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August 19, 2026

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

Secretary Burgum:

We write to request information regarding the Department of the Interior's compliance with federal records retention requirements. We are deeply concerned by recent reports that officials at the Department have reportedly engaged in actions in violation of the Federal Records Act.

According to a recent report in *Politico*, officials at the Department have reportedly destroyed official documents and used encrypted mobile applications equipped with disappearing message configurations to avoid preserving records.¹ One employee quoted in the article stated, "[t]hey're [Department officials] terrified of written records."²

Under the Federal Records Act, the head of each federal agency is required to "make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency...."³ The Federal Records Act broadly defines "record" and includes "all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency."⁴ Any employee that conceals or destroys a federal record may be subject to fine or imprisonment.⁵

It is imperative that all employees at the Department – regardless of title or position – understand and comply with federal records retention requirements. Government must be transparent and accountable to the American people. We therefore request that you clearly communicate to all employees their legal obligation to comply with the Federal Records Act. Additionally, in light of the serious nature of this matter, we request you provide responses to the following questions by September 2, 2026:

1. Please describe the Department's record retention policies and procedures. Since the start of this Administration, please provide all guidance the Department has shared with employees regarding their obligation to comply with federal records retention requirements.

¹ "Jeanine Pirro berated Doug Burgum. But Interior staffers have been angry at him for months," *Politico*, August 7, 2025. Available: <https://www.politico.com/news/2026/08/07/doug-burgum-interior-department-pirro-01028360>.

² *Id.*

³ 44 U.S.C. § 3101.

⁴ 44 U.S.C. § 3301(a)(1)(A).

⁵ 18 U.S.C. § 2071.

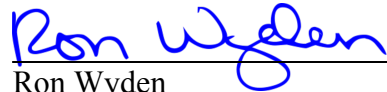
2. Please describe the Department's policies and procedures related to encrypted mobile applications, including whether the Department permits the use of such applications on government devices. Since the start of this Administration, please provide all guidance the Department has shared with employees regarding their obligation to comply with federal records retention requirements when using encrypted mobile applications.
3. Please provide responses to the following questions:
 - a. Have you directed or ordered any Department employee to destroy or conceal a federal record?
 - b. Are you aware of any Department official destroying or concealing a federal record?

Thank you for your prompt attention to this matter.

Sincerely,



Martin Heinrich
United States Senator
Ranking Member, Committee
on Energy and Natural
Resources



Ron Wyden
United States Senator