

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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September 17, 2024

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Secretary Mayorkas:

The Committee on Oversight and Accountability (Committee) continues to investigate the U.S. Coast Guard's (USCG) mishandling of serious misconduct, including racism, hazing, discrimination, sexual harassment, sexual assault, and the failure to disclose internal investigations into those issues from the wider Coast Guard community, Congress, and the public.

It has been made clear that the Department of Homeland Security (DHS) Office of the General Counsel (OGC) is taking responsibility for reviewing and approving the production of USCG documents requested by the Committee in this investigation. Over the course of this investigation, the Committee has received 12,521 pages of documents in response to its inquiries. However, hundreds of pages of responsive documents specifically requested by the Committee—including responsive email communications—have only been made available *in camera* to Committee investigators and have not been produced.

The only purported rationale offered for withholding these documents is that they are “sensitive” and can therefore only be provided *in camera*. However, sensitivity concerns or fear that a particular document could be embarrassing to the Department are not valid legal justifications for withholding responsive documents from Congress. In a staff-level briefing with DHS officials on July 19, 2024, the Department alluded to certain privileges as justification for withholding documents. It failed, however, to assert or specify those privileges. Despite multiple Committee requests for DHS's written legal justification for withholding why these documents, the Department has not provided any such justification, explanation, and/or privilege log to the Committee.

Therefore, we respectfully renew our request for the following documents to be produced to the Committee in full no later than October 1, 2024:

1. All draft versions of the Operation Fouled Anchor (OFA) report, and the Accountability Transparency Review (ATR) and;

2. All emails reviewed *in camera* by Committee investigators on April 12, 2024.

The Committee also reiterates our other outstanding requests for information. If DHS continues to fail to produce the requested documents by October 1, 2024, the Committee will consider additional measures, including the use of the compulsory process, to gain compliance and obtain this critical material.

To arrange for the delivery of responsive documents or any related follow-up questions, please contact the Committee on Oversight and Accountability Majority staff at (202) 225-5074. The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

Thank you in advance for cooperating with this inquiry.

Sincerely,



James Comer  
Chairman  
Committee on Oversight and Accountability



Glenn Grothman  
Chairman  
Subcommittee on National Security,  
the Border, and Foreign Affairs

cc: The Honorable Jamie B. Raskin, Ranking Member  
Committee on Oversight and Accountability

The Honorable Robert Garcia, Ranking Member  
Subcommittee on National Security, the Border, and Foreign Affairs