



COMMITTEE ON HOMELAND SECURITY

H.R. 3846, the “Department of Homeland Security Inspector General Transparency Act”

As Introduced by Ranking Member Bennie G. Thompson (D-MS)

The Department of Homeland Security Office of Inspector General (OIG) is meant to be an independent oversight body that Congress can rely on to provide fact-based analyses of Departmental programs, activities, and personnel. However, as discussed below, several troubling reports emerged in recent years that call into question the quality, effectiveness, and transparency of the Office’s oversight activities as well as its management. **H.R. 3846, the *Department of Homeland Security Inspector General Transparency Act*** seeks to increase the quality and transparency of DHS OIG audits, inspections, and evaluations to improve the quality of those products.

Beginning in 2020, the DHS OIG stopped publishing reports where allegations of whistleblower retaliation or misconduct by senior DHS employees were substantiated.¹ In 2021, the Government Accountability Office (GAO) detailed the DHS OIG’s long-standing management and operational weaknesses and made 21 recommendations to develop better management and reporting systems in line with established best practices.² Throughout 2022, the Committees on Homeland Security and Oversight and Reform sent numerous letters to the DHS OIG raising concerns about the censoring of findings related to domestic abuse and sexual harassment by DHS employees as well as the IG’s failure to promptly notify Congress of crucial information while conducting an investigation of the Secret Service’s preparation for and response to the January 6th attack on the United States Capitol.³ These troubling concerns were highlighted by The Project on Government Oversight which, in early 2023, released a six-part podcast outlining a pattern of misconduct within the DHS OIG that resulted in repeated failures to properly investigate these issues and events.⁴

¹ *Letter from Chairman Thompson to DHS Inspector General Joseph V. Cuffari* (Sept. 29, 2020).

² Government Accountability Office, *DHS Office of Inspector General: Actions Needed to Address Long-Standing Management Weaknesses* (GAO-21-316), (Jun. 3, 2021), <https://www.gao.gov/products/gao-21-316>.

³ *Letters from Chairman Thompson to DHS Inspector General Joseph V. Cuffari* (May 10, 2022; Jul. 26, 2022; Aug. 1, 2022; and Aug. 16, 2022).

⁴ The Project on Government Oversight, *Bad Watchdog*, <https://www.pogo.org/podcasts/bad-watchdog>.

To address these concerns, the ***DHS Inspector General Transparency Act*** requires the DHS OIG to:

- Publicly publish reports that substantiate whistleblower retaliation or allegations of misconduct, waste, fraud, abuse, or a violation of policy involving a member of the Senior Executive Service or politically appointed official of DHS.
- Report to Congress on any audits, inspections or evaluations that have been delayed or terminated.
- Provide Congress data on the number and type of tips and complaints made to the OIG Hotline, including descriptions of actions taken by DHS to address these tips and complaints.
- Submit a report on the OIG's policies and procedures established to ensure compliance with quality standards to GAO so it can perform an evaluation of such report.

H.R. 3846, the *DHS Inspector General Transparency Act* is necessary to increase transparency into completed DHS OIG reports, enhance Congressional oversight of the OIG's ongoing activities, and strengthen the management of the Office to improve the quality of OIG products.