

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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

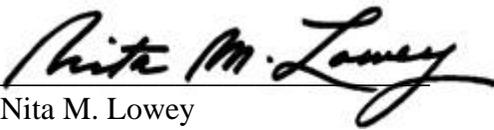
Thank you for your cooperation in this matter.

⁵ 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.

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We also request that that you:

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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;⁵ 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.

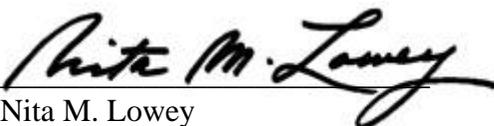
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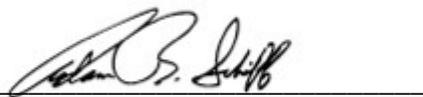
Sincerely,


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.

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.¹ 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.² 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.³ 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.⁴

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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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.

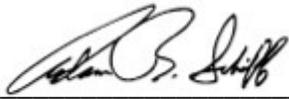
We also request that that you:

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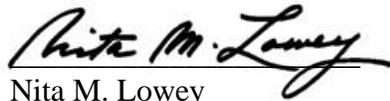
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Adam B. Schiff
Chairman
House Permanent Select Committee
on Intelligence



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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Mr. Anthony "Tony" C. Thompson
Page 3

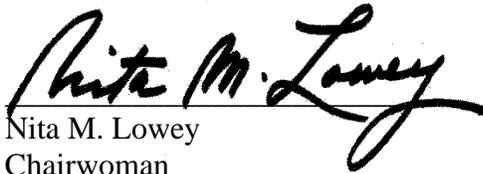
Sincerely,



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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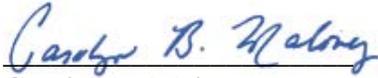
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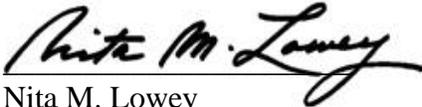
Sincerely,



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



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.

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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;⁵ 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.

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

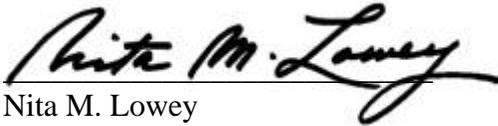
Sincerely,



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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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⁵ 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



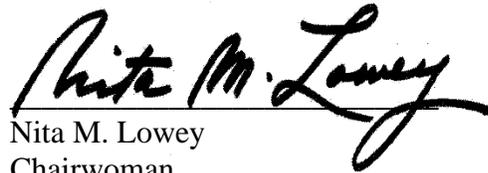
Collin C. Peterson
Chairman
Committee on Agriculture



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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

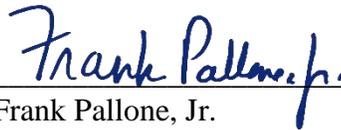
Thank you for your cooperation in this matter.

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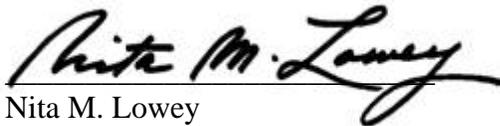
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Frank Pallone, Jr.
Chairman
Committee on Energy
and Commerce



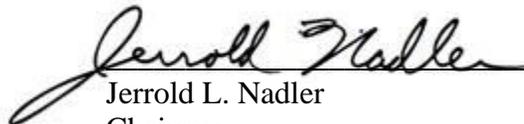
Nita M. Lowey
Chairwoman
Committee on Appropriations



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

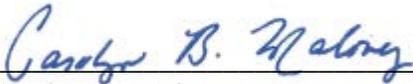
We also request that that you:

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;⁵ 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.

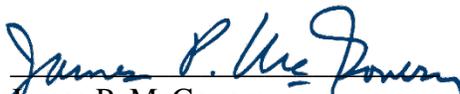
Thank you for your cooperation in this matter.

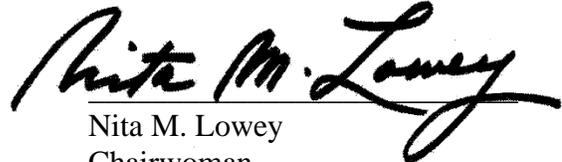
⁵ See 44 U.S.C. § 2911 (requiring disclosure of official business conducted on nonofficial electronic messaging accounts).

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.

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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

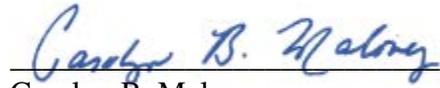
We also request that that you:

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;⁵ 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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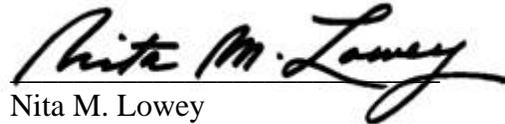
Sincerely,



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.

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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;
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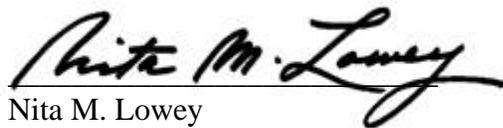
Sincerely,



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



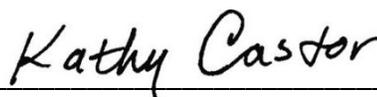
Richard E. Neal
Chairman
Committee on Ways and Means



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

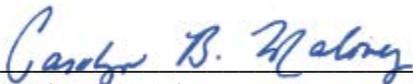
We also request that that you:

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;⁵ 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.

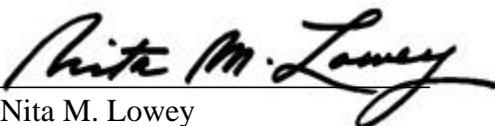
Thank you for your cooperation in this matter.

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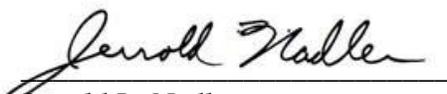
Sincerely,


Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform


Richard E. Neal
Chairman
Committee on Ways and Means

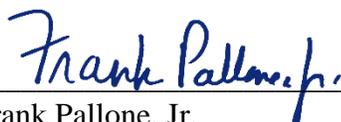

Nita M. Lowey
Chairwoman
Committee on Appropriations


James P. McGovern
Chairman
Committee on Rules


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.¹ 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.² 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.³ 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.⁴

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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We also request that that you:

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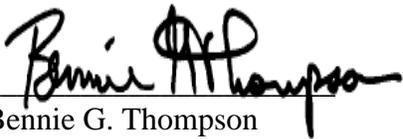
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Mr. Chad F. Wolf

Page 3

Sincerely,



Bennie G. Thompson
Chairman
Committee on Homeland Security



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



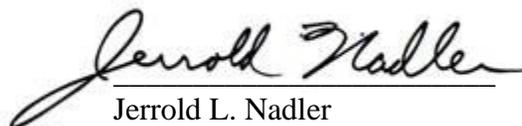
Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce



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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

⁴ 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.

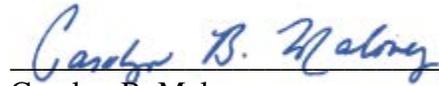
We also request that that you:

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;
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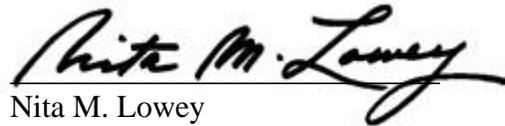
Sincerely,



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.

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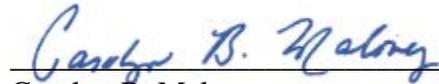
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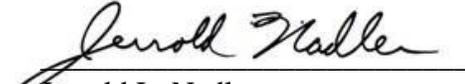
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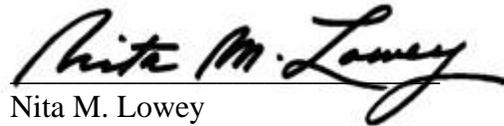
Sincerely,



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.

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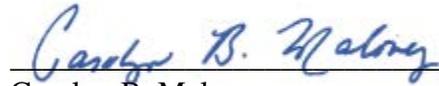
We also request that that you:

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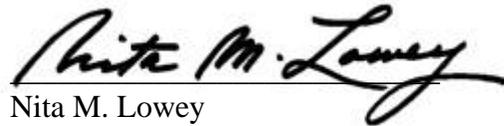
Sincerely,



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



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.

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

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

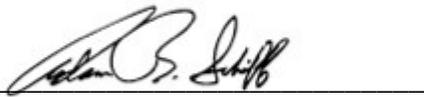
Sincerely,


Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform


Eliot L. Engel
Chairman
Committee on Foreign Affairs

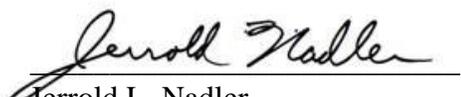

Nita M. Lowey
Chairwoman
Committee on Appropriations


James P. McGovern
Chairman
Committee on Rules


Adam B. Schiff
Chairman
House Permanent Select Committee on Intelligence


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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

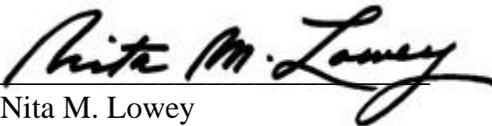
Thank you for your cooperation in this matter.

⁵ 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.

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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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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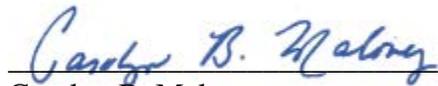
We also request that that you:

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;⁵ 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.

⁵ 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



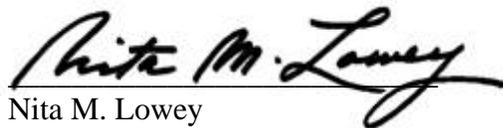
Maxine Waters
Chairwoman
Committee on Financial Services



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.

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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

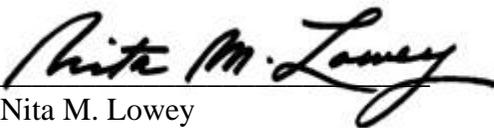
Thank you for your cooperation in this matter.

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

Sincerely,

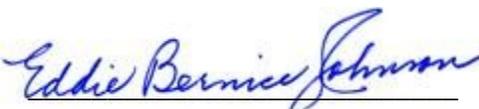

Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform

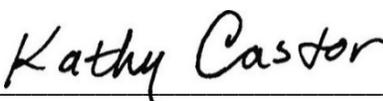

Peter A. DeFazio
Chairman
Committee on Transportation and
Infrastructure


Nita M. Lowey
Chairwoman
Committee on Appropriations


James P. McGovern
Chairman
Committee on Rules


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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

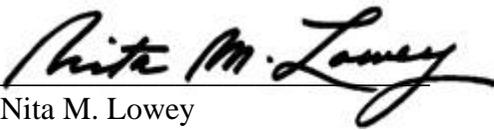
Thank you for your cooperation in this matter.

⁵ 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.¹ 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.² 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.³ 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.⁴

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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;⁵ 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.

⁵ 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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

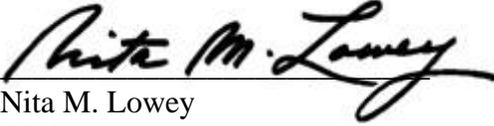
Thank you for your cooperation in this matter.

⁵ 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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

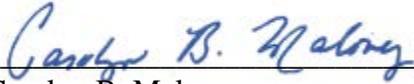
We also request that that you:

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;⁵ 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.

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

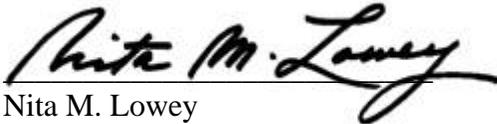
Sincerely,



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.¹ 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.²

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.”³ 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.⁴ 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.”⁵

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

² See 44 U.S.C. § 2203(a).

³ See 44 U.S.C. § 2203(g).

⁴ See 44 U.S.C. § 2203(c).

⁵ 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.⁶ 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.⁷ 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;

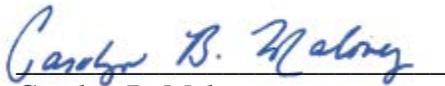
⁶ See, e.g., 44 U.S.C. §§ 2201-2209 (Chapter 22, Presidential Records); 44 U.S.C. §§ 3101-3107 (Chapter 31, Records Management by Federal Agencies); 44 U.S.C. §§ 3301-3314 (Chapter 33, Disposal of Records); 36 C.F.R., Chapter XII, Subchapter B (Records Management); 36 C.F.R., Chapter XII, Subchapter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

⁷ 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).

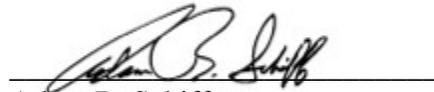
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any presidential or federal records sent or received using a nonofficial account must be forwarded to an official account for proper archiving; and
4. If 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.

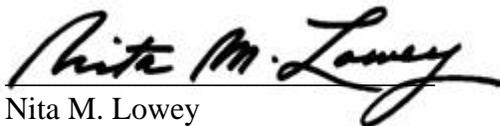
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Adam B. Schiff
Chairman
House Permanent Select Committee
on Intelligence



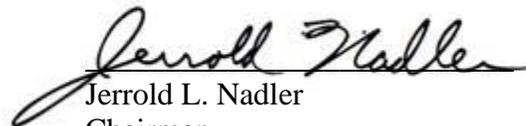
Nita M. Lowey
Chairwoman
Committee on Appropriations



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

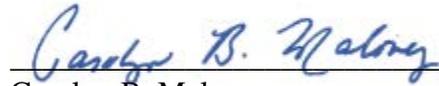
We also request that that you:

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;⁵ 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.

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

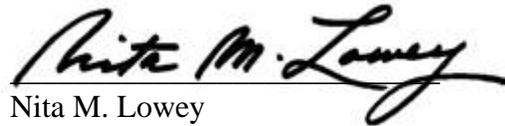
Sincerely,



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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:

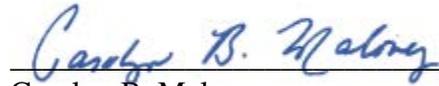
1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have access to potentially relevant information that they should preserve and return such information to the 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;⁵ 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.

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

Mr. Glen R. Smith
Page 3

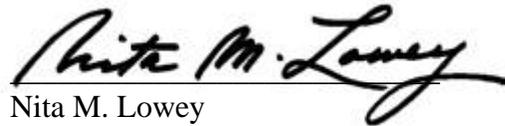
Sincerely,



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

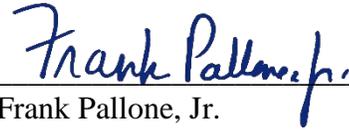
Thank you for your cooperation in this matter.

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

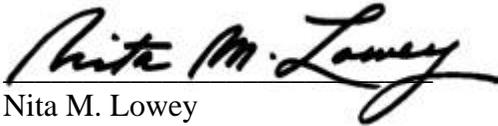
Sincerely,



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

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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

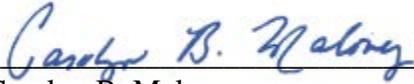
Thank you for your cooperation in this matter.

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

Mr. James E. Trainor III

Page 3

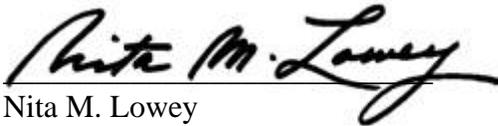
Sincerely,



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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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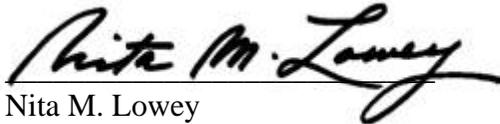
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



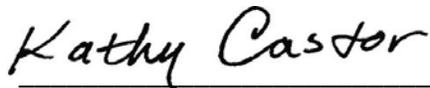
Frank Pallone, Jr.
Chairman
Committee on Energy
and Commerce



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.

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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

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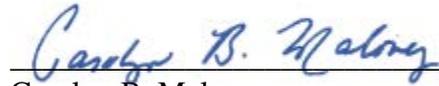
We also request that that you:

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;⁵ and
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Thank you for your cooperation in this matter.

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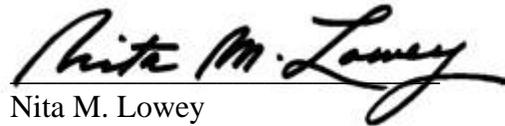
Sincerely,



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 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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

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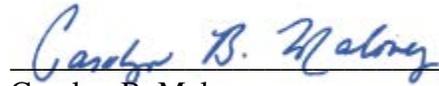
We also request that that you:

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;⁵ 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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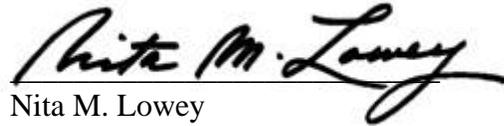
Sincerely,



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

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.¹ 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.² 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.³ 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.⁴

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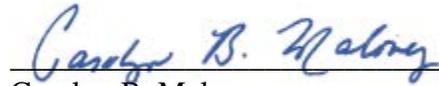
We also request that that you:

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;⁵ and
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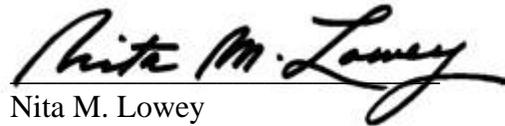
Sincerely,



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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

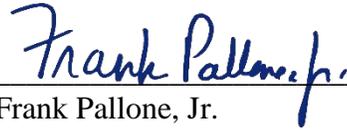
Thank you for your cooperation in this matter.

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

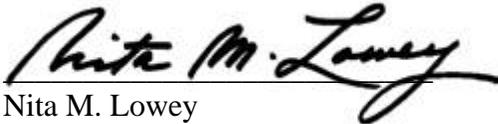
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



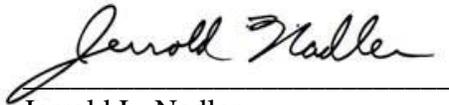
Frank Pallone, Jr.
Chairman
Committee on Energy
and Commerce



Nita M. Lowey
Chairwoman
Committee on Appropriations



James P. McGovern
Chairman
Committee on Rules



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.

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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

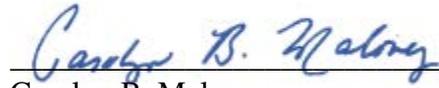
We also request that that you:

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;⁵ 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.

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

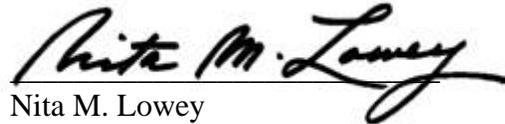
Sincerely,



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 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.

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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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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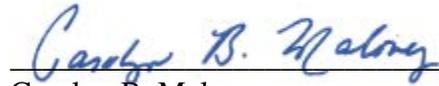
We also request that that you:

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;⁵ 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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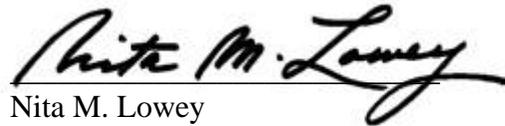
Sincerely,



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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ and
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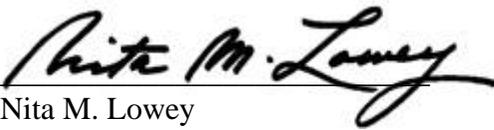
Thank you for your cooperation in this matter.

⁵ 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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

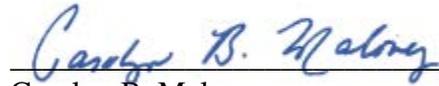
We also request that that you:

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;⁵ 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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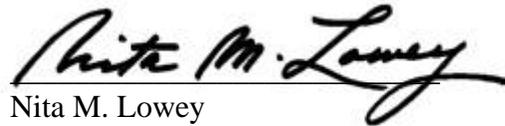
Sincerely,



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 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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ and
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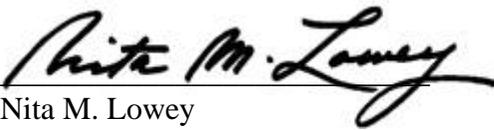
Thank you for your cooperation in this matter.

⁵ 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.

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

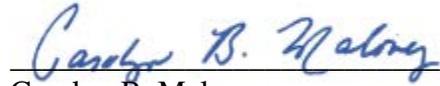
We also request that that you:

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;⁵ 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.

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

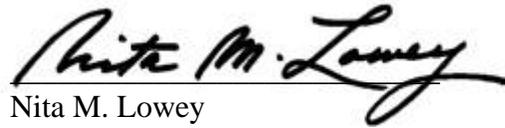
Sincerely,



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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

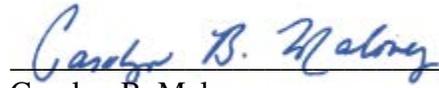
We also request that that you:

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;⁵ 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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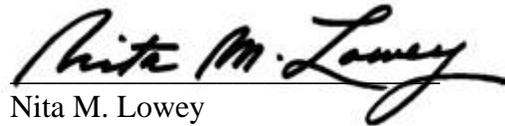
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

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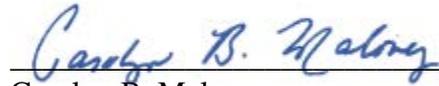
We also request that that you:

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;⁵ 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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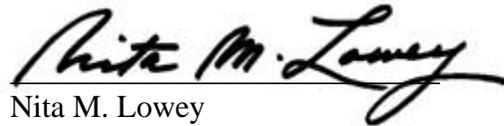
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

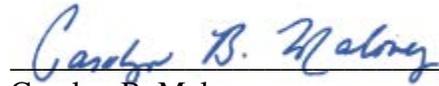
We also request that that you:

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;⁵ 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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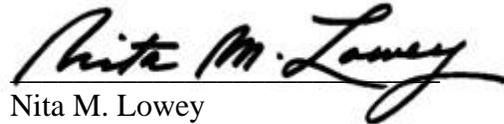
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

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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.

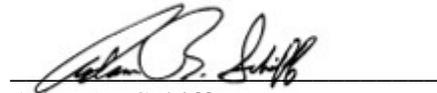
We also request that that you:

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;⁵ 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.

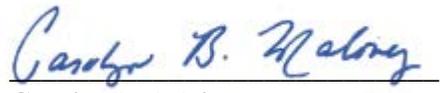
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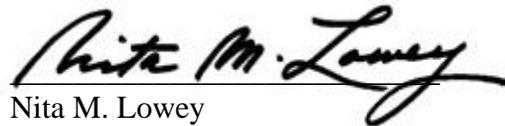
Sincerely,



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.¹ 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.² 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.³ 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.⁴

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

¹ 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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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;⁵ and
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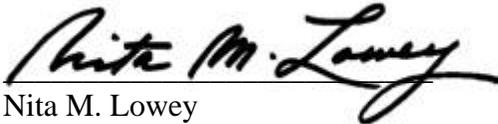
Sincerely,



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



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.

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¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

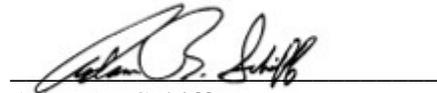
We also request that that you:

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;⁵ 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.

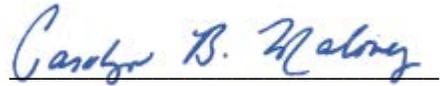
Thank you for your cooperation in this matter.

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

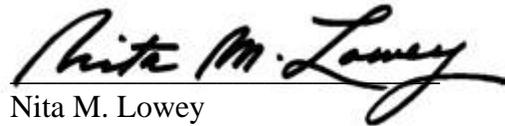
Sincerely,



Adam B. Schiff
Chairman
House Permanent Select Committee on Intelligence



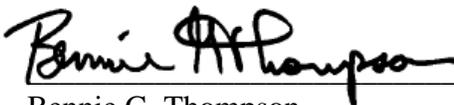
Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Nita M. Lowey
Chairwoman
Committee on Appropriations



James P. McGovern
Chairman
Committee on Rules



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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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;⁵ 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.

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

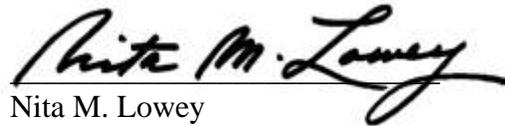
Sincerely,



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



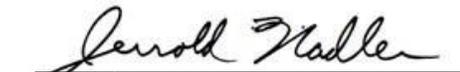
Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce



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.¹ 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.² 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.³ 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.⁴

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³ See 18 U.S.C. § 2071.

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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;⁵ 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.

⁵ 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.

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³ See 18 U.S.C. § 2071.

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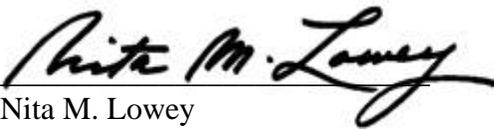
Thank you for your cooperation in this matter.

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Sincerely,


Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform


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.

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³ See 18 U.S.C. § 2071.

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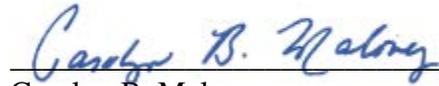
We also request that that you:

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;⁵ and
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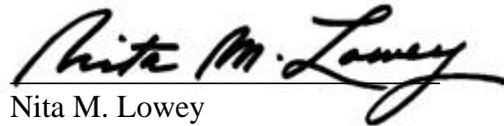
Sincerely,



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.

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.¹ 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.² 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.³ 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.⁴

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² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

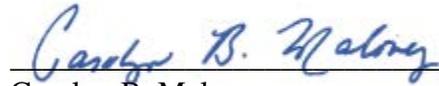
We also request that that you:

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;⁵ 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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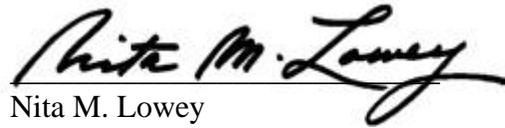
Sincerely,



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



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.

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.¹ 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.² 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.³ 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.⁴

¹ 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).

² See 44 U.S.C. § 2911.

³ See 18 U.S.C. § 2071.

⁴ 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.

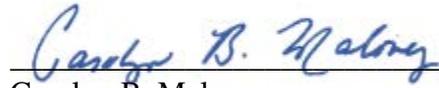
We also request that that you:

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;⁵ 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.

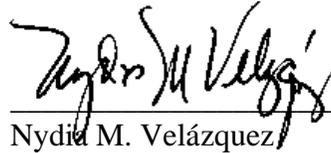
Thank you for your cooperation in this matter.

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

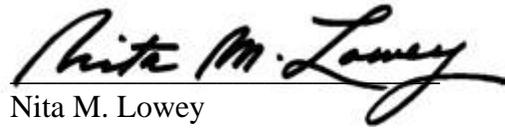
Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



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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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.¹ 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.² 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.³ 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.⁴

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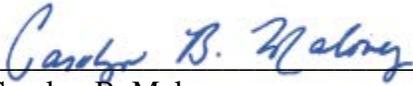
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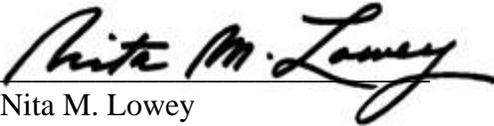
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Sincerely,


Carolyn B. Maloney
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