

Opening Statement of Chairman Ron Johnson
“Watchdogs Needed Top Government Investigator Positions Left Unfilled for Years”
June 3, 2015

As prepared for delivery:

Good morning and welcome.

Inspectors general (IGs), the watchdogs of the executive branch, are the only employees within federal agencies that are statutorily mandated to be independent from their agencies' heads. There are 33 IGs who are nominated by the president and confirmed by the Senate. It is so vital that these watchdogs maintain their independence from the agencies they oversee that, once confirmed, they can be removed only by the president with notice to Congress.

When IG positions remain unfilled, their offices are run by acting IGs who, no matter how qualified or well-intentioned, are not granted the same protections afforded to Senate-confirmed IGs: They are not truly independent, as they can be removed by the agency at any time; they are only temporary and do not drive office policy; and they are at greater risk of compromising their work to appease the agency or the president. We have seen the damaging results of this inherent conflict of interest on many occasions, including the current acting IG for the Department of Veterans Affairs, former acting IG for the Department of Homeland Security Charles Edwards, and former acting IG for the Department of State Harold Geisel.

The need for permanent IGs is a bipartisan issue. I'm proud to say that I joined with each member of the committee in urging the president in a March 24, 2015 letter to swiftly appoint IGs to vacant positions. This followed a similar letter from the committee on Jan. 24, 2013. Neither letter drew a response from the White House.

Despite all we know about the disadvantages, and indeed the serious risks, of IG vacancies, and despite the strong bipartisan support for filling these positions, there remain seven vacancies of presidentially appointed IGs, with only three nominations sent to the Senate for consideration. The four vacancies without nominees are the Department of Interior (with an acting IG since February 2009), the Department of Veterans Affairs (with an acting IG since December 2013), the Export-Import Bank (with an acting IG since June 2014) and the Central Intelligence Agency (with an acting IG since January 2015).

The most concerning is the Department of Veterans Affairs vacancy. The president has known since November 2013 that the IG was stepping down yet has still failed to nominate someone for the position. The acting IG, Richard Griffin, has shown alarming signs that he lacks independence from the agency, including his failure to release more than 140 reports to the public and to Congress, his fighting to keep documents from Congress, and reports that he has lost the trust of whistleblowers at the agency. My letter to the president asking him to appoint a permanent VA inspector general has been ignored, as have similar letters

sent this year by members of this committee and last year by House Committee on Veterans' Affairs Chairman Miller and then-Chairman Carper and Ranking Member Coburn of our committee.

Unfortunately, the administration has been disturbingly slow to appoint permanent IGs. Data going back to the Reagan administration received from the Project on Government Oversight shows that the current administration has, on average, left IG positions vacant for hundreds of days longer than any of his predecessors.

We are holding this hearing to seek answers about the administration's nominations process and to understand how it broke down. I appreciate the participation of three witnesses here today to explore this issue. Unfortunately, however, the witness list is incomplete without hearing from the Office of Presidential Personnel in the White House. The committee invited both the current and former director of the Office of Presidential Personnel, and the White House has blocked both from testifying here today. I realize the significance of requesting testimony from a White House advisor, but I determined it was the only way we could conduct appropriate and diligent oversight. We will continue to seek answers from the White House to these important questions.

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