

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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August 17, 2022

Mr. Kevin H. Winters  
Chair, Integrity Committee  
Council of the Inspectors General on Integrity and Efficiency  
1717 H Street, N.W., Suite 825  
Washington, D.C. 20006

Dear Mr. Winters:

I write with serious concerns about the Integrity Committee's (IC) continued silence in the face of recent and repeated reports that Department of Homeland Security (DHS) Inspector General Joseph V. Cuffari decided not to inform Congress of material developments in the investigation concerning the January 6, 2021, attack on the Capitol.<sup>1</sup> Additionally, reports indicate that Mr. Cuffari demonstrated concerning unethical behaviors when he served at the Department of Justice Office of Inspector General (OIG), dating back to 2008.<sup>2</sup> And now the *Washington Post* reports that Mr. Cuffari has sought "partisan allies to defend" him from a Council of Inspectors General on Integrity and Efficiency (CIGIE) investigation into allegations of misconduct and has otherwise refused to cooperate with investigators.<sup>3</sup> Given the very public reporting of these serious allegations, the IC must take steps to preserve its integrity and independence by publicly confirming whether it is investigating Mr. Cuffari and the swirl of serious allegations surrounding him.

According to press reporting earlier this year, Mr. Cuffari is under investigation by the CIGIE's IC for allegations of retaliation.<sup>4</sup> More recently, on July 20, 2022, the *Post* reported

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<sup>1</sup> *Secret Service Watchdog Knew in February that Texts had been Purged*, Washington Post (July 20, 2022) (online at [www.washingtonpost.com/national-security/2022/07/20/secret-service-national-archives/](http://www.washingtonpost.com/national-security/2022/07/20/secret-service-national-archives/)); *Jan. 6 Texts Missing for Trump Homeland Security's Wolf and Cuccinelli*, Washington Post (July 28, 2022) (online at [www.washingtonpost.com/nation/2022/07/28/homeland-security-texts-jan6/](http://www.washingtonpost.com/nation/2022/07/28/homeland-security-texts-jan6/)); *Watchdog Investigating DHS Inspector General over Retaliation Allegations*, CNN (Feb. 11, 2022) (online at [www.cnn.com/2022/02/11/politics/dhs-inspector-general-investigated-watchdog-group/index.html](http://www.cnn.com/2022/02/11/politics/dhs-inspector-general-investigated-watchdog-group/index.html)).

<sup>2</sup> *Homeland Security Watchdog Previously Accused of Misleading Investigators, Report Says*, Washington Post (Aug. 3, 2022) (online at [www.washingtonpost.com/politics/2022/08/03/homeland-security-joseph-cuffari-watchdog-report/](http://www.washingtonpost.com/politics/2022/08/03/homeland-security-joseph-cuffari-watchdog-report/)).

<sup>3</sup> *Under Fire, Homeland Security Watchdog Delays Probe — with GOP Help*, Washington Post (Aug. 12, 2022) (online at [www.washingtonpost.com/politics/2022/08/12/joseph-cuffari-homeland-security-watchdog-investigation/](http://www.washingtonpost.com/politics/2022/08/12/joseph-cuffari-homeland-security-watchdog-investigation/)).

<sup>4</sup> *Watchdog Investigating DHS Inspector General over Retaliation Allegations*, CNN (Feb. 11, 2022) (online at [www.cnn.com/2022/02/11/politics/dhs-inspector-general-investigated-watchdog-group/index.html](http://www.cnn.com/2022/02/11/politics/dhs-inspector-general-investigated-watchdog-group/index.html)).

that the DHS OIG “learned in February that the Secret Service had purged nearly all cellphone texts from around the time of the Jan. 6, 2021, attack on the Capitol, but chose not to alert Congress.”<sup>5</sup> The report notes that the delay lowers the probability that investigators can recover critical evidence related to the January 6 attack.<sup>6</sup> On July 28, the *Post* reported that “[t]ext messages for former ... acting Homeland Security Secretary Chad Wolf and acting deputy secretary Ken Cuccinelli are missing for a key period leading up to the Jan. 6 attack on the Capitol.” According to the *Post*, DHS notified the agency’s IG of the missing emails in February. This subsequent report observes that the detection of missing records “increases the volume of potential evidence that has vanished.”<sup>7</sup>

I have a long track record of work to ensure that federal inspectors general (IGs) operate with independence and integrity.<sup>8</sup> In particular, my work has focused on helping the IC work with Congress to effectively and efficiently hold all federal IGs and top leadership in OIGs accountable to operate with dignity and pursuant to laws, ethical codes, and professional standards.<sup>9</sup> IGs, who hold others to account, must be pure as the driven snow.

The cascading reports of inappropriate conduct publicly levied against Mr. Cuffari warrant a public response from the IC. While the IC may believe it has reasons to not confirm investigations or targets in the ordinary course, this case is different. The absence of any public statement from the IC creates the appearance that the watchdog of the watchdogs is absent from an investigation into allegations of IG wrongdoing with massive national implications. In short, the IC’s silence prompts questions about the utility of the IC itself, and whether the IC has the capacity and resources necessary to conduct this investigation.

I write, therefore, to request the following:

1. Please confirm whether the IC is investigating DHS IG Cuffari;

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<sup>5</sup> *Secret Service Watchdog Knew in February that Texts had been Purged*, Washington Post (July 20, 2022) (online at [www.washingtonpost.com/national-security/2022/07/20/secret-service-national-archives/](http://www.washingtonpost.com/national-security/2022/07/20/secret-service-national-archives/)).

<sup>6</sup> *Id.*

<sup>7</sup> *Jan. 6 Texts Missing for Trump Homeland Security’s Wolf and Cuccinelli*, Washington Post (July 28, 2022) (online at [www.washingtonpost.com/nation/2022/07/28/homeland-security-texts-jan6/](http://www.washingtonpost.com/nation/2022/07/28/homeland-security-texts-jan6/)).

<sup>8</sup> See e.g., Committee on Oversight and Reform, *Press Release: Maloney, Hoyer, Connolly, Lynch, Gomez, Porter, and Lieu Introduce Comprehensive Inspectors General Legislation to Increase Transparency, Independence* (Apr. 19, 2021) (online at <https://oversight.house.gov/news/press-releases/maloney-hoyer-connolly-lynch-gomez-porter-and-lieu-introduce-comprehensive>); Subcommittee on Government Operations, Committee on Oversight and Reform, *Hearing on Restoring Independence: Rebuilding the Federal Offices of Inspectors General* (Apr. 20, 2022) (online at <https://oversight.house.gov/legislation/hearings/restoring-independence-rebuilding-the-federal-offices-of-inspectors-general>); Gerald E. Conolly, *Connolly Introduces Integrity Committee Transparency Act of 2019* (Sep. 19, 2019) (online at <https://connolly.house.gov/news/documentsingle.aspx?DocumentID=3698>).

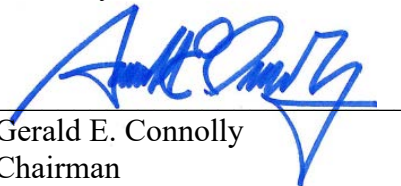
<sup>9</sup> 5 U.S.C. Appendix (Inspector General Act); Government Accountability Office, *Generally Agreed Upon Government Auditing Standards* (Apr. 14, 2021) (GAO-21-368G) (online at [www.gao.gov/products/gao-21-368g](http://www.gao.gov/products/gao-21-368g)); Council of the Inspectors General on Integrity and Efficiency, *Quality Standards for Federal Offices of Inspector General* (Aug. 2012) (online at [www.ignet.gov/sites/default/files/files/Silver%20Book%20Revision%20-%208-20-12r.pdf](http://www.ignet.gov/sites/default/files/files/Silver%20Book%20Revision%20-%208-20-12r.pdf)); 5 C.F.R. § 2635 (2022), Standards of Ethical Conduct for Employees of the Executive Branch.

2. If the IC is investigating Mr. Cuffari, please provide written responses confirming:
  - a. the date on which that investigation began;
  - b. the allegations under investigation;
  - c. whether the IC has had delays in its investigation because evidence or information was withheld;
  - d. an assessment of whether Mr. Cuffari is cooperating in the probe, and if not, a detailed description of Mr. Cuffari's lack of cooperation; and
  - e. a timeline for completion of the investigation;
3. If the IC is not investigating Mr. Cuffari, please provide an explanation as to why not; and
4. Please provide an updated IC policy on when it will make public any ongoing investigations into allegations of wrongdoing made against an IG or any other member of the OIG community.
5. Please provide an assessment of the resources the IC has at its disposal to conduct an investigation of the scale and scope the multiple allegations against Mr. Cuffari warrants.

I request this information by August 24, 2022.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Gerald E. Connolly  
Chairman

Subcommittee on Government Operations

cc: The Honorable Jody Hice, Ranking Member  
Subcommittee on Government Operations