. Neal  
Chairman  
Committee on Ways and Means

  
Kathy Castor  
Chairwoman  
Select Committee on the Climate Crisis

  
Jerrold L. Nadler  
Chairman  
Committee on the Judiciary

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Michael R. Pompeo  
Page 4

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable David Bernhardt  
Secretary  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

***Re: Record and Document Preservation Requirements***

Dear Secretary Bernhardt:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

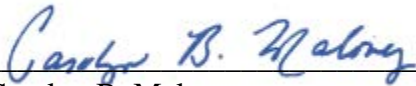
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

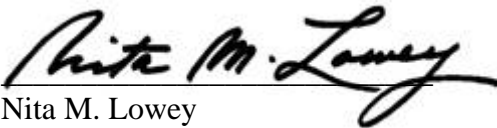
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Kathy Castor  
Chairwoman  
Select Committee on the Climate  
Crisis

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Raúl M. Grijalva  
Chairman  
Committee on Natural Resources

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Rob Bishop, Ranking Member  
Committee on Natural Resources

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Steven T. Mnuchin  
Secretary  
Department of the Treasury  
1500 Pennsylvania Avenue, N.W.  
Washington, D.C. 20220

***Re: Record and Document Preservation Requirements***

Dear Secretary Mnuchin:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

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We also request that that you:

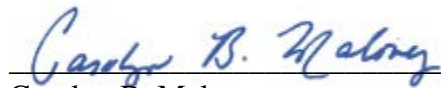
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
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Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



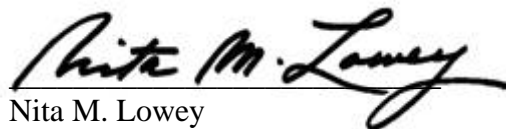
Maxine Waters  
Chairwoman  
Committee on Financial Services



Richard E. Neal  
Chairman  
Committee on Ways and Means



Adam B. Schiff  
Chairman  
House Permanent Select Committee  
Intelligence



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Nydia M. Velázquez  
Chairwoman  
Committee on Small Business

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member

The Honorable Steven T. Mnuchin  
Page 4

Committee on Rules

The Honorable Steve Chabot, Ranking Member  
Committee on Small Business

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Elaine L. Chao  
Secretary  
Department of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

***Re: Record and Document Preservation Requirements***

Dear Madam Secretary :

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

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<sup>3</sup> See 18 U.S.C. § 2071.

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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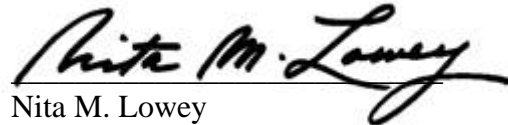
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



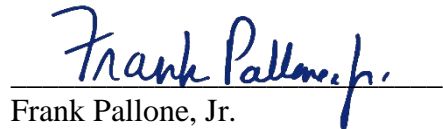
Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure



Nita M. Lowey  
Chairwoman  
Committee on Appropriations




James P. McGovern  
Chairman  
Committee on Rules



Frank Pallone, Jr.  
Chairman  
Committee on Energy and Commerce



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and  
Technology



Kathy Castor  
Chairwoman  
Select Committee on the Climate Crisis

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Elaine L. Chao

Page 4

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space, and Technology

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Robert L. Wilkie  
Secretary  
Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420

***Re: Record and Document Preservation Requirements***

Dear Secretary Wilkie:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).



In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

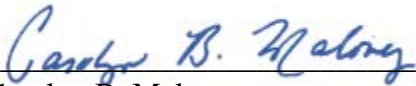
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

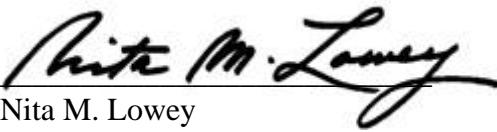
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Mark Takano  
Chairman  
Committee on Veterans' Affairs

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Dr. Phil Roe, Ranking Member  
Committee on Veterans' Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Mona Harrington  
Executive Director  
Election Assistance Commission  
1335 East West Highway, Suite 4300  
Silver Spring, MD 20910

***Re: Record and Document Preservation Requirements***

Dear Executive Director Harrington:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

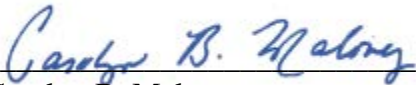
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

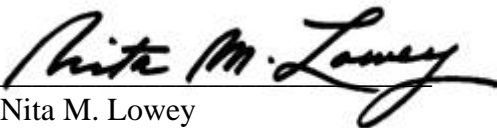
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Zoe Lofgren  
Chairperson  
Committee on House Administration

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Bennie G. Thompson  
Chairman  
Committee on Homeland Security

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Rodney Davis, Ranking Member  
Committee on House Administration

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Mike Rogers, Ranking Member  
Committee on Homeland Security

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Andrew R. Wheeler  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

***Re: Record and Document Preservation Requirements***

Dear Administrator Wheeler:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

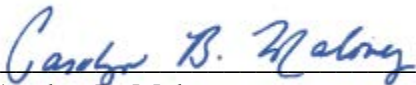
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

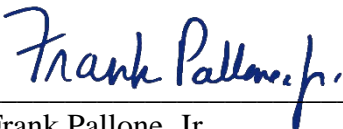
Thank you for your cooperation in this matter.

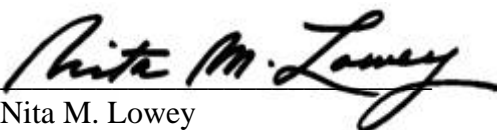
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,


  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform


  
Frank Pallone, Jr.  
Chairman  
Committee on Energy and  
Commerce


  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure

  
Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and  
Technology

  
Kathy Castor  
Chairwoman  
Select Committee on the Climate Crisis

  
Collin C. Peterson  
Chairman  
Committee on Agriculture

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations



The Honorable Andrew R. Wheeler

Page 4

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space, and Technology

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

The Honorable K. Michael Conaway, Ranking Member  
Committee on Agriculture

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Janet Dhillon  
Chair  
Equal Employment Opportunity Commission  
131 M Street, N.E.  
Washington, D.C. 20002

***Re: Record and Document Preservation Requirements***

Dear Chair Dhillon:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

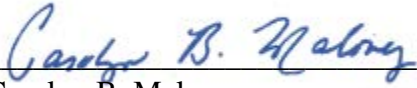
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

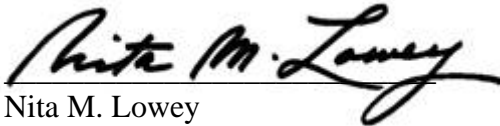
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. Pat A. Cipollone  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

***Re: Record and Document Preservation Requirements***

Dear Mr. Cipollone:

As the Trump Administration prepares for the transition of power to the new Biden Administration, we write to remind you that all Executive Office of the President employees and officials must comply with record preservation obligations set forth in federal law and preserve information relevant to congressional oversight.

The Presidential Records Act provides that presidential records belong to the American people.<sup>1</sup> It is the duty of President Trump to preserve these records by taking all necessary actions regarding “activities, deliberations, decisions, and policies that reflect the performance of the President’s constitutional, statutory, or other official or ceremonial duties” so that “such records are preserved and maintained as Presidential records” in accordance with the law.<sup>2</sup>

The Presidential Records Act requires that at the end of a president’s term, the National Archives and Records Administration “shall assume responsibility for the custody, control, and preservation of, and access to the Presidential records of that President.”<sup>3</sup> The President is also required to preserve all presidential records until they are transferred to the Archives. President Trump may not dispose of any presidential records unless he first requests permission from the Archivist of the United States.<sup>4</sup> This law applies to “materials created or received by the President, the President’s immediate staff, or a unit or individual of the Executive Office of the President whose function is to advise or assist the President.”<sup>5</sup>

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<sup>1</sup> See 44 U.S.C. § 2202 (requiring that the “United States shall reserve and retain complete ownership, possession, and control of Presidential records”).

<sup>2</sup> See 44 U.S.C. § 2203(a).

<sup>3</sup> See 44 U.S.C. § 2203(g).

<sup>4</sup> See 44 U.S.C. § 2203(c).

<sup>5</sup> See 44 U.S.C. § 2201.

It is imperative that you and President Trump remind all employees, detailees, officials, and all other individuals—paid and unpaid—in the Executive Office of the President of their responsibilities and ensure that they take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Presidential Records Act, Federal Records Act, and related regulations.<sup>6</sup> This includes electronic records and messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>7</sup> We urge you to ensure that President Trump and Executive Office of the President employees and officials do not inappropriately alter, conceal, or destroy any official records or materials.

In addition, we request that you and President Trump preserve all information relating to investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the Executive Office of the President;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;

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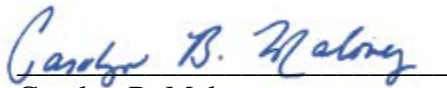
<sup>6</sup> See, e.g., 44 U.S.C. §§ 2201-2209 (Chapter 22, Presidential Records); 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); 36 C.F.R., Chapter XII, Subchapter B (Records Management); 36 C.F.R., Chapter XII, Subchapter E (Presidential Records).

<sup>7</sup> See 44 U.S.C. §§ 2209 (electronic messages of the President, Vice President, and covered employees); 44 U.S.C. § 2911 (electronic messages of other federal officers and employees).

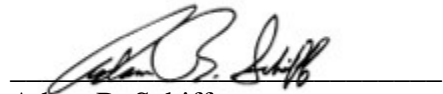
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any presidential or federal records sent or received using a nonofficial account must be forwarded to an official account for proper archiving; and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

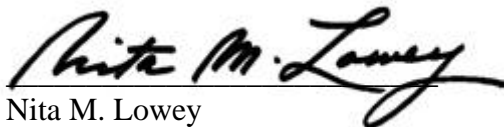
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



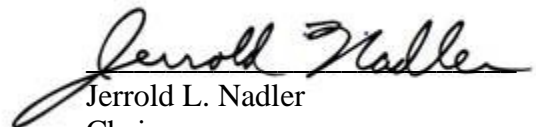
Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Richard E. Neal  
Chairman  
Committee on Ways and Means



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space  
and Technology



Frank Pallone, Jr.  
Chairman  
Committee on Energy and  
Commerce



Zoe Lofgren

Chairperson

Committee on House Administration

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space and Technology

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Rodney Davis, Ranking Member  
Committee on House Administration



**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Ms. Kimberly A. Reed  
President and Chairman  
Export-Import Bank of the United States  
811 Vermont Avenue, N.W.  
Washington, D.C. 20571

***Re: Record and Document Preservation Requirements***

Dear Chairman Reed:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

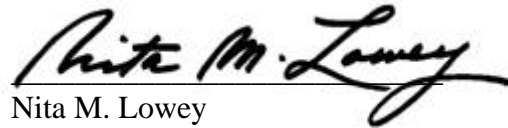
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. Glen R. Smith  
Chairman and Chief Executive Officer  
Farm Credit Administration  
1501 Farm Credit Drive  
McLean, VA 22102

***Re: Record and Document Preservation Requirements***

Dear Chairman Smith:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Mr. Glen R. Smith  
Page 3

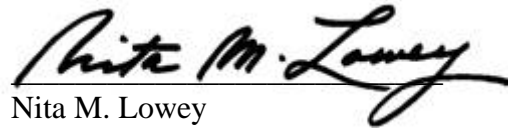
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Collin C. Peterson  
Chairman  
Committee on Agriculture

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable K. Michael Conaway, Ranking Member  
Committee on Agriculture

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

***Re: Record and Document Preservation Requirements***

Dear Chairman Pai:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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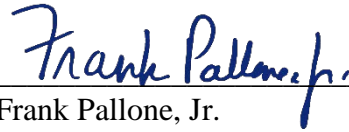
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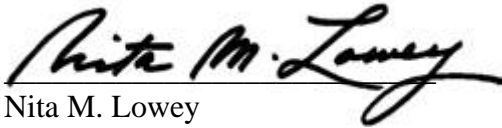
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

Mr. James E. “Trey” Trainor III  
Chair  
Federal Election Commission  
1050 First Street, N.E.  
Washington D.C. 20463

***Re: Record and Document Preservation Requirements***

Dear Chairman Trainor:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency’s ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

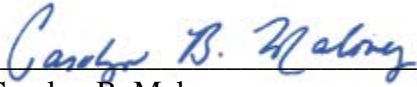
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Mr. James E. Trainor III

Page 3

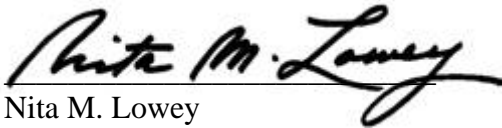
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Zoe Lofgren  
Chairperson  
Committee on House Administration



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Rodney Davis, Ranking Member  
Committee on House Administration

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable James Danly  
Chairman  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

***Re: Record and Document Preservation Requirements***

Dear Chairman Danly:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

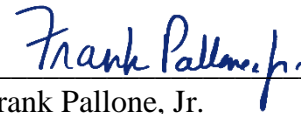
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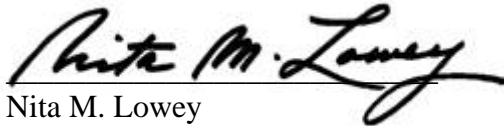
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Kathy Castor  
Chairwoman  
Select Committee on the Climate Crisis

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Mark Anthony Calabria  
Director  
Federal Housing Finance Agency  
400 7th Street, S.W.  
Washington, D.C. 20024

***Re: Record and Document Preservation Requirements***

Dear Director Calabria:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).



In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

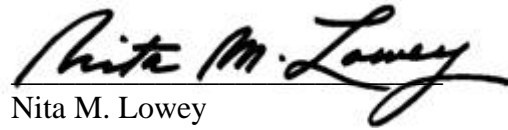
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Michael A. Khouri  
Chairman  
Federal Maritime Commission  
800 North Capitol Street, N.W  
Washington, D.C. 20573

***Re: Record and Document Preservation Requirements***

Dear Chairman Khouri:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

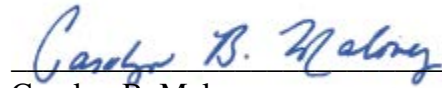
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

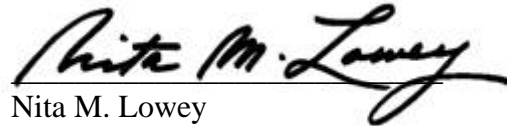
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Jerome H. Powell  
Chair  
Board of Governors of the Federal Reserve System  
20th Street & Constitution Avenue, N.W.  
Washington, D.C. 20551

***Re: Record and Document Preservation Requirements***

Dear Chairman Powell:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
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Thank you for your cooperation in this matter.

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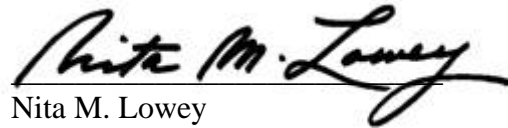
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules



**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Joseph J. Simons  
Chairman  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

***Re: Record and Document Preservation Requirements***

Dear Chairman Simons:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

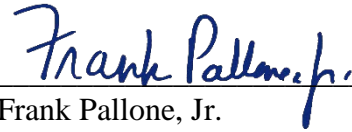
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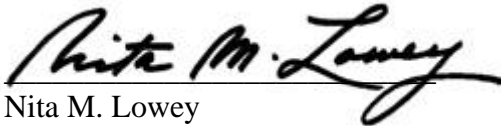
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



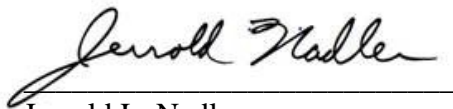
Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Emily W. Murphy  
Administrator  
General Services Administration  
1800 F Street, N.W.  
Washington, D.C. 20405

***Re: Record and Document Preservation Requirements***

Dear Administrator Murphy:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
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Thank you for your cooperation in this matter.

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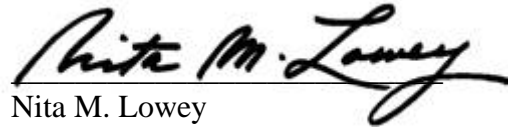
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Peter A. DeFazio  
Chairman  
Committee on Transportation and  
Infrastructure



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Sam Graves, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Robert G. Marbut, Jr.  
Executive Director  
Interagency Council on Homelessness  
301 7th Street, S.W., Room 2080  
Washington, D.C. 20407

***Re: Record and Document Preservation Requirements***

Dear Director Marbut:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

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We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

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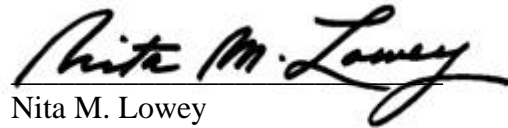
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Adam Boehler  
Chief Executive Officer  
International Development Finance Corporation  
1100 New York Ave, N.W.  
Washington, D.C. 20527

***Re: Record and Document Preservation Requirements***

Dear Mr. Boehler:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

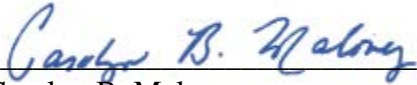
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

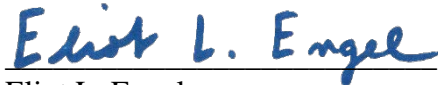
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

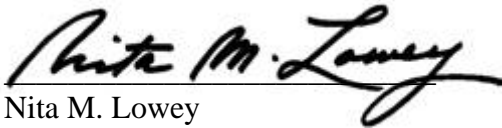
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Eliot L. Engel  
Chairman  
Committee on Foreign Affairs



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Jason E. Kearns  
Chair  
International Trade Commission  
500 E Street, S.W.  
Washington, D.C., 20436

***Re: Record and Document Preservation Requirements***

Dear Chairman Kearns:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

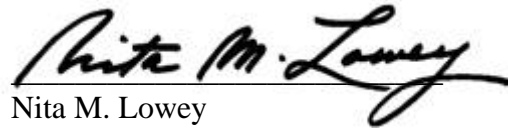
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Richard E. Neal  
Chairman  
Committee on Ways and Means



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Sean Cairncross  
Chief Executive Officer  
Millennium Challenge Corporation  
1099 14th Street, N.W., Suite 700  
Washington, D.C. 20005

***Re: Record and Document Preservation Requirements***

Dear Mr. Cairncross:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).



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We also request that that you:

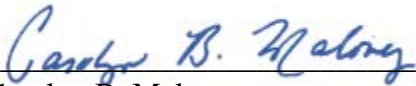
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
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4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

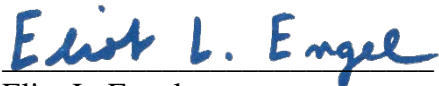
Thank you for your cooperation in this matter.

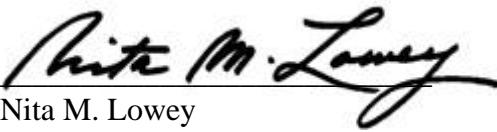
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Eliot L. Engel  
Chairman  
Committee on Foreign Affairs

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable James F. Bridenstine  
Administrator  
National Aeronautics and Space Administration  
300 E Street, S.W.  
Suite 5R30  
Washington, D.C. 20546

***Re: Record and Document Preservation Requirements***

Dear Administrator Bridenstine:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:

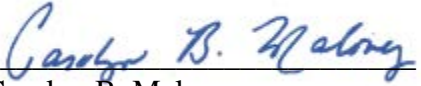
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.


Thank you for your cooperation in this matter.

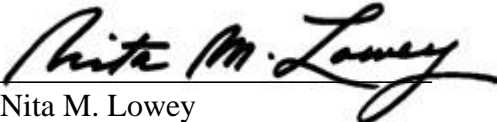
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).


Sincerely,


  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and  
Technology

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

  
Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

  
Kathy Castor  
Chairwoman  
Select Committee on the Climate  
Crisis

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space, and Technology

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Garret Graves, Ranking Member  
Select Committee on the Climate Crisis

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
8601 Adelphi Road  
College Park, MD 20740

***Re: Record and Document Preservation Requirements***

Dear Mr. Ferriero:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

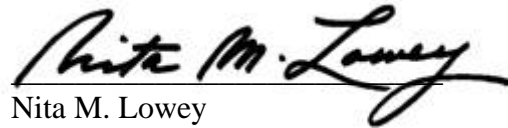
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



James P. McGovern  
Chairman  
Committee on Rules



Nita M. Lowey  
Chairwoman  
Committee on Appropriations

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations



**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable John F. Ring  
Chairman  
National Labor Relations Board  
1015 Half Street, S.E.  
Washington, D.C. 20570

***Re: Record and Document Preservation Requirements***

Dear Chairman Ring:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

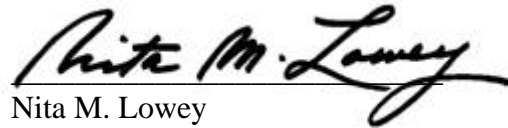
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Robert C. "Bobby" Scott  
Chairman  
Committee on Education and Labor



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Virginia Foxx, Ranking Member  
Committee on Education and Labor

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Dr. Sethuraman Panchanathan  
Director  
National Science Foundation  
2415 Eisenhower Avenue  
Alexandria, VA 22314

***Re: Record and Document Preservation Requirements***

Dear Director Panchanathan:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

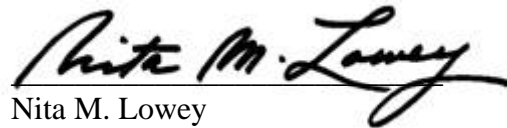
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and  
Technology



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Frank D. Lucas, Ranking Member  
Committee on Science, Space, and Technology

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable General Paul M. Nakasone  
Director  
National Security Agency  
9800 Savage Road, Suite 6272  
Fort George G. Meade, MD 20755

***Re: Record and Document Preservation Requirements***

Dear General Nakasone:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

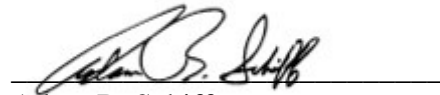
Thank you for your cooperation in this matter.

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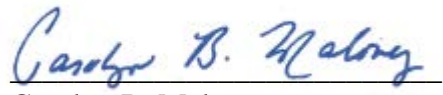
<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).



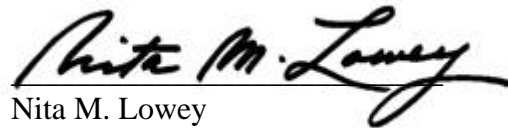
Sincerely,



Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Kristine L. Svinicki  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

***Re: Record and Document Preservation Requirements***

Dear Chairman Svinicki:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

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Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

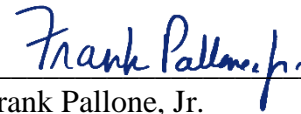
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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

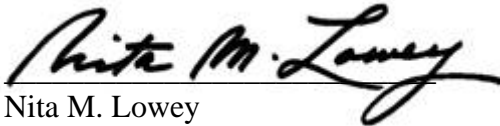
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Frank Pallone, Jr.  
Chairman  
Committee on Energy  
and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable John Ratcliffe  
Director of National Intelligence  
Office of the Director of National Intelligence  
1500 Tysons McLean Drive  
McLean, VA 22102

***Re: Record and Document Preservation Requirements***

Dear Director Ratcliffe:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

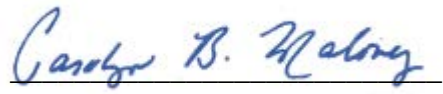
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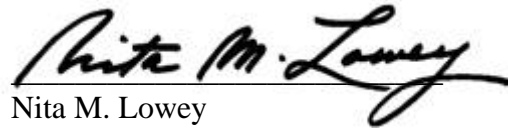
Sincerely,



Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence



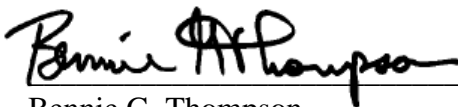
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Bennie G. Thompson  
Chairman  
Committee on Homeland Security

cc: The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Mike Rogers, Ranking Member  
Committee on Homeland Security

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Russell T. Vought  
Director  
Office of Management and Budget  
725 17th Street, N.W.  
Washington, D.C. 20503

***Re: Record and Document Preservation Requirements***

Dear Director Vought:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).



In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

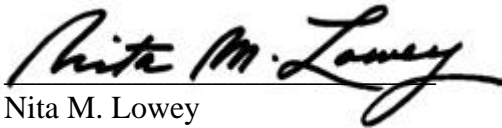
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



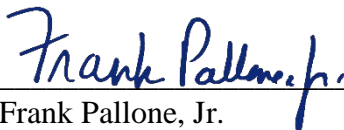
John A. Yarmuth  
Chairman  
Committee on the Budget



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



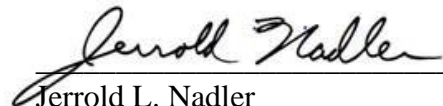
Frank Pallone, Jr.  
Chairman  
Committee on Energy and Commerce



Richard E. Neal  
Chairman  
Committee on Ways and Means



Adam B. Schiff  
Chairman  
House Permanent Select Committee on Intelligence



Jerrold L. Nadler  
Chairman  
Committee on the Judiciary

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Steve Womack, Ranking Member  
Committee on the Budget

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Greg Walden, Ranking Member  
Committee on Energy and Commerce

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Russell T. Vought  
Page 4

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Michael Rigas  
Acting Director  
Office of Personnel Management  
1900 E Street, N.W.  
Washington, D.C. 20405

***Re: Record and Document Preservation Requirements***

Dear Acting Director Rigas:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>1</sup> See 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); and 36 C.F.R., Chapter XII, Subchapter B (Records Management).

<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

In addition to meeting the requirements of federal laws and regulations, we request that you preserve all information that relates to all investigations conducted during the 116th Congress, including all oversight requests or demands from Congress. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that was initiated, continued, or otherwise undertaken during the 116th Congress. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

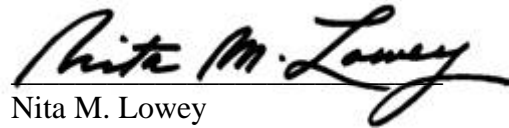
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Richard E. Neal  
Chairman  
Committee on Ways and Means



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Josephine K. Olsen  
Director  
Peace Corps  
1275 First Street, N.E.  
Washington, D.C. 20526

***Re: Record and Document Preservation Requirements***

Dear Director Olsen:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>3</sup> See 18 U.S.C. § 2071.

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2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

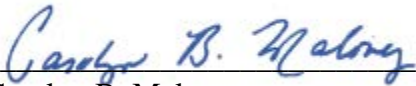
Thank you for your cooperation in this matter.

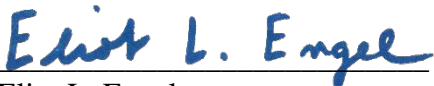
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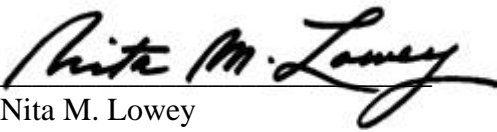
<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).




Sincerely,

  
Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
Eliot L. Engel  
Chairman  
Committee on Foreign Affairs

  
Nita M. Lowey  
Chairwoman  
Committee on Appropriations

  
James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Michael T. McCaul, Ranking Member  
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Gordon Hartogensis  
Director  
Pension Benefit Guaranty Corporation  
1200 K St., N.W.  
Washington, D.C. 20005

***Re: Record and Document Preservation Requirements***

Dear Director Hartogensis:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

It is imperative that you remind all employees and officials within your organization of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations.<sup>1</sup> This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.<sup>2</sup> Any employee who conceals, destroys, or attempts to conceal or destroy a federal record may be subject to fine and imprisonment for up to three years.<sup>3</sup> We urge you to ensure that your employees and officials do not delete or destroy any official government records, including “information created, manipulated, communicated, or stored” electronically.<sup>4</sup>

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<sup>2</sup> See 44 U.S.C. § 2911.

<sup>3</sup> See 18 U.S.C. § 2071.

<sup>4</sup> See 44 U.S.C. § 3301(a)(2) (defining “records” as inclusive of “all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form”).

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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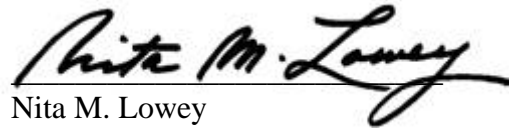
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Richard E. Neal  
Chairman  
Committee on Ways and Means



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Jay Clayton  
Chairman  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549

***Re: Record and Document Preservation Requirements***

Dear Chairman Clayton:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
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Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

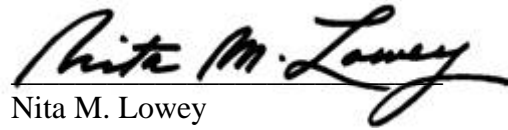
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Maxine Waters  
Chairwoman  
Committee on Financial Services



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Richard E. Neal  
Chairman  
Committee on Ways and Means

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Patrick McHenry, Ranking Member  
Committee on Financial Services

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Jovita Carranza  
Administrator  
Small Business Administration  
409 3rd Street, S.W.  
Washington, D.C. 20416

***Re: Record and Document Preservation Requirements***

Dear Administrator Carranza:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

Over the last four years, the Administration obstructed numerous congressional investigations by refusing to provide responsive information. You are obligated to ensure that any information previously requested by Congress—and any other information that is required by law to be preserved—is saved and appropriately archived in a manner that is easily retrievable.

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We also request that that you:


1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
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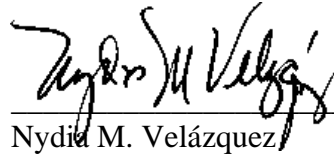
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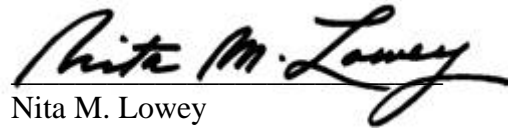
Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Nydia M. Velázquez  
Chairwoman  
Committee on Small Business



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules



Richard E. Neal  
Chairman  
Committee on Ways and Means

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Steve Chabot, Ranking Member  
Committee on Small Business

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

**Congress of the United States**  
**Washington, DC 20515**

November 10, 2020

The Honorable Andrew Saul  
Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

***Re: Record and Document Preservation Requirements***

Dear Commissioner Saul:

As the 116th Congress and the Trump Administration approach the conclusion of our respective terms, we write to remind you that you and your employees, including all component agencies and offices, must comply with the record preservation obligations set forth in federal law and to remind you of your and your agency's ongoing obligations to preserve information relevant to congressional oversight.

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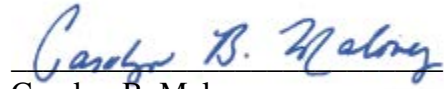
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the agency;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving;<sup>5</sup> and
4. If it is the routine practice of any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Thank you for your cooperation in this matter.

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<sup>5</sup> See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

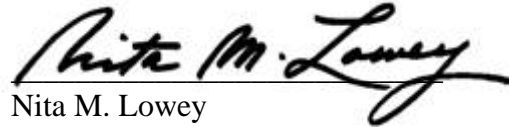
Sincerely,




Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Richard E. Neal  
Chairman  
Committee on Ways and Means



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



James P. McGovern  
Chairman  
Committee on Rules

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Kevin Brady, Ranking Member  
Committee on Ways and Means

The Honorable Kay Granger, Ranking Member  
Committee on Appropriations

The Honorable Tom Cole, Ranking Member  
Committee on Rules