



**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

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Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

August 8, 2022

The Honorable Carolyn B. Maloney, Chairwoman  
Committee on Oversight and Reform  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Bennie G. Thompson, Chairman  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairwoman Maloney and Chairman Thompson:

I write to respond to your July 26 and August 1, 2022, letters in which you ask for more information about our ongoing reviews of the January 6, 2021, attack on the Capitol and that the Department of Homeland Security (DHS) Office of Inspector General (OIG) step aside to allow others to complete those reviews.

Shortly after the attack on the Capitol on January 6, 2021, I coordinated with the Inspectors General at the Departments of Justice, Defense, and Interior. We each initiated reviews in our respective departments and have continued to coordinate our work to ensure efficient and effective oversight of this matter. I also coordinated with many other executive and legislative branch agencies and that coordination also continues.

Consistent with the law, I have reported to Congress various access issues that my office has experienced since 2021. As you note, this includes public reporting as early as our [Semi-Annual Report to Congress \(April 1, 2021 – September 30, 2021\)](#). Additionally, since 2021, my staff and I have provided numerous briefings to Members and congressional staff about the wide-spread access issues that we have faced at every level of DHS. DHS's resistance to DHS OIG's oversight was



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corroborated by DHS documents that appeared in recent media reports<sup>1</sup> and is the subject of concern for your colleagues.<sup>2</sup>

On July 15, 2022, at his request, my team and I briefed Chairman Thompson and the other Members of the January 6 Select Committee about the impediments to access that we have experienced in our January 6 reviews, as well as with other ongoing projects. Despite those impediments to our January 6 reviews, my staff of dedicated career professionals has persevered. We have already produced one [report](#) in which we made five recommendations. The other two January 6 reviews are ongoing. When those two ongoing reviews are complete, we will be happy to provide briefings about them.

As I stated during the July 15, 2022, briefing, in addition to our first preservation notice that went to DHS on or around February 9, 2021, we have identified other preservation notices to DHS and other executive and legislative branch agencies directing them to preserve information related to January 6.<sup>3</sup> Four of those notices were from House committee chairs, including both of you. The first such notice was issued on January 16, 2021. To my knowledge, I am the only Inspector General, to date, who has publicly reported access issues and delays about January 6 to Congress.

As I also stated during the July 15, 2022, briefing, consistent with federal guidelines, including *Congressional Requests for Information from Inspectors General Concerning Open Criminal Investigations*, 13 Op. O.L.C. 77 (1989), we are unable to confirm or discuss ongoing criminal investigations. Sharing information about ongoing criminal investigations could impact potential witnesses or others who may be involved in the investigative process. To protect the integrity of our work and preserve our independence, we do not share information about ongoing matters, like the information you requested in your letters. Similarly, we do not authorize our staff to sit for transcribed interviews with your committee about these ongoing matters. Once these matters are complete, we will consider a renewed request for documents, briefings, or transcribed interviews.

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<sup>1</sup> Klippenstein, Ken, *Secret Service Deleted Jan. 6 Text Messages After Oversight Officials Requested Them*, The Intercept ([July 14, 2022](#)); Alemany, Jacqueline and Sacchetti, Maria, *Jan. 6 Committee Subpoenas Secret Service for Missing Records*, The Washington Post ([July 15, 2022](#)); Cohen, Zachary, Grayer, Annie, Nobles, Ryan, Gangel, Jamie, and Wild, Whitney, *First on CNN: DHS Inspector General Told Jan. 6 Panel He Went to Mayorkas About Secret Service Cooperation*, CNN ([July 15, 2022](#)); Singman, Brooke, *House Oversight GOP Investigating DHS Efforts to 'impede' Agency Watchdog Probes Related to Southern Border*, Fox News ([August 1, 2022](#)).

<sup>2</sup> House Committee on Oversight and Reform Republicans, [Press Release] *Comer, Oversight Republicans Probe Department of Homeland Security Obstructing Office of Inspector General Investigations* ([July 29, 2022](#)); Buble, Courtney, *A New Bill Seeks to Prevent the Secret Service from Withholding Records from its Watchdog*, Government Executive ([August 4, 2022](#)).

<sup>3</sup> In addition, on at least three separate occasions, DHS internally issued guidance to U.S. Secret Service employees to preserve electronic communications that were transmitted or received on their cellular telephones.



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Allison Lerner, Chair, Council of the Inspectors General on Integrity and Efficiency and I agreed to provide separate responses to your request. The underlying principle in your request – that CIGIE intervene in administrative or criminal matters at the request of Congress – has no legal basis and additionally would upend the very independence that Congress has established for Inspectors General.

Please call me with questions, or a member of your staff may contact Kristen Fredricks, Chief of Staff, at (202) 981-6000.

Sincerely,

**JOSEPH V  
CUFFARI** Digitally signed by  
JOSEPH V CUFFARI  
Date: 2022.08.08  
19:04:11 -04'00'

Joseph V. Cuffari, Ph.D.  
Inspector General

cc: The Honorable James Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable John Katko, Ranking Member  
Committee on Homeland Security

The Honorable Allison C. Lerner, Chair  
Council of the Inspectors General on Integrity and Efficiency