

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 31, 2017

Donald F. McGahn, II
White House Counsel
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear Mr. McGahn:

We are writing to request information about disturbing reports we have received that officials from the Trump Transition Team threatened to remove Inspectors General after the inauguration. We would like to know who originally ordered and approved this action, as well as who carried out this scheme at each agency. Most importantly, we want to confirm with you that the Trump Administration has now reversed those decisions, withdrawn those threats, and communicated to all of these Inspectors General that they will not in fact be terminated.

Based on the information we have received, on January 13, 2017, Trump Transition Team officials from various federal agencies engaged in a coordinated campaign to “inform” their respective Inspectors General that their positions were “temporary.” They also reportedly informed several Inspectors General that they should begin looking for other employment.

Concerned about these ominous calls, Inspectors General immediately began contacting the leaders of their organizing body, the Council of the Inspectors General on Integrity and Efficiency, who took steps to contact you and the Republican staff of our Committee.

After a number of urgent calls over the weekend, several Inspectors General were informed that high-level officials at the Trump Transition Team made a decision to reverse this action. The Inspectors General were told that these calls were erroneous and should not have been made, and you reportedly were involved in this response in some way. Unfortunately, we do not have any official communication confirming that this occurred.

If these reports are accurate, the actions by Trump Administration officials demonstrate a troubling pattern of misguided and politically-motivated attacks on government watchdogs, ethics officials, and career government employees. For example:

- The Trump Transition Team sent a questionnaire to the Department of Energy in December requesting a list of all individuals who took part in international climate talks over the past five years and who participated in interagency climate change meetings, raising concern that “the Trump transition team is trying to figure out how to target the people, including civil servants.”¹
- The Trump Transition Team asked the State Department to turn over information about staff who work on women’s issues and gender issues around the world, “rattling State Department employees.”²
- The Trump Transition Team sent requests to the Department of Homeland Security and State Department seeking the names of officials working on countering violent extremism, causing career officials to fear that “the incoming administration may be looking to undo the work that the Obama administration has done on countering violent extremism.”³
- Incoming White House Chief of Staff Reince Priebus appeared on national television last weekend and issued a veiled threat to the Director of the Office of Government Ethics that he “ought to be careful” in his criticism of President-Elect Trump’s decision to defy warnings from Republican and Democratic ethics experts by refusing to do what every previous president has done for decades—divest himself of his corporate ownership interests, liquidate his business assets, and place them in a truly blind trust operated by an independent entity.⁴
- Trump Administration officials apparently committed violations of multiple federal laws by imposing gag orders on the communications of federal employees including, in some instances, communications with Congress.⁵

Inspectors General serve as independent watchdogs to root out waste, fraud, and abuse, and they help ensure that federal agencies operate efficiently and effectively. Every dollar spent on the functions of Inspector General offices saves taxpayers approximately \$14 in return.⁶ Our

¹ *Trump Transition Team for Energy Department Seeks Names of Employees Involved in Climate Meetings*, Washington Post (Dec. 9, 2016) (online at www.washingtonpost.com/news/energy-environment/wp/2016/12/09/trump-transition-team-for-energy-department-seeks-names-of-employees-involved-in-climate-meetings/?utm_term=.ec47215eef26).

² *Transition Team’s Request on Gender Equality Rattles State Dept.*, New York Times (Dec. 22, 2016) (online at www.nytimes.com/2016/12/22/us/politics/state-department-gender-equality-trump-transition.html?_r=0).

³ *Exclusive: Trump Team Seeks Names of Officials Working to Counter Violent Extremism*, Reuters (Dec. 23, 2016) (online at www.reuters.com/article/us-usa-trump-islam-exclusive-idUSKBN14D00N).

⁴ *This Week with George Stephanopoulos*, ABC News (Jan. 15, 2017) (online at <http://abcnews.go.com/Politics/week-transcript-15-17-reince-priebus-sen-bernie/story?id=44778012>).

⁵ *Information Lockdown Hits Trump’s Federal Agencies*, Politico (Jan. 24, 2017) (online at www.politico.com/story/2017/01/federal-agencies-trump-information-lockdown-234122).

⁶ Council of the Inspectors General on Integrity and Efficiency, *Progress Report to the President Fiscal Year 2015* (online at www.ignet.gov/sites/default/files/files/FY15_Progress_Report_to_the_President.pdf) (accessed

Committee has acted in a bipartisan manner to promote the critical work of Inspectors General. For example, on December 16, 2016, President Obama signed into law the bipartisan Inspector General Empowerment Act of 2016.

Although Inspectors General appointed by the President may be removed, this authority should be used rarely, judiciously, and only for cause—never for partisan reasons. The Inspector General Act of 1978 requires that if the President intends to remove a sitting Inspector General, he must first notify Congress at least 30 days beforehand.⁷ Congress established these requirements to give Inspectors General the freedom to identify problems within the current administration without fearing that the President would immediately remove them from office.

We believe that attacks on our nation's Inspectors General are attacks on our taxpayers and their ability to hold their government accountable. For these reasons, we ask that you identify the Trump Transition Team official who originally approved the decision to execute these coordinated calls to the Inspectors General. We also request the names of each official at each agency who carried out these coordinated calls to the Inspectors General.

Finally, we are writing to you—as a top adviser who was reportedly involved with responding to this problem—to seek official confirmation that President Trump has no plans to fire any Inspectors General now that he has been sworn in.

We request the courtesy of a response by February 6, 2017, and we thank you for your consideration.

Sincerely,



Elijah E. Cummings
Ranking Member



Gerald E. Connolly
Vice Ranking Member

cc. The Honorable Jason Chaffetz, Chairman
House Committee on Oversight and Government Reform

Jan. 12, 2017).

⁷ Inspector General Act of 1978, 5 U.S.C. Appendix §3.