

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ROBERT P. STORCH; MICHAEL J.  
MISSAL; CHRISTI A. GRIMM; CARDELL  
K. RICHARDSON, SR.; SANDRA D.  
BRUCE; PHYLLIS K. FONG; LARRY D.  
TURNER; HANNIBAL “MIKE” WARE;

Plaintiffs,

v.

PETE HEGSETH, *in his official capacity as  
Secretary of Defense*; DOUGLAS A.  
COLLINS, *in his official capacity as  
Secretary of Veterans Affairs*; ROBERT F.  
KENNEDY, JR., *in his official capacity as  
Secretary of Health and Human Services*;  
MARCO RUBIO, *in his official capacity as  
Secretary of State*; DENISE L. CARTER, *in  
her official capacity as Acting Secretary of  
Education*; GARY WASHINGTON, *in his  
official capacity as Acting Secretary of  
Agriculture*; VINCENT MICONE, *in his  
official capacity as Acting Secretary of Labor*;  
EVERETT M. WOODEL, JR., *in his official  
capacity as Acting Administrator of the Small  
Business Administration*; DONALD J.  
TRUMP, *in his official capacity as President  
of the United States*;

Defendants.

Civil Case No. 1:25-cv-00415-ACR

**DECLARATION OF PHYLLIS K. FONG**

I, Phyllis K. Fong, declare as follows:

1. On December 2, 2002, I was sworn in as the Inspector General of the U.S. Department of Agriculture (“USDA”). I was nominated to the position by President George W. Bush and confirmed by the Senate by unanimous consent. I have served in this position for over 22

years across the presidential administrations of George W. Bush, Barack Obama, Donald Trump, and Joe Biden. Based on my experience, I have personal knowledge of the facts set forth below and am competent to testify to these facts if required.

### **Tenure as Inspector General of USDA**

2. As USDA IG, I lead the approximately 440 employees in the Office of Inspector General, which is tasked with overseeing USDA's \$340 billion budget and 100,000 employees.
3. During my tenure as USDA IG, my office has issued approximately 7,250 reports and delivered a monetary impact of over \$19 billion. Monetary impact describes the estimated financial savings or losses that could result from implementing recommendations made in an IG's audits, inspections, or evaluations, essentially quantifying the potential cost-benefit of addressing issues like waste, fraud, and abuse in a government agency or program. Monetary impact also includes the financial results from investigations and prosecutions, such as judicially-ordered fines, restitution, and penalties.
4. In 2008, I was elected by my peers to serve as the first Chair of the Council of the Inspectors General on Integrity and Efficiency ("CIGIE"). I served as the Chair for three two-year terms.
5. During my tenure as Inspector General, I have received multiple awards. Most recently, I and my staff received the 2024 CIGIE Alexander Hamilton Award for investigative work that led to the successful prosecution of a group of people fraudulently signing individuals up to apply for USDA funds.

### **January 24 Firing**

6. On January 24, 2025, at 7:37 p.m., I received an email from Sergio Gor, the Director of the Office of Presidential Personnel at the White House, with the subject line “White House Notification.” The email stated:

Dear Phyllis,

On behalf of President Donald J. Trump, I am writing to inform you that due to changing priorities your position as Inspector General of the United States Department of Agriculture is terminated, effective immediately.

Thank you for your service.

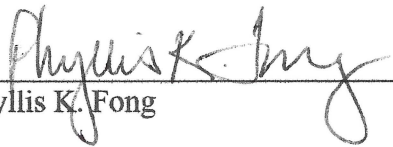
7. I have not received any direct communication from President Trump regarding my purported removal.
8. Shortly after receiving the Gor email, I contacted Mike Ware and Tammy Hull, the Chair and Vice-Chair of CIGIE. Later that night, Mike Ware, in his capacity as CIGIE Chair, issued a letter to the White House on behalf of CIGIE taking the position that the purported removals were not effective.
9. Because I believed (and believe) that my removal was unlawful and thus ineffective, I continued to work after receiving the email from Mr. Gor. On Monday, January 27, 2025, I went to my office at USDA headquarters and held several meetings. But around 1:45 p.m., I was called by the Office of the Inspector General’s (“OIG”) Chief Information Officer who informed me that my access to IT systems was to be cut off by 2:00 p.m. that day, at the direction of the Acting Secretary of Agriculture, Gary Washington.
10. OIG staff then took possession of my computer and cell phone. I was subsequently informed that my PIV card was being deactivated and that I would no longer have access

to the building. I therefore completed the meeting I was in and left the building around 5:30 p.m.

11. I made arrangements with OIG personnel to bring the remaining personal items in my office to my house, and for them to pick up government equipment from my house and return it to USDA. This was completed on February 11, 2025.
12. I have not accrued salary since January 24, 2025, and I have not been permitted to work in my capacity as the USDA Inspector General since leaving my office on January 27, 2025.
13. I am committed to fulfilling the duties of the Inspector General so long as I am legally appointed to that role. The actions of those acting pursuant to the direction of Acting Secretary Washington are preventing me from performing the duties assigned to me by law.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 14, 2025

  
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Phyllis K. Fong