

United States Senate

WASHINGTON, DC 20510

July 13, 2023

Ms. Diana Shaw
Deputy Inspector General
Office of the Inspector General
Department of State
2201 C St. NW
Washington, D.C. 20520

Dear Ms. Shaw:

Given the role and responsibilities of the Special Envoy for Iran and the position's importance to securing U.S. national security interests, we were alarmed to learn that the U.S. Department of State has suspended Special Envoy for Iran Robert Malley's clearance, is conducting an investigation into Malley's handling of classified information, and only recently placed Malley on leave without pay. We write to request that the Office of the Inspector General (OIG) conduct an independent investigation into whether State Department officials complied with all appropriate laws and regulations—including policies and procedures described in the State Department's Foreign Affairs Manual (FAM)—with regard to the suspension of Special Envoy for Iran Malley's access to classified information.

On Thursday, June 29, 2023, it was reported that the State Department had placed Special Envoy Malley "on leave without pay, which occurred after his security clearance was suspended earlier this year amid an investigation into his handling of classified material." As one news report added: "A U.S. official said that Malley's clearance was suspended amid a State Department diplomatic security investigation into the possible mishandling of classified information. Another source familiar with the matter said he was placed on unpaid leave on Thursday afternoon." Special Envoy Malley is quoted by news organizations as confirming the suspension: "I have been informed that my security clearance is under review." In addition, it was reported this week that the "FBI is now looking into President Biden's Iran envoy, Rob Malley," including "Malley's handling of classified material."

In light of relevant laws and regulations, including policies and procedures described in the Foreign Affairs Manual, we request answers to the following questions no later than Friday, July 21, 2023:

- (1) On what date was Special Envoy Malley notified in writing, as required by 12 FAM 233, that his security clearance had been suspended? On what date(s) did the alleged event(s) occur that precipitated this review and suspension?
- (2) Did Special Envoy Malley, as required by 12 FAM 233, subsequently turn in all "Department-issued credentials that provide logical or physical access to classified systems or designated classified spaces/facilities and any and all Special Issuance Agency-issued passport(s) to the Office of Personnel Security and Suitability (DS/SI/PSS)"?

- (a) Is yes, on what date?
- (b) If no, when will this requirement under 12 FAM 233 be fulfilled?
- (3) Was Special Envoy Malley’s physical access to “Mahogany Row”—the highly-secured area of the State Department’s 7th Floor that includes the offices of the Secretary of State and other top diplomatic officials—restricted?
- (a) If yes, on what date and to what extent?
- (4) Given that the Special Envoy for Iran leads the State Department’s Iran Action Group (IAG), was Special Envoy Malley restricted from physically accessing IAG’s classified spaces?
- (a) If yes, on what date and to what extent?
- (5) Did Special Envoy Malley, as required by 12 FAM 233, return all classified devices issued to him to the State Department?
- (a) If yes, on what date?
- (6) Given that the Special Envoy for Iran leads the State Department’s Iran Action Group, when and how were IAG members informed that Special Envoy Malley’s clearance was suspended?
- (7) After the State Department suspended Special Envoy Malley’s clearance, when and how were members of the Iran Action Group expressly directed not discuss or otherwise share any classified information with Malley? Please clarify the extent and depth of restrictions conveyed to IAG members and other State Department employees.
- (8) On what date did the State Department place Special Envoy Malley on leave without pay? Why did the State Department make the decision to do so on this date rather than on the date on which Malley’s clearance was suspended?
- (9) In the time that passed between the State Department’s suspension of Special Envoy Malley’s clearance and the State Department’s decision to place Malley on leave without pay, what roles, responsibilities, and duties did Malley continue to have with respect to the Iran Action Group?
- (10) On what date did Abram Paley begin serving as acting Special Envoy for Iran?
- (11) Is Abram Paley, in his current capacity as acting Special Envoy for Iran, exercising significant authority pursuant to the laws of the United States?
- (a) If no, did the President or Secretary of State submit, as required by Section 5105 of the *National Defense Authorization Act for Fiscal Year 2022* (Public Law 117-81), a waiver, which would allow Paley to operate in the role for 180 days without Senate confirmation, to appropriate congressional committees not later than 15 days before Paley’s appointment?

(b) If yes, did the Secretary of State submit, as required by Section 5105 of the FY2022 NDAA, a notification for temporary appointments exercising significant authority to appropriate congressional committees not later than 15 days after Paley's appointment?

We thank you for your attention to this important matter. We look forward to your response by Friday, July 21, 2023.

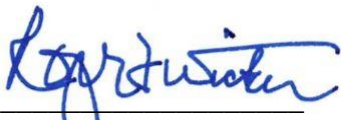
Sincerely,



Bill Hagerty
United States Senator



Marco Rubio
United States Senator



Roger F. Wicker
United States Senator



Tim Scott
United States Senator



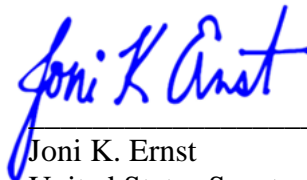
Ted Cruz
United States Senator



Tom Cotton
United States Senator



Bill Cassidy, M.D.
United States Senator




Joni K. Ernst
United States Senator





Rick Scott
United States Senator





John Barrasso
United States Senator


Charles E. Grassley
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