



May 24, 2021

The Honorable Carolyn Maloney
Chair, House Committee on Oversight and Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable James Comer
Ranking Member, House Committee on Oversight
and Reform
2105 Rayburn House Office Building
Washington, D.C. 20515

Dear Chair Maloney, Ranking Member Comer, and Members of the Committee:

Ahead of the Committee's business meeting on May 25, National Taxpayers Union (NTU) and R Street Institute urge the Committee to work in a bipartisan manner to advance various improvements to the laws protecting inspectors general (IG) from political interference. Many of these potential reforms are embedded in the recently introduced IG Independence and Empowerment Act.¹

The IG system has protected taxpayers against waste, fraud, abuse, and misuse of federal funds for decades. Unfortunately, Congressional enhancements and improvements to IG protections have not kept pace with the scale of challenges facing the independent and persistent work of federal IGs -- nor have they kept pace with the extraordinary expansion in the size and scope of the federal government.

NTU and R Street are pleased to support several provisions in the IG Independence and Empowerment Act that we believe would better protect IGs from political interference, whether by the Biden administration or any future presidential administration. These reforms include:

- Requiring more reporting from the executive branch to Congress when a President removes an IG or places them on non-duty status;
- Requiring more reporting from the President when they fail to fill an IG vacancy after more than seven months;
- Allowing the Department of Justice's (DOJ) IG to investigate DOJ personnel, closing a long-troublesome loophole in federal law and better enabling the DOJ IG to call out abuse of power or undue political influence at the Justice Department;
- Requiring improvements to how IG whistleblower protection coordinators educate Office of Inspector General (OIG) employees on whistleblower complaints *internal* to that OIG;
- Requiring IGs to report to Congress when an agency refuses to cooperate with an IG investigation; and
- Improving transparency at the Council of the Inspectors General on Integrity and Efficiency (CIGIE), a watchdog for the watchdogs that helps ensure the IG system continues to work effectively for taxpayers and is free from partisan or political bias.

¹ Congress.gov. (Introduced April 19, 2021). "H.R.2662 - IG Independence and Empowerment Act." Retrieved from: <https://www.congress.gov/bill/117th-congress/house-bill/2662> (Accessed May 20, 2021.)

Many of these reforms would not only better protect IGs from interference with their independent and non-partisan work, but would better enable lawmakers in Congress to conduct rigorous oversight over the Biden administration and the administration of all future presidents.

We also appreciate that lawmakers sponsoring the IG Independence and Empowerment Act have continued an important and ongoing conversation about for-cause removal protections for IGs. We understand that this subject is of some considerable legal and constitutional debate, and hope that lawmakers work together in a bipartisan manner on a number of reforms -- including those mentioned above -- that could better protect IGs from being fired for investigating a President, their allies, or their top deputies.

We are further pleased to see that enhancing IG protections is of bipartisan and bicameral interest -- the Securing Inspector General Independence Act (SIGIA) from Sens. Chuck Grassley (R-IA) and Gary Peters (D-MI) retains strong bipartisan support and includes provisions similar to those mentioned above. NTU and R Street stand ready to work with lawmakers of all ideological stripes to ensure a strong piece of legislation reaches President Biden's desk this year.

Thank you for your consideration of our views, and should you have any questions we are at your service.

Sincerely,

Andrew Lautz
Director of Federal Policy
National Taxpayers Union

Jonathan Bydlak
Director, Governance; Resident Senior Fellow
R Street Institute

CC: Members of the House Committee on Oversight and Reform