



**Judicial
Watch®**
*Because no one
is above the law!*

February 12, 2026

Peter Marocco
U.S. African Development Foundation
1400 I St., N.W.
Washington, DC 20005-2248

Re: Violation of the Federal Records Act

Dear Mr. Marocco:

I am writing on behalf of Judicial Watch, Inc., a not-for-profit educational organization that seeks to promote transparency, accountability, and integrity in government and fidelity to the rule of law. In furtherance of its public interest mission, Judicial Watch regularly requests access to the records of the U.S. Government, including the U.S. African Development Foundation, through the Freedom of Information Act and disseminates its findings to public.

Judicial Watch has learned through a whistleblower that former USADF President Travis Adkins and former Chief Financial Officer Mathieu Zahui used personal email accounts for official USADF business, including but not limited to communications involving any government contracts, grants, or financial transactions. Judicial Watch has also learned through the same whistleblower that USADF records may have been destroyed. The use of non-government email accounts and destruction of records raises serious concerns – concerns amplified by the recent indictment of the former Chief Financial Officer for accepting gratuities from a USADF contractor and making false statements to federal law enforcement.

Even though the messages may have been sent through personal email accounts, these e-mails are agency records subject to the Federal Records Act. 44 U.S.C. §§ 2101-18, 2901-09, 3101-07, 3301-14. USADF's failure to retain and manage these agency records has compromised the agency's retention of records that concern or relate to the former USADF President and Chief Financial Officer.

As you may be aware, the Federal Records Act imposes a direct responsibility on you as an agency head to take steps to recover any records unlawfully removed from USADF. Specifically, upon learning of "any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency," you must notify the Archivist of the United States. 44 U.S.C. § 3106. Upon learning that records have been unlawfully removed from USADF, you then are required to initiate action through the Attorney General for the recovery of records. *Id.*

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In the event you fail to take these steps, you should be aware that Judicial Watch is authorized under the law and ready to file a lawsuit in federal district court seeking that you be compelled to comply with the law. *Armstrong v. Bush*, 924 F.2d 282,296 (D.C. Cir. 1991).

Please advise us no later than February 27, 2026 if you intend to take the action required under the law. If we do not hear from you by that date, we will assume that you do not intend to take any action. Thank you for your attention to this matter.

Sincerely,

JUDICIAL WATCH, INC.



Thomas J. Fitton
President