

THE SECRETARY OF STATE  
WASHINGTON

EX. 1

October 1, 2019

The Honorable  
Eliot L. Engel, Chairman  
Committee on Foreign Affairs  
House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

We are in receipt of your September 27, 2019 letter requesting the Department to voluntarily make available five current and former Department officials for depositions.

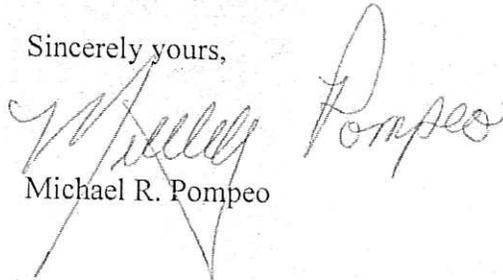
I am concerned with aspects of your request, described more fully below, that can be understood only as an attempt to intimidate, bully, and treat improperly the distinguished professionals of the Department of State, including several career Foreign Service Officers, whom the Committee is now targeting. I have also been made aware that Committee staff has been sending intimidating communications to career Department professionals, who have specifically asked for Committee communications to be channeled through the Bureau of Legislative Affairs, as is customary. Let me be clear: I will not tolerate such tactics, and I will use all means at my disposal to prevent and expose any attempts to intimidate the dedicated professionals whom I am proud to lead and serve alongside at the Department of State.

Your letter also raises significant legal and procedural concerns. First, your letter raises fundamental legal questions related to the authority of the Committee to compel an appearance for a deposition solely by virtue of these letters. Your letter implies that you have sought to compel Department officials to appear for depositions on the identified dates, yet the Committee has not issued any subpoenas for depositions, and we are not aware of any other authority by which the committee could compel appearance at a deposition. The House Rules also require the Committee to provide a Notice of Deposition, but your letter contains no such notice and otherwise fails to meet the requirements of those rules. It therefore appears that your letter may only be read as a request for a voluntary appearance of the five Department officials.

Second, your letter provides a woefully inadequate opportunity for the Department and the requested witnesses to prepare. These individuals have retained, or may be retaining, private counsel, as is their constitutional right, and in the course of the Department's discussions with these individuals, several have indicated that they need more time both to retain and to consult with private counsel. In addition, State Department counsel must consult with these officials and their counsel, once retained, regarding the Department's legitimate interests in safeguarding potentially privileged and classified information. The proposed dates for the depositions do not provide adequate time for the Department and its employees to appropriately prepare.

Based on the profound procedural and legal deficiencies noted above, the Committee's requested dates for depositions are not feasible. The Department will be in further contact with the Committee in the near future as we obtain further clarity on these matters.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Michael R. Pompeo". The signature is written in dark ink and is positioned to the right of the typed name.

Michael R. Pompeo

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