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July 16, 2010

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to express my concern that the community of federal Inspectors General ("IGs") is short-handed due to the absence of permanent leadership at key agencies. During a time of record federal spending and increased agency activities, the American people have a right to know that a robust group of independent watchdogs is in place to guard taxpayer dollars against waste, fraud and mismanagement. It is for that reason that I was alarmed to find 10 of the 69 Offices of Inspectors General ("OIGs") established under the Inspector General Act of 1978 are currently operating without permanent leadership.¹

Perhaps the most troubling aspect of the alarmingly high number of vacancies in the IG community is the fact that many occur at agencies with critical roles in national security. A series of failed terrorist attacks in the last year has exposed flaws in the oversight of the intelligence community. There is an urgent need for permanent independent leadership at every OIG with oversight of an agency that has a national security component. Despite that urgency, the Central Intelligence Agency ("CIA") and the U.S. Department of State are awaiting presidential appointees to lead their

¹ Council of Inspectors General on Integrity and Efficiency ("CIGIE") website, "IG Directory," available at <http://www.ignet.gov/cigie1.html> (last visited June 8, 2010). The position of Inspector General is either vacant or currently filled by an Acting IG at the Central Intelligence Agency, Corporation for National and Community Service, Equal Employment Opportunity Commission, Export-Import Bank of the United States, Federal Communications Commission, Federal Housing Finance Agency, Federal Labor Relations Authority, U.S. Department of Labor, National Endowment for the Arts, and U.S. Department of State.

respective Offices of the Inspector General. The CIA has operated without oversight from a permanent IG since March 2009. The State Department has been without a permanent IG since the resignation of Howard Krongard in December 2007.

Further weakening the oversight structure of the federal government is the absence of permanent leadership at the Office of Special Counsel (“OSC”) and the Government Accountability Office (“GAO”).² The OSC, which investigates federal whistle-blower complaints, has had no leader since October 2008. This void exacerbates the effects of the vacancies and temporary leadership at OIGs across the federal government by weakening an important whistleblower protection. By protecting whistleblowers from retaliation, OSC encourages federal employees to report waste, fraud and abuse to the appropriate OIG.

Stakeholders in the IG community are justifiably alarmed by the high rate of vacancies and temporary positions. According to John Solomon, who conducted an analysis of the IG vacancies on behalf of the *Center for Public Integrity*, “In talking to IGs, they couldn’t remember a time when so many IG jobs were open, and for as long as they were open.”³

The intent of the IG Act was to create “independent and objective” investigatory offices.⁴ When these positions are vacant for extended periods of time, the intent of Congress is compromised because temporary leadership is neither adequately independent nor well-positioned to make long-term decisions. With billions of dollars at stake, every OIG must be capable of taking decisive action to protect taxpayer dollars under the guidance of an independent and well-qualified leader. The high rate of vacant or temporary IG positions has not gone unnoticed by observers of the IG community. According to Clark Kent Ervin, former IG for the State and Homeland Security departments:

[Acting IGs] don’t have the full imprimatur of the Senate and White House. If you’ve got that political capital you can ... move forward with major policy initiatives.⁵

There is perhaps no greater ally than the IG community to your Administration’s oft-stated commitment to transparency and accountability. I respectfully urge you to appoint a U.S. Special Counsel and to fill vacancies at those agencies awaiting a permanent Inspector General. As Ranking Member of the House’s main investigative Committee with direct responsibility for oversight of all Inspectors General, I look

² Tom Spoth, *Inspector general positions vacant at several agencies*, FED. TIMES, May 31, 2010 [hereinafter Spoth article].

³ *Id.*

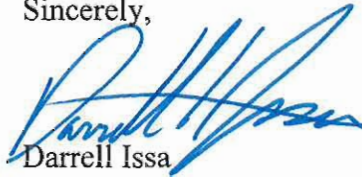
⁴ 5 U.S.C. App. 3, § 2.

⁵ Spoth article.

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forward to working with the White House to ensure Inspectors General are well-positioned to conduct their important function. Thank you for your attention to this important matter.

Sincerely,



Darrell Issa
Ranking Member

cc: The Honorable Edolphus Towns, Chairman