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United States Senate

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WASHINGTON, DC 20510-6200

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April 14, 2020

VIA ELECTRONIC TRANSMISSION

The Honorable Michael E. Horowitz
Chair
Council of Inspectors General on Integrity and Efficiency
1717 H Street, NW, Suite 825
Washington, DC 20006

Dear Inspector General Horowitz:

When Congress established the Council of Inspectors General on Integrity and Efficiency (CIGIE), it provided the Council an important role in the inspector general (IG) nomination process. Under the Inspector General Reform Act of 2008, CIGIE is required to “submit recommendations of individuals to the [president] for any appointment to an office of Inspector General.”¹ The Senate report on the IG Reform Act explains that the purpose of this provision is “to provide the President and agency heads the benefit of the advice of the IG community.”² CIGIE’s recommendations should be an important aspect of the presidential appointment process as it pertains to IGs and as far as we are aware have been consistently provided to the past several administrations.

Last June, Chairman Grassley signed a letter to the President, urging him to swiftly nominate qualified individuals to fill critical inspector general vacancies.³ Recently, it appears the President has recognized the need in the IG community and has made several nominations to fill vacancies at the Departments of Defense and Education, as well as the Central Intelligence Agency, Tennessee Valley Authority, and Office of the Special Inspector General for Pandemic Recovery. However, the extent to which CIGIE has actually been involved in the nomination process for these nominees, as specified by Congress, is not clear.

¹ 5a U.S.C. § 11(c)(1)(F).

² S. Rep. No. 110-262 at 10 (2008) (reporting on S.2324), available at: <https://www.congress.gov/110/crpt/srpt262/CRPT-110srpt262.pdf>.

³ Letter from Charles Grassley, Chairman, Senate Finance Committee, and Maggie Hassan, Ranking Member, Subcommittee on Federal Spending Oversight and Emergency Management, Senate Homeland Security and Governmental Affairs Committee, to Donald Trump, President of the United States (June 17, 2019), available at <https://www.grassley.senate.gov/news/news-releases/senators-hassan-grassley-urge-president-trump-swiftly-fill-critical-inspector>.

Once IG nominations are made, it is the Senate's responsibility to promptly review and consider those nominations. Two IG nominations – one for the Export-Import Bank of the United States and one for the U.S. Nuclear Regulatory Commission -- are currently on the Executive Calendar and we encourage our colleagues to promptly take up these nominations when the Senate returns to regular session. As the Senate considers pending IG nominations and as the President works to fill the many additional IG vacancies, it is important to ensure that CIGIE is fulfilling its role by providing informed recommendations to the President. It is also important to ensure that the IG community's voice is heard in the nomination process. Accordingly, please respond to the following questions no later than April 27, 2020.

1. Please describe the process that CIGIE follows when determining which individuals to recommend for an IG vacancy. Does it maintain a running list of potential candidates?
2. Since the Inspector General Reform Act was passed in 2008, has CIGIE consistently submitted recommendations or otherwise consulted with the White House regarding all IG vacancies? If not, why not?
3. How are CIGIE's recommendations communicated to the White House?
4. How many of the nominees for which there is an intent to nominate or which are currently awaiting Senate confirmation were recommended by CIGIE for those positions and the subject of consultation between CIGIE and the White House with regard to those positions?
5. Since the Inspector General Reform Act was passed in 2008, how often has CIGIE met with the White House to raise concerns about IG vacancies or to advocate for specific nominees or openings?

Thank you for your attention to this important matter. Should you have questions, please contact Danny Boatright or Daniel Parker of Chairman Grassley's staff or David Berick of Ranking Member Wyden's staff at 202-224-4515.

Sincerely,



Charles E. Grassley
Chairman
Senate Finance Committee



Ron Wyden
Ranking Member
Senate Finance Committee