



July 25, 2018

The Honorable Steve Russell
128 Cannon House Office Building
Washington, DC 20510

The Honorable Matthew Cartwright
1034 Longworth House Office Building
Washington, DC 20510

Dear Representatives Russell and Cartwright:

I am writing in support of your bipartisan “IG Subpoena Authority Act” (H.R. 4917) reported out of the House Oversight and Government Reform Committee on June 29.

The Project On Government Oversight (POGO) is a nonpartisan independent watchdog that investigates and exposes waste, corruption, abuse of power, and when the government fails to serve the public or silences those who report wrongdoing.

We champion reforms to achieve a more effective, ethical, and accountable federal government that safeguards constitutional principles.

POGO recognizes the crucial role of the Inspectors General (IGs) in rooting out agency waste, corruption, and mismanagement. We also recognize that while IGs were created to act as independent watchdogs, they sometimes lack the tools they need to conduct independent oversight; one such tool is the power to subpoena testimony from certain witnesses.

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) has called for IGs to have testimonial subpoena authority for years,¹ as has POGO.² If passed, your bill will provide IGs the authority to subpoena the attendance and testimony of certain witnesses, and in doing so will close a loophole that has long plagued IGs as they try to gather crucial information.

As you know, if an IG opens an investigation and wants to question an agency employee as a key witness, all that employee has to do is resign from government service to become inaccessible to the IG, no matter how central their testimony may be to the investigation. The same is true for

¹ Letter from Peggy Gustafson, former Chair of the CIGIE Legislation Committee to Representatives Darrell Issa and Elijah Cummings regarding CIGIE’s views on the Inspector General Empowerment Act of 2014 (H.R. 5492), pp. 1-2, October 29, 2014. https://www.ignet.gov/sites/default/files/files/CIGIE%20Views%20-%20H_R_%205492.pdf; Testimony of Kathy Buller before the U.S. House of Representatives Committee on Oversight and Government Reform concerning “Recommendations and Reforms from the Inspectors General,” November 15, 2017. <https://oversight.house.gov/wp-content/uploads/2017/11/Buller-PeaceCorp-IG-Statement-11-15.pdf> (All downloaded July 25, 2018)

² Letter from POGO Executive Director Danielle Brian to Senators Chuck Grassley and Claire McCaskill regarding the Inspector General Empowerment Act of 2015, p. 3, December 14, 2015. <https://www.grassley.senate.gov/sites/default/files/judiciary/upload/IG%20Access%2C%2012-14-15%2C%20POGO%20support%20letter.pdf> (Downloaded July 20, 2018)

subcontractors or subgrantees who are suspected of defrauding the government—without a contractual tie to the agency, the IG is powerless to compel their testimony.

Your legislation would address this problem by allowing IGs to request case-by-case subpoena power from a panel of IGs, while giving the Attorney General the right to deny any approved subpoena. It is a commonsense solution to a problem that has persisted for too long, and I strongly urge your colleagues in the House to swiftly pass the bill and send it to the Senate for consideration.

Sincerely,

A handwritten signature in blue ink that reads "Danielle Brian". The signature is written in a cursive, flowing style.

Danielle Brian
Executive Director