



Office of Inspector General

January 19, 2021

The Honorable Charles E. Grassley
Chairman
Committee on Finance
U.S. Senate
Washington, DC 20510

Dear Chairman Grassley:

I write in response to your December 23, 2020, letter to then U.S. Agency for International Development (USAID) Inspector General Ann Calvaresi Barr, in which you raise concerns regarding the USAID Office of Inspector General's (OIG) investigation into allegations of whistleblower reprisal against Dr. Mark Moyar. As Acting Inspector General since Ms. Calvaresi Barr's retirement on December 31, 2020, and USAID's Deputy Inspector General since October 2018, I can assure you that OIG has always been—and will remain—firmly committed to thoroughly addressing allegations of whistleblower retaliation. Ensuring the right of individuals to report wrongdoing without fear of reprisal is an essential part of our mission as an independent oversight office. Assessing and responding to allegations of whistleblower retaliation is a top priority, as is ensuring that these complaints are investigated in a timely and thorough manner.

OIG also places great priority on taking the investigative steps necessary to provide our stakeholders—including complainants, Agency leadership, and Congress—with an accurate and reliable account in response to credible allegations of whistleblower retaliation. For this reason, I want to further assure you that USAID OIG conducted a thorough investigation into this particular matter. USAID OIG's investigation focused on whether USAID based its actions on legitimate, non-retaliatory reasons. The investigation did not substantiate that USAID's actions had a retaliatory motive or were inconsistent with internal policy and legal authorities. Upon completion of the investigation and following our standard practice, we reported our findings to Agency leadership.

I appreciate and share your commitment to ensuring that allegations of whistleblower retaliation are thoroughly investigated and, importantly, that whistleblowers may disclose suspected fraud, waste, and abuse without fear of reprisal. With this in mind, and with respect to the matter at hand, OIG is confident in the integrity of our investigative work, the thoroughness of our process, and the determinations made based on the facts in this case. While I address several points regarding your December 23, 2020, letter immediately below, we are also providing more specific information in response to each of your questions in a separate enclosure with this letter, which is marked "Sensitive But Unclassified—Law Enforcement Sensitive."

Your letter raises questions regarding the scope of our investigation as well as the resulting report of investigation (ROI). It also raises questions regarding activities and information under the purview of the Department of Defense (DoD) United States Special Operations Command (SOCOM) and the Defense Office of Prepublication and Security Review (DOPSR). As we discussed with your staff last year, OIG's investigative focus in response to Dr. Moyar's complaint aligned with our jurisdiction for oversight of USAID, based on information received by USAID from DoD. It is not within USAID OIG's jurisdiction to assess the propriety or integrity of DOPSR or SOCOM clearance processes or determinations. USAID OIG has not received any request from a DoD oversight body to assist with any related investigation or other inquiry pertinent to this matter. Recognizing the DoD had received related complaints, we maintained contact with relevant officials there, but our investigative activities were conducted independent of one another, each with a different focus.

Further, it is important to note that no individuals in USAID's Office of Civilian-Military Cooperation were involved in USAID's decisions pertaining to Dr. Moyar's security clearance determination. Rather, as explained in the USAID OIG ROI, USAID's Office of Security made its own decision regarding Dr. Moyar's clearance based on information received from SOCOM. Further, the decision to offer Dr. Moyar an opportunity to resign in lieu of termination originated with USAID's politically appointed leadership, after consultation with the White House Presidential Personnel Office. Regarding information referenced in Attachment #21, the inclusion of this information in the final ROI ensures completeness of the investigative record and we remain confident in the thoroughness of our investigative steps, our assessment of the probative value of evidence obtained, and our overall findings.

Lastly, I want to acknowledge the great extent to which USAID OIG staff reach out to Agency, contractor, and grantee staff to educate them on whistleblower protections and the importance of reporting fraud, waste, and abuse to the OIG. We have built strong relationships throughout the oversight and accountability communities in order to better provide and promote the means by which individuals may come forward to make confidential disclosures to our office.

While I trust our responses above and in the enclosure provide greater insight into our investigative approach in this particular case, my staff and I remain available to further discuss this matter with you or your staff. With 25 years of federal law enforcement and investigative experience, I value the critical role whistleblowers play in identifying fraud, waste, and abuse and will work to continuously protect the workforces of USAID, the Millennium Challenge Corporation, U.S. African Development Foundation, or Inter-American Foundation from retaliatory threats and actions. Thank you for your longstanding and steadfast support on this issue, and of the Inspector General community in general.

Sincerely,

/s/

Thomas J. Ullom
Acting Inspector General

Enclosure