

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

September 22, 2021

Catherine M. Russell
Director
Office of Presidential Personnel
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Ms. Russell,

On September 8, 2021, you demanded the resignation of all eighteen President Trump-appointed advisory board members from our military service academies.¹ Board members refusing to resign were considered fired at 6:00 p.m. that same day. We are unaware of any such action taken by a prior President or Administration. Since these actions came in the wake of President Biden's bungled Afghanistan withdrawal that resulted in the deaths of thirteen U.S. service members, the media has largely ignored these personnel actions. In light of these unprecedented and possibly unlawful political firings, we request information to understand the process and legal basis behind these decisions.

Leadership, honor, integrity, courage, and commitment are the pillars of our military service academies—including the U.S. Air Force Academy, U.S. Naval Academy, and U.S. Military Academy. The men and women who lead our armed forces embody these pillars, making the United States military the greatest fighting force in history. By summarily firing the presidentially-appointed board members, President Biden is undermining these foundational pillars of our nation's armed forces.

¹ Felicia Sonmez, *18 Trump appointees have either resigned or been terminated from military service academy boards, White House official says*, WASH. POST (Sept. 10, 2021), available at https://www.washingtonpost.com/politics/trump-appointees-military-boards/2021/09/10/40d31b80-1232-11ec-bc8a-8d9a5b534194_story.html. The members include: (U.S. Military Academy): Douglas MacGregor, Guy C. Swann, III, David J. Urban, Meaghan C. Mobbs, John M. "Jack" Keane, and H.R. McMaster; (U.S. Naval Academy): Jonathan Hiler, Anthony Parker, Sean Spicer, Joseph A. Walsh, John Coale, and Russell Vought; (U.S. Air Force Academy): Kellyanne Conway, Heidi H. Stirrup, Wes Spurlock, Doug Lengenfelder, Michael Wynne, and Robert Gleason.

With these firings, President Biden continues a pattern of political gamesmanship to purge Trump appointees from the government.² In this case, the firings are not only unprecedented but potentially a violation of law. Each academy's Board of Advisors is authorized by federal law,³ and is subject to federal regulations.⁴ While the three major military service academies have different statutory sources regarding Presidential appointees,⁵ each statute contains the same language: "the persons designated by the President serve for three years each except that any member whose term of office has expired shall continue to serve until his successor is appointed."⁶ The eighteen board members you discharged have had their positions terminated within their respective three-year terms; thus, the legal ground for the firings is both uncertain and untested.

The firings of academy board members are yet another example of the Biden Administration's mismanagement of and disregard for our armed forces. For example, former national security adviser H.R. McMaster received his termination letter days before being honored by West Point's Military Association of Graduates as a distinguished graduate of the military academy.⁷ The decision, combined with the other firings, shows disrespect to our service academy graduates. This illustrates the nonsense of the stated rationale for the dismissals. White House press secretary Jen Psaki said the prior administration's board members were dismissed "to ensure nominees and people serving on these boards who are qualified to serve on them and who are aligned with your values."⁸ Unfortunately, this statement does not align with the statutory language on board appointments.

To assist Committee Republicans in better understanding the Biden Administration's reasoning for firing members of the military service academy Board of Advisors, please provide the following documents and information as soon as possible but no later than September 29, 2021, for the time period covering January 20, 2021 to the present.

- (1) All documents and communications referring or relating to President Biden's decision to fire Trump-appointed board members on the Air Force Academy, Military Academy, and Naval Academy Board of Advisors.

² See letter from Ranking Member James Comer, Committee on Oversight and Reform, et al., to Michael S. Regan, Administrator, U.S. EPA, April 7, 2021, available at <https://republicans-oversight.house.gov/wp-content/uploads/2021/04/Letter-to-Michael-Regan-on-Science-Advisory-Boards.pdf>.

³ 5 U.S.C. app.

⁴ 41 C.F.R. § 102-3.50(a).

⁵ 10 U.S.C. § 9455; 10 U.S.C. § 7455; 10 U.S.C. § 8468.

⁶ 10 U.S.C. §§ 9455(b)(1); 10 U.S.C. § 7455(b); 10 U.S.C. § 8468(b).

⁷ Daniel Lipman, *Biden moves to boot Trump loyalists from advisory boards*, POLITICO (Sept. 8, 2021), available at <https://www.politico.com/news/2021/09/08/biden-trump-military-advisory-boards-510526>.

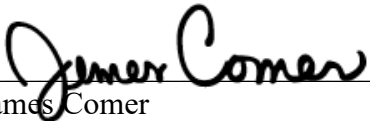
⁸ Felicia Sonmez, *18 Trump appointees have either resigned or been terminated from military service academy boards*, White House official says, WASH. POST (Sept. 10, 2021), available at https://www.washingtonpost.com/politics/trump-appointees-military-boards/2021/09/10/40d31b80-1232-11ec-bc8a-8d9a5b534194_story.html.

- (2) All documents and communications between the White House Office of Presidential Personnel and any outside persons or organizations referring or relating to President Biden's decision to fire Trump-appointed board members on the Air Force Academy, Military Academy, and Naval Academy Board of Advisors.
- (3) All documents and communications between the White House Office of Presidential Personnel and other White House administrative offices referring or relating to President Biden's decision to fire Trump-appointed board members on the Air Force Academy, Military Academy, and Naval Academy Board of Advisors.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

If you have any questions about this request, please contact Oversight Committee Staff at 202-225-5074. Thank you for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



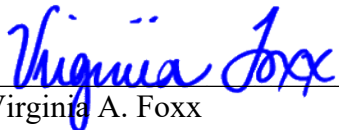
Michael Cloud
Ranking Member
Subcommittee on Economic
and Consumer Policy



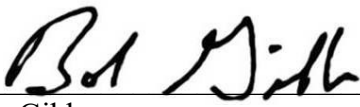
Ralph Norman
Ranking Member
Subcommittee on Environment



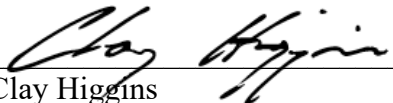
Pete Sessions
Ranking Member
Subcommittee on Civil Rights
and Civil Liberties




Virginia A. Foxx
Member of Congress



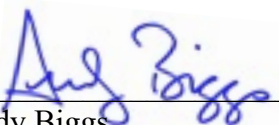
Bob Gibbs
Member of Congress



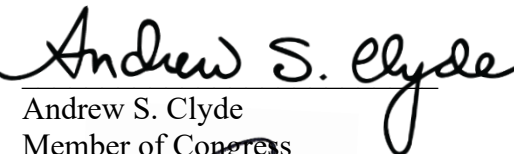
Clay Higgins
Member of Congress




Fred Keller
Member of Congress



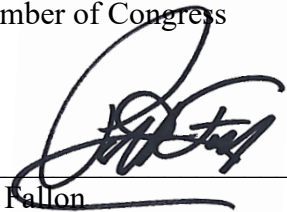
Andy Biggs
Member of Congress



Andrew S. Clyde
Member of Congress



Scott Franklin
Member of Congress



Pat Fallon
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties