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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

October 3, 2019

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

Dear Inspector General Linick:

I am writing to renew my September 24th request for you to urgently investigate the State Department's withholding of critical security assistance to Ukraine and to expand that investigation to specifically cover the role of senior State Department officials in the Trump-Ukraine scandal, including Secretary of State Pompeo and his Counselor Ulrich Brechbuhl. Through information you provided to congressional committees and admissions by President Trump's agent, Rudy Giuliani, it appears that Secretary Pompeo may have inappropriately and unlawfully leveraged State Department resources—paid for by U.S. taxpayers—to cause an investigation solely designed to advance President Trump's personal and political agenda. Mr. Brechbuhl may have wittingly or unwittingly participated in this effort. Such behavior is squarely within your jurisdiction, and must be investigated in a thorough and expedited fashion.

Yesterday, you provided congressional staff with a series of documents that had been in the State Department's possession, which were rife with false, debunked information concerning one of President Trump's political opponents as well as former U.S. Ambassador to Ukraine, Marie Yovanovitch. You indicated that, according to Mr. Brechbuhl, Secretary Pompeo told him that the documents had "come over" and were related to Ukraine, and that the Secretary asked Mr. Brechbuhl to look into them. Mr. Brechbuhl then forwarded the documents to the State Department Legal Adviser. Subsequently, the Acting State Legal Adviser forwarded them to you at the direction of the Deputy Secretary. At the time of the briefing, you indicated that you did not know where or from whom the documents originated.

Just hours after the briefing, Mr. Giuliani reportedly indicated that: (1) he was the source of at least some of the documents; (2) he gave the documents either to the White House, which then passed them to Secretary Pompeo, or directly to Secretary Pompeo; and (3) Secretary Pompeo called Giuliani after receiving the documents and told him that the Department would investigate.¹

¹ Jeremy Herb et al., "State Department inspector general gives Congress documents that Giuliani provided," *CNN*, Oct. 2, 2019, <https://www.cnn.com/2019/10/02/politics/state-department-inspector-general-briefing-congress/index.html>; Leigh Ann Caldwell et al., "Giuliani says State Dept vowed to investigate after he gave Ukraine docs to Pompeo: Democrats who saw the documents dismissed them as 'propaganda and disinformation

Given Mr. Giuliani's admissions and the apparent relationship between Giuliani's efforts in relation to these documents and the broader Trump-Ukraine scandal, it is imperative that you determine the precise roles of Secretary Pompeo and Counselor Brechbuhl. Your investigation should address, at a minimum, the following questions:

1. From where did Secretary Pompeo (or his office) obtain the documents?
2. Did Secretary Pompeo or his office receive any instruction or message from the White House about the President's or the White House's preference for what to do with the documents?
3. What instructions did Secretary Pompeo give to other State Department employees, including Counselor Brechbuhl, regarding the documents or the allegations therein?
4. What specific steps did Counselor Brechbuhl request that the Legal Adviser or the Office of the Legal Advisor take in relation to the documents?
5. What other officials in the Department reviewed the documents, and what did they do with them?
6. Did Secretary Pompeo or the Department conduct any investigation related to these documents?
7. Did Secretary Pompeo leverage State Department resources to investigate a political opponent of the President, and if so, was that appropriate?

Thank you in advance for your attention to this letter. I look forward to your prompt response as well as a response to my letter of September 24, 2019.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a prominent "R" and "M".

Robert Menendez
Ranking Member