COMMITTEE ON FOREIGN AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: STEVE A. LINICK

Wednesday, June 3, 2020

Washington, D.C.

The interview in the above matter was held via videoconference, commencing at 9:37 a.m.
Appearances:

From the COMMITTEE ON FOREIGN AFFAIRS: Representatives Engel, Sherman, Sires, Connolly, Deutch, Keating, Cicilline, Bera, Castro, Titus, Lieu, Allred, Spanberger, Houlahan, Malinowski, and Zeldin.

From the COMMITTEE ON OVERSIGHT AND REFORM: Representatives Connolly, Krishnamoorthi, Speier, Kelly, and Jordan.
For the COMMITTEE ON FOREIGN AFFAIRS (staff):
For the COMMITTEE ON OVERSIGHT AND REFORM (staff):

For the SENATE FOREIGN RELATIONS COMMITTEE (staff):
For STEVE A. LINICK:

PETE WHITE
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Chairman Engel. Okay. Well, thanks to all of you for
joining us this morning. I hope everyone experienced smooth
sailing getting into this videoconference. I just want to
make a few remarks before we get started.

Before I begin, I just want to confirm that all of the
members and staff in attendance are either members of staff
of the House Committee on Foreign Affairs, the House
Committee on Oversight and Reform, or the Senate Committee
on Foreign Relations. If anyone is present who is not a
member or staff member of these committees, they should
absent themselves now, and any individuals whose usernames
are not recognized will also be dropped by the host.

Let me say that this is a voluntary transcribed
interview of Mr. Steve Linick being conducted by the House
Foreign Affairs Committee with the participation of the
House Committee on Oversight and Reform and the Senate
Committee on Foreign Relations.

Mr. Linick, thank you for joining us today and for
responding positively and voluntarily to the committee's
request to hear from you. Let me say that I'm deeply
concerned, and I know some of my colleagues share this
concern, that Secretary Pompeo's recommendation to
President Trump that you be terminated as the State
Department's inspector general may have been motivated by a
desire to halt or cover up the results of your investigation that touch directly on the Secretary himself.

Your appearance today is one of the first steps in getting to the truth about this matter. We're grateful that you're here, and we honor your years of service to our country.

Let me stress that this will be a staff-led interview, and I want to set the tone right now about how I expect this interview to proceed. In the House Foreign Affairs Committee, we expect everyone to conduct themselves with professionalism, fairness, and respect. I will not tolerate any attempts on either side to turn this into a circus.

Mr. Linick, once staff counsel makes some explanatory remarks about today's interview, you'll be given as much time as you'd like to make an opening statement. Then we'll begin the timed questioning as staff counsel will describe in more detail.

Before I turn to staff counsel, let me ask for any additional opening remarks that our Republican colleagues would like to offer at this time. I just ask that the members keep their statements brief so we can move ahead with the interview.

Are there any additional opening remarks from our Republican colleagues?
Hearing none, I'll assume that we're good to go.

Mr. Linick.

Mr. Linick. Thank you. Good morning, Chairman Engel, Ranking Member McCaul, and members of the committee, also committee staff members. Thank you for the opportunity to testify.

I have dedicated close to 28 years to public service. It has been an honor and a privilege to serve my country. The record shows that I have served without regard to politics having been nominated as an inspector general by Presidents from both parties.

I first served as the inspector general for the Federal Housing Finance Agency, FHFA, and then subsequently as inspector general for the Department of State. When I became an inspector general, the late Senator Tom Coburn invited me to meet with him to discuss the importance of this role. Senator Coburn told me to never forget that ultimately inspectors general worked for the American public.

In keeping with that advice, every minute of my work at FHFA and the Department of State has been devoted to promoting the efficiency and effectiveness of both agencies along with ensuring that taxpayer funds are protected against waste, fraud, and abuse.
In carrying out my work, I’ve always taken the facts and evidence wherever they lead and have been faithfully committed to conducting independent and impartial oversight as required by law.

During my 7-year tenure at the Department of State, we issued nearly 700 reports resulting in thousands of recommendations to strengthen the Department's operations and to protect the lives of people who work in or visit our posts and embassies abroad.

We investigated numerous cases of alleged wrongdoing resulting in a range of outcomes dictated only by the facts, from administrative actions to exonerations to criminal convictions. We identified monetary savings for taxpayers of close to $2 billion.

Our independent oversight of the Department has been the key to our success and it’s helped improve the Department's programs in a transparent way. It has been an honor to serve in the inspector general community and to work alongside my dedicated colleagues at the Department of State Office of Inspector General. I will forever be grateful to them.

I look forward to answering your questions. Thank you.

HFAC Dem Counsel. Mr. Linick, my name is [REDACTED]. I am senior counsel for the Committee on Foreign Affairs
majority staff.

Mr. Engel, unless you had anything further, I'd be happy to enter into some of the preliminary ground rules?

Chairman Engel. Certainly, yes.

HFAC Dem Counsel. Thank you, sir.

This is a transcribed interview of Steve A. Linick conducted by videoconference in the House Committee on Foreign Affairs. This interview is part of a joint investigation by the House Committee on Foreign Affairs, the House Committee on Oversight and Reform, and the Senate Committee on Foreign Relations into the removal of Steve A. Linick as inspector general for the U.S. Department of State.

Sir, to begin with, can you please state your full name and spell your last name for the record.

Mr. Linick. Steve A. Linick, L-i-n-i-c-k.

HFAC Dem Counsel. Thank you very much. Again, as Chairman Engel did, I'd like to thank you for coming in today for this interview, and we appreciate that you are willing to speak with us voluntarily.

Stenographers are participating today to transcribe the interview, but the interview will not be recorded by anyone else. Attendees acknowledged upon accessing the videoconference link that they will not record any portion
of the meeting nor enable any individual to access the video recording proceedings who is not a member or an authorized committee staff member of today's participating committees.

The stenographers have a list of names and titles of today's participants. I will now read the names into the record. Currently participating from the HFAC majority are members Chairmen Eliot Engel, Mr. Brad Sherman, Mr. Albio Sires, Mr. Gerry Connolly, Mr. William Keating, Mr. Ami Bera, Mr. Joaquin Castro, Mr. Ted Lieu, Mr. Colin Allred, Ms. Abigail Spanberger, and Mr. Tom Malinowski.

Members from the HFAC minority: Mr. Lee Zeldin.

HFAC majority staff: [redacted]

Minority staff for HFAC: [redacted]

Majority members from the Committee on Oversight and Reform: Mr. Raja Krishnamoorthi, Ms. Robin Kelly.

Minority members from the Committee on Oversight and Reform: Ranking Member Jim Jordan.

Majority staff for the Committee on Oversight and Reform --

Mr. Connolly: [redacted]
HFAC Dem Counsel. Yes, sir.

Mr. Connolly. This is Gerry Connolly. I think the record should show I am also a member of the Oversight and Reform Committee.

HFAC Dem Counsel. Thank you, sir. I appreciate that clarification. Clearly, we do know that but I was just going off the list, and I appreciate that.

Majority staff for the Committee on Oversight and Reform:

[Redacted]

Committee on Oversight and Reform minority staff:

[Redacted]

The Senate Foreign Relations Committee minority staff:

[Redacted]

And the House stenographers:

[Redacted]

I was just reminded by one of our colleagues we also have from the HFAC majority staff.

Mr. Connolly. HFAC Dem Counsel, forgive me for interrupting again. This is Mr. Connolly. You overlooked the [Redacted] of the Subcommittee on Government Operations, [Redacted].

HFAC Dem Counsel. Thank you, sir.
Among these participants are moderators from the majority staff of the committees who are managing the technical requirements of the WebEx platform for this videoconference and who admitted you into the videoconference a few moments ago.

The moderators will respond as needed to specific cues from attendees who wish to speak, generally manage the muting and unmuting of microphones to ensure audio quality and an orderly process, although speakers retain the ability to mute and unmute themselves if needed. And they will help troubleshoot any technological challenges that arise.

If anyone inadvertently drops from the videoconference for any reason and you are unable to log back in via the meeting link you originally received, please reach out to relevant majority or minority staff contacts indicated in the original meeting link you received. Moderators can then endeavor to readmit you back into the conference as quickly as possible.

Before we begin, I'd like to go over the ground rules for this interview. To ensure that this videoconference interview can be efficient and manageable, we will proceed in alternating time blocks designated by party. The first timed blocks for each party will be 1 hour; subsequent blocks will be 45 minutes.
Democratic counsel will begin with the first block of questioning, offering an opportunity for Democratic members to ask questions towards the end of that hour should they wish to do so. The time will then shift to Republicans for an hour of the same format.

After the first 2 hours, 1 hour for each party, alternating 45-minute rounds will ensue until the questioning is done. If either side does not utilize its full allotted time in any given block, we will proceed to the next timed block for the other party.

During the interview we will do our best to limit the number of people who are directing questions at you and any crosstalk in general that can make it more difficult for the stenographers to achieve an accurate transcript. That said, from time to time, followup or clarifying questions may be useful, and if that's the case, you might hear from additional people in the videoconference.

For everyone, including the stenographers, we would ask if you're not attempting to ask a question or raise another issue, if you could please turn off your video monitor so that it is less distracting for the witness.

Because we are proceeding virtually, the moderators will also mute everyone other than the witness and the main questioner and then unmute other microphones if and when
people indicate or request to speak, which will help with
our audio quality.

Requests to speak may be initiated through the hand
raising function on the WebEx platform and the chair or
ranking member or their designee will recognize members to
ask questions through this hand-raising function toward the
end of each question round.

Mr. Linick, I understand that you have counsel
representing you here today in your personal capacity. Is
that correct?

Mr. Linick. That's correct.

HFAC Dem Counsel. Could you please ask counsel to
identify themselves for the record and confirm -- nope,
that's it. Just identify themselves for the record, please.

Mr. White. Good morning. Pete White and Brandon Faske
with Schulte Roth & Zabel.

HFAC Dem Counsel. Thank you, sir.

Mr. Linick agreed to come in with private counsel for
today's voluntary interview, and as minority staff with
House Foreign Affairs Committee also agreed in advance, only
approved members, staff, and the witness and his personal
counsel have been allowed to attend.

Again, there is a stenographer taking down everything I
say and everything you say to make a written record of this
interview. For the record to be clear, I ask that you please wait until I finish each question before you begin your answer, and I will wait until you finish your response before asking you the next question. Same goes for any other participants who may wish to ask followup questions.

The stenographer cannot record nonverbal answers, such as shaking your head. So it is important that you answer each question with an audible verbal answer. Do you understand, sir?

Mr. Linick. [Nonverbal response.]

HFAC Dem Counsel. We want you to answer our questions in the most complete and truthful manner possible. So we are going to take our time. If you have any questions or do not understand any of our questions, please let us know and we will be happy to clarify or rephrase. Do you understand, sir?

Mr. Linick. Yes.

HFAC Dem Counsel. This interview will be conducted entirely at the unclassified level. It is the committee's expectation that neither the questions asked of you, the witness, nor answers by you or your counsel would require discussion of any information that is currently or at any point could be properly classified under executive order 13526.
Moreover, E.O. 13526 states that, quote, "In no case shall information be classified, continue to be maintained as classified, or fail to be declassified," unquote, for the purposes of concealing any violations of law or preventing embarrassment of any person or entity.

Do you understand, sir?

Mr. Linick. Yes.

HFAC Dem Counsel. Thank you.

If I ask you about conversations or events in the past and you are unable to recall the exact words or details, you should describe the substance of those conversations or events to the best of your recollection. If you recall only a part of a conversation or event, you should give us your best recollection of those events or parts of conversations that you do recall. Do you understand?

Mr. Linick. Yes.

HFAC Dem Counsel. Please note that if you wish to assert a privilege over any statement today, you should clearly state the specific privilege being asserted and the reason for the assertion at the time the question is asked. Do you understand?

Mr. Linick. Yes.

HFAC Dem Counsel. If you need to take a break, please let us know. We're happy to accommodate you. However, to
the extent that there is a pending question, I would just
ask that you finish answering that question before we take a
break. Do you understand?

Mr. Linick. Yes.

HFAC Dem Counsel. During the course of this interview,
we may occasionally provide you with documents related to
this matter. That will be done electronically if the need
arises. These will either be public news articles or
documents that were provided to Congress by the State
Department, the Office of the Inspector General, or other
Federal entities in the course of this investigation. If
you need any additional time to review a document before
answering a pending question, please just ask. Do you
understand?

Mr. Linick. Yes.

HFAC Dem Counsel. One final thing. Although you are
here voluntarily and we will not swear you in, you are
required by law to answer questions from Congress
truthfully. This also applies to questions posed by
congressional staff in an interview. Do you understand?

Mr. Linick. Yes.

HFAC Dem Counsel. If at any time you knowingly make
false statements, you could be subject to criminal
prosecution. Do you understand?
Mr. Linick. Yes.

HFAC Dem Counsel. Is there any reason you are unable to provide truthful answers in today's interview?

Mr. Linick. No.

HFAC Dem Counsel. Thank you, sir.

Our timekeeper has turned on the video, and there is a timer that should be visible. To view the timer we ask that you please use the grid view. This timer video will proceed beginning now, and we will commence the first round of questions.

EXAMINATION

BY HFAC DEM COUNSEL:

Q Mr. Linick, to begin, could you please just describe briefly your background prior to joining the State Department.

A Yes. I was a Federal prosecutor in the Department of Justice for approximately 16 years. After that, I was the Federal Housing Finance Agency inspector general from 2010 to 2013. And from 2013 to the present, I've been the inspector general for the Department of State.

Q And how did you come to end up at the State Department as an inspector general?

A When I was at the Federal Housing Finance Agency I did receive a call from somebody, and I don't recall who,
from the administration at that time, the Obama administration, asking if I might be interested in moving to the Department of State Office of Inspector General.

Q And could you describe for us please some of the things that your office worked on during the Obama administration.

A Well, throughout my tenure, we have worked on many, many matters. We did work on the review involving email practices of the Secretaries of State and FOIA practices. We were involved in a review of some murders in Honduras. And, of course, we've been involved in many, many reviews involving contracts and financial statement audits and things like that.

Q So, after the 2016 election, sir, did you have any interaction with officials from the transition team for then President-elect Donald Trump?

A Yes. When the transition team came to the State Department, I did meet with a couple of folks, although I wouldn't be able to recollect their names at this time.

Q And can you recall what those interactions were like?

A Those interactions were largely information gathering on their part to understand what the major management challenges were in the Department and the types
of things that we were doing as an Office of Inspector
General.

Q Did they give you any particular messages or
indications about how the Trump administration would
interact with the Office of the Inspector General?

A No.

Q During the course of your work during the Trump
administration, did you ever have occasion to interact with
anyone in the White House?

A Can you repeat that question again?

Q Certainly. During the course of your work as State
Department inspector general during the Trump
administration, did you ever have occasion to interact with
anyone in the White House?

A I did interact with Brian Miller, who I knew from
the U.S. Attorney's Office in Eastern District of Virginia.
And I may have interacted with -- I interacted with Uttam
Dhillon as well, who was also former AUSA in the
U.S. Attorney's Office in Los Angeles who I knew. And there
may have been another person or two who I interacted with
but having nothing to do with the State Department.

Q Could you just describe for us then what the nature
of those interactions was?

A Sure. At the time, I had applied to be a judge, and
I had applied both through my Senators in California, and I was interviewed by folks at the White House about that application, but I don't remember -- I can't remember their names.

Q Okay. And do you recall roughly when that occurred?
A It was a couple of years ago, maybe 2017.

Q Okay. And did you have any interactions other than the ones you just described with anyone from the White House during the Trump administration?
A No. Not to my recollection, no.

Q Okay. What kind of a relationship did you have and did your office have with then-Secretary of State Rex Tillerson?
A It was cordial, professional. I met with him on a couple of occasions as part of my ordinary course to advise him on things we were doing at the State Department, the management challenge and so forth.

Q And did Secretary Tillerson and his staff cooperate with your office?
A Yes. At that time, yes.

Q You said "at that time." Could you elaborate, please?
A Yes. We had an ongoing review involving political retaliation -- allegations of political retaliation at the
Department, and two of the witnesses in that review involved former chief of staff Margaret Peterlin and former deputy chief of staff Christine Ciccone. They were no longer at the Department. We tried to reach out to them to interview them and we were unable to do so.

Q And did you seek assistance from then-Secretary Tillerson's team in securing those interviews?

A Well, Christine Ciccone was at the Department -- was at DHS at the time, and I don't recall where Margaret Peterlin was. I had advised folks in the State Department, but we ended up going to DHS because Ms. Ciccone was under obligation to speak with us, and we also went to Congress and advised them of the issue with cooperation.

Q So just so that we're clear on that, these were two individuals who had formerly worked for Secretary Tillerson who were no longer employed by the State Department?

A That's correct.

Q And when you sought their testimony after they had left the Department, did the remaining staff in Secretary Tillerson's office either help you or hinder you in any way in trying to seek the testimony of those two former officials?

A Well, Secretary Tillerson was no longer in office at the time. So that's why it's difficult to answer that
question. At that time, Secretary Pompeo was in place, and my primary point of contact was through Deputy Secretary John Sullivan.

Q Okay. So then, just to close out the Tillerson era, is it your testimony then that, in all relevant respects, Secretary Tillerson and his staff cooperated with your office while he was Secretary of State?

A Yes, that is the case.

Q Thank you.

Sir, when was your first interaction with Secretary Pompeo and his team?

A I don't recall the exact date, but it was shortly after he arrived. He asked for a meeting with me, and that was largely to discuss, you know, the State Department in our oversight efforts.

Q And do you recall anything in particular about that meeting?

A About that particular meeting, no. We had a couple of meetings like that, which were generally about the management challenges at the State Department, but I just don't have an independent recollection of specifics.

Q Okay. And did you have standing meetings with Secretary Pompeo personally? Did they recur on a regular basis?
A: I had tried to have quarterly meetings, and because of both of our schedules, that didn't happen. So I ended up meeting with him -- and, again, I don't have the exact number because I don't have access to my notes or calendars. It was maybe five or six times total, but I can't give you the exact number.

Q: Okay. And, generally, who else would attend those meetings when you met with Secretary Pompeo?

A: Well, it varied. The first couple of meetings were one-on-one, if my recollection serves me. Another meeting involved myself, my chief of staff, my assistant inspector general for evaluations and special projects and Deputy Sullivan. I had another meeting with the Secretary and Deputy Sullivan. And so it just -- it varied depending on the topic.

Q: Okay. Were there others from the Secretary's staff other than the one-on-one meetings who would typically attend those meetings other than the Deputy Secretary? Anyone else on the Seventh Floor --

A: Yeah. To the best of my recollection, no.

Q: Okay. Can you describe for us, please, as you did regarding Secretary Tillerson, what kind of a relationship that you typically had with Secretary Pompeo and his staff in terms of their cooperation with your efforts?
Q Could you describe for us, please, what relationship you had with Secretary Pompeo and his staff in terms of their cooperation with your efforts?
A Generally, I would say they were very cooperative. When you say his staff, I'm including Deputy Secretary John Sullivan, former Deputy Secretary John Sullivan. I had a weekly -- standing weekly meeting with him, which we largely kept to, and we had a very positive working relationship and a very cooperative working relationship.

Q Did you also have meetings with Undersecretary for Management Brian Bulatao?
A I did.

Q And how would you characterize your relationship with Undersecretary Bulatao?
A So I can't recall the exact number of meetings. I would say a handful of times we met. I would say that sometimes the relationship was professional; at other times, he tried to bully me.

Q Can you elaborate on that for me, please?
A The other thing I would add to that is sometimes I felt he was unfamiliar with the role of inspectors general. I can elaborate a little bit on that.

Q If you don't mind.
A  At one point, I met with him in 2019. I'm not sure of the exact date, but he did ask me if I had plans to leave the Department at the end of the administration. I told him that IGs are nonpartisan and typically stay through the change of administration, and he seemed surprised.

Q  If I could just stop you there, sir. Do you recall roughly when that conversation took place?

A  I don't. It was in 2019, but I don't have the exact date. I'm sorry. Or I don't have a good sense of it. Again, I don't have access to my calendars or anything. So I'm not able to really put those pieces together.

Q  And just for the sake of the record, if you're speaking to him sometime in 2019 and he's asking you if you plan to leave at the end of the administration, that is the Trump administration, to be clear that we're not talking about the transition period?

A  Yes, that is correct.

Q  Okay. I apologize for interrupting. Please continue.

A  Well, we also had disagreements about how a leak investigation should be conducted, and so we had some disagreements about that. He wanted to manage the scope and direction of the DOD IG investigation. In addition --

Q  Well, we'll come to that in a little bit greater
A Okay.

Q You said that he didn't seem to understand the nature of inspectors general. Can you tell us what you meant by that?

A One of the things that inspectors general are prohibited from doing is engaging in programmatic activity under the Inspector General Act, and the purpose of that provision is to ensure that we're not auditing ourselves. There were a couple of occasions, and I don't recall specifically which ones, where he had asked me to engage in some programmatic activity.

One does come to mind. He did ask me through an email to join an effort to design -- to help design the Department's response to COVID-19, the Diplomacy Strong program. And I did advise him that that wouldn't be appropriate for me to do that because we may be auditing the Department's efforts to address COVID-19.

Q And how did Undersecretary Bulatao respond to you in that instance?

A He said: Okay.

Q Just for the sake of the record, when you say programmatic activity, for those not familiar with that term of art, can you just tell us a little about what that means?
A  Sure. Getting involved in the Department's internal operations in a way that we are making policy for the Department, we're designing programs, getting involved, for example, in designing how money is going to be spent, we have to be careful as inspectors general to make sure that we keep an arm's length relationship with the Department.

So, for example, the Department has a management control steering committee, and sometimes I attended those meetings. Those are meetings with Department principals, but I didn't have a vote in those meetings intentionally because I never wanted to make policy and be in the position of having to audit myself.

Q  You said that, on occasion, he tried to bully you. Do you have specific examples of that?

A  Well, this goes into the point, which I think you're going to get to, about the leak investigation.

Q  Uh-huh?

A  Do you want me to elaborate on that?

Q  I think we'll come back to that chronologically, if that's --

A  Okay.

Q  Thank you for clarifying.

A  Yes. One other thing I would say is that, in connection with our work on the arms control, the emergency
certification on the arms control, he told me that it wasn't an appropriate review because it was a review of policy. And I told him that, under the Foreign Service Act of 1980, it was within the IG purview to review how policy is implemented. And I was trying to draw that distinction that, while we don't engage in policymaking, we look at how policy is carried out as we are required to by law.

And so, for example, when we -- when the Department provides humanitarian assistance to groups in Syria, for example, while we don't question whether the policy is good or bad, we do look to see how that policy is being carried out and whether it's being carried out in an efficient, effective manner, and whether it's complying with rules and regulations.

Q And what was Undersecretary Bulatao's response when you provided him with that clarification?

A He just continued to push back.

Q Okay. Had he pushed back on any other investigations that you were involved in, or does his focus on the arms control issue stand out in your memory?

A That's the only thing that stands out in my memory.

Q Okay. And we'll get to this in more detail later in the day, sir, but briefly, can you describe for the record how your office came to be involved in looking at what was
an emergency declaration under the Arms Export Control Act
in about this time of 2019, so spring, summer?

A Yes. This was a congressional request, and I don't
know -- at this point in time, I can't name all the members,
but it was -- there was a request by House and Senate to
review the circumstances of the emergency certification.
And after that we endeavored to review whether or not that
emergency certification, the circumstances around that
complied with applicable law regulations in the Department.

Q So this wasn't something that you decided to do on
your own. This wasn't something where you had decided OIG
independently disagrees with this policy. You were asked
by, I believe, all of the Democratic members at least from
the House Foreign Affairs Committee, to look into whether or
not that policy was being properly implemented and whether
it was lawful, and you believed that that would have been
within your responsibilities under the IG Act. Do I have
that right?

A Yes, that is correct. We were not judging whether
the policy was good or bad. We are nonpartisan. We just
look at how policies are carried out and whether they
comport with applicable regulations and law.

Q Thank you.

One last one on the Secretary's staff. Did you ever
A I had -- to the best of my recollection, I had one interaction with Counselor Brechbuhl.

Q And what was that in connection with?

A That was in connection with our report involving allegations of political retaliation in the Office of the Secretary. My contact with him was largely around his response to our report and sort of the logistics around that.

Q Okay. I think we'll get to that in a little bit. But just to take a step back to sort of frame what it is that has brought us all here today, Congress was notified of your termination on the evening of Friday, May 15th. When did you find out that the President was going to remove you as inspector general?

A At approximately 7:45, on May 15th, I received a call from the State Department operations center. They stated that Deputy Secretary Biegun and Undersecretary Bulatao wanted to speak with me.

The deputy said to me: The President decided to exercise his power to remove you.

And at that time, one of them, I don't remember who, stated I will be placed on administrative leave with no access to my building or my network and that they had
reached out to my administrative staff and notified them.

Q Did they give you an explanation for why it is that you were being immediately placed on administrative leave?

A The only thing they said was the President has decided to exercise his power to remove you. I asked for a reason for the removal, and neither provided one. The Deputy Secretary reiterated the sentence about the President decided to exercise his power to remove you.

Q Were you surprised by this?

A Shocked.

Q So how did you feel? What was going through your mind during that call and immediately afterwards?

A I was completely taken by surprise. I just had a townhall with my staff on COVID-19, and I was in a state of shock because I had not been -- I had no advance notice of anything like that.

Q So you had had a townhall earlier that day?

A Yes. I had a townhall with all of my staff on how we were going to -- how were we going to address the State Department's Diplomacy Strong plan to reopen the government. They had just published it earlier, actually the week before. And I was holding townhalls every couple of weeks during the COVID crisis to make sure my staff knew that we were in control and taking care of them.
Q And up until you received that call, did you have any indication that the Secretary was planning to recommend to the President that you be removed as inspector general?

A I had no indication whatsoever.

Q When did you find out that Ambassador Stephen Akard would be taking over as acting inspector general?

A I don't recall exactly.

Q Had you heard his name before?

A I had not heard his name.

Q Sitting here today with the benefit of a few weeks distance from the events, why do you think that Secretary Pompeo asked President Trump to remove you as inspector general?

A Well, I'm not going to speculate, and I'm going to leave that conclusion to all of you since you're doing the fact finding, but I can tell you though that I've been given no valid reason that would justify my removal. And the explanations I've heard so far in the press are either unfounded or misplaced.

I've been a dedicated public servant for 28 years. I've conducted my work with honor, integrity, and without regard to politics. I followed the facts wherever they take me. Numerous senior officials in the Department who -- with whom I've interacted have commented that they thought our
work was fair, objective, that we accomplished our mission, and that was my understanding.

Q  Do you believe that the decision to recommend your removal had anything to do with work that had been done or was being done by your office during the Trump administration?

A  As I said, I'm going to leave that conclusion to you, and I'm not going to speculate. But I can tell you that I don't believe there's any valid reason that would justify my removal.

Q  So, prior to finding out that you were going to be removed, did President Trump ever tell you that he had concerns with your performance?

A  No.

Q  Did anyone on President Trump's staff ever tell you that the President had any concerns with your performance?

A  Never.

Q  Had Secretary Pompeo ever told you that he had concerns with your performance?

A  No.

Q  How about anybody who works directly for Secretary Pompeo. Had anybody on the Seventh Floor of the State Department ever communicated dissatisfaction about your performance?
A No, just the opposite. As I mentioned to you before, I met regularly with Deputy Secretary Sullivan, former Deputy Secretary Sullivan. And I would often, in the course of those meetings, ask him how he thought our office was doing and whether or not we were accomplishing our mission to promote the efficiency and effectiveness of the State Department, and he always thought we were.

And I had a number of other contacts within the Department, senior level, who always commented that we treated people fairly, that we were a productive office, and that we were doing a great job.

Q One point I'd like to clarify, and I apologize for not asking it earlier, on the call that you had from the deputy and from Undersecretary Bulatao, did they indicate to you at all who would be acting in your stead after you were being removed on that Friday night?

A I don't recall if they did.

Q Did you come to learn -- or rather how did you come to learn that it was going to be Ambassador Akard that was taking your role?

A Honestly, I don't recall, and I don't want to speculate.

Q Were you informed officially by the Department?

A No. I don't recall being -- well, let me -- I don't
remember, and I don't want to speculate. I did find out very soon. It's unclear whether I found out through news reports or through staff. I just don't have a recollection.

Q Did you have or have you had since the time of your removal any conversations with Ambassador Akard?

A No.

Q Undersecretary Bulatao told The Washington Post that you were fired in part for not promoting Secretary Pompeo's ethos statement. Do you have any idea what he's talking about there?

A Well, I'm familiar with the ethos statement. No one ever told me that they were upset before I was fired. I did receive -- the only thing I received in connection with the ethos statement was an email, which had been addressed to many senior level officials in the Department. It was a survey requesting information as to how various bureaus were implementing the ethos statement.

And we had received very similar things in the past from the Department. And the only thing I recall -- I recall reading the first line of the ethos, and it said: We are champions of American diplomacy.

And my first thought was, well, this is really inconsistent with our mission under the Inspector General Act, which requires that we promote the effectiveness and
efficiency of Department programs. We have our own vision, values, and goals, and we spent years working on that in the OIG.

And, frankly, I had told someone in my office to call or to reach out to the person who sent that and indicate that, you know, we were not -- you know, we were independent and that the IG, you know, had a different mission and that it might be inappropriate for us to promote the Department's agenda and mission given that we oversee them.

But I had never heard from anyone that they were unhappy with that response. So it was a surprise to me to learn that in the press. I had never heard that from Deputy Biegun or Undersecretary Bulatao or anyone.

Q Do you recall when you got that email and when you asked someone to send back a response?

A I do not.

Q Do you recall who you had asked to send back the response?

A I don't. I'm sorry.

Q And, again, I recognize that you don't have access to your records, and it may have been a while ago, but just for the sake of completeness, do you recall to whom that response was sent or which office or bureau within the State Department?
A  I don't, as I sit here now, remember that.
Q  Okay. And having clarified in response to, you
know, the ethos statement, the importance of the
independence of inspectors general and given that your job
is to make sure that the Department is working as
efficiently as possible and that, as you said, you don't
want to get involved in auditing yourself, do you recall
getting any feedback to having offered that clarification
vis-a-vis the ethos statement?
A  No, I received no feedback on that.
Q  Okay. What kind of a message do you think that your
removal sends to inspectors general across the government?
A  I'm not going to -- it wouldn't be my practice to
speculate what message it sends to others.
Q  As you know, sir, President Trump has removed or
replaced four other inspectors general in the span of the
past 6 weeks, including the inspector general for the
intelligence community, the Department of Transportation,
the Department of Defense, the Department of Health and
Human Services. There was also a resignation just last
night by the inspector general for the Department of Labor.
What kind of a message do you think that your inclusion
in that list sends either to IGs or to the public generally?
A  It really wouldn't be appropriate for me as
inspector general to speculate on what type of message that sends. I don't have work on that, and I'm just -- I can't give you a personal opinion about it.

Q Thank you.

So I'd just like to walk through some of your specific experiences as inspector general for the State Department. First of all, what is the process that the IG's Office uses to notify someone who is either the subject of an investigation or whose input, testimony, documents, et cetera, you will seek in the course of an investigation once something has been initiated?

And for the sake of the record, I understand that your office and inspectors general overall have a variety of different terms that you use to address particular matters, whether it's a review, an audit, an inspection. For the purposes of today's interview, would it be appropriate to stipulate that the term "investigation" would just refer to any work being done by your office, or is there a different term you would prefer as an umbrella?

A I think that we should use a different term because we typically use the term "investigation" for either criminal, civil matters, and sometimes administrative. But we call audits -- we don't call audits investigations or inspections investigations or evaluations.
And I would say generally, when we're talking about an audit, an evaluation, an inspection, we notify the Department through some sort of formal notice that we are starting work.

A criminal investigation, that's a whole different animal because that could involve other government equities, so I don't really want to get into that.

In terms of an administrative review or administrative investigation, oftentimes we'll do some preliminary work, and that preliminary work may either end if there's no credible evidence to support allegations or we may go further. And then, at some point, if we go further, we may notify the Department in a more formal way.

Q Okay. Just for the sake of today's interview, sir, would it be fair to use the term "matter" to refer as an umbrella term to the various different types of efforts that your office might be involved in? I want to make sure that our questions don't come across as unintentionally narrow.

A I would say reviews.

Q Okay. We will say reviews.

Do you follow the same processes that you just described for various reviews, understanding that, within that subset there may be different processes, such as for criminal matters you mentioned? Do you always follow those
processes for reviews that either involved or touched upon the Secretary?

A Everything we do is standardized. It doesn't matter whether it's the Secretary or whether it's a career civil servant. We always follow the same procedures, and we, you know, use the sort of same thresholds to determine whether we move forward or not.

Q So it's been reported that -- Secretary Pompeo has said that he didn't know that he was either involved in or touched upon in any way by a review at the time that you were removed from your position. Is it your understanding that Secretary Pompeo did know that he was either the subject of or would have information relevant to any review that was underway in your office at the time that you were removed?

A I think it would be easier if I talked about specific reviews.

Q Yes, please.

A We had an administrative review of allegations relating to misuse of government's resources by the Secretary and his wife, but I can't talk about the merits of that. As to that review, I never spoke with the Secretary directly about it.

There was a point in time in late 2019 that my office
reached out to get documents from the Office of the Secretary as well as the Office of the Legal Adviser. And during that same period of time, I did speak with Undersecretary Bulatao, possibly Deputy Secretary Sullivan, but I am not sure, about the reasons -- about the fact that we were making these document requests so they weren't surprised.

Q And these were document requests that related to, as you said, allegations of improper use of Department resources by Secretary Pompeo and his wife. Did I get that right?

A Yes.

Q And you had a conversation with Undersecretary Bulatao about that in late 2019. Is that right?

A Yes. And I also advised Deputy Secretary Biegun about those allegations and that we would be obtaining documents, et cetera.

Q And would those have included seeking documents from Secretary Pompeo?

A I don't know. My staff was reaching out to the office of the Secretary, and that's really all I can say about that. I know my office communicated with the Office of Legal Adviser as well to request documents, and I do know my staff communicated with Lisa Kenna about documents.
Q And for the sake of the record, Lisa Kenna's title is what, sir?

A She is the Executive Secretary.

Q And to whom does she report?

A I don't know exactly. I think it's Secretary Pompeo, but I'm not entirely sure.

Q And in any of those conversations regarding this review into the potential misuse of government resources by the Secretary and his wife, did you ask any of the individuals with whom you spoke not to tell Secretary Pompeo about your conversations?

A No.

Q Would it have been your expectation that they would have potentially informed him about those conversations?

A I'm not going to speculate about that.

Q Okay. At any point during the Trump administration, Mr. Linick, did anyone at the State Department ever pressure you to change a finding or a conclusion or a recommendation in any of your work products?

A No. I mean, we had -- you know, that doesn't mean that there wasn't disagreement, but I don't take disagreement as an effort to pressure or change in that sense.

Q Were there specific instances in which individuals
at the State Department expressed that type of disagreement that you can recall?

A I mean, that's very normal when we issue reports that some findings may not be agreeable to the audited entity, and there's usually an interchange back and forth. If we got the facts wrong, we want to know that. So we're very interested in the Department's perspective.

It doesn't always mean we're going to change the facts or change -- you know, change the finding. But there is always opportunity for healthy exchange, and we want that. But I've never felt pressured unduly to change any of my findings or conclusions, and I had never done so.

Q So one thing I'd like to spend some time on, and we may turn to it a little later in the day, is a report that you referred to earlier regarding allegations of prohibited personnel practices in the Office of the Secretary, and in particular, that dealt with Brian Hook.

Did any senior officials at the State Department express, as you said, disagreement to you regarding specifically the statements in that report about Brian Hook?

A Well, I believe the Department's response from Mr. Brechbuhl adopted Brian Hook's response, and I don't have a very clear memory of all of that, and I don't have those documents in front of me. But, again, we did not --
did not feel pressure to change anything. Mr. Hook himself disagreed with our findings, but, again, I didn't take that as pressure to change findings. We definitely had disagreement.

Q Did anyone else besides Mr. Hook express disagreement with your findings regarding Mr. Hook?
A No, not that I can recall.

Q Did you have any conversations or exchange any correspondence with Undersecretary Bulatao regarding the report on Brian Hook?
A I don't recall, as I sit here.
[10:37 a.m.]

Mr. Linick. I don't recall, as I sit here.

BY HFAC DEM COUNSEL:

Q And I believe you may have referred to this earlier, but did you have any conversations with or did you exchange any correspondence with Counselor Brechbuhl regarding the Brian Hook report?

A There was definitely a phone conversation, and there may have been some correspondence, but I just don't have clarity on that.

Q Can you describe what you do recall about that phone conversation and correspondence, please?

A I think the phone call really had to do with how we were going to treat the Department's response, how we were going to include it in our report. That was the gist of the conversation. There had been a Department response, and we did some followup work, and that extended the timetable for our issuance of the report.

That was the nature of it. Other than that, I just can't give you any clarity on that.

Q Did anybody during the course of your work on that report reach out to you and say, hey, you got it wrong, I know Mr. Hook, clearly he couldn't have done something like
this?
A  I don't recall that happening to me, no.
Q  Okay.
HFAC Dem Counsel. Given the time and before we go into
a longer discussion, this might be an opportune moment to
see if any of the Democratic Members have questions that
they would like to ask during this round.
If I could ask that the clock be stopped momentarily
while we take stock of everyone to see if folks have
questions. And, of course, we will extend that same
courtesy to our Republican colleagues in their round as
well.
Mr. Sherman. I have a question. Sherman here.
HFAC Dem Counsel. Go ahead, sir.
Mr. Sherman. Hello. Yes. I note that two of our
focuses here will be the personal errands and the Saudi arms
sale, but a third issue that's come up is the fact that the
Hatch Act applies to Secretaries in the President's Cabinet.
And, you know, we know Mike Pompeo. He is keeping his
political options open. He might have run for Senate; he
might run for something else someday. And he's had these
"Madison Dinners," where he brings in people that any
political fundraiser who is running a Senate campaign would
want to bring in and entertains them at State Department
expense. He also has the numerous flights to Kansas on private State Department planes.

I wonder whether either of those were subjects of your investigation and what you can tell us about the possible use of State Department resources to build a Senate or some other political campaign.

Mr. Linick. Unfortunately, I can't comment on any of those matters other than what I've already said, that we have a review of allegations relating to the misuse of government resources. That's all I can say at this time.

HFAC Dem Counsel. Sorry to interrupt. Could you just clarify, Mr. Linick, for the record why it is that you don't believe you can say anything further?

Mr. Linick. Because this is a pending review and I don't want to impact the integrity of the review. And it wouldn't be my policy to talk about -- it would be against my policy to talk about findings or specific information about these reviews. So I'm only able to talk about the existence of it.

It's in the same way, when we did the report, the review on allegations regarding political retaliation in the Department, we confirmed the existence of that but we would not discuss specific findings or information about that particular review.
Mr. Sherman. Thank you. And thank you for your service.

Mr. Linick. Thank you.

Chairman Engel. I want to now recognize my colleague Mr. Connolly of Virginia.

Mr. Connolly. Thank you. Can you hear me?

Mr. Linick. I can hear you.

Mr. Connolly. Mr. Linick, I wonder if you could clarify. You've told us that Secretary Pompeo never told you he was dissatisfied with your work, if I understand your testimony correctly?

Mr. Linick. Yes.

Mr. Connolly. So who told you you were being terminated? What reason did they give? And what was your understanding, what is your understanding for the reason for your termination?

Mr. Linick. The Deputy Secretary, Steve Biegun, and Undersecretary Bulatao called me and told me that the President decided to exercise his power to remove you. I asked for a reason, and none was provided other than what I have just stated.

As I mentioned earlier, I have not heard any valid reason that would justify my removal. And before I was removed, no one questioned my performance or gave me any
advance notice of that. All I've heard since I've been removed is accounts in the media, and those explanations are either misplaced or unfounded.

Mr. Connolly. Well, you're here voluntarily to talk about your termination. What is your understanding of why you were terminated?

And I understand I'm asking you, in some ways, to speculate, but you're the witness and you're the person who is affected by the termination. As you contemplate that act, what is the best understanding you possess of why you were terminated?

Mr. Linick. Well, I really don't know why I was terminated. And I really don't want to speculate because, you know, as the IG, I don't like to offer speculations.

So I don't know how to answer that question other than, I believe that conclusion should be left to this fact-finding body. But I have heard no valid reason that would justify my removal. I just -- I don't know why.

Mr. Connolly. So let me ask one final question. The subcommittee has jurisdiction for IGs, the Government Operations Subcommittee. Are you concerned that your termination, in the context of the termination of your colleagues, can have a chilling effect on the work [inaudible]?
Mr. Linick. Well, again, in accordance with my practices, I don't want to speculate as to what kind of effect it will have. I can tell you that anecdotally I have heard people express some fear.

Mr. Connolly. Thank you.

Thank you, Mr. Chairman.

BY HFAC DEM COUNSEL:

Q Mr. Linick, could you please just elaborate briefly on anecdotally having people express fear to you regarding that chilling effect?

A You know, I've just had people reach out. And that's what I mean by "anecdotally."

Q And what have they said?

A They have said that they're fearful.

Q And are these people in the same rough line of work? Are these private citizens? Can you give us, obviously respecting people's confidentially, broad strokes of who it is that you think might be fearful in the wake of your firing?

A I mean, the folks who have reached out to me are folks in the IG community.

Q The folks in the inspector general community are, themselves, fearful for their jobs?

A No, I'm not going to say all of them. I'm just
saying, anecdotally, people have expressed fear. But that's as much as I can tell you.

Q Thank you, sir.

HFAC Dem Counsel. Mr. Engel?

Chairman Engel. Yes. I now would recognize my colleague Ms. Jackie Speier.

Ms. Speier. Thank you, Mr. Chairman.

Thank you for your service, Mr. Linick.

The ethos statement that you were asked in a survey to comment on, approximately what date was that?

Mr. Linick. Unfortunately, I don't have access to those records, so I really don't remember. It was a while ago. It wasn't something that happened -- I can say it wasn't something that had happened -- it was before COVID. That's probably a good way to -- before mid-March. I think that would be a safe assertion. But other than that, I can't remember.

Ms. Speier. So it was this year, however? It was in 2020?

Mr. Linick. No, I -- it may have been last year. I really --

Ms. Speier. Okay.

Mr. Linick. Yeah. It may have been last year. I just don't -- I don't want to speculate or guess.
Ms. Speier. So I understand you can't comment on ongoing investigations. But, from our perspective, we want to make sure that any documentation is saved and not disposed of. Can you give us any indication as to the nature of documents that may have been collected as a result of that investigation?

Mr. Linick. I'm really not in a position to do that, and I think that would be a better question directed at the office. I have not been in the office since -- you know, other than obtaining some personal effects, I've not been in the office. And I really can't get into that specific detail without potentially impacting the integrity of that work. So I don't feel comfortable talking about the types of information.

Ms. Speier. I'm not even asking for types of information. I just want to know, are we talking about file folders full of documents or boxes full of documents?

Mr. Linick. I wouldn't be able to tell you that because the person running that review is largely, sort of, in charge of document collection. It wouldn't be me. So I just don't -- I don't have the knowledge to tell you what exactly we're talking about.

Ms. Speier. And who is that individual who is in charge of that particular review, then?
Mr. Linick is the lead on that. At least, he was before I left. He is the
Ms. Speier. Thank you.
I yield back, Mr. Chairman.
BY HFAC DEM COUNSEL:
Q And just briefly, sir, if I could, because you've referenced this. When you had gone back to get your personal effects from the office, what happened?
A Friday night, I received word that I was being removed. And on -- at some point, I received word from my escort who escorted me into my office on Saturday and allowed me to take photos out and other, sort of, personal effects. And the same occurred on Sunday too. I had 7 years' worth of personal effects in there. And that was it.
Q And why is it that you had to be escorted, sir?
A My access to the building -- I had no more access to the building, and I had no more access to the network. I don't know. I don't really know what else to tell you other than that was the only way I could get in the building, through an escort.
Q And so both your physical access to the building and your access to materials had been cut off by Saturday
morning following your Friday evening phone call from the Deputy Secretary and Undersecretary Bulatao. Is that correct?

A Yes.

Q And that is despite the fact that you were told on that call that you were being placed on administrative leave. Is that correct?

A I was told I was being placed on administrative leave, yes.

Q And yet you were locked out of the building and locked out of your files.

A Yes.

Q Thanks.

HFAC Dem Counsel. Mr. Engel?

Chairman Engel. Mr. Ted Lieu of California.

Mr. Lieu. Thank you, Mr. Chair.

And thank you, Mr. Linick, for your long career of public service and for being here voluntarily.

At the time that you were informed that Donald Trump was removing you, your office was conducting an ongoing investigation into Secretary Pompeo and his wife potentially misusing Department resources, correct?

Mr. Linick. That's correct.

Mr. Lieu. Your office was also conducting a review or
investigation of the Saudi arms sale and whether there was potentially an inappropriate justification for the sale. Is that right?

Mr. Linick. Well, I'd like to -- it was not an investigation. Our [blacked out] was conducting a review of that.

Mr. Lieu. Okay. And that was an ongoing review, correct?

Mr. Linick. That's correct.

Mr. Lieu. [Inaudible] interviewed Secretary Pompeo before you were told you were going to be removed?

Mr. Linick. I am sorry. Can you repeat the question?

You phased out.

Mr. Lieu. Have you or your office interviewed Secretary Pompeo related to that review of the Saudi arms sale?

Mr. Linick. No. Before I left, before I was removed, our team asked for an interview of the Secretary.

Mr. Lieu. Okay. And did the Secretary understand what the interview was related to?

Mr. Linick. Well, I did not talk to the Secretary personally, so I can't tell you what he understood or what he didn't understand. But what I can tell you is that I told Undersecretary Bulatao, Deputy Secretary Steve Biegun,
and the Legal Adviser about the request. He ultimately submitted -- as he already stated in public, in the media, he submitted some written answers to topic areas that we provided in advance of requesting our interview.

Mr. Lieu. Okay. So, clearly, he understood there was a review ongoing of the Saudi arms sale.

Mr. Linick. Again, he provided the document to us. I don't want to speculate in any way.

Mr. Lieu. All right. But the written document was related to the Saudi arms sale.

Mr. Linick. He did provide a document -- right.

Mr. Lieu. Okay.

Was there a third investigation or review that your office was conducting related to workplace violence?

Mr. Linick. I'm not going to comment on that at this time. I can't comment on that.

Mr. Lieu. Were there other investigations or reviews that your office was conducting that would put Secretary Pompeo or the administration in a negative light or --

Mr. Linick. I don't -- yeah.

Mr. Lieu. -- cause embarrassment?

Mr. Linick. I don't want to speculate what would put them in a negative light or not.
Mr. Lieu. Right.

Mr. Linick. I can -- go ahead.

Mr. Lieu. Go ahead. Finish.

Mr. Linick. I can confirm the existence of the following matters, which I understand my office already disclosed to the committee, and that is -- and these matters involve the Office of the Secretary in some way.

So we were doing an audit of Special Immigrant Visas. We were doing an ongoing review involving the International Women of Courage Award. We were doing an ongoing review involving individuals in the Office of the Protocol. I'm not at liberty to talk about the details of those.

And, of course -- and this goes for anything I would say in this hearing -- is, I am never going to confirm or deny the existence of any criminal investigations. I would never do that, you know, in any respect. So I just want to make that clear for the record.

Mr. Lieu. All right. Thank you, sir. And I'm not asking for details. Thank you for providing those three additional reviews. Are there any other reviews that you think would be helpful for us to know that your office was conducting at the time?

Mr. Linick. None that I can recollect as I sit here, but this is something that you would probably need to go
back to the office for and request. These are the ones that
I recall having been ongoing.

Mr. Lieu. Thank you. So I guess what I'm asking is, it'd be helpful if we knew what to request. So if you could
provide us a list of potential questions we could ask, that
would be very helpful. We're not asking to you speculate;
we're just asking you to help with the investigation. So,
instead of us just randomly asking for topics, if you have
some that you felt we might want to look at, that would be
helpful.

Mr. Linick. Well, I don't have -- I'm really not in a
position to give you topics to ask them. I don't really
have access to the office.

All I would say is, it would be best if you posed that
question, as to what ongoing work is there, to the office.
I wouldn't be able to provide you with specific topics,
because I just don't, as I sit here now, recall any specific
topics. I've given you the topics that I'm aware of.

So I don't think I could be of any additional help.
And I don't want to impact the -- or undermine the integrity
of any ongoing work that the office is doing.

Mr. Lieu. So if we asked the question of, just give us
everything your office is working on, there's no reason they
wouldn't just give us a list. Is that right? Is that what
I'm understanding?

Mr. Linick. I have not been -- I don't have communication with the Acting IG, and I can't speculate what the office would give you or wouldn't give you. I have not been in charge since I was removed.

Mr. Lieu. Let me just take a step back. We're trying to do an investigation of why you were fired. I'm sure you would like to know that answer as well.

So I'm just asking -- we just want to know, what were the investigations your office was conducting up to the time you were told you were going to be removed? Is there any reason we couldn't just get a list of what those investigations were?

Mr. Linick. Well, I've already given you what I'm aware of. So there's no other list that I can give you other than what I've said. It may not be exhaustive. You would have to go to the office and get a list. I'm unable to provide that. I have no access --

Mr. Lieu. Ah. Okay. I got it. You've already given us what you're aware of at the time that you were removed, correct?

Mr. Linick. Yes. And it's my understanding --

Mr. Lieu. Okay.

Mr. Linick. -- that my office has already disclosed
that to the committee. But I am not suggesting that that is
exhaustive. It may be. I just can't say for certain.

Mr. Lieu. Okay. Understood. Thank you very much.

Mr. Linick. Yes.

HFAC Dem Counsel. Thank you, sir.

And I'd just like to note for the record, we appreciate
your indulgence with Mr. Lieu's questions. By my watch,
that went over by a minute and 54 seconds. So, happy to
extend an additional 2 minutes to our Republican colleagues
for their round as well.

With that, we will turn the clock over to our
Republican counterparts. Thank you.

Mr. White. HFAC Dem Counsel, per our agreement, we'd
like to have a 5-minute break at this point.

HFAC Dem Counsel. Sir, that was just a little garbled,
but just for the sake of the record, we would like to take a
short break. And we will come back on the record -- does
5 minutes sound okay, Mr. White and Mr. Linick?

Mr. White. That's adequate. Thank you.

HFAC Dem Counsel. Great. Thank you both.

[Recess.]

HFAC Dem Counsel. Over to our Republican colleagues
for an hour, with an additional 2 minutes given that we ran
slightly over. Thank you.
EXAMINATION

BY HFAC REP COUNSEL:

Q  Hi, Mr. Linick. My name is [Editorial Note: Redacted]. I am senior counsel for the Foreign Affairs minority staff. Good to see you again.

I'd like to begin by going back to what my colleague mentioned in terms of discussing your departure and some of your investigations.

You said that Undersecretary Bulatao bullied you. Can you expound some more on that for us?

A  Sure.

We had a number of disagreements about the way in which a leak investigation was going to be handled. And I would rephrase that, not that he bullied me, but that he attempted to bully me. He wanted to sort of take control over a leak investigation that was being conducted by the DOD IG. So that's one example of that.

The other has to do with the work we were doing on the arms control, in trying to have us not work on that matter, stating that it was a policy matter and it was not within our jurisdiction to look at it.

So that was sort of the nature of that attempt to bully. Those are examples.

Q  Okay. Let's deal with the -- since we had already
talked about the arms control one first, let's go back to that one. What exactly did Undersecretary Bulatao articulate to you as his concern? He just thought it was policy and not implementation?

A I can't tell you what his understanding was, but I can tell you that he strenuously objected to our doing work on a policy matter. I don't really understand -- I can't tell you what was in his mind. I can only tell you that that's what he said.

And in response to that, I cited the Foreign Service Act, which requires us to review implementation of policy, not to judge whether it's a good policy or a bad policy, which does not concern me one bit, but whether or not the policy is being carried out in accordance with the regs -- the regulations and the law.

Q So the confusion, from where I sit on this, just speaking for myself, is, when we talk about the decision in that instance, about utilizing that emergency authority, it seems like, at least in terms of the State Department, it was a discussion about whether to utilize the authority, about what the policy should be, not so much implementation of the policy.

And so I'm wondering if you can better define for us, kind of, the scope of what you were exactly looking at when
it came to that arms transfer issue.

A All I can tell you at this point is that we were
looking at the implementation of that policy. I'm really
not at liberty to go further into that.

Q Okay. And that review is still open. Is that
right?

A That's an ongoing matter, yes.

Q But, generally speaking, do you review the
predecisional discussions about what a policy should be?

A I'm not really -- that's a hypothetical question. I'm not going to get into whether we review predecisional
questions. I'm just not able to answer that, and in
particular with respect to this matter. There are
classified aspects of this matter, and I really don't want
to have further discussion about it for fear of wading into
that territory.

Q So you said another example of a time when
Undersecretary Bulatao attempted to bully you was in regard
to a leak investigation. Can you tell us about that?

A Absolutely.

So there was a Daily Beast article which was issued in
mid-September of 2019. This was after we submitted our
report on political retaliation within the Office of the
Secretary to the Department for comment. The article
indicated that the OIG was set to recommend discipline for Brian Hook, and the Secretary was concerned that the leak to The Daily Beast about that recommendation may have come from the Inspector General's Office.

So we had a meeting on that -- in other words, "we" meaning the Secretary and I met on that right after that article came out, and he was very upset about this particular article --

Q Mr. Linick, I'm sorry to interrupt. Just so we're clear, is this the article from September 13, 2019, in The Daily Beast that had the headline, quote, "State IG Set to Recommend Discipline for Trump's Top Iran Hand"?

A Yes, that's the article.

Q And that was authored by Erin Banco. Is that right?

A I don't remember who that's authored by.

Q Okay. And this meeting with the Secretary was soon thereafter that publication?

A Yes.

Q Okay. I'm sorry to interrupt. Please continue.

A What would you -- would you like me to describe that meeting?

Q Yes, please.

A So the Secretary was concerned about a possible leak. It was very upsetting to me, the thought of a leak
coming from the IG's Office, because that is not something that I would tolerate. And it would certainly undermine the integrity of our report and our office, and the report was due to come out in a few weeks.

At that meeting, I told him that. I told him I certainly did not leak it or have any communication with The Daily Beast or any periodical. I told him that, to the best of my knowledge, no one in my office leaked it, and if they did, they would be subject to swift action, including removal.

And I also told him that information about that report could have been leaked from a variety of sources, including the fact that the Department already had the report. Certain Members of Congress were conducting an investigation was my understanding of that, and some of the portions of the report had been seen by various subjects.

In any event, I took the leak very seriously, and I told him that I would conduct an independent review to ensure that no one in my office leaked that document.

In any event, he said at the time that he wanted the Bureau of Diplomatic Security to investigate that leak. And that's the Department's internal affairs group. I told him that that would not be appropriate for a variety of reasons. One, we're the overseers of the Department of State, not
vice versa. Two, it involved an alleged leak of information involving an unclassified report and a potential violation of OIG rules, and anyone who leaked this document would be subject to OIG discipline.

And I told him that the typical response to these things -- and these are common in the IG community -- in other words, allegations of leaks -- would be either for an internal review by the IG, the subject IG, or for an independent IG to actually do the review.

In any event, I ended up calling the Council for Inspectors General on Integrity and Efficiency, the CIGIE, and asked them -- I said, these allegations are serious and I wanted an independent review to be conducted. The head of the Integrity Committee told me that CIGIE does not review offices. And I had approximately 14 people who had touched this report. And they said that you need to either do it yourself or find another IG to do it.

The head of the Integrity Committee's name is Scott Dahl. He was also the IG at Labor OIG. I asked him if his office could do the review. He said he couldn't. I then went to the VA OIG and asked if their office could do the review. They said they couldn't. I then went to the DOD IG and asked them if they could do the review, and then they said that they could.
I think all that background is important, because you asked me about Brian Bulatao. I had told Brian Bulatao about the fact that CIGIE was not the appropriate place to bring this matter; I was told that by CIGIE. And I told him that the DOD IG was going to be conducting the independent review. And he insisted that the CIGIE do the review.

I told him that CIGIE only looks at particular individuals and that he was welcome to file a claim against me in particular, if he wished to do so, with the CIGIE. Apparently he had not done that.

So I followed the procedure. This was a serious situation, and I wanted to make sure that if there was a leak in my office that we found it and took appropriate action, because this would impact the reputation of the office.

Q Do you recall when this conversation with Undersecretary Bulatao took place?

A Well, it would have been shortly after my meeting with the Secretary in September, because all of this was happening fairly quickly. I believe we invited the DOD IG to do the review in October. So it had to -- again, I don't have an independent recollection of the exact date, but it had to occur in the fall. It had to occur in the fall of 2019.
Q Did you have any conversations with anyone else in
Department leadership about this leak investigation?

A I did with Deputy Sullivan as well.

Q And when, approximately, did that conversation take
place?

A It would have occurred at or around the same time.
I don’t have an independent recollection of that. Clearly,
it occurred before he left that post.

Q Can you tell us about that conversation?

A I had the same conversation with him as I did with
Undersecretary Bulatao. I told him that the CIGIE doesn’t
investigate offices, that I was advised by CIGIE to either
do it internally or find another inspector general to do it,
and that was the sum and substance of the conversation, and
that it was my interest to have an independent review to
determine whether anyone in our office leaked.

At the same time, we also were conducting an
investigation of the Department with the Bureau of
Diplomatic Security to see whether or not anyone in the
Department leaked it, because a number of people had the
report at that time in the Department. So I told him that
as well, that we were actually partnering with the Bureau of
Diplomatic Security.

Q So when you completed that conversation with Deputy
Secretary Sullivan, what were the do-outs? I mean, did he think that you were going to consult with other IGs and bring someone on who could do the investigation since you had told him CIGIE could not? Was he expecting anything back from you after that conversation?

A I am not going to speculate as to what he expected or what he thought. I can tell you what I told him. I told him that the CIGIE would not investigate an office. And I told him that, after having consulted with three IGs, big IGs, I found one who had the time and the resources to do it. I told him that.

Q So Deputy Sullivan knew you had consulted with the three other IGs in an effort to find an IG to conduct the investigation.

A I told him that.

Q Did he ask for any type of updates or any type of final report from that investigation when you -- I guess, was he told -- let me back up. Did you tell him that DOD IG had agreed to do the investigation?

A Oh, yes.

Q At that same discussion?

A I don't know if it was the same discussion. I just remember telling him that the DOD IG was going to do the review.
Okay. After you informed Deputy Sullivan that the DOD IG was going to be doing the investigation, did Deputy Secretary Sullivan ask for any status updates or any final report or recommendations once the DOD IG completed its work?

A I don't recall if he asked that. I mean, once he was nominated to be Ambassador to Russia, you know, he left his post, so we didn't have a lot of interaction -- we didn't have a lot of interaction about it.

Q Did anyone else in Department leadership ask for similar updates or conclusions --

A Yes.

Q -- from that report?

A So I do recall one instance. And this occurred before, sort of, March 17 or March 16, when everything started shutting down at the State Department. This was pre-COVID. I learned from the DOD IG that they hadn't found that there had been a leak to the press in our office. And shortly after that, I met with Brian Bulatao and Deputy Secretary Biegun, and I told them about those results verbally.

Undersecretary Bulatao asked for the internal investigation of that report, and I told him that it wouldn't be my practice just to hand over an internal
investigation of OIG personnel who are being investigated for violating OIG rules. However, I did tell him, because I wanted to be transparent, that I would share some version of the report with the Deputy when it was finalized, but I wanted an opportunity as to how to assess that.

And I told him that I had several concerns. One, these were DOD IG records. Two, it involved an investigation of individuals involved in investigating the Department for political retaliation, and I could imagine the Department using information in the report against them, and wanted to make sure their confidentiality was protected. And, three, I didn't want to set a precedent of just turning over any internal reviews that the Department asked for.

I received the final report at or around March 17, and that's when COVID was in full swing. On or about Monday, March 16, we began sending everyone home. All of my in-person meetings, including with the Deputy, were canceled. And, at that point, we were completely consumed with, you know, addressing COVID and figuring out how to protect staff.

But for the COVID crisis, I had planned to sit down in person with the Deputy and let him review that report in camera in order to be transparent about it but also to protect the equities that I mentioned.
Q So it was your position that Department leadership could only review the findings of that report in camera.

A That was going to be my position, yes.

Q And so, what date did you receive the written report from DOD IG?

A I'm not exactly sure. I know the date of the report is March 17. So I couldn't tell you. Again, I don't have access to my system.

Q In between now and the time of your termination, did you ever provide that report to Department leadership?

A No. Given the exit, what happened was, we got that report at a time when we were sending everybody home. Given the exigencies of COVID and the fact that the report confirmed what I had just told them earlier, namely that there was no leak, it wasn't on the top of my list.

I had a couple of calls with the Deputy and Bulatao, Undersecretary Bulatao, and it never came up. And I was waiting, really, for a time where I could meet with the Deputy personally. It wasn't on their radar. They were addressing COVID.

Q But this was a -- when you received it, I guess March 17, this was a completed investigation at that point, correct?

A Yes.
Q And so I'm having trouble understanding why you were fearful of giving just full access to that report to Department leadership if it was, in fact, complete on that day?

A Well, as I said before, it wouldn't be my practice, from an independence point of view, to turn over an internal investigation of OIG personnel who were being investigated for violating OIG rules. I wouldn't do that.

So it wasn't a matter of being fearful. I just -- I don't think that's appropriate. Those are my rules, and we impose discipline for those rules.

However, I did recognize the importance of providing some transparency around it. And it was my view that, by permitting the Deputy Secretary to read it in camera, that would satisfy both the transparency goal and my own government equities.

Q Are those rules -- you said those are your rules. Have you articulated those in any type of internal policy document? Are they in writing anywhere?

A You mean that you shouldn't be submitting a report to the media in advance of publication?

Q No, I'm sorry, that you shouldn't be providing internal OIG investigations, once complete, to Department leadership.
A I didn't say that was a rule. I said that was my practice.

The rule I was talking about is an internal OIG policy, which is, we don't want people sending reports to the press, for example, before a report is issued. You know, we determine, sort of, how and when our reports are issued. And one of the things we don't want people to do is send a report to the press in advance of publication. We have rules around how that publication process works. That's what I was referring to.

Q Okay. So your practice was to not share internal OIG reviews or reports about your office, once complete, to Department leadership. Is that right?

A Well, particularly if it's a DOD -- I mean, I had certain concerns. One, they were DOD IG records. And, two, they involved investigations of individuals who were investigating the Department for political retaliation. So, yeah, I mean, there are confidentiality concerns, there is a variety of concerns as to why we wouldn't just, you know, give a report over.

And at the time that I expressed my concerns to them, I told them I wanted to assess this when I received the completed report.

Q You're saying that DOD IG was investigating for
political retaliation at that point?

A  No, I didn't say that. The DOD IG was doing the leak investigation. Our staff was investigating the Department for political retaliation against Department employees. They were the ones who were being investigated for allegedly leaking the report.

Q  And because your staff was undertaking the political targeting investigation, you did not think that the DOD IG report, once final, should be given to Department leadership.

A  At the time I was having conversations with the Deputy and Undersecretary Bulatao, I did not know exactly what -- I wasn't sure exactly how a final product would look, so I didn't really know exactly, you know, what a final review would entail.

Q  You didn't understand what a final review of --

A  I didn't understand what their final report would contain -- interviews with witnesses and so forth. And I wanted an opportunity to assess that.

Q  Which you were able to do when you received it on March 17, correct?

A  That's true. Yes.

Q  So, after March 17, then, what's the hesitation with sharing it with Department leadership?
A  There wasn't a hesitation. As I said before, everything shut down. Everybody was focused on COVID-19. I had no more in-person meetings with the Deputy at that time. And given the exigencies of COVID and the fact the report confirmed what I already told them, it just wasn't at the top of my list.

I had fully intended to share it with them, but -- this is important. I was on two phone conversations with both -- well, I won't say "two." I remember it was more than one. It may have been more than two. But during those phone conversations, they never followed up on that end at all with it. So there was no communication about the report after March -- you know, whatever the date -- after the date I received it.

Q  Well, how would anyone in the Department have known that you received it in March?

A  No, I didn't say that. They didn't ask -- they didn't follow up about the report in the phone conversations that I had after we shut down.

Q  But isn't it possible that they didn't follow up because they had no knowledge -- they thought the report was still ongoing? They didn't know --

A  Yeah. I don't know what they knew or what they didn't know. They probably -- I mean, I didn't tell them
that I had the final report.

Q It would've made it hard for them to ask for it, if they didn't know you had it, right?

A Well, they could've asked about the status of the report.

Q But they had asked previously what the results of the report would be. At that time, you said, "We don't have a final report." Is that correct?

A Yeah. Pre-COVID, we did discuss it. That's correct.

Q So you did know they wanted to know the results. But they did not bring it up again in phone calls that you had after that time. Is that right?

A Yes. Yes.

Q So I'm just a little confused, though, as -- you knew Department leadership wanted to see the report. You were able to review that report when you received it in writing, approximately March 17. And I'm just not quite understanding why -- the only thing I'm hearing about why you didn't then send it on in an email to those who were interested is because they didn't ask for it a second time.

A No. Honestly, we were completely focused on COVID at that time. And I would imagine it would be normal to follow up if they still cared about it. Frankly, I didn't
think it was a top-burner issue for them. I had already
told them the results of it. And that's why I didn't give
it to them.

Q You told them the results --
A Pre-COVID, I told them the results.

Q You told them the results prior to your receiving
the final report?
A Yes. As I said before, I met with them and I told
them the results, that DOD IG had cleared us. I told them
that pre-COVID.

Q How were you conveyed that information if you had
not yet received the written report at that time?
A You know, I had learned of it from somebody at
DOD IG, and I don't remember who.

Q They had just called you and said --
A I don't remember if they provided a draft or if they
provided a verbal indication. I just don't remember.

Q So I'd like to turn to very general questions about
your process, totally separate from any specific review that
you've undertaken. And I know I will certainly get the
nomenclature wrong. I know you talked about the difference
between reviews and investigations. But can you just talk
generally or a little bit about what triggers your office to
open up an investigation or a review of any given topic and,
kind of, the steps you take?

A Well, it varies, but if we talk about an audit, for example, typically, it may be that we get a request to do work from the Hill, or it may be that we have mandatory work required by statute, or it may be that we decide internally to pursue something because we think that it's a risk area. Typically, what we would do is staff would do some preliminary work to decide whether it's something that we want to pursue. And then, after doing -- and, again, this is a generalization; this is not with everything -- after we do some preliminary work for an audit or an inspection or evaluation, we would let the Department know in a notice that we were doing the work.

Q And how do you relay findings or drafts or stages of a review or investigation with the Hill?

A How do we review it with the Hill?

Q How do you --

A We don't tell findings -- our policy is not to share findings of ongoing work with the Hill.

Q So how do you convey to the Hill ultimate findings of a review?

So let's say you do step one of your review. If you do step one -- and I'm not sure exactly what step one is. But if you take your first step in the review and you either
find there's nothing else to review or you're able to reach
conclusions, how do you relay that information to the Hill,
if step one is it, if that's the end of your review?

A Oh. Sometimes we might meet with the Hill if
there's Hill interest. It might be that they request work
and we don't think that the work is warranted. There may be
occasions when staff will meet with the Hill and say, this
is not something that we're going to continue to pursue.

Q Okay. If you do continue to pursue an
investigation, at what point does your office correspond
with the Hill on conclusions or findings resulting from that
investigation?

A Well, I'm going to use "review" instead of
"investigation," because "investigation," in my view, is a
term of art. But the way we do that is we convey the
findings to them through the report or some sort of a
document.

Q Do you only send the final report, or do you send a
draft report?

A We wouldn't send a draft report to Congress, ever.

Q Have you ever come to know that anyone in your
office conveyed information or drafts of a report to Members
of Congress or their staff prior to your final report?

A No, not to my recollection. And if they did that,
that would be a violation of our internal rules on conveying findings.

Q I want to take you back to the article that we referenced earlier that was on September 13. And I provided that article to staff. I think it may have been circulated. I'm not going to go all through it, but just if you want a copy for reference, I think that's been circulated.

Mr. White. Counsel, what article is it you're referring to? I'd like to see if I can get a copy for him.

HFAC REP COUNSEL. Sure. Let me just pause for a second and ask if staff has sent that article out.

Mr. White. I believe it was sent to us, but I haven't printed a copy for the witness yet. You can go ahead, and I'll see if I can get it.

BY HFAC REP COUNSEL:

Q Okay. This is the September 13, 2019, Daily Beast article by Erin Banco with the headline, quote, "State IG Set to Recommend Discipline for Trump's Top Iran Hand." I'm just going to quote from, I think it's the second paragraph, briefly.

A portion of that article states, quote, "The State Department is preparing to recommend that the Trump administration's top representative for Iran policy receive disciplinary action for his role in politically motivated
firings of employees at the Department, according to two
government sources involved in carrying out the
investigation."

So my question, Mr. Linick, on that is, when you hear
the phrase "according to two government sources involved in
carrying out the investigation," who does that initially
lead you to believe might be the source for this
information?

A Well, look, it was very concerning to me that it
said "two government sources involved in carrying out the
investigation." Obviously, as I said before, it's a very
serious matter if there's a leak in our office. I can't
tell you why or how the reporter wrote that. I can't tell
you what they were thinking. But, yes, very concerning, and
that's why I invited the DOD IG to do a review.

I will say that, you know, the Congress was also
carrying out an investigation of this, and the report had
been issued to the Department. So, in my mind, there were a
number of possibilities. But I was going to certainly make
sure that our office wasn't involved in this, for all the
reasons I've already stated.

Q But the Department was the entity being reviewed,
and any witnesses who would've known that was going on
because they were interviewed, they were interviewed as
potential fact witnesses, right?

A  Let me go back a little bit. This report had been
given to the Department prior to the Daily Beast report
coming out. So there were people at the Department who
touched the report. And, obviously, we interviewed a number
of witnesses, we interviewed a number of folks in connection
with that report. So there were a number of people who
obviously had some involvement in that report.

So that's all to say that that's why we also lodged our
own investigation of the Department with the Bureau of
Diplomatic Security to see if anyone from the Department
might have leaked the report.

Q  My only point here was that, while people in the
Department certainly had received the report and were aware
of it, no one in the Department was involved in carrying out
the investigation. That was your office, right?

A  Well, sure, we were carrying out an investigation,
as well as Congress. And I can't speculate as to why the
reporter wrote that. But, again, you know, it was very
upsetting to see that language. And the last thing I wanted
is for our office to be accused of a leak, because that
hurts our reputation and the integrity of the final report
we ended up issuing several weeks later.

Q  And so what was the result of your investigation
that you did in conjunction with Diplomatic Security?
[11:41 a.m.]

Mr. Linick. Unfortunately, I can't -- I can't speak to that because that's an ongoing matter, or it hasn't been published yet. And I'm going to have to refer you back to our office.

BY HFAC REP COUNSEL:

Q So, over the course of your tenure as inspector general, did you ever become aware of any members of your staff leaking information to the press or providing information to staff members on Capitol Hill without your knowledge or authorization?

A Not to my recollection. I mean, I don't believe -- to the best of my knowledge, I don't believe anybody on my staff has leaked, has leaked information either way.

Chairman Engel. Excuse me. I want to now turn the chair over to Mr. Connolly of Virginia.

Mr. Connolly. [Presiding.] Thank you, Mr. Chairman. Counsel may proceed.

HFAC REP COUNSEL. Thank you, Mr. Connolly.

BY HFAC REP COUNSEL:

Q I'd like to move back to this question -- and I am not in any way referring to any specific investigation. I
think maybe something had been lost in translation. Maybe I didn't phrase the question correctly the first time.

But just as a general matter, regardless of what you're reviewing, do you look at decision-making processes as part of your review into any -- any -- whatever the given topic is?

A Do we look at decision-making processes?

Q So, to clarify, do you look at who is making decisions or what is leading to decisions regarding what policy should be versus how it is then implemented in the field?

A I'm not sure I understand that question. Can you clarify?

Q I'll certainly try. So when you are undertaking reviews, you are -- as you said, by law, you're tasked with looking at implementation of policy, correct?

A Yes.

Q As part of that work, do you ever look at how policy decisions are made, not how they are necessarily implemented, but how the policy decision is arrived at?

A Typically not, but I'm not going to rule that out entirely because this is sort of a hypothetical, and I can't predict how that might come up. But, typically, we look at what the decision was and how the decision was made.
Q So you do look at the motive behind the decision?
A Well, I'm not -- I'm saying typically -- I'm not going to rule that out. That's hard for me -- that's hard for me in a vacuum to answer that question.

Q Well, let me ask you not as a hypothetical. Just have you ever looked at decision-making regarding policy and how or why a certain policy is arrived at?
A I don't -- I can't tell you that, sitting here. I don't know. I can't tell -- give you an answer to that. I don't -- I don't have sufficient recollection of reports we've done and so forth to say one way or the other.

HFAC REP COUNSEL. Okay. Thank you for that.

Given the time, I know we have at least one member, I think Mr. Yoho has a question, so I want to pause and allow him to ask his question.

Mr. Yoho?

Okay, I'll double-check with his team and see if he is still on and would like to ask a question. In the meantime, I think Mr. Jordan is on the line and may also have a question.

Mr. Jordan.

Mr. Jordan. Thank you.

Mr. Linick, how long have you been an IG?

Mr. Linick. Ten years.
Mr. Jordan. And how many investigations or, slash, reviews have you done in that 10-year timeframe?

Mr. Linick. I can't tell you a number. A lot.


Mr. Linick. I can't give you a number. Dozens of them.

Mr. Jordan. Dozens? Have you ever had a problem with leaks in any of those other investigations?

Mr. Linick. We did actually have a problem when I was at FHFA, and that person ended up leaving the office after we discovered it.

Mr. Jordan. So dozens of investigations, only one other time have you had a problem with a leak?

Mr. Linick. Only one -- yeah, I mean, we've not -- there's been no allegation other than -- other than that FHFA instance and other than what we've just talked about today.

Mr. Jordan. And in your time at the State Department as inspector general, this is the only occasion where there was a concern about leaking information of an ongoing review. Is that right?

Mr. Linick. Actually, there was one occasion where I spoke with the Secretary, and he said to me that Chairman
Engel might have had a report, and I think it was our Office of International Organizations report. And he asked me if he -- if I knew anything about that, which I didn't. That particular report had been sent to the Department and -- but it hadn't been published yet.

And I never heard anything about that. It didn't come to anything. So there was a concern that the Secretary expressed to me about a leak to -- of a report to Chairman Engel.

Mr. Jordan. So a leak to Congress?

Mr. Linick. Correct.

Mr. Jordan. But not to the press?

Mr. Linick. Not that I can recall, no.

Mr. Jordan. And you've done some high-profile reviews and investigations. I mean, I know -- I know --

Mr. Linick. Yes. Oh yeah, actually, you know what, there actually was an allegation. Now that you mention it, when we were doing the review of the Secretary's email back in 2016, there was an allegation I believe that someone from our office might have leaked information. I believe that's the case.

Mr. Jordan. Well, I'm confused because a little bit ago it seemed to me you gave the impression to our counsel's questions that this was like the only time there had ever
been a leak concern, and now you're telling me there's been several occasions where there were. So which is it?

Mr. Linick. No, no, no. I just recall the situation in 2016. So I'm aware of an instance in 2016 where there was an allegation. I'm aware of The Daily Beast allegation, and I'm also aware of a conversation I had with Secretary Pompeo about a leak to Congress. So I would say --

Mr. Jordan. Is it fair to say -- is it fair to say that what happened in the situation with Mr. Hook and The Daily Beast wasn't an allegation, because The Daily Beast actually ran a story and attributed it to two sources involved in carrying out the investigation. Is that fair?

Mr. Linick. No. There was an allegation -- can I answer the question?

Mr. Jordan. Yes, but let me back up a second. Nothing like that happened in the Clinton email investigation. There was no -- was there a story written?

Mr. Linick. You know, I don't recall. I don't recall the facts of that.

Mr. Jordan. Okay.

Mr. Linick. But to answer your question, the allegation was that somebody in the State Department IG leaked that report. That was the allegation --

Mr. Jordan. Right.
Mr. **Linick**. -- that the Secretary was concerned about.

Mr. **Jordan**. Right. We don't know -- do you know who leaked it?

Mr. **Linick**. No. And I certainly didn't leak it, and to the best of my knowledge, no one on my staff leaked it. And the DOD, you know, found that to be the case. If I did find out that somebody leaked that information, I would discipline that person and consider removal.

Mr. **Jordan**. Right. But who do you think leaked it?

Mr. **Linick**. I have no -- I don't know who leaked it. I can't speculate. I know that a number of people touched the report. The report was in the Department's hands. You know, we provided in camera reviews to some of the witnesses of portions of the report so they could check for accuracy. I really don't know who leaked that report or who leaked information from the report. It's not even clear to me that the report was leaked.

Mr. **Jordan**. I understand.

Mr. **Linick**. It could have been information from the report that was leaked. So I just don't know, sitting here today.

Mr. **Jordan**. And when Mr. Fine, the DOD did the investigation, I think he looked at 15 people in your office who had access to the information that was in the report.
Is that right? Including yourself.

Mr. Linick. He looked at everybody who touched the report.

Mr. Jordan. And all 15 and he found none of them did?

Mr. Linick. That is correct.

Mr. Jordan. Okay. When you talked with Mr. Sullivan, you talked about this a little earlier, Mr. Sullivan recommended that CIGIE do the investigation, and you said that they couldn't do it. Why couldn't they do it, again?

Mr. Linick. I didn't say he recommended that CIGIE do the investigation. I said that we had a conversation about CIGIE. I don't really know how it came up. But I told him that CIGIE doesn't investigate offices. They don't do leak investigations of offices.

And I spoke with the head of the Integrity Committee, Scott Dahl, about that. And that's why they don't do it. And Mr. Dahl basically told me that I needed to find another IG to do it. And I asked if his office would do it. He said he didn't have the time or the resources. Then I went to the VA IG. They didn't have the time or resources. Then I went to the DOD IG.

Mr. Jordan. I thought you made a distinction earlier, Mr. Linick, that if the allegation were that a specific person in the State Department Office of Inspector General
was alleged to have leaked it, then, in fact, CIGIE could investigate. Is that accurate?

Mr. Linick. No. Only if it's a covered person. There are certain individuals, including myself or -- you know, if there's an allegation against me, the CIGIE would look at it. There are other covered individuals. If there are allegations against an assistant inspector general, the CIGIE would cover it.

Mr. Jordan. Well, is that -- so that seems to me to be -- I mean, come on. If CIGIE can only investigate you or some of your top assistants, but they can't investigate a leak that supposedly came from your office, that seems to be, you know, a distinction that's not really that critical. If they're going -- if they can investigate that, why can't they investigate just a general concern that a leak came from your office? And you're saying -- you seemed to indicate earlier that somehow that was just not tolerated. That would be just totally wrong. But it seems to me a distinction without much of a difference.

Mr. Linick. I'm not telling you what I'm saying. I'm telling you what CIGIE is saying. And if you go to the CIGIE website and their mission and their FAQs, it discusses that issue. So that's something that you should direct to CIGIE because I specifically asked CIGIE, can you -- is this
something that you can handle? And I was told no; they
don't investigate offices. So, again, that's not something
that I'm saying; that's what CIGIE is saying.

Mr. Jordan. Okay. Okay. And then how did you decide
on Mr. Fine?

Mr. Linick. Well, I went to -- as I said, I went
to -- I tried to go to big IGs. I started with the Labor
IG. Then I went to VA, and then I went to DOD, largely
because I knew they had a lot of resources
and -- and -- that smaller IGs wouldn't have. I was just
going down the line. I probably would have gone to HUD IG
or HHS IG after that.

Mr. Jordan. When did Congress get a draft of the -- of
your review and investigation of Mr. Hook, what date?

Mr. Linick. Oh, I don't have the date. I think -- I
mean, I know that was -- I'm just trying to think. It was
somewhere around late October, maybe early November. I
don't have the exact date on it.

Mr. Jordan. Was there anyone in Congress that you were
talking to or anyone in your office talking to prior to the
September Daily Beast story?

Mr. Linick. We had -- folks in our office were in
communication with some of the committees. You know, they
had asked about the status of the report and that kind of
thing. So, yeah, I wasn't involved in those, but there
were -- there were meetings between our staff and committee
staff who were asking about the pace of the report and so
forth. So that there were definitely meetings.

Mr. Jordan. Were details or any information other than
just the timing and pace and when you expect to complete it,
when you expect to complete the investigation, was any of
that type of information conveyed?

Mr. Linick. It wasn't supposed to be.

Mr. Jordan. Okay. Okay.

Mr. Linick. It wasn't supposed to be.

Mr. Jordan. All right. I yield back.

BY HFAC REP COUNSEL:

Q Mr. Linick, going to when you got the DOD IG to do
the investigation, how did that come about? Did you send
that request in writing to the DOD IG to come do the report?

A No. I called IGs. I basically just called them,
and I said: There's an allegation of a leak in my office,
and I need an independent review. So that's how I did it.

Q So, after the DOD IG agreed, how did you know what
he was going to be reviewing? How was the -- how was his
review scoped? If he didn't have anything in writing from
you to say, here's the allegation, can you look at XYZ, how
did he determine the scope of his investigation?
A: Oh, I don't remember how -- once he agreed to do it, there was some communication about -- I don't recall how that occurred. There was some communication with the folks who were doing the review in their Office of Investigation, the DCIS folks.

There was some communication about who touched the report and all of that. And it may have -- it may have been between my general counsel at the time and folks at the DOD IG, you know, the specifics. I wasn't involved in that.

That's how. There was a briefing at some point where they talked about, you know, who touched the report and gave them the report, that kind of stuff.

Q: Was there ever a memorandum of understanding or any type of written document framing out what they would be doing for your office?

A: Yes, and that was -- that was executed by -- between the general counsel and their office. There wasn't -- there was a memo of understanding, yes.

Q: And can you tell us some details about the scope of that investigation? They were looking at leaks to whom?

A: Well, the scope of that was to determine whether or not there had been leaks to the press. And I think it's all outlined in the final report, so -- but they -- the scope was to interview all the folks who touched the report, to
look at all of their Department of State and OIG emails over a certain period of time. And that was basically how they conducted that review. More of those facts are outlined in the actual report.

Q But why is the scope of that review only focused on leaks to members of the press? Why didn't it look at leaks to Capitol Hill, to members of the executive branch? Why is it just about leaks to the press?

A Well, because that was the allegation in front of us. And that was the allegation that the Secretary was concerned about. So everybody has limited resources and limited time, and given that the allegation was that there was a leak to The Daily Beast, that's what they were looking at.

Q But you told us --

A Let me finish. Generally, you know, you investigate issues where there's some predicate. And the predicate here was The Daily Beast article which says, according to -- which said, "according to government sources carrying out the investigation." That was the basis for the review.

Q But you told us that it was your understanding that a lot of people beyond your office had access to the report and that they could have been the source of the leaks.

A Oh, yes, yes.
Q So I'm just wondering why you only scoped it to leaks from your office to the press instead of other avenues by which your office could have leaked.

A I guess I'm not following you. We actually engaged in an investigation of our own of people outside of our office with the Bureau of Diplomatic Security, to see whether they leaked to the press.

Q But why doesn't the DOD investigation mirror that? Why aren't you looking to see -- why didn't you have the DOD IG look at leaks to anyone, not just the press? I understand that there was the press report, which was the trigger for all of this, but, as you said, there were other people who could have leaked -- who could have received it from your office, conceptually.

So I'm just wondering why the scope of the DOD IG investigation is only about leaks from your office to press outlets.

A Okay. So two things: First of all, I didn't put limits on the DOD IG investigation. And, secondly, I didn't say that there was any evidence that people outside my office were leaking to other places. All I said was that the issue was whether or not someone from inside our office leaked to The Daily Beast, and then the issue was also whether somebody outside our office was leaking to The Daily
Beast. And that was based on the evidence in The Daily Beast article.

Q Well, someone limited the scope of the DOD IG's investigation. So who would that have been?

A Well, the DOD IG knew what we were concerned about, namely the leak to The Daily Beast, and that's what they were looking at. I mean, what else would they look at?

Q Well, they could look at leaks to other individuals. I mean, you just articulated that, that there could have been other people outside IG who gave the information to press outlets.

A Well, so they interviewed -- they interviewed all of the individuals, and they asked them those questions. They performed a reasonable, in my view, leak investigation, something that we do -- I mean, you know, interviewing the people who had the report, looking at all their emails, that's a reasonable way to do this investigation.

None of the people they interviewed -- I mean, they followed through if people said they sent it somewhere. You have the report. So, you know, I mean, they basically followed the lead. They followed the evidence.

Q So my understanding is that they were looking at whether emails were sent out to any press outlets, which is a much -- that's a far limited scope --
A Actually, that's not true. They actually asked folks whether or not they shared the report with anyone outside the office.

Q But did they review email to that extent as well, or were they just looking at email in regard to press outlets?

A They looked at everybody's email to see whether or not they shared the report outside of the office.

Q To anyone?

A To anyone, yes.

Q Okay.

A Yes. It's in the report.

HFAC REP COUNSEL. Mr. Zeldin.

Mr. Jordan. [redacted], can I get back in for a second?

HFAC REP COUNSEL. Absolutely.

Mr. Jordan. Thank you.

Mr. Linick, so you mentioned that there was somewhat of a concern back when you did the Clinton email investigation, did your review of that.

Did any of the other concerns about leaks in prior investigations require an outside inspector general to come in and do a review?

Mr. Linick. No. It's usually -- I mean, this can be done internally. Often we do it internally. And if you
want -- there's no rule. You can call an independent IG to come in. So I'm not aware of any rule. It's just a practice in the IG community.

Mr. Jordan. No, I understand. I'm just trying to get a handle on it. You've done dozens of reports. That's what you said earlier, dozens of reports. Earlier you said:

Never really had a concern with leaks before.

When I questioned you, you said: Well, there was maybe a concern with the Clinton email investigation.

There was maybe one other example I think you gave.

I'm just trying to see if this is like a -- would you characterize what happened with the Brian Hook investigation, the leak concern investigation, as this is unique? This is --

Mr. Linick. Yes.

Mr. Jordan. You've done nothing like this ever?

Mr. Linick. Yeah, to me this was unique. This was unique in that this is the first time that we asked an independent IG to come in and look at --


Mr. Linick. Yes.

Mr. Jordan. And I didn't think it was going to be that complicated to get. That's what I assumed when I started
asking you questions.

Now, going back to CIGIE versus Mr. Fine and the route that you took. You said there are certain designated individuals who fall under CIGIE, and then they would investigate if it was about -- if it was an allegation that you leaked or certain people that worked for you.

I think when Mr. Fine did his review or his investigation, he determined that there were 15 people who had access to the information and talked to all 15 of them, I think, as I read. Is that accurate?

Mr. Linick. You'd have to refresh my recollection with the report, so -- again, I'm not -- I don't have it in front of me.

Mr. Jordan. Steve Linick, [redacted], [redacted], [redacted], he lists them all out, -- those are the people that were part of his investigation, right?

Mr. Linick. Yeah, I see that. Yeah.

Mr. Jordan. He reviewed their emails, talked to them --

Mr. Linick. Yes.

Mr. Jordan. -- interviewed them that kind of thing.

Now, of those 15 people, how many of those are covered
individuals that would fall under CIGIE?


Mr. Jordan. Okay. So I'm just trying to figure out because it seems to me -- as I said earlier, it seems to me a distinction without a difference.

Mr. Linick. Yeah.

Mr. Jordan. And if you're saying certain covered individuals would, in fact, kick in for CIGIE, and 8 of the 15 or 7 of the 15 fall under that category, I want to know why CIGIE couldn't do it versus the route that was taken with Mr. Fine being the individual who did the investigation.

Mr. Linick. Well, you'd have to ask that to CIGIE. I would have been happy if they could have done it as well. So it didn't matter to me. I just wanted an independent review of our office. I went to the CIGIE, and then I went to other IGs to get this done.

Mr. Jordan. All right. Thank you, Mr. Linick. Thank you for being here. I'll yield back or whoever is up next.

HFAC REP COUNSEL. Mr. Zeldin, did you have a question?

Mr. Zeldin. Yes, thank you.

Mr. Linick, did you have a prior working relationship
with Glenn Fine? Did you know him previously?

Mr. Linick. Yes, I did.

Mr. Zeldin. Can you explain that?

Mr. Linick. Yeah. I mean, we were -- I'm the -- I
conduct joint oversight with him on the Overseas Contingency
Operations for Iraq and Afghanistan. I mean, I know many of
the IGs. I mean, we're a close community. So I know Glenn
Fine, and I knew him before that.

Mr. Zeldin. So -- but did you work together in
previous positions before that?

Mr. Linick. Oh, no, no, not -- no, we've never worked
together in -- you mean like -- I didn't work with him at
DOJ. He was -- that was his -- I wasn't in his office or
anything like that. Never worked with him.

Mr. Zeldin. But he was -- he was at DOJ at the same
time as an AUSA, correct?

Mr. Linick. No, I don't -- you know, I don't know
exactly when he was at DOJ. I only got to know him when he
was an IG. When I was an AUSA, he was an IG, and that's
when I got to know him, as well as many other IGs.

Mr. Zeldin. Okay. Just for the sake of time, I'm
going to yield back.

HFAC REP COUNSEL. Okay, thank you, Mr. Zeldin. I'm
going to stop there unless any other members have any
questions and reserve our questions for the next round, but if any other member on our side has a question, please speak up.

Okay. With that -- I'm sorry? Okay. With 30 seconds remaining, [redacted], we will yield back the balance of our time.

HFAC Dem Counsel. Thank you, sir.

Mr. Connolly.

Mr. Connolly. Yes. Thank you, [redacted].

Mr. Jordan, I hope you're still on. I'd like to follow up on your questioning.

Mr. Linick, do I understand that what you told Mr. Jordan is you first went to CIGIE to inquire as to whether they could investigate a potential leak from your office? Is that correct?

Mr. Linick. Yes.

Mr. Connolly. And somebody at CIGIE told you, "We don't do that"?

Mr. Linick. Yes.

Mr. Connolly. So you were then left with the option of actually going hat in hand to other IGs to beg them to do an official investigation of a potential leak of a sensitive matter in your office. Is that correct?

Mr. Linick. Yes, I was begging.
Mr. **Connolly**. So, Mr. Jordan, if you're still on, you know, I've got a bill to strengthen the role of CIGIE. I think we've just uncovered here a real hole. You know, aside from the issue at hand with Mr. Linick, the fact that an IG seeking to make sure that something that shouldn't have happened didn't happen and, if it did happen, that people were corrected, he can't rely on the one entity that is charged with oversight of the integrity of IGs. And I find that extraordinary.

I mean, I just -- Congress cannot find that an acceptable process. There has to be accountability for IGs too. And in this case, we have an IG, an honest IG shopping around trying to get somebody to investigate his own office to make sure there was no problem. Mr. Linick did nothing wrong in that respect, but the fact is there was no machinery for him. It was all ad hoc. He finally found an IG.

If I understand you, Mr. Linick, you shopped around three different offices before you found one. Is that correct?

Mr. **Linick**. Yes. I started with Labor, and then I went to VA, and then I went to DOD.

Mr. **Connolly**. And when you were turned down by the previous two, what was the reason they gave you why they had
to say no?

Mr. Linick. A lot of it had to do with just time and resources. I don't remember the specifics, but one of them told me it would just take a long time.

Another -- it was time and resources, that's really what it comes down to because, look, the reality is they have to give us investigators to do work that they're really not getting any credit for. I mean, this is -- this is -- you know, this is like volunteer work for them. And, unfortunately, that's how it works.

So it's not the most appealing work from an IG's point of view. I mean, we've been asked it to do work in other IG shops, and, you know, that means we're not getting work done in our own shop when we do that. So that's the issue.

Mr. Connolly. So, in theory, based on what you've described, the lack of accountability, really, formal accountability in this kind of example, presumably a whole IG office could, frankly, be tainted with bias or bordering on corruption, and it would not be the subject of a formal investigation by the Committee of Integrity and, in fact, it could get away with impunity because there is no formal mechanism for investigating them.

That's what I understood your answer to me and to Mr. Jordan to add up to. Is that correct?
Mr. Linick. Well, I'm not saying that they could get
away with impunity. I didn't -- I didn't say that. All I'm
saying is that --

Mr. Connolly. No, Mr. Linick, I understand you didn't
say that.

Mr. Linick. Oh, okay.

Mr. Connolly. That is the conclusion I am drawing.

This is a real gap in accountability for IG offices that it
seems to me, to preserve integrity and credibility for IGs,
we need to fix. You don't have to comment on that part.

But, Mr. Jordan, I invite you, on a bipartisan basis,
to collaborate in trying to address this issue subsequent to
this deposition.

Mr. Jordan. Gerry, thank you. I look forward to
working with you. I think what you're saying makes a lot of
sense.

Mr. Connolly. Thank you, Mr. Jordan.

[redacted], back to you.

HFAC Dem Counsel. Thank you. I would just like to
reflect thanks for my colleagues' indulgence on that. That
did go over, that colloquy, by my clock about 3 minutes and
45 seconds. We've happy to add that to our colleagues' time
for the next round.

At this point, Mr. Linick, would you and your counsel
like a lunch break?

Mr. White. Can we go on mute for a second?

HFAC Dem Counsel. Yes, absolutely.

[Discussion off the record.]

Mr. White. Yeah, if we could have a half hour for lunch now.

HFAC Dem Counsel. That would be fine. So, by my watch, it's 12:13. Let's just call it 12:45 to resume on the record. And if we could just ask for everyone to stay logged in, that will probably be the easiest way to prevent any hiccups when we come back. Thanks.

[Recess.]
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[12:46 p.m.]

Mr. Castro. [Presiding.] Counsel may proceed.

HFAC Dem Counsel. Thank you, sir.

BY HFAC DEM COUNSEL:

Q Mr. Linick, welcome back. I'd just like to quickly address a few things that my colleagues spent some time on in the last round regarding the Daily Beast article. Both the article itself and, more importantly, the report that your office did on prohibited personnel practices in the Office of the Secretary, that was all unclassified. Is that right?

A Oh, yes.

Q Okay. And it was something that related not to grave matters of national security but to personnel matters and improper conduct in the workplace. Is that right?

A Yes, that's right.

Q Okay.

Sir, are you aware that at a hearing before the Foreign Affairs Committee in 2018 Secretary Pompeo told Chairman Engel that he did not believe that someone who engaged in prohibited personnel practices either on the basis of national origin or perceived political belief should be working at the State Department? Were you aware that he
told Chairman Engel that at a hearing in 2018?

A I don't recall that.

Q Okay. Would you agree with me that the conclusions that were ultimately in the report regarding Mr. Hook did seem to imply that he discriminated against someone on the basis of perceived national origin?

A Yeah, yes. Our conclusion was that that was the case.

Q Okay.

In terms of the DOD OIG review, is independent peer review common in the inspector general community?

A Well, when you say, is it common, yes. I mean, we all do independent peer review by regulation. In other words, our audit staff has other IGs peer-review it, our inspections staff has other -- yes. So peer review is fairly common in the IG community.

Q Thank you.

If you could, sir, we had provided -- and I believe we're working to get it on the screen -- to staff from all the committees, as well as to your counsel, a letter dated June 1, 2020, that Undersecretary Bulatao wrote to Chairman Engel regarding this matter. So this would've been provided to your counsel, I believe, yesterday. And I think we're working to get that on the screen.
Mr. White. I know you've got it over there, but let us find it for you.

BY HFAC DEM COUNSEL:

Q Yep. So this is the June 1, 2020, letter from Undersecretary Bulatao to Chairman Engel of the Foreign Affairs Committee. If you could just let me know when you have that, sir.

A Hang on. I'm getting it.

Q Yep.

A Okay, I have it. Yes, sir.

Q Thank you.

I'd like to direct your attention, if I could, to the second page of that letter, the second full paragraph, beginning with, "Specifically, it is my understanding." Do you see that?

A Yes.

Q Okay. So I'd like to go point by point through the things that Undersecretary Bulatao raises in this paragraph and just ask you for your comments on them.

So the first point he raises is, "It is my understanding that last fall, the former Deputy Secretary" -- that would be Deputy Secretary Sullivan. Is that right?

A Yes.
Q -- "asked Mr. Linick to refer for review the unauthorized disclosure of a draft inspector general report, which media attributed to 'two government sources involved in carrying out the investigation.'"

Is it true, sir, that last fall the former Deputy Secretary asked you to refer that unauthorized disclosure for review? Just taking that portion of the sentence.

A Yeah. I mean, all I can tell you is we had a conversation about it. I don't remember his words or anything like that. We had a conversation about the report and the CIGIE --

Q Okay.

A -- as I described earlier.

Q So you don't recall him specifically asking you to make a specific type of referral. Is that right?

A I don't recall his words. I did tell him -- I explained to him why the CIGIE was not the entity that was going to review this for the reasons that I described earlier and that we had ultimately landed on the DOD IG.

Q Okay.

So, then, to just walk through the relevant portions of Mr. Bulatao's sentence there, he says that the Deputy Secretary asked you to refer this matter for review -- and then, if you go to the other side of the dash -- to the
Council of Inspectors General on Integrity and Efficiency, CIGIE.

Is it your testimony that the Deputy Secretary formally asked you to refer this specifically to CIGIE?

A  I don't recall -- again, I just don't recall his words. My understanding is that he wasn't actually saying, you should refer it to CIGIE. I remember we had a discussion about CIGIE. And I remember specifically saying, you know, if CIGIE is a place where this should land, then you'd have to make a referral about me --

Q  Uh-huh.

A  -- in particular. I do remember saying that. And that didn't happen.

Q  Sir, in the next sentence, where the Undersecretary says, "It is my understanding that Mr. Linick agreed to that request," he seems to be saying that you specifically agreed with Deputy Secretary Sullivan to refer this matter to the CIGIE.

Did you make such an agreement with the Deputy Secretary?

A  No, I didn't. Because I had talked to the CIGIE about this, I mean, I asked them about this, and they said that they would not review allegations dealing with an office.
Okay. And you explained that to Deputy Secretary Sullivan, I believe you said?

A Yeah.

Q And do you recall when you explained that to him?

A I don't recall.

Q Do you believe it was near in time to the publication of the Daily Beast article on September 13, 2019?

A Well, it had to be in the timeframe, in the fall timeframe, you know, when the DOD IG was in play because --

Q Uh-huh.

A -- we talked about the DOD IG, and all of that occurred in a very short period of time.

Q Okay. So you talked to the DOD IG, as you say, near in time to that September story. And that was after CIGIE told you that --

A Yes.

Q -- under its own regulations, they couldn't do it unless it was about a specific person. Is that right?

A Yes. Yes. Because I had already gone to the VA and Labor.

Q And they are the ones who told you, you need to see, you know, where else there's capacity, which is how you ended up at DOD IG, right?
A Well, they didn't say, you need to see -- they just
said they couldn't, that for a variety of reasons it wasn't
practical for them to do it.

Q Okay.

And at the time that you landed on the fact that it
would be the DOD IG that looked into this matter, did you
communicate that fact to the State Department?

A Yes.

Q And do you recall roughly when you communicated that
fact to the State Department?

A I don't.

Q Would it have been near in time to settling on the
fact that it would be the DOD IG?

A Yes.

Q Okay.

So Mr. Bulatao's sentence -- I'm continuing in this
letter -- says, "Further, it is my understanding that
Mr. Linick agreed to that request, but the Department
learned months later that, instead of referring the matter
to CIGIE, Mr. Linick had asked another agency's inspector
general to review the issue."

Would it have been months after that September article
that the Department became aware that it would be the DOD IG
looking into this?
A No. It was at or around the time that I asked the DOD IG to do it.

Q So Mr. Bulatao's statement that the Department only learned about this months later is not true?

A As I said, I let them know at or around the time when I selected the DOD IG.

Q Okay.

Mr. Bulatao goes on to say that Mr. Linick, quote, "failed to inform the Department that he had hand-picked a different entity to investigate potential misconduct by his own office."

Are the statements in that sentence true, sir?

A No. I did notify the Department that we selected DOD IG, only after being turned down by Labor and the VA.

Q And did anyone in the Department raise any concerns or protest in any way after you told them that it would be the DOD IG that would be doing this work?

A Yes. I mean, Brian Bulatao and I -- he did not want the DOD IG to do it; he wanted CIGIE to do it. And I kept trying to explain to him that that wasn't going to work because of what CIGIE told me. So he continued to, sort of, raise that issue.

Q And, to be clear, did you explain to him that it's not that you didn't want CIGIE to do it but that, rather,
under CIGIE's own regulations, that it wouldn't be possible?
A I thought I had communicated that.
Q And I believe you also said that you informed Mr. Bulatao that if he had questions about this process or about you in particular that he, himself, could independently contact CIGIE. Is that right?
A Yes.
And the other thing was, there was a point in time where he actually wanted to get a better understanding of what the DOD IG was going to do in this investigation, and I actually talked to Glenn Fine and said that he may be calling you.
But I did discuss with Undersecretary Bulatao -- I told him that it wouldn't be appropriate for him to manage the DOD IG investigation.
Q So two points on that. Are you aware of whether Undersecretary Bulatao actually did reach out to Mr. Fine?
A I don't think he did, but I'm not sure.
Q Okay.
And then you said you had communicated to him that it would be inappropriate for Mr. Bulatao to manage the DOD IG investigation. Can you expand on that a little, please?
A Well, he wanted to contact DOD -- we were talking about the DOD IG, and he wanted it to be CIGIE, and he kept
pushing that issue.

Q    Uh-huh.

A    And, at one point, he said he would like to get a
better understanding of what DOD IG is doing, the scope; he
wants to, sort of, talk through it with the DOD IG.

Q    Uh-huh.  Did he indicate to you that he wanted to
help direct that process?

A    I don't recall exactly what he said, but I recall
telling him that it would be inappropriate to manage that.

Q    And can you just explain for the sake of the record
why you believe that it would be inappropriate for a
high-ranking official at a government agency to try and
manage an inspector general's investigation?

A    Well, for the same reason that I thought it would be
inappropriate for the Bureau of Diplomatic Security to be
investigating us, in that there's an independence issue.
And we wanted another IG to peer-review us precisely to
ensure that it was an independent review, as opposed to our
overseer investigating us.

Q    Okay.

A    Or, excuse me, not the overseer.  The auditee.
Excuse me.

Q    Yes, I'm sorry, the agency that you --

A    Yes.
Q -- were responsible for auditing.
A Yes. That's what I meant, yes.

Q Yep.

So, then, to go to the next sentence, Mr. Bulatao says, "In other words, Mr. Linick failed to inform the Department that he had hand-picked a different entity to investigate."

Is that a fair characterization of how you came to have the DOD IG looking into this? Is it fair to say that you first hand-picked that entity and then failed to inform the Department about it?

A "Hand-picked" is a distortion. As I had mentioned before, I had gone to the CIGIE, and they told me to go find somebody to do it, and I started with Labor, then VA, and then I ended with DOD IG. I didn't hand-pick them. I had hat in hand, hoping that they would be willing to do a review and expend their resources.

Q And had you ever conveyed to Department officials -- I believe you've confirmed this, but just again. You explained that to senior Department officials, the process you went through in arriving at DOD IG. Is that right?

A I believe so.

Q Okay. Do you recall whether you explained that to Undersecretary Bulatao?
Q And so, to the extent that the Undersecretary is saying that you hand-picked the different entity, is it your testimony that you believe you would've provided him information showing that that characterization of what happened is not accurate?

A As I said, I had told him that -- I explained to him the process and how we landed on the DOD IG.

Q Right. So he should know better than to say that it was hand-picked. Is that fair?

A I don't want to characterize what he should know or he shouldn't know.

Q But you gave him details of what the process actually was.

A I did give him the details of the process.

Q Okay.

Further on in that sentence, Mr. Bulatao alleges that you, quote, "deviated from the clear course agreed upon with Department leadership."

Is that an accurate statement?

A Well, I disagree with that because, as I said, I told them about the DOD IG.

Q Okay.

He then goes on to say, "To the extent that this
hand-picked investigator" -- and, again, you testified that
that is a distortion -- "completed its review, the
Department has not received any documented findings on the
matter."

And I'll get to the documentation in a moment. But
just so that the record is clear, do you recall roughly when
and to whom you communicated verbally the results of the DOD
IG work as you understood them?

A It had to be before March 15 when -- pre-COVID, I
would say. And it was during that meeting with -- I
believe, to the best of my recollection, it was during a
meeting with Steve Biegun and Brian Bulatao.

Q Okay. And at that meeting with Deputy Secretary
Biegun and Undersecretary Bulatao where you informed them
verbally of what you understood the findings to be, do you
recall roughly what you told them?

A Well, just that, that conclusions were that the
DOD IG had found that there was not a leak from OIG to the
press. That's it.

Q And did they have a particular reaction to that
information that you can recall today?

A As I stated previously, that's when Deputy Bulatao
asked for the internal investigation when it was complete.

Q Okay. So he did ask you for the written product,
Q Okay. And I believe you've testified that you didn't have it at the time and that ultimately they never asked you for it again. Is that correct?

A Yeah, that's correct.

Q And you've also said that, given the nature of your office's work and the fact that the names of many of your employees are in that DOD IG product, you would've had hesitation about providing that document to Undersecretary Bulatao even if you had had it at the time. Is that correct?

A Yes.

Q Okay. Can you say more about that, please? Why would you have been hesitant to provide that document to the Undersecretary?

A Well, the document contained the names of individuals, and I was concerned that not only would it, you know, contain the names of the individuals but their interviews and what they said. These were individuals who were involved in the investigation of the political retaliation matter in the Office of the Secretary. And I was concerned -- or I could imagine the Department using information in that report against them.
So I was concerned about that, and I also just didn't want to set a precedent of turning over an internal investigation involving potential violation, you know -- an investigation of potential violations of OIG rules. So I wanted an opportunity to assess that.

I also mentioned earlier that DOD IG had equities since they were preparing the document.

Q So, if I have your testimony correct, it is that your staff had just finished looking into allegations that folks on the Seventh Floor of the State Department had inappropriately retaliated against career officials. Is that part correct?

A Well, we issued that report, I believe, in November of 2019. So it would've been shortly -- you know, it would've been shortly after we issued that report.

Q Right. And that the DOD IG document contained the names of all of the people who had looked into whether or not the folks on the Seventh Floor engaged in improper retaliation. Is that correct?

A Yes.

Q And you were concerned that if you gave those names to the Seventh Floor that they might in turn retaliate against the people who had been looking into that matter. Is that correct?
A Correct.
Q Okay. Thank you.
Can you tell us a little bit, sir, about your own involvement in the DOD IG matter?
And we can go ahead and take the exhibit down, if that's okay, just because I can't see the witness anymore.
Can you tell us about your involvement with DOD IG's look at all of this?
A I mean, I didn't have any involvement in their review. They did the review independently of our office.
Q I'm sorry, not -- that was poor phrasing on my part. Were you yourself interviewed as part of that process?
A Oh, yes. Yes, yes. I was interviewed, yes. Yes.
Q Okay. Can you describe those interactions for me, please?
A Yeah. I mean, they interviewed me. They asked me if I provided the report or any information to the media. I said, no, I didn't.
Q If you don't mind, just because I do think there is some confusion about it, and I think it would be helpful to clarify.
A Yeah. I told them that I didn't provide the report or any information about the report to the media.
Q Did you answer their questions truthfully, sir?
A Oh, absolutely.
Q Were there any questions that you refused to answer?
A No. I answered every single question they asked me.
Q Okay. Were your various government email accounts made available to those DOD IG investigators?
A Oh, yes. And my personal email account was too.
Q And did you restrict the access that they had to looking through those records in any way?
A Oh, no. They had absolute complete access to all of my records.
Q Okay.

And their conclusion, as is reflected in the letter that was ultimately provided -- I would just like to read the top line. This is on page 2.
Quote, "DCIS found no evidence that any DOS OIG personnel emailed or discussed any details of the evaluation report with the authors of The Daily Beast article, or other members of the media, prior to The Daily Beast article on September 13, 2019."

And then they further say, in the very last sentence of their overall conclusions, or the last two: "We determine that all emails identified by DCIS relevant to this limited inquiry were maintained in the DOS system of record. Our
review of IG Linick's Gmail account also showed no further dissemination of the report."

So they had your testimony, they had the testimony of folks who worked for you and worked on this report, they had unfettered access to all of your emails, and they found no indication that either you or anyone in your staff was involved in a leak. Is that right?

A Yes.

Q And did you verbally communicate roughly that to Deputy Secretary Biegun and Undersecretary Bulatao?

A No. All I said to them was that they didn't find any leak to the press. That's what I told them.

Q And that, as we've said already -- and I won't belabor it -- nobody asked you afterwards to provide this, nor would you have felt comfortable for the reasons that we've discussed. Is that right?

A Well, I said that, after March -- when the COVID crisis hit and we started sending people home, we had no further in-person meetings between Bulatao and the Deputy Secretary and myself. We had a couple of phone calls after that that were touch-base phone calls, and in none of those phone calls did the issue come up.

Q Okay.

I'd like to turn to the substance of that report by
Mr. Hook, if I could. I'm not going to refer to any particular passages, but just to remind you of the topic. First of all, that is a closed report, right, that has been publicly issued, the work on the prohibited personnel practices involving Brian Hook?

A Yes.

Q Okay. How did your office get involved in that matter?

A I believe we actually received a request from your committee to look into that matter.

Q Okay. And what reception did you get in the State Department once it became apparent that you were looking into these issues? Did anybody try to discourage you from doing what Congress essentially had asked, which is looking into whether there had been such prohibited personnel practices?

A No.

Q Okay.

Who did you speak with in the Office of the Secretary during the course of that review?

A I don't recall. I don't want to misstate anything. That's a better question.

Q To your knowledge, did your office ask to speak with
anyone who was at the time employed by the State Department who refused to speak to you?

A I'm sorry. Say that again.

Q I believe we've talked about Ms. Ciccone and Ms. Peterlin, both of whom were at the time former employees.

A Right.

Q Did you ask to speak to any current employees in connection with this who refused to speak with your office?

A I don't recollect anybody refusing to speak with the office who is currently employed. I don't recall.

Q Did you interview Brian Hook?

A Not me personally. My office, yes.

Q Okay. Can you tell us what your knowledge is of the interviews that your office conducted with Mr. Hook?

A I mean, just generally, my office, you know, asked him about the various facts involving the issue at hand. There were a number of -- I think there were two or three interviews. My memory is faulty on this, and I really don't want to go further. I haven't looked at this matter in a while, so I'm really unable to say exactly what they asked him, other than they did ask him about his reasons for terminating Employee 1 in the report.

Q Do you recall whether, after any of those interviews
with Mr. Hook, any of the folks in your office indicated to you whether or not they thought Mr. Hook had been answering their questions truthfully?

A  I don't have a good enough recollection on that.

Q  Okay.

In the report itself, you did take a rather remarkable step of fact-checking several written statements that Mr. Hook had submitted to OIG, particularly around his claims that he had forced the employee out not because of discrimination but because they had already found someone else to do the job.

Mr. Hook claims that in writing to you. And your report challenges the accuracy of those statements and essentially says: We looked at your records, and it turns out you didn't even know some of those people at the time in question. Is that a fair summary?

A  You know, I don't have the report in front of me, and I really don't want to mischaracterize that, so I'll let the record speak for itself.

Q  Okay.

When did the first draft of that report go to the State Department?

A  If memory serves me, I believe the first draft went to the State Department August 30 or thereabout, the end of
August.

Q Okay. And did you give them a timeframe for when you would expect their written comments?
A Yes. It's normally 2 weeks.
Q Okay. Did you get written comments from the Department within 2 weeks?
A No, we didn't.
Q Did they ask you for an extension?
A You know, I don't recall. I'd really have to check with the report writer on that.
Q Do you recall who the point of contact was in the Office of the Secretary who received that draft report?
A I believe it was Lisa Kenna.
Q Okay. And Lisa Kenna's name, we'll stipulate, is mentioned in the report as having been in the Office of the Secretary, and her name came up in the course of looking at those prohibited personnel practices.
Did it give you or give anyone else in your office pause that the draft report was going to be submitted to somebody whose name was in the report on behalf of the Department?
A Yeah, that's not something that was discussed at the time. And she was really the only contact in the -- or the natural contact in the Office of the Secretary, as the
Executive Secretary of the office.

Q Did you have any in-person interactions with Brian Hook after the draft report was submitted to the State Department?

A Yes. There was a point when he asked to see me, and he did pay a visit to me at my office in Rosslyn.

Q And can you tell us about that visit, please?

A He was upset about our findings in the report.

Q How did you know he was upset?

A I could tell from his demeanor, and his voice was raised.

Q Okay. What did he say to you?

A I don't remember exactly what he said to me. I do recall him saying something about being upset about the leak to The Daily Beast. I do remember that.

Q Uh-huh.

A And I do believe that he didn't think my staff treated him well.

Q Did he have specific complaints?

A I think he said to me that my staff appeared to be biased.

Q And did he offer anything to substantiate that allegation?

A Not that I recall.
Q Did you have any reason to believe that your staff was biased?

A No. I thought my staff acted in accordance with the principles and procedures in the IG's Office and the standards.

Q Might there have been a reason other than perceived bias that Mr. Hook would have been unhappy about what was contained in the draft report that you submitted on August 30?

A I don't want to speculate on that.

Q Did the draft that you submitted on August 30 conclude that he had engaged in prohibited personnel practices?

A Yes.

Q Okay.

Did Mr. Hook threaten you at all during that meeting?

A No.

Q Did he ever indicate that he was going to take further action because of the draft report?

A I don't recall anything like that.

Q Did he ever say anything like, "I'm going to get you guys"?

A No, I don't recall anything like that.

Q Okay. Was there anyone else present at that
meeting?

A Yes. [blacked out] was present at that meeting.

He is the [blacked out]. I believe, if my memory serves me, that [blacked out] might have been present at that meeting as well. [blacked out] was the [blacked out].

Q And just one last question on this before I turn to Members.

There was a news report that came out in Vox in December, shortly after your report was published, and it's a lengthy look at Mr. Hook. But of relevance here, that article says, quote, "According to a senior administration official, Mr. Hook is telling State Department officials that the IG report was biased against him and faulty from the start. He is considering some sort of direct action against the IG Office staff, but it's unclear exactly what that may be."

Did Mr. Hook ever threaten or engage in -- and I'm just quoting Vox here -- "direct action against the IG Office's staff"?

A I don't recall hearing that.

Q Do you think he held a grudge against you?

A Oh, I don't want to speculate as to what he believed.
Q  Do you think he was happy with your work?

A  Again, it really wouldn't be appropriate for me to --

Q  Simply based, sir, on your observations of his body language, tone of voice, and whatnot that you've testified to already, did he indicate in the meeting with you that he was happy with your work or unhappy with your work?

A  Well, he was upset. He did not like our conclusions.

Q  Okay.

HFAC Dem Counsel. With apologies for going slightly over -- we have just over 11 minutes left -- I'd like to turn to Members if they have any questions.

Mr. Castro. This is Joaquin Castro, vice chair. I know, [redacted], that Ted had some followup questions from before. I don't know if he's still on.

Mr. Lieu. Yes, I do have some additional questions, if that's okay, Mr. Chair.

Mr. Castro. Sure.

Mr. Lieu. Mr. Linick, you had earlier confirmed that, at the time you were removed, there was an ongoing review of allegations that Secretary Pompeo and his wife misused State Department resources.

You also testified that you had submitted a document
request. Can you remind me again around what time period
that document request was submitted?

Mr. Linick. Roughly, the fall or early winter of 2019.

Mr. Lieu. Okay. And the document request, was it
addressed to Secretary Pompeo?

Mr. Linick. I don't know who it was addressed to. I
didn't make the document request; my staff did.

Mr. Lieu. It sought documents from Secretary Pompeo?

Mr. Linick. I really don't want to characterize that.
I know they reached out to Lisa Kenna in the Office of the
Secretary. I know they reached out to the Legal Adviser.
That's the most I can say.

Mr. Lieu. Okay. And who is Lisa again?

Mr. Linick. Lisa Kenna is the Executive Secretary.

Mr. Lieu. Okay. To Secretary Pompeo?

Mr. Linick. Yes.

Mr. Lieu. And the document request was seeking, in
part, documents from the Secretary himself. Is that right?

Mr. Linick. I really don't want to characterize that.
I don't want to misstate.

Mr. Lieu. Can we get a copy of the document request?

Mr. Linick. You're going to have to ask -- again, I
have no access to my office.

Mr. Lieu. Right. Okay.
Mr. Linick. You'll have to direct that to the office, but -- yeah.

Mr. Lieu. Would the document request have stated what it was in relation to?

Mr. Linick. Again, I am unable to characterize --

Mr. Lieu. In your normal practice, when you issue document requests, do you explain with some sort of introduction why you're requesting those documents?

Mr. Linick. Not necessarily. We might just ask for the documents. That would probably be more typical.

Mr. Lieu. Okay. And did you get those documents?

Mr. Linick. I know that some were received, but I'm just not clear on, sort of, where that stands. Yes, some were received, yes.

Mr. Lieu. Okay.

I'd like to ask you a few questions about the publishing of reports. Let's say you had completed the review of Secretary Pompeo and his wife and you had found some inappropriate conduct. Could Secretary Pompeo order you not to publish the report, or do you have an independent statutory authority to be able to publish whatever it is you want?

Mr. Linick. They cannot order me to do that. In the IG Act, we control what our work is focused on and how we
publish our work.

Mr. Lieu. And that would also go to the Saudi arms sale review as well. Secretary Pompeo would not be able to suppress your ability to publish that report if you had been able to complete it, correct?

Mr. Linick. No. But there could be issues -- and I'm not suggesting -- just generically, sometimes the Department -- first of all, if it's classified, we obviously have to pay attention to that. And there may be privilege issues, as well, in some cases. So those are some limitations that --

Mr. Lieu. I see. But you would have authority to publish the report without the classified information and without the privileges --

Mr. Linick. Right, right, right. Exactly.

Mr. Lieu. Okay.

And one way to stop you from doing any of that would be to fire you, correct?

Mr. Linick. Well, that's -- again, I don't know why I have been removed, and there's been no valid reason presented to me for that removal.

Mr. Lieu. Okay. Thank you.

I yield back.

HFAC Dem Counsel. If I could just ask one quick
followup on that, Mr. Linick. If work had been ongoing and you were fired, it would be in the discretion of the person put in charge of that office and the Acting Inspector General as to whether that work would continue or whether it would be published, right?

It may not be the Secretary who says, don't publish it, but the new boss of the IG Office will have the ability to control, in some form or fashion, whether work goes forward and whether it's published. Is that right?

Mr. Linick. Yes. The Acting IG or the IG always has that authority.

HFAC Dem Counsel. Okay. Thank you.

Mr. Castro?

Ms. Speier. May I ask a question, Mr. Chairman?

Mr. Castro. Yeah. We had Keating, and then we'll turn it over to you.

Ms. Speier. Thank you.

Mr. Castro. Uh-huh. Keating -- Sherman, actually, and then -- is that Jackie?

Ms. Speier. Yes, it is.

Mr. Castro. Okay.

Mr. Sherman?

Mr. Sherman. I'm on?

Mr. Castro. Yep.
Mr. Sherman. Hello?

Mr. Castro. Yep, you're on.

Mr. Sherman. There's a draft report on the arms sale to Saudi Arabia and the UAE that the administration rammed through using its -- or abusing its emergency powers under the Arms Control Act. At least according to the press, there's such a report. And if there is in fact no such draft, what is the status of the review of that by the IG?

Mr. Linick. All I can say is it's ongoing and -- their report is ongoing. That's the best I can say. I haven't been in the office for almost several weeks now, so I don't know the exact status.

Mr. Sherman. When you were forced from the IG position, what was the status of the report then? And it also raises the question of if your firing was for the purpose of stopping that investigation.

Mr. Linick. Yeah, I mean, I don't feel comfortable talking about, sort of, where it was and so forth. I can tell you it's been ongoing, and it's been ongoing since last year.

Mr. Sherman. It seems to be an abuse of power. Is part of that investigation looking at whether the revolving door and undue influence was involved, or is the investigation just a focus on the abuse of power of the
President?

And my guess is you're not inclined to really get into that.

Mr. Linick. It would be inappropriate for me to get into that.

Mr. Sherman. Okay. Well, in some public hearings, I've given a few witnesses some questions they were uncomfortable with. That wasn't my intention here. Thank you for your service.

Mr. Castro. Thank you, Brad.

Jackie?

Ms. Speier. Thank you, Mr. Chairman.

Again, thank you, Mr. Linick, for your 28 years of service to our country.

Following the last set of questions by Congressman Lieu, if an incoming inspector general decided not to pursue these ongoing investigations, what would happen to the documents? Do they have the discretion to destroy the documents?

Mr. Linick. Well, I mean, as a general matter, the office is subject to the Federal records rules, and typically those documents would be preserved.

Ms. Speier. So is there any prohibition to destroy them?
Mr. Linick. I think under the Federal Records Act you need to maintain Federal records, so you wouldn't be able to -- I mean, you could destroy copies and things like that, but records need to be maintained under the Federal Records Act.

Ms. Speier. Do you believe that, as we look at the role of inspectors general, regardless of administrations, whether or not there should be a requirement that firing is only allowed for cause?

Mr. Linick. So I'm really -- typically, when I'm asked to offer an opinion about legislation and so forth, I'm happy to do so. But I would want an opportunity to study that, and I really don't want to -- I feel uncomfortable giving you an off-the-cuff answer about what the law should be.

Ms. Speier. All right.

The investigation into Brian Hook, he was one of a number of employees that was being investigated for retaliating against other employees within the Department. Is that correct?

Mr. Linick. That's correct.

Ms. Speier. And that report is now public?

Mr. Linick. Yes, it is.

Ms. Speier. So, for those of us that have not had the
opportunity to read it, can you just outline what the
findings were? How many of these employees were there, what
were their names, and what were they found to have done?

Mr. Linick. Well, I can give you a general summary. I
don't have that report in front of me.

Ms. Speier. That would be fine.

Mr. Linick. We looked at five instances where there
was allegation of retaliation. And, basically, we concluded
that in one of those instances Brian Hook and others --

[Audio interference.]

Mr. Linick. I'm sorry. Was there a question?

Ms. Speier. I think someone was just overheard talking
or was unmuted.

Mr. Linick. Okay.

And we concluded that Brian Hook and others engaged in
an unlawful, prohibited personnel practice in terminating a
detail who we characterized as Employee 1 in our report.
And it was on the basis of ethnicity and a perceived
political affiliation that served as the basis for the
termination.

Ms. Speier. And this Employee 1 has been -- what's the
status of this employee now?

Mr. Linick. I don't know. I couldn't answer that at
this moment.
Ms. **Speier.** So, as a result of your report, that particular employee was not reinstated?

Mr. **Linick.** Yeah, I don't know the answer to that question. I'm sorry.

Ms. **Speier.** But this report dates back to last year, correct?

Mr. **Linick.** That's correct.

Mr. **Castro.** We're out of time here.

With the minority's permission, we just had one followup question on this from Mr. Lieu. If I could just get his question real quick, and we can keep it brief, and we can add that amount of time to the minority's time, if that's okay.

Mr. **Lieu.** Mr. Linick, the document request you sent for Secretary Pompeo, did Undersecretary Brian Bulatao -- was he aware of that request?

Mr. **Linick.** I did inform him that we were going to be requesting documents, yes.

Mr. **Lieu.** And did you inform it was related to a matter about Secretary Pompeo and his wife potentially misusing resources?

Mr. **Linick.** Yes.

Mr. **Lieu.** And you're aware Undersecretary Brian Bulatao was a longtime friend of Secretary Pompeo, correct?
Mr. **Linick**. I don't know. I can't answer that question.

Mr. **Lieu**. They founded Thayer Company together, graduates of West Point. They've known each other for a very long time.

I yield back.

Mr. **Castro**. Okay. We'll turn it over to the minority.

HFAC Dem Counsel. Thank you.

And just before we go, that was an additional, looks like, 49 seconds. And I know we had 3 minutes and 45 seconds from the end of the last round. I would like to thank my colleagues for their indulgence on that.

So if we could add -- I was an English major -- like, 4-1/2 minutes to their clock.

Mr. **White**. This is Pete White again. Could we take 5 minutes to stretch?

HFAC Dem Counsel. Yes. I apologize. Before we begin -- so we'll add 4-1/2 minutes to their clock when we resume. Five-minute break at this moment.

Mr. **White**. Thank you.

HFAC Dem Counsel. Thanks, everybody.

[Recess.]
[1:42 p.m.]

Mr. Castro. [Presiding.] All right, everybody. Are we almost ready?

Mr. White. The witness and counsel and are ready.

COR REP COUNSEL. Minority counsel ready.

HFAC REP COUNSEL. I am going to turn things over to my colleague on the Oversight Committee, [REDACTED], with questions.

BY COR REP COUNSEL:

Q Thank you, [REDACTED].

Hi, Mr. Linick. Thank for joining us today what is obviously a very long today for everybody here. I am a counsel for the minority on the Oversight Committee. I wanted to start off by going back to the first hour, [REDACTED] had asked you what some of the larger sort of reviews you had conducted were during your tenure and as a IG. And the very first thing you said was a review of email practices of former Secretary of State, Hillary Clinton. Is that right?

A We actually did a review of practices of the Secretary -- a number of Secretaries of State.

Q Including Secretary Clinton, correct?

A Yes.

Q When did that review begin?
A I don't remember.
Q Okay. You became State Department inspector general, when, 2013? Does that sound about right?
A Yes.
Q And who was Secretary of State at that time?
A John Kerry.
Q And the previous Secretary of State was Secretary Clinton, correct?
A Yes.
Q And is it your understanding that during Secretary Clinton's entire tenure as Secretary of State, there was no presidentially nominated inspector general at the State Department?
A I believe that's right.
Q And when you became inspector general of the State Department in 2013, you were nominated by who?
A President Obama then.
Q Okay. And then in, in 2010, I believe you became inspector general of the Federal Housing Finance Agency, correct?
A Yes.
Q And when you were ultimately approved by the Senate for that position, that was when President Obama nominated you, correct?
A Yes, I had been initially nominated by President Bush in 2008.

Q I want to go to the night of -- I think, it was May 15 you talked about earlier, at 7:45 at night where you received a phone call from State Operations Center. Do you remember that phone call?

A I remember it well.

Q Okay. Were you given any instructions by anybody on the phone call not to have any further contact with anybody at the Department?

A At the Department?

Q Yes?

A Correct.

Q What about not having any further contact with anybody at OIG?

A No.

Q So you were given none of those instructions, if you remember?

A Not that I recall, no.

Q Did the President do anything illegal when he decided to remove you from office?

A I'm not going to opine on the legality of it. As I said before, I am not aware of any valid reason for my removal.
Q Valid according to who?
A I have not heard any reason offered by Secretary Pompeo --
Q Justify according to who?
A In other words, the reasons offered are unfounded or misplaced. As I said before, for example, the argument about the leak, our office leaking, I think, the report clearly shows that no one in my office leaked. The assertion that the office was the source of the leak is false.
Q Do you believe that a President should have full faith and confidence in his or her political appointees?
A I'm not going to comment on that question.
Q Do you believe that the President has the exclusive power to remove presidentially appointed executive officers?
A Generally, if I am presidentially appointed, I serve at the pleasure of the President.
Q So do you agree that the President has the authority to remove inspectors general?
A Generally, yes.
Q And that's codified by the statute as well, correct?
A Yes.
Q Are you familiar with the D.C. Circuit Court ruling holding that the President -- that there's a case of Gerald
Walpin? Are you familiar with him, correct?

A I remember him, yes.

Q You remember him. So he was inspector general that President Obama had removed. Mr. Walpin sued. And the D.C. Circuit Court held that the rationale that the White House, the President gave in his removal, quote, satisfies the minimal statutory mandate that the President communicate to the Congress his reasons for removal, and that statutory mandate is identical to the statutory mandate that the President gave for your removal.

Are you familiar with those facts at all?

A No, not really.

Q So are you familiar with the fact that the D.C. Circuit Court has held that the statute pertaining to your removal imposes no clear duty to explain the reasons in any greater detail?

A No, I mean -- I am not familiar with that. I don't have that in front of me.

Q Just not something you have studied in the last 2 weeks?

A Excuse me.

Q This is not something that you have studied indefinitely?

A I have not studied it, no. So I am unable to
confirm whether that is acceptable.

Q All right, that's fine. You are familiar with the
reports that the Undersecretary for Management said that you
were the only part -- the only bureau of the Department that
did not promote the Secretary's ethos statement. Is that
correct?

A I did see something like that in the press, yes.

Q Yeah, and you talked earlier I believe in the first
hour with [redacted] that you thought the first line of the
statement was inconsistent with the Office of the Inspector
General. Is that right?

A Yes.

Q And you had your staff reached out and said that the
OIG was an independent entity, is that correct?

A I told them that -- I had my staff reach out in a
space with whomever sent the email and say that, you know,
we -- our mission is codified in the Inspector General Act
and we have a different -- we have a different mission. And
we also have, you know, our own sort of values and vision
which flow from that.

Q So I am going to read you a couple of lines from the
Department of State professional ethos statement and just
ask if you agree with them. We can go through them one by
one:
I am a champion of American diplomacy. Is that something you agree with?

A I'm not sure what you're saying. Our mission is not to be the champion of American diplomacy. Our mission to promote the effectiveness and efficiency of Department programs.

Q The next line: My colleagues and I proudly serve the United States and the American people at the Department of State.

A Yeah.

Q First, the executive department?

A What's the question?

Q Well, is that something that you agree with? My colleagues and I proudly --

A Sure. Sure.

Q We support and defend the Constitution of the United States?

A Of course.

Q We protect the American people and promote their interests and values around the world by leading our Nation's foreign policy?

A Well, we don't lead foreign policy at OIG. So again that's -- we oversee how the Department implemented foreign policy.
Q As a member of this team, I serve with unfailing professionalism in both my demeanor and my action even in the face of adversity?

A Do I agree with that? Absolutely. And, in fact, we have a whole set of values at OIG, and some of those values actually reflect those types of assertions with respect for others.

Q I act with uncompromising personal and professional integrity?

A Sure. And that's actually part of -- that's part of our values.

Q I take ownership of and responsibility for my actions and decisions?

A Accountability is also important.

Q And I show unstinting respect in work and deed for my colleagues and all who serve alongside me?

A Yes. I agree with that.

Q And in the last line, together we are the United States Department of State.

So you have talked a lot about sort of your independence at the OIG. You said, at one point, your office was the overseer of the Department of State. Are you familiar with the Department of State organization chart?

A Yes.
Q And do you know where the Office of Inspector General is on that organization chart?
A Yes, I do.
Q And where is that?
A There's a line to the Secretary.
Q A line to the Secretary. Okay. And by statute, as the inspector general, by statute, who do you report to?
A I report to Congress and to the Secretary.
Q You report to the Secretary. Okay.
A And to Congress. I have a dual reporting responsibility.
Q Let's talk for a few minutes about this DOD peer review that has been so heavily discussed. Do you have a copy of that in front of you?
A Yes.
Q How did you obtain a copy of that?
A I actually got it from my counsel.
Q Okay. You got it through counsel, okay. If you — Mr. White. Counsel, it was provided to us, I believe, yesterday. I provided it to my client.
COR Rep Counsel. Thanks, Pete.

BY COR REP COUNSEL:
Q Have you spoken with anybody in the Inspector General's Office since your removal as inspector general?
A Oh, yes. People have reached out to me.
Q Have you reached out to anybody on your own?
A I have made the calls to folks to see how they're doing, yes.
Q Did you make any -- did you have a copy of this DOD review in the 2 weeks between when you were removed from office and when your counsel received it yesterday?
A No.
Q And you received it yesterday from your counsel?
A Correct.
Q Did you take any proactive steps to obtain the DOD review since you were removal as inspector general?
A Yeah, I tried to get a copy of it from my office.
Q And how did you do that? Can you explain that?
A Sure. I called -- or I was on the phone with -- I forget, if she called me, the deputy IG and I -- I asked for a copy of it.
Q And why did you ask for a copy of it?
A Because I didn't have a copy of it because it was on my system at the office. And I wanted it in advance of the hearing.
Q During the end of the minority's last hour, not last hour, I won't say, obviously, I recall you saying something along the lines of you did not limit the DOD inquiry in
anyway. Do you remember that?

A The limitation was -- yes, exactly.

Q Okay. If I could turn your attention to page 4 of the DOD review, the memorandum of findings. In the very first sentence, it says: On September 27, 2019, Inspector General Steve Linick, Department of State, Office of Inspector General, asked Principal Deputy Inspector General Glenn A. Fine, performing the duties of inspector general, Department of Defense, if the DOD OIG could conduct a limited inquiry on the alleged unauthorized release of information to the media from DOS OIG evaluation report.

So what was the limited inquiry you asked Mr. Fine to pursue?

A Well, the question is whether I limited Mr. Fine in his work. I told Mr. Fine that the issue at hand was whether or not this particular report or information report had been leaked to the media.

Q And so you set the parameters of determining whether or not it was leaked to the media. Is that correct?

A No, I told him what the issue was. I said this needs to be investigated.

Q So I guess I am having trouble understanding why you asked him to conduct a limited inquiry as opposed to just a full inquiry of possible leaking?
A I didn't ask him to conduct a limited -- I asked him
to conduct a full inquiry of this particular issue.

Q I guess I am having trouble, you know, squaring that
with the language in the review that says, you specifically
asked the DOD OIG to conduct a quote/unquote limited
inquiry. What was limited about the inquiry you asked him?

Why not a full inquiry into the --

A The language you're reading is his language. So you
ought to direct that at him. I asked him to conduct -- can
I finish?

Q Yeah, go ahead.

A I asked him to conduct a full inquiry and do
whatever he needs to do to ascertain whether or not the
report had been leaked.

Q So your testimony is you asked him to conduct a full
inquiry. He cites you as saying you asked him to conduct a
limited inquiry. When you received that --

A I think "limited" refers to the issue. The issue
was whether the report leaked or not.

Q Yes, but that is also in the sentence: a limited
inquiry on the alleged unauthorized release of information
to the media.

You could have said: A full inquiry on the alleged
unauthorized release of information to the media. It is
That's his language, and you ought to direct it to him.

Q Did you bring that up with him when you read the report that he attributed a limited inquiry to you?

A No. No.

Q So this report, let's keep going through it. Out of the 15 email accounts that were reviewed by the Department of Defense Inspector General's Office, how many employees out of those 15 email drafts of the -- of the PPP report outside of the OIG? Do you have an answer to that?

A Yes, I just -- just me. I sent it to Michael Horowitz at the DOJ OIG. While I was on vacation, I also sent a draft to myself so I could work on it.

Q So how many different times did the IG discover you sent the work product from your IG email to your personal Gmail account?

A Between -- I believe it was 23 times between March of 2019 and September of 2019.

Q Twenty-three times, and nobody else they reviewed had done it even once. Is that correct?

A Well, actually, they did interview a few people, and they said that they had emailed materials to themselves. We had a big problem getting onto our system at that time. And
the only time I would send anything to myself was when our
system was down or I couldn't get access to it. And
the -- and this was in accordance with the State Department
rules that would permit usage of your personal email
accounts to limited circumstances such as these. Anytime I
did that, it would involve an unclassified matter. And in
the instances where I sent myself the report, the report at
issue, I password-protected it and made sure that it was
safe.

Q How many other times outside of the PPP report had
you emailed those to your personal Gmail account?

A How many other times -- oh, I don't know. Again, it
would be very limited. And it would be for the purpose of
going access to information that I was unable to
do -- unable to get access to because my system was either
down or, you know, or not functioning.

Q So you say it was very limited, yet it occurred
eight times over 6 days in August of 2019 during the
conclusion of the draft report on PPP?

A So I was traveling at that time. I had not finished
the report. It was a 2-week period. I was on vacation
overseas and on the West Coast. And, actually, the eight
times that I sent it to myself, actually, three or four of
those times, the report was actually in pieces. So part of
the report was one of the emails. Part two of the report was another email. Part three of the report was another one. So it wasn't that I emailed myself in the report eight times. It was that they came in -- it came in different segments.

Q So may I turn your attention to page, I believe it was page 5. The pages aren't numbered. It's page with the footnote.

A Okay.

Q And footnote 1, second sentence: U.S. OIG also has email policy that is documented via an information systems rules of behavior. These documents states in part, quote: Use OIG-provided equipment and systems/applications at all times, including OIG email, to conduct official OIG business. The use of corporate or personal equipment to information systems/applications, to include to email or other file storage sites to store, process, or transmit OIG or Department data is prohibited.

Is there an exception there for when OIG servers are not functioning properly?

A So, at the time, I was doing it, I had State Department rules in mind. I did not have in mind this OIG rule. But, honestly, if I had thought about, I would have done the time same thing because I needed to get my work
done, but I probably would have talked to the IT folks to say I need an exception to this and take the appropriate precautions.

Q So it seems a little convenient to me that you liked to have independence from the Department. Yet in the case where you are emailing yourself on dozens of occasions, you are going to take the State Department policy and not abide by the strict OIG policy.

A Well, actually, at the time, I actually didn't have the OIG policy in mind. I thought we actually tracked the State Department policy.

Q So the emails that sent to yourself between March 2019 and September 2019, they contained -- they contained talking points under these matters, is that right?

A Yeah, actually, the large majority of those emails when I checked were actually sent in August while I was away, there was a handful of emails that I sent in that 6-month period, probably about seven or eight. One of them has to do with talking points for Federal News Network interview. Another one had to do with some talking points related to a conference. All of this was unclassified. And there was another one involving a retirement speech that I was giving. And then some links to the Appropriations Committee press releases. And then two other, then a couple
other emails involved instances where folks sent me an email
at my State address as well as my personal address, and I
replied back to them. So I copied myself. That's what I
found.

Q  So on the last page of the report --
A  Hold on.

Q  That's fine. So the paragraph right above Overall
Conclusions, the first sentence: Additionally, DCIS
reviewed IG Linick's personal Gmail account sent and trash
folders and found no instances where the evaluation report
was emailed from his personal Gmail account to anyone other
than his own DOS OIG email address.
A  Yes.

Q  Do you know if Gmail automatically clears out trash
after a certain period of time?
A  I have no idea. But I will just tell you, I have
never emailed any report or information from a report or
conveyed any information from a report that hasn't been
published to the press. So let's just -- let's make that
clear.

Q  So had you -- hypothetically, if somebody were to
send an email in Gmail and then they subsequently deleted
that from their sent folder, would that further show up in
the sent folder if somebody came back and reviewed it?
A: I don't know the answer to that question. But as I said before, I have never leaked information about any of our work to anyone, and I would never do that.

Q: Do you know if the DOD IG went to Google and asked for a complete review of your account as opposed to -- as opposed to simply reviewing the account on their own?

A: You know, based on the scope and methodology, I don't think they went to Google. But you'll -- you know, that I -- my understanding is, is that, apart from me, they just looked at DOS and DOS OIG Gmail accounts and they looked at my Gmail accounts.

Q: Did they look at your personal cell phone?

A: Yeah, I gave them my cell phone.

Q: Your OIG cell phone or your personal cell phone?

A: No, no, I gave them -- my personal cell phone had my emails in them.

Q: Do you know if they did a review of your text messages?

A: I don't know.

Q: Do you know if they did a review of your outgoing or incoming phone calls?

A: I don't know. I mean, based on methodology here, I don't think they did that. But you'd have to ask them.

Q: Staying on the last page, first paragraph, second
sentence, last clause of the second sentence. I'm sorry.  
It says, IG Linick spoke about the evaluation report with 
Glenn Fine, principal deputy inspector general performing 
the duties of the inspector general Department of Defense 
OIG? 
A Right. 
Q So, prior to The Daily Beast article, you had spoken 
with Glenn Fine about the report. Is that correct? 
A I actually, it was prior to that. It was quite a 
while prior to that. I actually solicited his advice on how 
he handled some political retaliation at the Justice 
Department. And really I was trying to understand how he 
analyzed it legally. So -- 
Q And then you subsequently asked him to review a 
possible leak from your office. Is that right? 
A Yeah, many months later, yeah. 
Q So there's been a lot of discussion over this, other 
the CIGIE issue versus looking at the individual IGs? 
A Yes. 
Q You testified earlier that you had asked three 
specific IGs to review a possible leak. Is that correct? 
A Yes. Starting with Labor, then VA, and then DOD. 
Q So Labor, that's Scott Dahl. Is that correct? 
A Yes.
Q And do you know who -- do you know who nominated Scott Dahl to his position as Labor inspector general?
A I'm not sure. Probably President Obama. I'm not sure.
Q And then you went and talked with Michael Missal at VA. Is that correct?
A Correct.
Q And do you know who nominated him to his position?
A I believe he is an Obama --
Q He was Obama. Correct.

And Glenn Fine, do you know who nominated Glenn Fine to his position?
A Well, he wasn't nominated to his position. He was the principal deputy. He was a career -- he was a civil servant.
Q Well, who placed him in his position as a principal deputy or acting IG at the Department of Defense? Do you know who did that?
A I think it was John Rymer.
Q And do you know who nominated Mr. Fine to become inspector general at the Justice Department?
A I don't actually.
Q I believe that was President Clinton. Do you know how many inspectors general there are across the government?
A: I think there's 74.
Q: Seventy-four. And out of those 74, you picked 3. The only three that you spoke with were all appointees of Democratic Presidents. Is that correct?
A: Well, again, that's -- I know the first two were. I'll take your word for it on Glenn Fine.
Q: So you talked about how you spoke with CIGIE about running a possible review into your office. Is that correct?
A: Yes.
Q: And you said CIGIE doesn't do general reviews of that nature, correct?
A: No, I said CIGIE doesn't investigate offices.
Q: They don't investigate offices; they investigate people.
A: Specific individuals that fall within their jurisdiction.
Q: Do you fall within their jurisdiction?
A: Yes.
Q: Does fall within their jurisdiction?
A: I believe so.
Q: Would fall within their jurisdiction?
A: No.
Q: Would fall within their jurisdiction?
A: I think so as the acting, but I'm not sure.

Q: Would [redacted] fall within their jurisdiction?

A: I believe so?

Q: Would [redacted] fall within their jurisdiction?

A: I believe so.

Q: Would [redacted] fall within their jurisdiction?

A: [redacted] had left, but [redacted] probably would, yes.

Q: Would [redacted] fall within their jurisdiction?

A: Yes.

Q: Did you ask CIGIE to run an investigation into any of those people?

A: You missed a couple. [redacted] and [redacted], and neither of those would fall within their jurisdiction.

No, but I asked them to specifically -- I told them that we had about 12 to 14 people, and I gave them a general sense of who they were. And you can ask CIGIE, but they would not investigate the office.

Q: But they would investigate individuals on possible leaks. Is that correct?

A: I believe they would -- if there's allegations against specific individuals, I believe that they would. And that's why I actually offered both Brian Bulatao and
John Sullivan, obviously, the opportunity -- they could make a referral on me or any other specific party.

Q But you didn't do that yourself, make the referral?

A Make -- well --

Q Make a referral.

A Well, technically, I did because I told CIGIE that I was one of the individuals that needed to be reviewed since I touched the report. So they knew I was a covered individual.

Q If the Integrity Committee were to conduct an investigation, do you know -- do you know that dissemination of the conclusions of their investigation, do you know who that goes to?

A No, I don't have any idea.

Q Would it surprise you to learn it would go to the head of the Department?

A Again, I don't know.

Q So, in this case, if CIGIE were to have reviewed, conducted a review of you or another one of the individuals that we had discussed under CIGIE IG's jurisdiction, the results of that would have gone to Secretary Pompeo. However, since you chose Mr. Fine, the report for Mr. Fine went only to you. Is that correct?

A As I said before, I went to the CIGIE. They told me
that they wouldn't do the review and that I needed to go
find somebody else.

Q So, when you learned about the results of this
review, you said it was sometime in the March 15 to 17
timeframe right before COVID took over. You relayed that
verbally to the Deputy Secretary and Undersecretary,
correct?

A No after I -- it was before COVID that I relayed it
to them verbally.

Q Right. Correct. And they asked you for a report,
or a review. Is that correct?

A They asked for the internal investigation.

Q They asked you for the internal investigation. And
you declined to give it to them?

A No, I did not decline to give it to them. I said
that I had concerns that it wouldn't be my normal practice
just to hand over an internal investigation that involved a
violation of the OIG rules and regulations and that I would
have to assess how to go about doing that. As I stated
before, I had concerns about sort of the confidentiality of
the information in that -- potential information in that
report and setting a precedent. I didn't think it would be
proper for me, as a matter of course, to just turn over
internal investigations if the Department wanted them
involving OIG rules and regulations.

Q But the bottom line is they asked, and you didn't deliver?

A Well, no, yes. As I said before, with COVID and all of the resulting issues that we were facing, it was one of those things that -- it wasn't on the top of my list, and they didn't follow up on it. And, frankly, I had already conveyed the conclusions to them, and I had anticipated sitting down with the deputy, as I told you, and letting him read the report in camera.

Q So, even though they had asked, you were waiting for them to follow up before you provided them --

A I wasn't waiting for them to follow up. I was waiting for an opportunity where I could sit down in person with the deputy. And when I got through the whole COVID situation because I had 400 employees who were pretty scared, and that completely consumed me for a very long period of time after that.

Q The limited inquiry that DOD covered, DOD IG covered, it did not include possible sharing of the draft report to individuals other than the media. Is that correct?

A Well, they did ask all of us whether we shared, who we shared the report with. So that's incorrect.
Q Are you aware of the draft report being shared with any Member or staff member of Congress prior to its release by your office?

A No, I'm not aware of that. If they had shared the report in advance of the appropriate time, that would be a violation of our rules and totally unacceptable.

Q I am going to talk about the arms control investigation that your office had been running. Did your office brief the Department earlier this year on the results of that -- of your review?

A I think they may -- they may have done some sort of briefing.

Q Was that done in the normal course of events upon the completion of an IG review?

A It would always be in the normal course of events. We have our whole process.

Q Right, but upon the completion of the review, is that right?

A I actually don't know offhand the circumstances about that particular briefing well enough to recount the circumstances.

Q But the review is complete?

A No. It's not complete. I said it was ongoing earlier.
Q Is the review ongoing, or is the further drafting, dissemination, and reporting back from the Department?

A When I left the review, it was ongoing, and that's the most I can say about it.

Q Is the Secretary involved in the timing of the release of your report?

A I am sorry?

Q Is the Secretary involved in the timing of the release of that report?

A I don't understand the question.

Q The question is, is Secretary Pompeo involved in the timing of the release of the report on the arms sales?

A No. We always -- we're the ones who control the timing.

Q Correct. So, to the extent that report has not been concluded and it has not been shared, that is simply because your office, the Inspector General's Office is continuing to look into it. Is that right?

A If it's ongoing, that means we're looking into it.

Q Okay. What was the rationale or the reason that you began that review in the first place?

A Well, all I'm going to say about that is we received a request, a congressional request.

Q Was there any other request? Was there requests
from anybody else other than congressional Democrats?
A I don't know who actually made that request. But it was -- it -- the only request was from Congress, and I don't remember if it was just Democrats, or if it included Republicans.

Q Was there any reason for you to take up a review of this matter but for the congressional request you received?
A I'm not going to go into our thinking about this.

Q Okay. The Secretary's decision to utilize the national emergency, is that purely a policy decision?
A I'm not going to go into that.

Q Does your office normally investigate policy decisions?
A No, as a matter, our office reviews the implementation of policy, and that comes right out of the Foreign Service Act.

Q Right. But is it appropriate for your office to investigate purely policy decisions?
A We don't investigate whether our policy is good or bad.

Q So the answer I assume would be no?
A Correct.

Q Okay. Are you aware of any prior Secretaries of State or Presidents using the same authority here?
A I'm not going to get into that.
Q I mean, it would be --
A I don't know. I'm not going to get into sort of facts around declarations and so forth. I'm really not -- I'm not going to do that.
Q So you're not -- you are not sure whether or not President Carter used that same authority?
A I just don't know.
Q You don't know whether or not President Reagan used that same authority?
A As I said, I am not going to get into commentary about the Arms Control Act.
Q So you don't know whether or not Clinton or Bush used that same authority?
A As I said, I am not going to get into discussion about the Arms Control Act.
Q Do you know whether or not State OIG investigated any of those instances?
A Same answer.
Q Did you or any of your team ever look at past instances of Presidential Secretary declarations?
A The same answer. I'm not going to get into what we did or didn't look at.
Q Whether prior State OIGs did or did not, would that
have been relevant to your review in this case?
A  No comment.
Q  Is there a statute requiring the Department to consult with Congress on the utilization of this authority?
A  I am not going to get into that.
Q  Do you know whether or not career officers were involved or consulted in their recommendation to the Secretary on this matter?
A  I am not going to comment on that.
Q  Do you know if career attorneys in the Office of Legal Adviser approved recommendations to the Secretary for these authorities?
A  I am not going to comment on that.
Q  What about whether or not Deputy Undersecretary David Hale approved?
A  I'm not going to comment on that.
Q  Other career Foreign Service Officers in NEA who approved?
A  No comment.
Q  Okay. Did you review the action memo in this particular --
A  No comment.
Q  Did you review the clearance page in this particular matter?
A  No comment.

Q  Would it have been normal in the course of OIG to review the clearance page in this matter?

Mr. White.  Counsel, he has answered that he is not going to answer questions about the process.  You are wasting time.  You are wasting the witness' time during a long day.  I suggest that you move on.

COR Rep Counsel.  Pete, I appreciate that's your point of view. But these are important questions for our members, understanding the internal processes of OIG, given the facts and everything that has occurred. And my question was simply whether it would have been normal. I'm not asking about this particular instance. I am asking whether it would have been normal.

Mr. White.  Counsel, you are also getting into areas that cause the witness to have to deal with matters that are classified. He has said he is not answering these questions. You know the right way to do that. This is not the right forum. Please move on.

BY COR REP COUNSEL:

Q  In your investigation of Brian Hook, did -- for his personnel practices, did the OIG identify any emails, any emails at all in which Mr. Hook suggested he was personally motivated to end a detailed employee 1 because of perceived
political opinions, place of birth, or similar issues?
   A I haven't -- I had come prepared to talk about my removal and not that report. So I am not going to make comments on that at this time.
   Q Okay. In that report, did the OIG, did your office identify any documents in which Mr. Hook suggested he was personally motivated to end the detail because of employee 1's perceived political opinions --
   A Again, again, I am not going to comment about what we found or what we didn't find in that report. I am not prepared to discuss the report.
   Q Okay, so I assume if I ask the same question about whether or not any witnesses made such statements, you would give me the same answer?
   A Again, I just haven't studied this material, and I am just not in a position to go through the facts in a way in which I would feel comfortable with because I want to ensure accuracy. So I just don't feel comfortable.
   Q Okay. Let me ask you this. Any of the questions that I was asking about the Saudi arms sale, reviewing the clearance memo, just very basic process questions, the questions of process, those aren't classified, are they, as to whether or not your office performed a --
   A I am not going to get into any further commentary on
that report.

Q I am going to turn it back over to on the Foreign Affairs Committee to complete our time.

BY HFAC REP COUNSEL:

Q Mr. Linick, can you hear me okay? I just want to go back to the issue of turning over the internal report to Department leadership. I believe I heard you say to, and I think you touched on it again just with, you said the DOD IG had equities in there that you wanted to make sure were preserved, and you were also not willing to give the report that contained names of people in your office to the Department. Is that right?

A I said it wasn't my -- I had gone over this before. I said it wasn't my practice to turn over internal investigation involving OIG personnel who might have violated OIG rules without carefully assessing what's in the document. There are several concerns that I had, including the fact that DOD obviously had equities in it. Also, there were -- there were discussion of personnel who were involved in issuing the oversight report on the Department on the political retaliation issue. And I was concerned about any confidential information that might be disclosed as to them. And I didn't want to set a precedent for turning over these kinds of reports. I had already told Brian Bulatao and
Steve Biegun that this report did not find a leak. And the report itself obviously confirmed that that there wasn't a leak.

Q But after you received the report, can you -- I mean, we all have that. What in there is to you susceptible to disclosure to the Department about people inside your office? I mean, if the report found that they hadn't disclosed anything, and so what was the -- I am just trying to understand the concern that you have for people in your office and the report just going to the Department leadership?

Mr. White. Counsel, we are 5 hours in at this point. This has been beaten to death. He is not going to answer any questions that he has already answered anymore. If you have got something new, we're happy to do this. We are here voluntarily and wanted to give all of you all that you need. But he will not be answering the same questions again, and this one qualifies. Move on.

HFAC REP COUNSEL. Just, respectfully, I don't think that this is a repeated question. This is a specific question about -- I would like him to identify what in the report after he -- because he said he needed a chance to review it, and I understand that. I am just now asking if he can articulate what was in the report that he thought was
a danger to show to the Department since they had requested it. That's all.

Mr. White. He has already talked about that.

HFAC REP COUNSEL. Okay.

Mr. Castro. I know you guys have been asking that same question. He is here to talk about his termination, not the details of a report that he didn't have a chance to study.

Move on.

HFAC REP COUNSEL. Did you not have a chance to review that report?

Mr. White. This has all been gone over several times. He's brought up a sequence of what he knew and when he got it. He is not answering other questions about it. He is here voluntarily. If you have questions you want answers to that are different from what he's been asked already, that's great. Otherwise, he will voluntarily leave.

HFAC REP COUNSEL. I am not trying to be obtuse.

Congressman Castro said he had not reviewed the report. I just wanted to make sure I understood correctly that he had or had not. That's not --

Mr. Castro. Counsel, this is not the subject of this interview.

Does somebody want to make a motion?

COR Rep Counsel. Mr. Castro, with all due respect,
this is clearly within the subject of the interview. This is the report that Mr. Linick himself commissioned from his handpicked IG. And it has to do with one of the reasons the Undersecretary gave for the inspector general's dismissal. This is squarely within the purview of the interview.

Mr. Castro. Okay. It's my understanding that he has answered that as best as he is able to answer it right now. I don't think you are going to get anything else out of him right now.

Mr. White. Mr. Linick?

HFAC REP COUNSEL. Mr. Linick, are you there?

Mr. Linick. Here.
BY HFAC REP COUNSEL:

Q You said it was not your practice. Had you been involved -- during your tenure, even before you were at State, in your other IG capacity, had you been involved in other internal investigations such as this?

A Oh, sure. There's always -- we've done internal investigations on our own on various things over the years.

Q Had you ever done --

A Personnel matters. There's a lot of stuff that we're --

Q Had you ever done an internal investigation over a leak?

A I believe so, but I'm not 100 percent sure.

Q When you did that, and you may not recall, but did you handle this in a similar fashion, where an outside IG came in and interviewed folks? Or was it just an internal investigation, meaning you or someone directly under you handled it for the office?

A That was an internal investigation.

Q But, in this instance, I know you said -- I know there's the DOD IG review, and then you were conducting a review that I believe is still ongoing. That review that
you were undertaking, did that look at State as well as your office? Or was your office just with the DOD IG review?

A I'm not following you.

Q You conducted an investigation about this leak, correct?

A Yeah. My office did conduct an investigation of the State Department regarding this leak. That is correct.

Q And I think I understand the answer, but just to be clear: And so that review did not look at your staff in your office?

A No. We had the DOD IG do it.

Q So, since you had had internal reviews previously, before this incident, is the only reason an IG was brought in this time because of the conversations you had with Department leadership?

A No. I just wanted to be sure that we were doing this in a very clean way with an independent IG involved. And, you know, because I touched the report, as well as 13 other people, I just thought that would be a better way to do it.

Q And I also wanted to raise, I think you said you were interviewed -- and I think your assumption is that the other interviews went similarly -- that you were asked by the DOD IG about whether you had disclosed any information
about this report to anyone. Was that correct?

A [Inaudible.]

Q I'm sorry, did you answer the question?

A Yes.

Q And that very well may be true. I do want to point out that it appears to me, in my reading of the DOD IG report, that they frame it as only asked about disclosures to the media.

For example, at the top of page -- again, I'm sorry, this is not numbered, but 1, 2 -- top of page 4, it says, "[redacted] and the other 13 members of the DOS OIG staff that DCIS interviewed denied disclosing to the media any information contained in the evaluation report."

And so that seems to be slightly at odds with what you just testified, that they asked you about disclosures to anyone. The DOD report seems to be framing it in the context of solely disclosures to the media. And I just wondered if you had any insight as to why that discrepancy is.

A They asked me -- I can only tell you what they asked me, because I wasn't present for any other interviews. They asked me if I disclosed the report to anybody else.

Q Okay. And that may be a decision -- and maybe we need to ask the DOD IG -- that goes back to their whole
limited versus full review, et cetera. But I just wanted to ask you while you were here if you knew why that was. I will stop there and just make sure -- I know we have very few moments left. Are any of our Members on and would like to ask any questions?

COR Rep Counsel. I just have two very quick followup questions.

BY COR REP COUNSEL:

Q First question: Did you ever email yourself from your OIG address to your personal address anything regarding the administrative review on misuse of government resources?
A On misuse of government resources? No, absolutely not. No.

Q What about on arms control, arms sale? Any part of that report at all that you emailed?
A I don't recall what I -- I mean, nothing -- I don't recall that. I'm not sure.

Q Okay.

A I'm not sure. In other words, I'm not sure what's among the 21. But whatever it was, it was unclassified, whatever it was.

Mr. Jordan. Hey, Mr. Linick, so I just wanted to make sure I got it square here too. You said you wanted to be sure everything
was done right. You went to three -- well, you went to two IGs, and then they couldn't do it. You settled with Mr. Fine. He does the report. It exonerates you; it exonerates your staff. But you still don't share it with the people at the State Department.

Mr. Linick. What was the question?

Mr. Jordan. So the question is, you wanted to make sure everything was done right. You talked to three inspectors general. The third one, Mr. Fine, says he will do the investigation. He does the investigation. The investigation, to my understanding, exonerates you, exonerates -- says there was no leak from you or any of the other 14 people that Mr. Fine looked at. You get that report. And then, for some reason, you don't want to share that report with Mr. Pompeo and people at the State Department.

Mr. Linick. No, that's actually not the case. I actually wanted to have a chance to assess the report. I always wanted to be able to share some portion of that report with the State Department to satisfy their desire for certainty about it. And that's when I told you that my intention was to sit down in person with the Deputy Secretary and let him read the report in camera.

And the bottom line is, the report was good for me and
for the office. There would've been no reason to hold that up. That's --

Mr. Jordan. But, again, that's what I'm asking.

Mr. Linick. -- the key. That's the key. This report --

Mr. Jordan. No, I understand that.

Mr. Linick. -- found that there wasn't a leak. I had told that to the Department, and there would've been no reason to hold it back.

Mr. Jordan. Well, then, if there was no reason to hold it back, why'd you hold it back?

Mr. Linick. As I said before, COVID came down; it wasn't on the top of my list; and I wanted to sit down with the Deputy Secretary in person -- all of our in-person meetings were canceled -- and go through it with him.

But this report was very favorable to us, so I'm not sure why there would be any reason to hold it back. Honestly, they didn't ask about it. They were completely focused on COVID, and that had consumed pretty much everything we had been doing for the last couple of months.

Mr. Castro. All right. We are about a minute over.

So, [redacted]

HFAC Dem Counsel. Thank you.

I think we'd like to take a short break, and then we
can resume with the next round, if that's okay.

Pete, what's a good time for you guys? Do you want 5?

Do you want 10?

Mr. White. We probably should take 10 minutes. He has been here quite a long time at this point. I expect that there should not be much more. The witness is exhausted. And we'd appreciate whatever remaining questions be in new areas and exceptionally focused.

HFAC Dem Counsel. I can promise you that, from our side, that is in fact the plan, and we very much appreciate your time.

Mr. White. All right. Let's take 10 minutes.

HFAC Dem Counsel. All right. We'll see you at 2:45.

[Recess.]

BY HFAC DEM COUNSEL:

Q Mr. Linick, thank you again for your time.

Changing topics, you had stated that at the time that you were fired your office was looking into potential misuse of government resources by Secretary Pompeo and his wife. Is that correct?

A Correct.

Q Can you describe for us how it is that your office came to start looking into that topic?

A No, I can't comment on that.
Q And why is that, sir?
A I mean, I just don't talk about, sort of, how that
information came about. There's confidentiality issues,
lots of issues.
Q That's fair. Can you tell us roughly when you
became aware of potential issues around the Pompeos' use of
government resources?
A It was last year.
Q Do you recall roughly when that was?
A I don't know exactly.
Q Was one of the issues related to funds being
expended for Mrs. Pompeo to accompany the Secretary on
official travel?
A No, I can't get into the specific allegations.
Q Okay. Did your office request documents related to
Mrs. Pompeo and her use of government resources?
A I can't get into specific requests.
Q That's rather vague, actually. It's a very broad
question, sir. Did you request documents at all on any
topic related to Mrs. Pompeo's use of government resources?
A I said that we were looking into allegations
regarding misuse of resources by Secretary Pompeo and his
wife and we requested documents. That's the most I can tell
you.
Q Okay. And at what point did you request documents?

A At some point -- I believe I testified earlier, at some point later in 2019, there came a time when we made a document request to the Department.

Q And just because, sir, we're not trying to probe into the content of those, we're really trying to get a sense of who might have been aware that you were looking at a broad topic and how it might have contributed to the Secretary's recommendation to fire you, can you tell us to whom those document requests were directed?

A I can't tell you that exactly, other than what I've already told you, which is that we made document requests of the Office of the Secretary, the Legal Adviser. Those were the two entities. You're going to have to go back to my office and ask them for specifics, because I just don't have the specifics for you and I want to be very comfortable that I'm being accurate.

Q Okay. And so there were documents requested from the Office of the Secretary at about the end of 2019 related to use of resources. I just want to make sure that I've got the --

A Yes. Yes. Yes.

Q Okay. Did anyone say anything to you about the fact that you had started asking these questions, anybody who
worked on the Seventh Floor?
A No. I mean -- no.
Q Who was aware, which individuals were aware, within the State Department --
A I said --
Q -- not within IG?
A Yeah. I said I had talked to Brian Bulatao. I said maybe Deputy Secretary Sullivan, though I'm not sure. And I told Deputy Secretary Steve Biegun.
Q Okay.
A I know my staff reached out to Lisa Kenna, and they had conversations with "L." That's all I can tell you.
Q Okay.
And just to make sure -- I know it was a while ago that we touched on this -- starting with Mr. Biegun, do you recall the rough outlines of your conversation with him about the fact that you were looking into the use of resources by the Secretary and Mrs. Pompeo?
A Yeah, I told him that we were requesting documents. I didn't want them to be surprised. And I told him the nature of the documents that we would be requesting.
Q And what did he say to you?
A I don't recall what he said to me.
Q Do you recall if he responded?
A I really -- there was nothing particularly noteworthy. I mean, he -- I don't recall any response one way or the other. I just don't recall. But nothing comes to mind about his response.

Q Okay.

How about Mr. Bulatao? Can you tell us when and how you made him aware of the fact that there was an inquiry into Secretary Pompeo and his wife regarding the use of resources?

A Yeah. Again, it was in that late 2019 frame, and I just don't recall exactly. I don't have a recollection of the specific date, but it would've been in late 2019.

Q Okay. And when you say late 2019, the Brian Hook report, which I promise you we're not going to ask you any more questions on, but that was issued in November. Would this have been before or after the issuance of that report?

A I'm not sure. I'm not sure.

Q Okay.

When you made Mr. Bulatao aware of the fact that you were looking into this topic, how did he react?

A I don't recall how he reacted.

Q Do you recall whether you sent him an email, saw him in person?

A No, it was an in-person -- excuse me. It was
definitely an in-person meeting.

Q Okay. Was it a meeting for purposes of discussing that topic?

A No. It was -- I had a number of meetings with him. At some point when -- I had one or two meetings with him before Deputy Secretary Sullivan had left his post.

There was a point in time when Deputy Secretary Sullivan had been nominated but not confirmed, but he passed all of his reporting to Brian Bulatao. So there was a period in time between the time Deputy Secretary Sullivan left and Deputy Secretary Steve Biegun came in when I had met with Brian Bulatao.

And the purpose of those meetings was along the same lines as my meetings with Deputy Sullivan, which was to let him know about work that we were doing in the Department, notable work, anything that's coming, that's going to be issued soon, those kinds of things. So it would've been in the context of a general meeting.

Q And, you know, Secretary Pompeo has stated in media reports that Mr. Bulatao and Counselor Ulrich Brechbuhler are, something to the effect of, his "best friends in the entire world." And this has been something that's been publicly reported.

A Did you have any hesitation about informing
Undersecretary Bulatao that your office was going to be looking into the potential misuse of government resources by the Secretary and Mrs. Pompeo?

A No. He was the Undersecretary for Management.

Deputy Sullivan asked that I start reporting to him in the interim. And I knew that, you know, he was going to hear about our document requests, so I wanted to make sure that he understood why we were asking for documents.

Q And was there ever any discussion prior to you doing that within OIG about whether or not, given the subject matter and his relationship to the Secretary, it might be better to have that conversation with someone else?

A There wasn't.

Q Okay.

Did Undersecretary Bulatao ever say anything to you that you can recall about the fact that you were looking into this resource topic?

A I don't recall anything specific.

Q Okay.

What is Mrs. Pompeo's role at the State Department, to the best of your knowledge?

A I couldn't tell you that.

Q Sitting here today, you have no idea about her role at the Department?
A I really don't. And that would get into the pending review, so I don't really want to comment on that.

Q Okay.

Was there anybody else at the Department who ever said anything to you about the fact that you were looking into the use of resources by the Secretary and his wife?

A Not that I can recall.

Q Secretary Pompeo, as you may have noticed, gave some remarks to a media outlet a couple days ago, saying one of the reasons that they fired you was that you were going after his wife for trying to make the Department a better place. Do you have any idea why he would say that?

A I don't know.

Q So you just informed people that -- you're like, hey, we've got these allegations, we're going to be looking into them, and everybody said okay and moved on?

A I don't remember what they said. I don't want to be imprecise about that. I don't recall what they said, but nothing notable in those discussions.

Q Okay.

A There was nothing notable in those discussions that I can recall.

Q Okay.

Who's Toni Porter?
A: I don't really want to get into who she is and so forth. Again, I can't comment on that.

Q: I'm not asking you for commentary on particular steps that may have been taken. I'm literally -- who is that person, sitting here today, within your personal knowledge?

A: Again, that gets into matters that I really can't talk about. I'm sorry.

Q: Sir, I recognize that you're here voluntarily, but I would expect that there's something that you can tell us about your knowledge of her role. I'm happy to respect the lines of your investigation.

A: Again, I'm concerned about getting into matters involving our investigation, and I don't really want to comment on who she is or what she does or anything like that.

Q: Okay. But then, by the very nature of that response, you've confirmed, then, that Ms. Porter is the subject of an ongoing investigation.

A: I haven't confirmed anything.

Q: Respectfully, sir, if you're telling me you can't talk about Ms. Porter because of ongoing investigations, that's the only inference I can draw. You've answered questions about a lot of other people.
Mr. White. That's been asked and answered several times. Please move on.

BY HFAC DEM COUNSEL:

Q With respect to anything other than Mrs. Pompeo in particular, just to make sure that I've got it, was there anything to do with the Secretary's use of government resources and the fact that you were looking into it -- did anyone at the State Department ever talk to you about that topic?

A I think I've answered that question. I have no recollection of anyone talking to me about that topic.

Q Okay. I just wanted to be clear that that covers --

A Yeah. I don't have any recollection of that. Yeah.

Q Changing topics, on October 2, 2019, Congress was actively engaged in a fact-finding inquiry that ultimately led to the impeachment of the President. And, on that day, you came up to Capitol Hill to brief staffers on information that you believed might be relevant to the impeachment inquiry. Do you recall that?

A Yes.

Q Can you tell us about the materials that you brought with you that day and why you felt it was important to provide them to Congress?

A Yes.
So, in May of 2019, I received a packet from the Office of the Legal Adviser, and it contained a variety of documents and notes and so forth relating to allegations, relating to issues associated with Ambassador Yovanovitch and, I believe, Hunter Biden and so forth. It was a package of documents which allegedly had been sent to the Office of the Secretary and, in turn, the Office of the Secretary had provided to the Legal Adviser and then provided it to us. That was in May.

When the impeachment proceedings started and the issues began concerning the whistleblower and so forth, I realized I was sitting on documents that might be relevant to that, and, in accordance with my obligations and to make sure that the right folks had the documents, I provided them to the Hill.

Q Okay. Are you aware, sir, sitting here today, that your provision of those documents marked the only production of any documents whatsoever from any part of the State Department as part of the impeachment inquiry?

A I'm not aware of what the State Department provided or didn't provide.

Q So we're happy to stipulate for the record that, you know, yours were literally the only documents from any part of the State Department that were provided, although the
rest had been subject to a congressional subpoena.

Did anybody from the State Department talk to you about the fact that you chose to bring those documents to Capitol Hill?

A No. I informed the Department, through the Legal Adviser, that I was going to do that.

Q And did they say anything in response?

A They didn't object.

Q Did you speak to anyone else besides individuals in the Office of the Legal Adviser either before or after you provided those documents?

A I don't recall. I don't recall. I recall having communications with the Office of Legal Adviser in advance of my production of the documents.

Q Switching topics, sir, at the time that you were fired, had the Office of the Inspector General received or heard about any complaints from other subjects of your work? In other words, was anybody that your office was looking into complaining about the fact that you were looking into them, to your knowledge?

A Not to my knowledge.

Q Did you have any work that was either open or recently concluded regarding any politically appointed Ambassadors?
A  You're saying when I left?
Q  When you left, was there anything that was either open or had been completed, say, within the previous 6 months?
A  I wouldn't -- there was -- if it was completed -- well, let me say this. I can't talk about pending matters, and --
Q  Okay. How about completed?
A  Yeah, complete -- I mean, I'm not aware of -- nothing comes to mind that was -- we always have work involving Ambassadors. We always have work. And nothing comes to mind, as I sit here now, on something that's completed.

But I think it would be better for you to ask that question of the office. I think it would be better for you to ask that question.
Q  So, just to make sure I've got it, was there any politically appointed Ambassador who complained about your work that you were ever made aware of?
A  Nothing comes to mind. I don't have a recollection of anything. But, again, you'd have to ask -- I would ask or I would ask the office. I don't have a recollection.
Q  Briefly, sir, again, we're just trying to get at
what it was that led to your firing.

You had said at the beginning of the interview, but I want to make sure that we've got it all, that Undersecretary Bulatao had objected to the fact that you were responding to a request from the Foreign Affairs Committee to look into the implementation of their emergency declaration under the Arms Export Control Act in order to provide about $8 billion worth of arms to a variety of countries, one of which was Saudi Arabia.

Can you just tell us, when was the first time that you interacted with Undersecretary Bulatao about that topic?

A  I'm sorry, I cannot recall the date. It would have been -- I'm not sure about the date. It's definitely before COVID, possibly late 2019. I'm just not sure.

Q  Okay.

So the letter from the Foreign Affairs Committee was dated June 19, 2019. I think it probably came on the 20th. Can you tell us what steps you took after receiving that letter? At a very high level.

A  Well, I can just say generally what we do; how about that?

What we do when we receive letters, we would obviously look to see if there's -- this is a general principle. When we get a request, we look to see whether there's criteria
that governs any particular request, whether they're policies and procedures and things like that.

And, in general, you know, a conversation ensues as to whether or not something should be reviewed. We obviously don't -- we don't do everything that Congress asks us to do, due to our independence. But that's typically how we do something.

And then we'll often -- or we will then get sharp on the issues so we have a better understanding of them. That's typically how we proceed in many matters before we decide to continue a review.

Q And your former office has indicated that those criteria seem to have been met here and that you did undertake work in response to that letter from the Foreign Affairs Committee on this topic. Is that right?

A Well, we obviously did undertake work, and we believed it was justified.

Q Was the fieldwork completed on that?

A I'm not entirely sure where that stands, and I don't want to misstate the facts. I don't want to misstate the facts.

Q Had anyone at the State Department been briefed on preliminary findings, conclusions, recommendations in connection with that report?
A I think there was some type of briefing, but you'll have to go back to my office. I mentioned that before.

Q Okay. Do you recall roughly when that would've been?

A I don't. I don't.

Q Do you recall who would've been briefed?

A I don't.

Q Okay.

You had said -- so, if the letter comes in June, you know, you're on a spectrum between June and your firing about a year later in May. How many interactions, roughly, did you have with Undersecretary Bulatao about that report?

A About that report? I don't recall. I don't recall.

At --

Q More than one?

A -- least one. Yeah. I don't recall.

Q And was it close in time to your firing, or was it a while ago?

A Yeah, it was, like I said, pre-COVID, maybe late 2019.

Q Late 2019, pre-COVID. And if you could remind us, you know, roughly what it is that you recall about what he said to you.

A Well, he said that the AECA matter was -- that we
were undertaking a review of a policy matter and that we shouldn't be doing that.

And I do recall that at the meeting was the Legal Adviser himself, Marik String. I remember the two of them, now that I think of it, were there. And we had a discussion about that issue and also the possibility there may be a privilege issue.

Q So Marik String was present in the meeting --
A Yes.
Q -- where you discussed this with Undersecretary Bulatao.
A Yes.
Q And the Undersecretary indicated that he wanted you to stop your work on that topic. Is that right?
A Well, he didn't say stop our work. I don't want to misstate. He said that we shouldn't be doing the work because it was a policy matter not within the IG's jurisdiction.
Q Okay. And did Mr. String say anything on that topic?
A I think both of them were of the same mind.
Q So Mr. String said that he didn't think you should be looking into this, and Undersecretary Bulatao said he didn't think you should be looking into this. Is that
correct?

A That's correct, yes. Yes.

Q And are you aware that one of the reasons that Congress referred this matter to your office was precisely because of concern about Mr. String's role in that emergency declaration? I believe that was in our letter, and it was talked about in a public hearing.

A I don't recall that, as I sit here.

Q In terms of privilege issues, Congress' concern around Mr. String's involvement in this stemmed from the time that he was a policy DAS in the PM Bureau. Was he the one asserting that things were privileged and so you might not be able to talk about them?

A During the conversation I had with him and Bulatao, that issue came up.

Q And based on your legal training and your experience as an IG, obviously, there are a lot of people with law degrees at the State Department, but would you agree with me that only in areas where someone is acting as a lawyer would you expect to see a proper invocation of attorney-client privilege? Is that right? Just because somebody has a law degree, if there's two policy folks talking to each other --

A Yeah, I'm --

Q -- you don't usually invoke privilege?
A: I don't want to comment on that. I'm just not sure.

Q: And so they told you they didn't think it was appropriate for you to look into this. Did you stop looking into the matter after that conversation?

A: Of course not.

Q: And why is that?

A: Because we were fulfilling our obligation to review the implementation of the policy. We felt that our review fell squarely within the confines of the Inspector General Act. You know, we don't assess whether a policy is good or bad, but we assess how a policy -- whether it's efficiently and effectively implemented and whether rules are followed. And we continued to do that.

Q: Even if the Undersecretary had directly asked you, "Mr. Linick, I want you to stop looking into this topic," would you have stopped?

A: Well, he didn't. He didn't say that. And I wouldn't.

Q: And you wouldn't. Even if the Secretary of State called you and said, "Mr. Linick, I want you to stop looking into this topic," would you have stopped?

A: Never.

Q: And that is because it is your role to be independent, right?
A Yes.

Q And you said that you had actually had a number of occasions to explain to at least Undersecretary Bulatao the importance of and the independent nature of inspectors general. Is that right?

A Yes.

Q Do you think that those explanations, as you gave them, sunk in? Did there ever come a time when you felt that Undersecretary Bulatao accepted that inspectors general are necessarily independent from the agencies that they're tasked with overseeing?

A I can't comment on whether it sunk in or not.

Q And everybody knew this about you, right? Even if it wasn't a contentious conversation every time where you had to say, "I'm independent, I'm independent," is it fair to say, sir, that throughout your career you've had a reputation as somebody who is fiercely independent?

A I have always tried to be fiercely independent, because I think that's critical to being an effective IG.

Q And does that independence include the fact that, as Inspector General, that was your only job? Is that an important way of maintaining your independence?

A Can you repeat the question?

Q So, as the Inspector General at the State
Department, your only job was to be the Inspector General at the State Department. Is that right? You didn't have another role employed by the Department itself. Is that correct?

A That's correct.

Q Okay. And I believe you said that you had, you know, communicated that separation partially in the context of when you talked about the ethos statement, right? You said, you know, we are separate, and that's important, right?

A Yes. I mean, we are -- yes. Yes.

Q And you had said you scrupulously observed a firewall there where you wouldn't get involved in policymaking because you had to keep your independence that way.

A Well, no, I said I wouldn't get involved in programmatic matters.

Q Thank you. That was the term.

A And we're not involved in policymaking, as well, as IGs. We don't do policymaking.

But, yes, I said that I have always been fearful of getting involved in programmatic work with the Department because of the possibility of having to audit or oversee that work. Then I would be conflicted out, and my
independence would be threatened.

Q Sir, are you aware, sir, sitting here today, that Ambassador Akard is serving as Acting Inspector General while also continuing to serve as the Director for the Office of Foreign Missions?

A I have read the news articles.

Q Okay. Are news articles the only way that you've become aware of that?

A Well, I mean, largely. I mean, staff has told me that.

Q And I think we covered this, but I know it's been a long day. Have you ever had a conversation with Ambassador Akard?

A No. I don't recall ever meeting him.

Q Do you have knowledge from any source about when Ambassador Akard was first approached about potentially becoming the Acting Inspector General?

A Somebody told me that he learned in April, that he told staff that he learned in April.

Q So he told staff at OIG? Is that right?

A That's correct.

Q And just for the record, sir, when were you fired?

A May 15.

Q So, if I have the timeline right, Ambassador Akard
has told staff in the OIG's office that someone approached him in mid-April --

A  I didn't say mid-April. I said April.

Q  -- in April -- I apologize -- about becoming the Acting Inspector General. Did anybody say anything to you in April about possibly replacing you?

A  I had no idea.

Q  And I think you've testified you had no idea until you got that call on that Friday night that you were being replaced. Is that right?

A  That's correct.

Q  Okay.

Do you have any concerns, as a general matter, about an acting inspector general also retaining a policy job at the agency and having a direct report to the agency head?

A  I don't want to comment on the specifics of this particular situation in my role, but I will say --

Q  Just answer it as a general question.

A  Yeah. I will say that the Inspector General Act requires IGs to be independent from both the agency and Congress. And independence is critical to the IG's obligation to not only be impartial but also free of conflicts of interest, both in fact and appearance.

And the State OIG, before I got there, was criticized
by the GAO and other entities for employing individuals as acting IGs who may have jobs in the State Department. And since I've been there -- and there were other criticisms by the GAO as well. And since I've been at the office for the last 7 years, we worked hard during my tenure to make sure that, you know, the office addressed those independence issues.

Q Do you worry that people would be less willing to provide information to your office, whistleblowers and the like, if they knew that the head of your office also reported to the agency head as a member of the Department and not just a member of OIG?

A Uh-huh. I mean, I think that's a reasonable conclusion, that individuals might feel afraid to report. As it is, it's difficult for whistleblowers to come forward and to feel comfortable that the Department is not going to retaliate against them.

Q So you mention retaliation. What opportunities might -- I mean, you guys receive a lot of sensitive information as a part of that work. When you say "retaliation," what are the risks that an inspector general might be subject to in terms of retaliation? What might they do?

A Well, I can speak -- there's always a concern by
whistleblowers that the agency is going to retaliate against
them for blowing the whistle. And there are obviously
prohibitions against retaliation, which the IG investigates,
as well as Office of Special Counsel.

Q And it's important to maintain anonymity in order to
minimize the chances of retaliation, right?

A Well, it's important that the IG protect the
identity of the individuals if they wish that to be the
case, you know, to make sure that people feel comfortable
coming forward to the IG. So we make great efforts to
ensure that we preserve their confidentiality. And, in
fact, under the Inspector General Act, we're required to
preserve the confidentiality of complainants, with limited
exceptions.

Q And is one of the ways that, in your experience as
an inspector general, one is able to make whistleblowers and
other people comfortable that their identity will be
protected that they know that, when they're talking to the
Office of the Inspector General, they're talking only to the
Office of the Inspector General and not to the Department
itself? Is that part of what provides them comfort, in your
experience?

A Yes. Yes, that would be important for them to
understand, that what is disclosed to OIG stays in OIG.
Q Sir, do you have any concerns, given the circumstances of your own firing, that people within the Office of the Inspector General who worked with you might, themselves, be subject to retaliation in some way?

A I'm not really in a position to comment on that.

Q I believe you testified earlier that -- and we very much don't want to get into where or whom -- but that individuals had actually expressed to you that they were concerned about their jobs. Is that correct?

A Oh, in the IG community.

Q Yes.

A In the IG community, not -- yes. Anecdotally, yes.

Q Okay.

HFAC Dem Counsel. Sorry I ran a little long. I'd like to open it up to our Members, if there are any Democratic Members who have questions.

Mr. Castro. All right. This is Vice Chair Castro. I'm going to turn the gavel over to Representative Malinowski, if he's got questions or if he wants to call on Members.

Mr. Malinowski. [Presiding.] Thank you.

Can you hear me?

Mr. Linick. Yes.

Mr. Malinowski. Great. I just have one question to
begin with. And, first of all, it's good to see you. Thank you for going through all of this.

I will just share as an anecdote that, when I was the Assistant Secretary, I was told on day one that you might be doing an audit of my bureau at some point. And we were nervous about it in a very constructive way, and it kept us honest throughout my time there. And so that is a personal experience that attests to the value of independent IGs.

I have really just one question, and that is, a number of times you've referred to, we've referred to ongoing investigations obviously into subjects that are of great interest to the committee, including the Saudi arms sale and potential misuse of State Department personnel.

My question is, how do you know these are ongoing? You're not the IG.

Mr. Linick. Well, they were ongoing -- they were ongoing when I left.

Mr. Malinowski. Right. So you actually don't know that they are ongoing investigations.

Mr. Linick. But I also -- I did confirm with the office that the existence of these were disclosed to the committee before I testified today.

Mr. Malinowski. Right. But you don't know how actively they're being pursued one way or another. You have
no way of knowing that.

Mr. Linick. After May 15, I would have no indication
one way or the other.

Mr. Malinowski. Okay. Well, I think that's a
significant question for us, obviously.

Okay. So, with that, let me see. Are there any
other -- I see Mr. Lieu is, I think, next.

Ted, do you want to ask a question?

Mr. Lieu. Yeah. Thank you, Representative Malinowski.

Mr. Linick, I have a few questions about your office's
review of the allegations that Secretary Pompeo and his wife
may have used resources inappropriately.

You stated earlier this hour that you had told a number
of people, including Undersecretary Bulatao, Deputy
Secretary Biegun, and Pompeo's Executive Secretary, that you
were conducting this review. Did you tell any of them not
to tell Secretary Pompeo that your office was doing this
review?

Mr. Linick. No.

Mr. Lieu. In fact, the reason you told them was
exactly the opposite, right? You wanted to give them a
heads-up so that when Secretary Pompeo got the request he
wouldn't be surprised. Isn't that right?

Mr. Linick. I wanted to make sure everybody was aware
so that they wouldn't be surprised.

Mr. Lieu. The document request was, for example, was not related to Undersecretary Bulatao, but it was related to Secretary Pompeo and his wife, correct?

Mr. Linick. All I can say, it was related to the review of allegations relating to misuse of government resources by both of them.

Mr. Lieu. But not misuse of resources by Undersecretary Bulatao, correct?

Mr. Linick. I'm just going to go with what I said at this point.

Mr. Lieu. Okay.

So the reason you would have gone to Undersecretary Bulatao, who is one of Pompeo's best friends since they were classmates at West Point, were co-founders of Thayer Aerospace, worked together for 8 years, he then was appointed by Pompeo in the CIA as Chief of Operations, and the reason you would do that is because you expected Secretary Bulatao to convey to Mike Pompeo that your office was doing this review, right? That's the reason you would have gone to Undersecretary Bulatao. Isn't that right?

Mr. Linick. I wanted to make sure that everybody -- that the folks who would be receiving those document requests knew what we were doing. And I didn't
tell them not to tell anybody, including Secretary Pompeo,
about them. There was no -- from my point of view, I just
wanted to make sure that folks on the Seventh Floor knew
what we were doing before they just got a document request.

Mr. Lieu. And in -- I mean, we're all adults
here -- just your general understanding of human nature, you
would expect all these people, or at least one of them, to
inform Mike Pompeo that they were going to get document
requests related to the review of Pompeo and his wife
allegedly not using resources appropriately, right?

Mr. Linick. I don't want to speculate on what to
expect or not. I mean, I'm just telling you what I did.
And --

Mr. Lieu. Right. But the whole point of what you
did --

Mr. Linick. -- I'll let you draw that conclusion.

Mr. Lieu. The whole point of what you did is to not
surprise Mike Pompeo when he gets a document request. Isn't
that right?

Mr. Linick. The whole point was not to surprise the
Seventh Floor writ large, because they were going to get
these document requests. So --

Mr. Lieu. And maybe I'm confused. The document
request is not about Undersecretary Bulatao's inappropriate
use of resources; it's about Mike Pompeo and his wife.
Isn't that right?

Mr. Linick. Right.

Mr. Lieu. So the person you're trying to not surprise is Mike Pompeo, not Undersecretary Bulatao, right?

Mr. Linick. Again, it was the entire Seventh Floor.

Mr. Lieu. Okay. Thank you. The entire Seventh Floor. And where does Secretary Pompeo work?

Mr. Linick. Seventh Floor.

Mr. Lieu. Okay. Thank you.

So I assume you have read The Washington Post story published last month where they interviewed Secretary Pompeo and the headline was that he was not aware you were investigating him. Did you read that article?

Mr. Linick. I did.

Mr. Lieu. All right. Were you surprised by Pompeo's statements?

Mr. Linick. I'm not going to offer an opinion on whether I was surprised or not.

Mr. Lieu. How about this: Secretary Pompeo was just lying, wasn't he?

Mr. Linick. I am not going to offer an opinion on that.

Mr. Lieu. Okay. Thank you.
Mr. Linick. I just think that it would be inappropriate for me to offer that kind of opinion. I really want to be very accurate, and I want to act in accordance with my responsibilities as Inspector General.

Mr. Lieu. Thank you for your public service.

I yield back.

Mr. Malinowski. Thank you, Mr. Lieu.

Are there any other Democratic Members who would like to be recognized?

If not, do you have any further questions in this round?

HFAC Dem Counsel. I do. Just one last topic on this.

BY HFAC DEM COUNSEL:

Q  Mr. Linick, in connection with your review of the Saudi arms sales issue, did you seek an interview with Secretary Pompeo?

A  Yes.

Q  Can you tell us about your efforts to get that interview and how it went?

A  Yes.

We requested that our team be permitted to interview the Secretary in 2019, late 2019. I had told Undersecretary Bulatao and Deputy Secretary Biegun and the Legal Adviser about this request, and, in assessing my request, they asked
for, sort of, the topic areas for the interview, just the 
broad-brush topics, which we provided.

And then, ultimately, as he acknowledged in the press, 
he sent written responses to that question and, at that 
time, did not agree to the interview.

Q Did you have any kind of negotiation about whether 
and how he would sit for an interview?

A Initially, there was discussion about interviewing 
only with me, as opposed to the team, and --

Q Was that your idea?

A No. That was their idea.

Q Okay.

A Which I agreed to, as long as I had somebody from 
the team with me, because I felt that that would 
fulfill -- you know, that that would be fulfilling the 
request to be interviewed. Ultimately, that didn't happen.

Q So you wanted one other person with you, just to be 
clear, as a witness, right?

A That's correct.

Q Okay. And did you tell the Secretary's office that 
you just wanted somebody there as a witness?

A I didn't tell the Secretary's office. It was in 
communications with the Legal Adviser. I remember a 
conversation with the Legal Adviser about that, about the
request to have somebody with me. But I don't recall having that discussion with Bulatao or Biegun -- in other words, actually having someone present with me as a witness.

Q Okay. When you say the Legal Adviser, just to be precise, do you mean someone in that office or the Acting --

A Marik. Marik String.

Q Okay. And what was his reaction to that?

A His reaction was he'd get back to me.

Q And did he ever get back to you?

A I did have discussions with him. I ultimately -- I don't really recall exactly the nature of the conversations after my discussion with him but before I received the written responses from the Secretary.

Q If I've got this right, you asked for an interview, it looked like they would do an interview if it was just you and the Secretary, and then you asked for a witness, and then all of a sudden the interview didn't happen.

A That's correct.

Q Okay.

How many written documents did Secretary Pompeo submit in connection with your request to conduct this interview?

A I don't know. I don't know, as I sit here.

Q He has said that he gave written answers. Is that accurate?
A    He did provide written answers. That's all I can
tell you.

Q    Did he provide a written justification for why he
didn't want to actually sit for an interview?

A    That I cannot comment on.

HFAC REP COUNSEL. I'm just checking on time.

HFAC Dem Counsel. Sorry. With everyone's indulgence
and in the hopes of being able to wrap this up early for the
witness, we've probably got about 2 more minutes and then
wouldn't anticipate a further round, if that's okay? And
happy to add time for our colleagues that is equal to what
we've gone over.

Okay with you, [redacted]?  

HFAC REP COUNSEL. Yeah, that's fine.

HFAC Dem Counsel. Okay.

BY HFAC DEM COUNSEL:

Q   Were there any other reports that were submitted to
the Department in the month prior to your firing?

A    I don't recall. I don't recall.

Q   Going back to the arms sales thing for a moment, do
you recall when the written answers to those questions were
provided?

A    It was sometime in early 2020.

Q   Sometime in early 2020.
And do you recall, sir, that on May 7 of 2020 the House Foreign Affairs Committee had reached out to the OIG just to inquire as to the status of your work on the Arms Export Control Act issue?

A Yes, I do.

Q Okay. And you were fired a week and a day after that. Is that correct?

A Yes.

Q Okay.

HFAC Dem Counsel. I think that's all I got.

Mr. Malinowski. All right.

Thank you.

Look, since I think we want to wrap it up pretty much on our side, I'll just make -- whoops. Can you hear me?

Mr. Linick. Yes, sir.

Mr. Malinowski. Yeah, okay.

Look, I just want to offer a final thought, and that is that the central question here for me is, why were you fired? And the central fact that you have presented is that you have no idea, that you were not told.

And, in my State Department experience, it's very hard for me to imagine somebody being dismissed in this way, at any level, whether it's a junior Foreign Service officer or a senior manager, without being given an explanation.
Certainly not in my experience has that ever happened. And the only reason I can think of, why somebody might do that, is that they don't want to have to publicly justify the actual reason. And it's obviously not silly things like the ethos statement or use of personal email. If it were that, literally every State Department employee would probably be fired. It's something else that somebody else doesn't want to have to justify.

And I guess the other advantage of not stating a reason publicly is that it invites others to speculate that there might be some mysterious, troubling wrongdoing that must be the real reason, that it invites people to wildly speculate about terrible things that you might have done, which they don't have to accuse you of, because they're simply not stating the reason in public. And if they did, then that real reason would actually be subject to public scrutiny in ways that those who made this decision would find very uncomfortable.

So, I mean, absent other evidence, that's the only conclusion I can draw from this. Certainly, we hope that we learn considerably more as the investigation continues.

With that, I'm happy to shift over to the minority.

Thank you.
[3:36 p.m.]

HFAC Dem Counsel. Just before we start, Mr. Linick, Mr. White, would you like a short break before that?
Mr. White. Yes. Ten minutes should be helpful. Thank you.

HFAC Dem Counsel. Thank you. So 10 minutes. We'll call it 3:47, 3:48.

[Recess.]

HFAC REP COUNSEL. I'm going turn it over to [Redacted] for some questions.

COR Rep Counsel. Thanks, [Redacted].

BY COR REP COUNSEL:

Q Thank you, Mr. Linick.

I want to go back to your office's review on the Saudi arms sale. Did your office interview Clarke Cooper as part of that review?

A Yeah, I'm not going to talk about what we did or what we didn't do.

Q All right. Did your office interview Marik String as part of that review?

A As I said, no comment.

Q So I guess the issue I have is, I asked you two very basic questions as to who you reviewed, and you're refusing...
to answer them. They don’t reveal the substance of the investigation in any way. Yet when just asked you about whether or not your office interviewed the Secretary, you had no problem spending 5 minutes laying out in detail your office’s attempts to interview Mr. Pompeo, which is --

A He actually made that -- go ahead.

Q Yeah. And, you know, you can draw a delineation between what the Secretary said publicly, you know, versus what you’re saying here privately, but you’re basically confirming that public reports are true. And it’s just two very simple questions: Did you interview Mr. Cooper? Did you interview Mr. String? And it really gives off the appearance that you’re willing to answer the questions of the Democrat counsel but not the Republican counsel.

A The Secretary publicly stated that he provided written responses in response to our request.

Q So you’re confirming the public statement basically confirming that --

A In terms --

Q -- as opposed to just saying I’m not going to comment on it. The Secretary’s comments stand for themselves.

A I’m confirming what he said.

COR Rep Counsel. [Blank]. go ahead.
BY HFAC REP COUNSEL:

Q Mr. Linick, when you do reviews, do you ever employ the methodology of reviewing individual cell phones in terms of text messages, et cetera, or are you always restricted to interviews and email text?

A Totally depends. In criminal cases, you know, that's something that we would typically do in a criminal matter, if necessary.

Q Have you ever done that in a -- when the context is not criminal?

A Oh, I don't know offhand. You know, anytime we do -- anytime we choose to employ a particular method of investigating we always sort of weigh the resources, you know, what's reasonable and what makes sense. I mean, in every investigation, you could investigate it to death, and, you know, it just depends on the facts and circumstances.

Q But you have the ability to make that ask, if you thought it was appropriate in a given circumstance?

A Well, there are certain things you have to do to get text messages and so forth. I mean, there are certain -- you can't just ask. You would need either a search warrant in some instances -- in most instances to get text messages, I believe.

Q Well, you could ask for someone's phone and look at
their text messages, but that's not -- I really -- and I
don't have anything specific in mind here. I was really
just wondering if that was something -- a tool that you
employed in your work at any given time. I'm not thinking
about a specific circumstance.

A I mean, we have requested search warrants for
various types of transmissions and so forth. It just
depends on the matter.

Q But you always use a warrant to do something like
that. You don't ever just do a voluntary request?

A Oh, no. It just depends. I mean, certainly you
could ask somebody for text messages.

Q Is that something you've ever done in your work as
an IG, whether it was here or in your previous position?

A You know, I don't know. I mean, typically my head
of investigations runs those types of investigations. I
mean, have we -- I'm pretty sure we've done search warrants
and subpoenas for things like that, but I just can't speak
to exactly what we've done outside of that context. But
anybody could ask for anything, I suppose.

Q Okay. I do have some additional questions. I think
they're new or clarifying questions, but they are on the
topic of your decision not to transfer the report, and I
understand you don't want to answer any more questions on
that topic. And you're here voluntarily, and I want to be
respectful of that. Is that correct?

A I'm here voluntarily, and I am pretty tired right
now, yes.

Q I need to be clear though. You don't want to answer
any more questions on that topic?

A If I've already answered them, then I don't see a
reason to answer them again and again and again.

Q So I don't -- I'm not trying to ruffle any feathers
here. I do have some questions I'd like to ask, but if you
don't want to answer them, you just let me know, and I will
stop.

A Well, again, if I'm answering the same question over
again then I feel like I've provided my testimony to you.
Now we're at the 3:57 mark. I've been here since 9:30 this
morning, and I would really like to move forward.

Q So you mentioned that one of the things that you
were concerned about was information that was in the report
pertaining to individuals in your office. And I just
wondered if you could articulate for us, once you actually
got that report and had a chance to review it, if you could
identify for us the things that were in there that gave you
pause.

A I never even got a chance to do that because when I
talked to Bulatao and to Biegun, I didn't have the March 17 report. My assertion was that I was -- that I would have to assess it and analyze what was going to be in that March 17 report before I could just agree to turn it over or share it. That is what I said.

Q Understood. And once you did receive it and you had a chance to look at it, were there any concerns in there that you could identify for us?

A I'm not going to talk to you about concerns. I told you that I was -- I had planned to sit down with the deputy and let him read the report in camera, and that's what I felt comfortable with.

HFAC REP COUNSEL. Okay. I will stop there. I know Mr. Zeldin from our side may have some questions.

Mr. Zeldin. Thank you. And just picking up on a comment that one of my colleagues made a short time ago as far as the central questions to your one point that was left out is that the inspector general can be removed by the President without cause. Cause is not required. That is an important point that was left out.

Mr. Linick, a little earlier we very briefly spoke, and just to be clear, because I was asking about your time at DOJ as well as Mr. Fine's time at DOJ, and it sounded like you don't remember him from your time at DOJ. Is that
correct?

Mr. Linick. I didn't know him. When he was -- I'm not talking about him being at the Department of Justice IG. I did know him then. I believe he was also at the Department of Justice working as an AUSA, and that's what I understood your question to mean.

When he was at the Department of Justice OIG, I did know him when I was in the fraud section. I had met him when I was in the fraud section. I had actually met a lot of the IGs.

So, to clarify that question, yes, when he was at DOJ OIG and when I was in the fraud section of the Department of Justice, two totally different offices, I had met him and many other IGs at the time because I was actually leading the National Procurement Fraud Task Force out of the fraud section.

Mr. Zeldin. Did you develop a professional or social relationship from that interaction?

Mr. Linick. Oh, it was professional in the sense that I was working with all the IGs on this task force. So, you know, I certainly knew him. At that time, I didn't -- you know, I hadn't socialized with him or anything?

Mr. Zeldin. I wanted to give you an opportunity to clear up one thing from the beginning of the transcribed
interview. Congressman Sherman made a very detailed, multifaceted allegation against Secretary Pompeo, and you responded that you won't comment on any ongoing investigations as everything is currently under review. I just want to give you an opportunity to clarify. Your answer wasn't intending on -- and I also don't want to put words in your mouth, so this is your opportunity. You weren't saying that every word and allegation Congressman Sherman said and charged is actually under review, correct?

Mr. Linick. No. No. I was just not commenting on -- I was not affirming anything that he said.

Mr. Zeldin. Yeah. No, I wanted to give you that opportunity because the way this works around Washington and the media, they will take an answer and interpret it differently. So thank you for clarifying.

Is it accurate that you said you don't know who from the Obama administration asked for you to come on as the State Department inspector general?

Mr. Linick. I don't remember how all that developed at that time. I don't remember the specific individual.

Mr. Zeldin. And you had a -- is it accurate that you had a conversation with the incoming Trump administration during the transition period, but you don't remember who you spoke with?
Mr. Linick. Yes, that's true. I did speak with a couple of folks who were on the transition team. They were gathering information about our office.

Mr. Zeldin. And you don't know who at DOD IG told you that the leak report was going to clear the IG's Office, and you don't remember whether it was told to you verbally or in writing?

Mr. Linick. It would've been -- no, I don't. Well, it would've been Glenn Fine, or it would've been his investigator who was sort of leading the report. It would've been one of those two.

Mr. Zeldin. But you don't recall whether or not they told you that verbally or in writing?

Mr. Linick. I don't. I don't recall if I had a draft or anything like that at the time.

Mr. Zeldin. When you applied for a judgeship early in the Trump administration, is it accurate that you don't know who you were speaking to in the Trump administration for that position you were seeking?

Mr. Linick. It was folks in the White House, and I don't remember who they were. I had come in for an interview, but I don't remember their names. It was quite a while ago.

Mr. Zeldin. Do you know why you didn't get the
judgeship?

    Mr. Linick. No, I have no idea.

    Mr. Zeldin. Are you aware of concerns that were expressed from within the State Department from George Kent and others with regards to a conflict of interest of Hunter Biden serving on the board of Burisma during the last administration?

    Mr. Linick. I'm really -- I'm not going to comment on that. I'm not aware of -- I'm just not going to comment on that issue.

    Mr. Zeldin. But there aren't any cases with regards to that?

    Mr. Linick. I'm not going to comment on whether there are or are not cases on that.

    Mr. Zeldin. Were there ever any cases with regards to -- or any reviews or investigations with regards to the January 17, 2016, cash payment of $1.7 billion that was made to Iran?

    Mr. Linick. Again, I'm not going to be commenting on that, and I'm not sure what that has to do with my removal.

    Mr. Zeldin. Well, you said that you were in search of a reason, and you're willing to speak about several investigations. You've done that in response to the House Democrats' questioning. You're willing to speak about
investigating Secretary Pompeo and his wife personally, willing to speak about investigation into Brian Hook. You're willing to talk all about the Saudi arms sale. So I'm asking about some of these other topics.

For example, it's public from the DOJ inspector general's report, the Horowitz report, that Inspector General Horowitz contacted you about Kathleen Kavalec's contacts with Christopher Steele. Do you remember that contact?

Mr. Linick. I actually don't. I don't recall that. But I'm just not prepared to talk about other investigations or information regarding other investigations.

Mr. Zeldin. Was there an investigation at all with regards to that issue?

Mr. Linick. As I said, I'm not prepared to talk about any other investigations.

Mr. Zeldin. Okay. So here's one of the issues is that the Department of Justice inspector general has within his scope the ability to look into a number of effects and allegations involving Christopher Steele, and one part of that is within the jurisdiction of the State Department, and that's public information. The IG Horowitz' report is public information as well. But he doesn't have the ability to look into that, you do.
And, again, this is another investigation that -- I can't speak for your intent. I'll let you speak for your intent as far as being perceived as apolitical publicly, and I note you released the opening statement that you gave to this committee today. But there are other investigations that you haven't been willing to speak to this afternoon that it would be good if we were able to have a discussion especially if these aren't open investigations.

Mr. Linick. As I said, I'm not prepared to talk about -- confirm or deny the existence of other investigations.

Mr. Zeldin. COR Rep Counsel. Yeah. I would just say, sir, you know, the Saudi arms sale, the investigation of prohibited personnel practices, those investigations both started after Democratic members of the committee sent a letter to the OIG asking the OIG to start those investigations.

Mr. Linick. And we've started many investigations at the prompting of Republicans as well throughout my career, including the email issues involving the Secretaries of State.

Mr. Zeldin. I'm just trying to understand the rules here. So you're willing to talk about the Clinton email investigation but not --
Mr. Linick. Well, that's a completed -- that's completed. We're willing to talk about completed -- the political retaliation is completed. We issued two reports. They weren't investigations. They were reviews. They weren't criminal investigations. The Clinton matter was an evaluation. It wasn't a criminal investigation. So I think it's important to define terminology here.

Mr. Zeldin. Okay. So going off of your terminology, there was an investigation into the meeting between Kathleen Kavalec, Jonathan Winer, and Christopher Steele, correct?

Mr. White. With all due respect, Congressman Zeldin, unless this has something to do with the circumstances of his removal, unless you can link that up some way, that's what he's prepared to talk about today. He's not been able to review anything in connection with other issues. So it's really unfair to ask him questions that go back into other investigations, whether they're open or closed, and he's not going to be answering those.

Mr. Zeldin. Okay. So, clearly, so that I understand, the burden on the House Republicans here at today's transcribed interview is to prove a connection between the question and the inspector general's termination, but that rule does not apply for the House Democrats.

Mr. White. No, that's incorrect.
COR Rep Counsel. I would also just say, Pete, that Mr. Linick has said on multiple occasions he's been given no explanation for why he has been removed, yet he's talking at length about investigations that the Democrats are asking about, yet investigations that Mr. Zeldin is asking about he's refusing to address. So your burden is an impossible standard to meet for only one side.

Mr. Zeldin. Yeah. And just for --

Mr. White. Look, it is only fair to the witness that he can testify to what he is going to be asked about. He doesn't have access to his records. There was no reason to think any of this was going to come up. It is unfair to ask him to testify to things from 3 years ago that have nothing to do with why he's here. He won't be answering those questions.

Mr. Zeldin. I don't know how you can state conclusively exactly what the reason is and just refute that it can't have anything to do with any questions that we're asking.

Just for the record, the questions that I wanted to ask with regards to that investigation was whether the IG's Office had interviewed Ms. Kavalec and Mr. Winer when conducting the investigation. I would like to know who Ms. Kavalec told at State about the Steele conversation,
whether Ms. Kavalec told anyone at State she knew Steele had questionable credibility when he mentioned the nonexistent Russian consulate in Miami.

For example, there are a number of issues, but some of it directly connected with public reporting where IG Horowitz, on page 118, it says that according to the Horowitz report an FBI liaison told the State inspector general that Kavalec had met with Steele. She had taken notes of their meeting. The liaison could obtain information from Kavalec about the meeting and so on.

One of the comments that you made, Mr. Linick, you were talking about people expressing fear, and you used the words "anecdotally" as far as the source of that. Can you provide more information as to where you anecdotally heard that?

Mr. Linick. Just over the course of the last couple of weeks, just people who have reached out to me.

Mr. Zeldin. And who is that?

Mr. Linick. I'm not prepared to tell you who's reached out to me. I mean, I can't identify any particular individual. I can just tell you that I've heard comments like that.

Mr. Zeldin. Okay. But you're not prepared to tell us who is --

Mr. Linick. I couldn't even identify who said what.
That's why I said anecdotally I've heard that.

Mr. Zeldin. Okay. One of the questions about the leak that wasn't asked, have you identified any name of anyone at all inside the Inspector General's Office or outside of the Inspector General's Office who was involved in the leak to The Daily Beast in any way, shape, or form?

Mr. Linick. I can only talk to you about inside the Inspector General's Office, and the report that the DOD IG issued found that there was no leak. As far as individuals outside of the OIG, which we've investigated -- been investigating, that's a pending matter, and I can't disclose the findings. You'll have to go back to the office.

They haven't published anything at this point, and I think that investigation was being worked with the Bureau of Diplomatic Security. So I'm just not at liberty to talk about any particular finding in that matter.

Mr. Zeldin. Okay. So, just so that I understand clearly, the reason why you can't speak towards any of the leaked sources outside of the Inspector General's Office is due to a pending investigation?

Mr. Linick. Yeah. As I said, we were investigating that matter jointly with the Bureau of Diplomatic Security, and I don't think that the findings of that have become public.
Mr. Zeldin. Okay. And your belief with regards to an inspector general's investigation of an Inspector General's Office, if you're in charge of an Inspector General's Office that is going to be investigated, do you believe that you should be involved in the process of getting another inspector general to investigate your office?

Mr. Linick. I'm not sure I understand the question. I can tell you I did everything I was supposed to do. I went to CIGIE. The CIGIE told me they would not investigate an office. Then I was told to either do it internally or find another IG, and that's what I did. I'm not sure there would've been any other avenue to have someone else peer review our office.

Mr. Zeldin. And you testified earlier that somebody wanted to manage the scope and direction of the leak investigation. Remind me, who was that?

Mr. Linick. Brian Bulatao.

Mr. Zeldin. Well, I guess I'll spare you the question as far as what should happen in the future as far as finding another Inspector General's Office to do an investigation. I'll turn it back over to ____ or ____.

HFAC REP COUNSEL. No questions here from me. I don't think ____ has any as well.

Are there any other members from our side who have any
Okay. Seeing none, I think we will yield time back over to the majority.

HFAC Dem Counsel. Thank you. Mr. Linick, first just a technical matter that had been raised. Are the transcriptionists having any difficulty hearing anything?

Mr. White, I think they might not have gotten some of your comments. Or are we okay?

The Reporter. Mr. White's audio cut out at one point.

HFAC Dem Counsel. Is there anything that we can do to help you on that now?

Mr. White. We'll review it.

BY HFAC DEM COUNSEL:

Q Okay. So just a couple of very quick things and then I'll turn it over to Mr. Malinowski to close for our side. Sir, early in the day, you said that you had had interactions with White House officials Brian Miller and Uttam Dhillon. What was the nature of those interactions?

A Well, Brian, I've known so that -- I've known him for a while, mostly just personal interactions over the years. Uttam I had known from my work at the U.S. Attorney's Office in L.A., and I had met with him a couple of times, and there was a point where we discussed the judgeship issue.
Q And just for the sake of the record, I think you clarified how you had known each of these people. First, with Mr. Miller, once he became a White House official, what was the nature of those conversations?

A Mostly just personal in nature. I mean, we had been assistant U.S. attorneys in the Eastern District of Virginia together. Mostly just -- it's personal matters and such, yeah.

Q And I don't mean to belabor it. I know it's been a long day. But just so that we don't have to come back, was it mostly personal, or was it entirely personal?

A Well, I wouldn't talk business with him about the White House and so forth ever. So it was personal conversations.

Q Okay. And you don't recall anything that was not in the nature of personal conversation with him?

A No. I might have mentioned the judgeship issue with him, but apart from that, that was the only thing. I've never discussed anything involving State OIG or anything like that.

Q Okay. And then just same set of clarifications for Mr. Dhillon, who I think you --

A Oh, yeah.

Q -- had also known.
A Same thing. Nothing about State OIG or anything involving my work. Like I said, most of the conversation was personal in nature or about the judgeship at that time.

Q Okay. One thing I would just like to clarify for the sake of the record, given that there were some allegations made about -- or efforts, I think, to impugn whether you were truly independent, especially in regard to your questions you answered here today, you, sir, were the inspector general at the State Department who was responsible for the review of former Secretary Clinton's emails, right?

A Yes, I was.

Q And are you aware that former Secretary Clinton then ran for the Presidency of the United States?

A Yes.

Q And as the candidate for which party?

A Democratic.

Q Thank you.

At the time that you were fired, going back briefly to your efforts to speak to Secretary Pompeo in regards to the Saudi arms sales matter, as of the day that you were fired, did you still feel that it was important for that investigation to actually speak to Secretary Pompeo, or was the written answer enough for you?
A So, in response to that question, we were assessing that point before I left in connection whether to report it in our semiannual report, and we decided that it wasn't ripe because we had -- our work on it had been delayed. So I had a conversation with Marik String and [REDACTED] about the possibility of interviewing the Secretary after the COVID crisis abates, when we were able to have staff come in and do that.

Q And what was the outcome of that conversation?
A I didn't get a response one way or the other.
Q Did they give you any indications as to whether they were receptive to the idea?
A I didn't get a response one way or the other.
Q Okay. And then just my last question for the day, and thank you again for your time and for your service, you mentioned that you had heard -- and we're not going to -- you know, we want to protect people's, you know, ability to continue doing their jobs -- that Ambassador Akard had told OIG officials after he took over as acting inspector general, he apparently told folks that he had been approached about becoming the acting inspector general in April. Have you heard, sir, who approached him?
A No, I didn't get any of that information.

HFAC Dem Counsel. All right. That's all I've got.
I'd like to turn it over to Mr. Malinowski.

Mr. Malinowski. Thank you.

So Mr. Zeldin pointed out that I had mentioned that the President does not have a legal obligation to say why he fired you. He can fire an inspector general for any reason or for no reason. It's absolutely true. My point was simply that it's unheard of to give no reason, especially under the circumstances that we find ourselves in with IGs being fired right and left.

COR Rep Counsel. Sir, actually, President Obama did the same thing using the exact same language back in 2009, just a point of clarification. That's all.

Mr. Malinowski. Understood. But it was also widely reported that there were issues involving that inspector general in a particular investigation that he had undertaken. It was understood publicly why -- whether, for good reasons or for -- whether it was right or wrong, it was understood why people had concerns with that inspector general.

So, again, I just -- my point was simply that it's unusual, and it raises questions. And, you know, certainly, if the Secretary was concerned about this particular inspector general not having investigated the Bidens during the Obama administration or had something to do with
Christopher Steele, he could absolutely tell us that. And we could then evaluate whether this was a responsible, defensible act or not.

Obviously, the President has a right to do it even for indefensible reasons. But we are living in a democratic republic in which our leaders are accountable for their actions and should explain them, and that's what we're trying to look into here today.

The absence of an explanation naturally leads to speculation that this had something to do with investigations that were troubling to the Secretary, and that is something that we are going to continue to, obviously, look into. And I'd be happy to learn that it was something else, you know. I'd be happy to learn that there was some good, objective reason for this, but that hasn't been provided. So we're going to carry on.

I don't think there's anyone else on our side.

HFAC Dem Counsel. I have no further questions, and I don't believe I'm aware of any other Democratic members who would like to ask questions.

Mr. Malinowski. Excellent. Is there anyone on the minority side who has any final questions? If not, I'm happy to close.
HFAC REP COUNSEL. I don't believe so, Mr. Malinowski.

Mr. Malinowski. Okay.

COR Rep Counsel. Yeah. I just wanted to say to Mr. Linick, obviously these are very long days. We know you came in voluntarily. We very much appreciate that. I don't mean to speak for everybody here, but I think we all feel the same way. So thank you.

Mr. Malinowski. Absolutely. We all agree on that.

Thank you so much for taking the time to allow us to go through these questions thoroughly. I know you understand, of all people, the importance of doing that. And, you know, we're very grateful to you and your counsel and hope -- and wish you all the best despite the very difficult thing that you've had to undergo.

Mr. White. Thank you. On behalf of Mr. Linick, he appreciates the patience and cooperation of the members on both sides of the aisle and their staff.

HFAC Dem Counsel. Thank you, everyone. I guess, just one last thing. Aside from the substance, just wanted to thank everyone for their patience and their flexibility with doing this remotely during these challenging times to be in a position to help Congress get the information that it needs to conduct its constitutionally mandated oversight while nonetheless still being cognizant of the public health
emergency and making sure we're keeping everybody safe.

So, with that, we are adjourned.

[Whereupon, at 4:25 p.m., the interview was concluded.]
BY E-MAIL

United States House of Representatives Foreign Affairs Committee
2170 Rayburn House Office Building
Washington, D.C. 20515

Re: Transcript of June 3, 2020 Interview with Inspector General Steve A. Linick

We appreciate the opportunity to review the transcript of Inspector General Linick's June 3, 2020 interview and the Committee's willingness to address the transcription errors we identified. However, we did notice that some of our proposed clarifications have not been incorporated into the latest version of the transcript. In recognition of Mr. Linick's voluntary appearance without the benefit of access to his notes, emails, or other workplace materials, we would ask that the following additional clarifications be made to the transcript prior to its public release:

- Page 28, line 16: After “program”, insert “This involved establishing criteria for reopening local and overseas facilities.”
- Page 106, line 13: After “in his office”, insert “[DoJ OIG]”
- Page 150, line 13: Delete “correct” and insert “I don’t recall any such instruction.”
- Pages 160-61: As to the emails that Mr. Linick testified about sending to himself, eight of those related to the PPP report and were sent during his August 2019 vacation. Mr. Linick does not recall whether the entire report was included each of the eight times.
- Page 187, line 16-17: Delete “I don’t recall what I—I mean, nothing—I don’t recall that. I’m not sure” and insert “I did not email that report to myself.”
June 9, 2020
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Mr. Linick thanks the House Foreign Affairs Committee, the House Committee on Oversight and Reform, and the Senate Foreign Relations Committee for their cooperation in scheduling this interview and conducting it in a bipartisan manner. We hope the answers Mr. Linick provided are useful to the Committees in conducting their important work. If for any reason the above clarifications cannot be made, we would appreciate the opportunity to raise our concerns directly with the Chairman and Ranking Member.

Sincerely,

[Signature]

Peter H. White