

Congress of the United States
Washington, DC 20515

February 3, 2020

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:

We are writing to reiterate the November 2019 request from Senator Menendez for you to conduct an investigation into the State Department's role in the Trump Administration's decisions to terminate the Temporary Protected Status (TPS) designations for El Salvador, Haiti and Honduras. Our request follows the release of an expansive investigation in November 2019 by the Senate Foreign Relations Committee (SFRC), which found numerous irregularities with the State Department's internal processes. We are deeply concerned about evidence that domestic political interests well beyond the scope of the TPS statute appear to have overridden the recommendations of senior State Department officials related to U.S. national security priorities and humanitarian interests.

We specifically request that the Office of the Inspector General review the extent to which Trump Administration political appointees in the State Department introduced electoral considerations into the TPS decision-making process, as documented in the SFRC report, "Playing Politics with Humanitarian Protections." This report found that, in an October 26, 2017 Action Memo to then-Secretary of State Rex Tillerson, political appointees in the Department's Office of Policy Planning (S/P) recommended shortening the timeline for the termination of TPS status for nationals of El Salvador, Haiti, and Honduras to avoid ending TPS "in the middle of the 2020 election cycle." Mr. Brian Hook was the Director of S/P, Ms. Taryn Frideres advised S/P on refugee and migration issues, and Ms. Kimberly Breier advised S/P on the Western Hemisphere (including El Salvador, Haiti, and Honduras) at the time this Action Memo was submitted. Further, Mr. Hook, Ms. Frideres, and Ms. Breier communicated numerous times on the TPS decision-making process, according to redacted emails that have been released through the Freedom of Information Act.

These political appointees' recommendation indicates how the Trump Administration favored a predetermined political decision over the collective expertise of the State Department, disregarding the guidance provided by every other relevant office, including then-Undersecretary of State for Political Affairs Thomas A. Shannon, the Bureau of Western Hemisphere Affairs (WHA), the Bureau of Population, Refugees, and Migration (PRM), and the U.S. Embassies in San Salvador, Port-au-Prince, and Tegucigalpa.

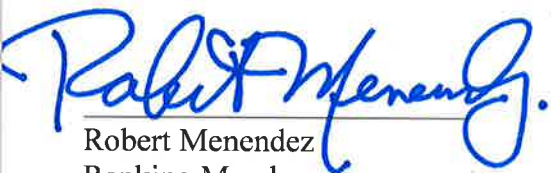
We request that your investigation address the following questions, at minimum:

1. Did Secretary Tillerson approve the recommendation in S/P's October 26, 2017 Action Memo to end TPS for El Salvador, Haiti, and Honduras within 18 months in light of the 2020 election cycle?

2. Did Secretary Tillerson and Trump Administration political appointees prioritize domestic political and electoral interests over U.S. national security and the safety of TPS recipients and their American citizen children (as highlighted by senior officials in the State Department and U.S. Embassies)?
3. Were there additional communications between State Department political appointees or between political appointees in the State Department, Department of Homeland Security (DHS), National Security Council, and White House that discussed U.S. political and electoral interests in relation to the TPS decisions for El Salvador, Haiti, and Honduras? How did these communications influence decision-making by Department leadership?
4. Did Department officials or political appointees discuss TPS in relation to 2020 election considerations with White House officials, including, but not limited to, Stephen Miller and Andrew Veprek? What communication did these officials have with outside groups?

We appreciate your close attention to this letter and emphasize the need for a swift response and prompt investigation.

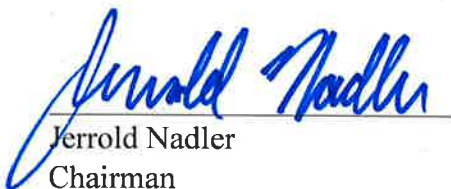
Sincerely,



Robert Menendez
Ranking Member
Senate Committee on Foreign Relations



Joaquin Castro
Chairman
Congressional Hispanic Caucus and
Subcommittee on Oversight and Investigation
House Committee on Foreign Affairs



Jerrold Nadler
Chairman
House Committee on the Judiciary



Eliot L. Engel
Chairman
House Committee on Foreign Affairs



Zoe Lofgren
Chair
Subcommittee on Immigration and Citizenship
House Committee on the Judiciary



Albio Sires
Chairman
Subcommittee on the Western Hemisphere
House Committee on Foreign Affairs