



**COUNCIL OF THE INSPECTORS GENERAL
ON INTEGRITY AND EFFICIENCY**
INTEGRITY COMMITTEE

December 27, 2022

The President
The White House
Washington, DC 20500-0000

Dear Mr. President:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the President and the Congress an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the IC Chairperson, summarizing the IC activities for fiscal year 2022. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

Thank you for your continued support for the work of the Inspector General community. Should your staff wish to receive any additional information concerning this report or any other CIGIE activity, please have them contact me at 703-292-7100.

Respectfully,

Allison C. Lerner
Chairperson

Enclosure

cc: The Honorable Jason Miller, Executive Chairperson
Council of the Inspectors General on Integrity and Efficiency



**COUNCIL OF THE INSPECTORS GENERAL
ON INTEGRITY AND EFFICIENCY**
INTEGRITY COMMITTEE

December 27, 2022

The Honorable Gary C. Peters
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, DC 20510-6250

The Honorable Rob Portman
Ranking Member, Committee on Homeland Security
and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, DC 20510-6250

Dear Mr. Chairman and Ranking Member Portman:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the Congress and the President an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the IC Chairperson, summarizing the IC activities for fiscal year 2022. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

Thank you for your continued support for the work of the Inspector General community. Should your staff wish to receive any additional information concerning this report or any other CIGIE activity, please have them contact me at 703-292-7100.

Sincerely,

Allison C. Lerner
Chairperson

Enclosure

cc: The Honorable Jason Miller, Executive Chairperson
Council of the Inspectors General on Integrity and Efficiency



**COUNCIL OF THE INSPECTORS GENERAL
ON INTEGRITY AND EFFICIENCY**
INTEGRITY COMMITTEE

December 27, 2022

The Honorable Carolyn Maloney
Chairwoman, Committee on Oversight
and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

The Honorable James Comer
Ranking Member, Committee on Oversight and
and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Ms. Chairwoman and Ranking Member Comer:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the Congress and the President an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the IC Chairperson, summarizing the IC activities for fiscal year 2022. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

Thank you for your continued support for the work of the Inspector General community. Should your staff wish to receive any additional information concerning this report or any other CIGIE activity, please have them contact me 703-292-7100.

Sincerely,

Allison C. Lerner
Chairperson

Enclosure

cc: The Honorable Jason Miller, Executive Chairperson
Council of the Inspectors General on Integrity and Efficiency



**COUNCIL OF THE INSPECTORS GENERAL
ON INTEGRITY AND EFFICIENCY**

INTEGRITY COMMITTEE



Library of Congress, Prints & Photographs Division,
photograph by Carol M. Highsmith
[reproduction number, e.g., LC-USZ62-123456]

Annual Report to the President and Congress

October 1, 2021 – September 30, 2022

Contents

Message from Chairperson Winters..... 1

Integrity Committee 3

Council of the Inspectors General on Integrity and Efficiency 3

Fiscal Year (FY) 2022 Annual Report..... 3

 Statutory Authority and Mission..... 3

 Committee Membership and Support Staff..... 3

 IC Policies and Procedures..... 3

FY 2022 Data Reporting..... 4

 Personnel Covered by the IC’s Oversight 4

 FY 2022 Case Timeliness 5

 Summary Disposition of FY 2022 Cases 6

 Summary Disposition of Prior FY Cases in FY 2022..... 6

Ongoing IC Investigations 7

 Enclosure 1. Generic Integrity Committee Process for Allegations Received Against
 Covered Persons 8

 Enclosure 2. IC Case Open and Disposition Dates for Fiscal Year 2022 9

 Enclosure 3. FY 2022 Investigation Summaries 10

Message from Chairperson Winters



I am privileged to present the attached annual report of the Council of the Inspectors General on Integrity and Efficiency's Integrity Committee (IC), regarding the activities and accomplishments of the IC from October 1, 2021, to September 30, 2022.

The Inspector General Act of 1978, as amended, requires the IC to receive, review, and refer for investigation allegations of wrongdoing made against Inspectors General, certain designated senior members of an Office of Inspector General (OIG), and the Special Counsel and Deputy Special Counsel of the Office of Special Counsel.

By performing these duties, the IC serves as an important mechanism for promoting public trust regarding senior OIG officials and others. For this reporting period, the IC remained vigilant in its duty to ensure these officials “perform their duties with integrity and apply the same standards of conduct and accountability to themselves as they apply to the agencies that they audit and investigate.”¹

Consisting of four Inspectors General and representatives from the Federal Bureau of Investigation and the Office of Government Ethics, the IC received 2,927 incoming communications during fiscal year (FY) 2022. To address these matters, the IC met 25 times (16 scheduled meetings and 9 interim meetings for cases needing immediate review). A representative from the Department of Justice, Public Integrity Section, serves as a legal advisor to the IC, and attended the IC's meetings.

Similar to FY 2021, the IC experienced an increase in the complexity and seriousness of the allegations received, which included widely publicized matters with congressional and national media interest. Statistically, the IC reviewed 80 cases and referred five to the IC Chairperson for a formal investigation. The IC also completed two investigations and issued its respective reports of investigation to the President and congressional committees of jurisdiction. Ten IC investigations are now pending and eight OIGs are providing the requisite investigative support.

Since the Council of the Inspectors General on Integrity and Efficiency assumed responsibility for the IC in 2016, the IC has been committed to improving its performance and accountability, particularly in the areas of substantive rigor, process improvements, educational outreach, transparency, and timeliness. In addition to amending its [policies and procedures](#) in 2021, the IC revised its [Privacy Act System of Records Notice](#) (SORN).² The new SORN authorizes the IC to be more transparent about its work. Specifically, it now addresses how the IC may share personally identifiable information with outside parties; it also allows the IC to disclose records to complainants concerning the results of the investigation or other inquiry arising from their

¹ Committee on Oversight and Government Reform, *Improving Government Accountability Act*, 110th Cong. (Sept. 27, 2007) (H. Rept. 110-354).

² Privacy Act of 1974; System of Records, 87 Fed. Reg. 55795 (Sept. 12, 2022).

complaint; and it permits the IC to disclose information about IC matters to the news media and/or the public under certain circumstances.

Finally, the IC continues to work diligently on its educational outreach efforts to its stakeholders on many issues related to its work. This year, the IC was privileged to provide numerous briefings to congressional staff on a variety of matters.

For FY 2023, the IC looks forward to continuing its important accountability mission while working with Congress and our stakeholders to help provide our Nation's taxpayers with the assurance of independent oversight of senior personnel within the OIG community. For more information regarding the IC's historical records and up-to-date information regarding its activities, please visit <https://www.ignet.gov/cigie/committees/integrity-committee>.

A handwritten signature in black ink that reads "K. H. Winters". The signature is written in a cursive style with a long horizontal flourish at the end.

Kevin H. Winters
Chairperson

Integrity Committee
Council of the Inspectors General on Integrity and Efficiency
Fiscal Year (FY) 2022 Annual Report

Statutory Authority and Mission

The mission of the Council of the Inspectors General on Integrity and Efficiency's (CIGIE) [Integrity Committee](#) (IC) derives from Section 11(d) of the Inspector General Act of 1978, as amended, 5 U.S.C. app. (IG Act). In pertinent part, the IC is to receive, review, and refer for investigation allegations of wrongdoing made against an Inspector General (IG), certain designated senior members of an Office of Inspector General (OIG), and the Special Counsel and Deputy Special Counsel of the U.S. Office of Special Counsel (OSC). In addition, the Legislative Branch Inspectors General Independence Act of 2019, requires the IC to also review allegations of misconduct by an agent or special agent in a Legislative Branch OIG.

Committee Membership and Support Staff

IC membership includes four IGs, a designee from the Office of Government Ethics (OGE), and a designee from the Federal Bureau of Investigation (FBI). The current IC members are:

- [Kevin H. Winters](#), IG, Amtrak (Chairperson)
- [The Honorable Robert P. Storch](#), IG, National Security Agency (Vice-Chairperson)³
- [Kimberly A. Howell](#), IG, Corporation for Public Broadcasting
- [The Honorable Gail S. Ennis](#), IG, Social Security Administration
- [Dale A. Christopher](#), Deputy Director for Compliance, OGE
- [Catherine S. Bruno](#), Assistant Director, Office of Integrity and Compliance, FBI

[The Honorable Thomas A. Monheim](#), IG, Intelligence Community and [Andrew Katsaros](#), IG, Federal Trade Commission, serve as alternate IC members who are available to serve in the event an IC member is recused from participating in IC matters or is otherwise unavailable.

The IC is supported by two CIGIE staff members, who report directly to the IC Chairperson, and a U.S. Department of Justice (DOJ) legal advisor, currently a senior official of the DOJ Public Integrity Section. As required by operational necessity, additional IC legal support is provided by detailing qualified attorneys from the federal public sector.

IC Policies and Procedures

The IC operates pursuant to its published [policies and procedures](#), which refers to individuals subject to IC oversight as "Covered Persons." Upon receipt of a complaint against a Covered Person, the IC support staff forwards the complaint to a three-member panel that consists of a designee of the IC, DOJ, and OSC (*see* Enclosure 1). This ensures the equities of each agency are considered prior to referring the matter to the IC for review. The IC members meet every three weeks as an independent deliberative body to review each allegation, using a threshold

³ In December 2022, Mr. Storch was confirmed as the IG for the Department of Defense; he will remain as an IC member.

standard and the current policies and procedures to guide its actions. The IC continually strives to ensure the fair, consistent, timely, and impartial disposition of allegations.

To mitigate the existence or appearance of conflicts of interest, the IC adheres to a policy of transparency and recusal, as appropriate. IC members and its support staff are automatically recused from participating in matters in which that member or another person in that member’s office or agency has personally and substantially participated, and all matters before the IC while the member knows that he or she is under criminal investigation or IC investigation. Additionally, an IC member may be recused from a matter if that member or the IC believes that the member’s impartiality would be questioned by a reasonable person with knowledge of the relevant facts.⁴

FY 2022 Data Reporting

Personnel Covered by the IC’s Oversight

During FY 2022, there were approximately 498 Covered Persons, an increase from the number of Covered Persons in FY 2021.⁵

Disposition of FY 2022 Complaints

In FY 2022 the IC received approximately 2,927 incoming communications, which were screened to remove duplicates, objectively unreliable information, and complaints determined to be completely outside of the IC’s authority. The remaining complainant communications were then forwarded to the Allegation Review Group for review and placed on the IC’s agenda. The IC opened 80 cases for review in FY 2022, which involved 40 different agencies and 85 Covered Persons (*see* Figure 1). The IC initiated 5 investigations, submitted 5 requests for additional information, and sought 15 responses from subjects.

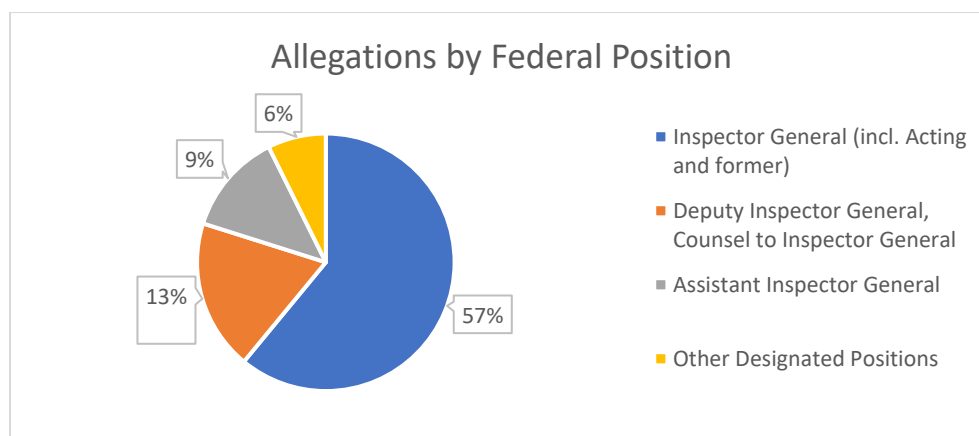


Figure 1. FY 2022 Allegations by Position

The IC takes action on allegations of wrongdoing that involve abuse of authority in the exercise of official duties or while acting under color of office; substantial misconduct, such as gross

⁴ IC Policies and Procedures (2018), section 3.K.

⁵ There were 468 Covered Persons in FY 2021.

mismanagement, gross waste of funds, or a substantial violation of law, rule, or regulation; or conduct that undermines the independence or integrity reasonably expected of such persons (see Figure 2). Typically, each case contains multiple allegations of wrongdoing against one or more Covered Persons within an OIG or OSC, averaging 312 pages of substantive information for IC review.

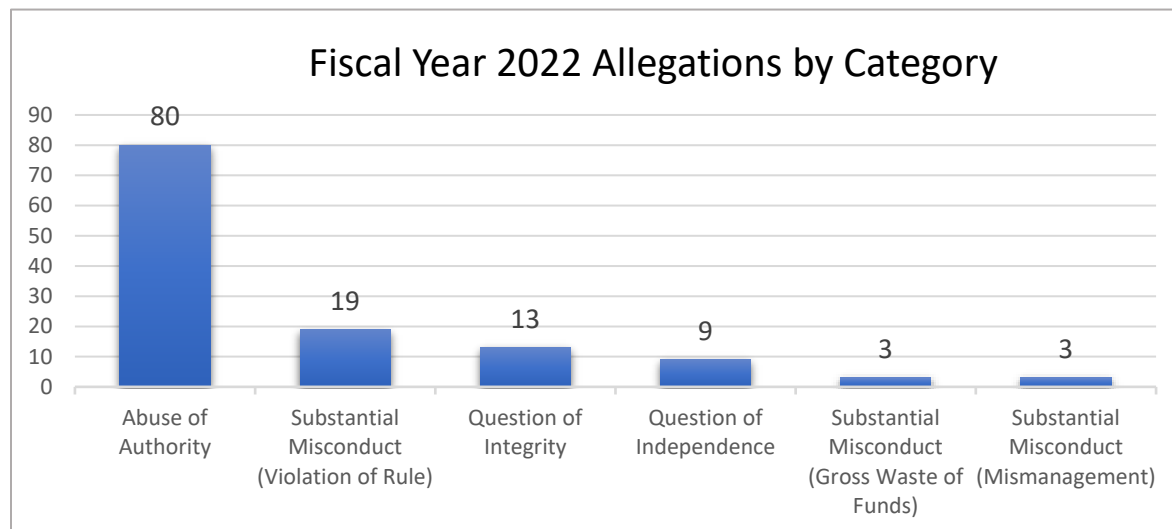


Figure 2. FY 2022 Allegations by Category

FY 2022 Case Timeliness

The IC takes its obligation to act promptly on matters seriously. Nevertheless, many factors such as case complexity and staff availability impact the time it takes to investigate a matter and produce a report of investigation. Meeting deadlines established by the IG Act continue to pose a challenge and the IC appreciates that Congress, through deadline extensions and notification requirements, provides flexibility for the IC to handle such important matters. Pursuant to the IG Act, the IC issued 11 letters to notify Congress of the need to extend the 30-day IC review period and the 150-day IC investigation period reflected in the IG Act.⁶ Of the 23 cases that exceeded the IC review period:

- 15 cases exceeded the initial 30-day IC review period due to the classified nature of the material, a lack of quorum for IC determinations, requests for additional information, or the 20 days given by IC policy to each subject who is asked to respond to the allegations.
- 8 cases exceeded the 150-day IC investigation period due to the large number of documents reviewed and witnesses interviewed for each case, or, in some cases, the investigation of additional allegations of wrongdoing that arose during the investigation or a lack of cooperation by subjects and others.

The IC also anticipates a shortage in support staff that may impact timelines associated with IC operations. As discussed with congressional staff during IC briefings, the number of CIGIE staff supporting the IC is small and the loss of even one staff member can have a significant impact on

⁶ Each such letter addresses multiple cases.

case management. As of the end of this reporting period, two CIGIE employees (an attorney and a program manager) and two temporary investigative counsels (on detail from other agencies) support the IC full-time, but as of the publication of this report, one detailee returned to their agency on November 15, 2022.

CIGIE has made IC staffing a priority, and the IC is working expeditiously on long and short-term solutions. That said, the IC continues to experience challenges in identifying and onboarding qualified IC personnel.

Summary Disposition of FY 2022 Cases

FY 2022 Case Disposition: The IC opened and reviewed 80 cases (*see* Enclosure 2).

- The IC initiated 5 investigations (IC 22-028, IC 22-044, IC 22-048, IC 22-057, and IC 22-063).
- The IC closed 67 cases.
 - 12 cases were referred to other heads of agencies for any action deemed appropriate:
 - 7 to the Special Counsel of OSC;
 - 4 to other agencies of jurisdiction;
 - 1 to the CIGIE Chairperson; and
 - 0 referrals to DOJ
 - 55 cases were closed without external referral. These cases either contained no apparent allegations of wrongdoing and/or the IC threshold standard was not met. Additionally, to protect whistleblower identity, the IC will not refer an allegation to another agency of jurisdiction without the complainant's consent.
- The IC had 8 FY 2022 cases pending review and initial determination at the end of the reporting period.

Summary Disposition of Prior FY Cases in FY 2022

The IC continued to work on multiple cases from FY 2018 – FY 2021.

- FY 2018- The IC completed 1 investigation originating in FY 2018 (IC 971) and substantiated findings of wrongdoing (*see* Enclosure 3).
- FY 2019- The IC had 1 investigation originating in FY 2019 pending completion at the end of the reporting period (IC 986).
- FY 2020- The IC had 2 investigations originating in FY 2020 pending completion at the end of the reporting period (IC 20-029 and IC 20-035).
- FY 2021- The IC closed 8 cases and had 2 investigations originating in FY 2021 pending completion at the end of the reporting period (IC 21-019 and IC 21-027).

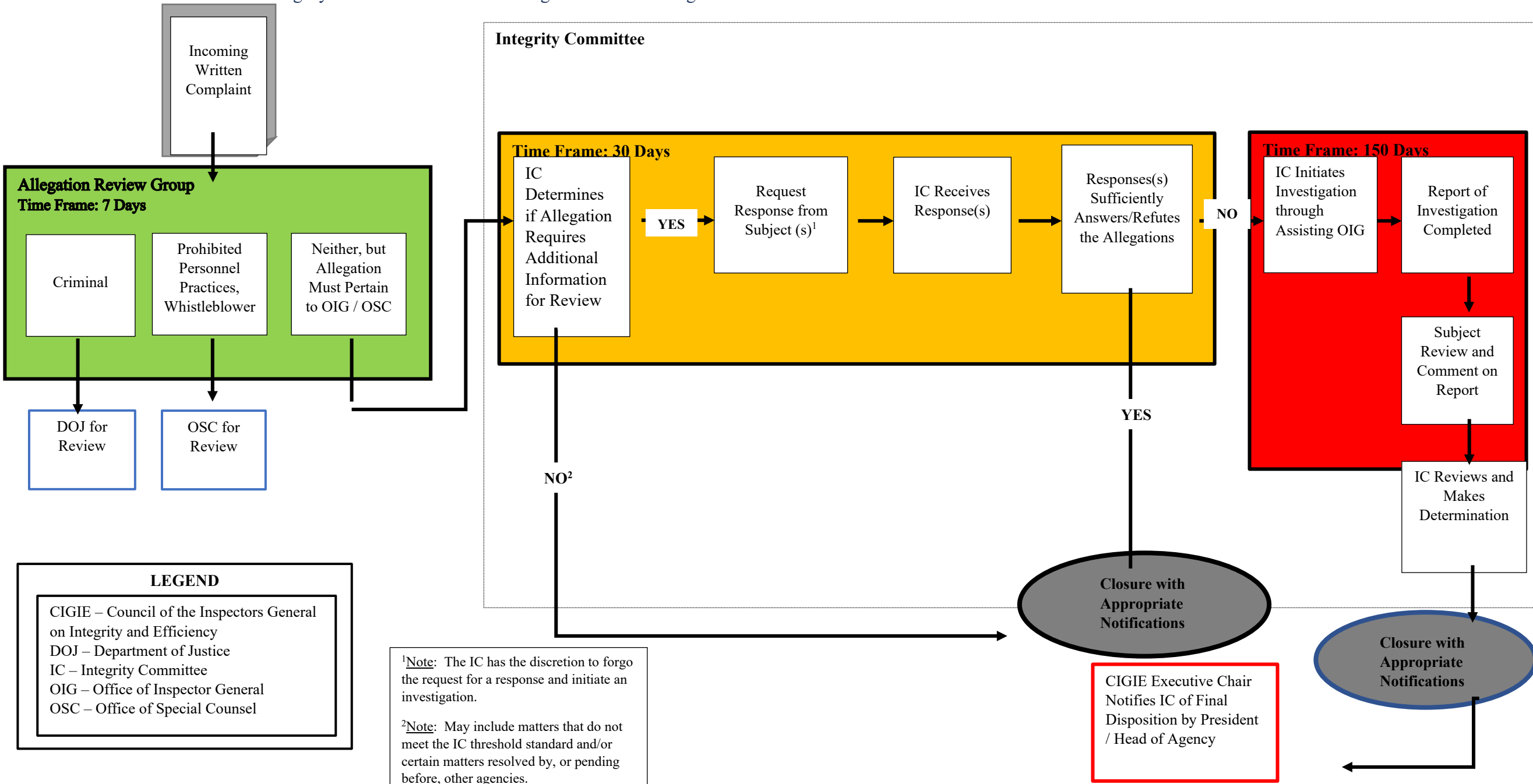
Ongoing IC Investigations

The IC had 10 investigations pending completion at the end of the reporting period. The IC does not provide substantive information on pending investigations.

IC Contact Information and Resources

CIGIE and the IC staff maintain a webpage for historical records and up-to-date information regarding the IC and its activities at <https://www.ignet.gov/cigie/committees/integrity-committee>. The webpage also includes information on how to contact the IC, and additional information such as guidance in drafting a complaint and the opportunity to remain confidential.

Enclosure 1. Generic Integrity Committee Process for Allegations Received Against Covered Persons



Enclosure 2. IC Case Open and Disposition Dates for Fiscal Year 2022

Case #	Date Opened / Referred to IC	Date Closed	Case #	Date Opened / Referred to IC	Date Closed	Case #	Date Opened / Referred to IC	Date Closed
001	10/4/2021	01/13/2022	027	2/9/2022	02/24/2022	054	6/15/2022	07/28/2022
002	10/5/2021	04/28/2022	028	2/10/2022	Pending	055	6/17/2022	07/28/2022
003	10/5/2021	10/28/2021	029	2/16/2022	03/17/2022	056	6/20/2022	07/28/2022
004	10/28/2021	10/28/2021	030	2/17/2022	04/28/2022	057	6/22/2022	Pending
005	11/4/2021	11/18/2021	031	2/25/2022	03/17/2022	058	6/24/2022	07/28/2022
006	11/9/2021	11/18/2021	032	3/14/2022	04/07/2022	059	6/28/2022	07/28/2022
007	11/15/2021	11/18/2021	033	3/17/2022	04/28/2022	060	6/28/2022	07/28/2022
008	11/15/2021	11/18/2021	034	3/23/2022	04/07/2022	061	7/1/2022	08/18/2022
009	11/26/2021	02/24/2022	035	3/28/2022	04/28/2022	062	7/8/2022	07/28/2022
010	11/26/2021	12/09/2021	036	3/31/2022	04/07/2022	063	7/12/2022	Pending
011	11/26/2021	12/09/2021	037	4/1/2022	04/07/2022	064	7/22/2022	07/28/2022
012	11/26/2021	02/24/2022	038	4/7/2022	04/28/2022	065	7/25/2022	07/28/2022
013	12/9/2021	01/13/2022	039	4/19/2022	04/28/2022	066	7/29/2022	07/26/2022
014	12/15/2021	02/24/2022	040	4/21/2022	04/28/2022	067	8/2/2022	08/18/2022
015	12/23/2021	01/13/2022	041	4/27/2022	05/26/2022	068	8/2/2022	Pending
016	1/14/2022	02/03/2022	042	4/27/2022	07/28/2022	069	8/3/2022	Pending
017	1/14/2022	02/03/2022	043	4/28/2022	05/26/2022	070	8/5/2022	08/05/2022
018	1/19/2022	02/03/2022	044	5/2/2022	Pending	071	8/22/2022	09/08/2022
019	1/20/2022	02/03/2022	045	5/3/2022	05/26/2022	072	9/2/2022	09/08/2022
020	1/21/2022	02/03/2022	046	5/12/2022	Pending	073	9/2/2022	Pending
021	1/21/2022	02/03/2022	047	5/20/2022	05/26/2022	074	9/16/2022	09/29/2022
022	1/26/2022	02/03/2022	048	5/30/2022	Pending	075	9/16/2022	09/29/2022
023	2/3/2022	02/24/2022	049	6/1/2022	07/07/2022	076	9/19/2022	09/29/2022
024	2/4/2022	07/07/2022	050	6/1/2022	07/07/2022	077	9/23/2022	Pending
025	2/7/2022	02/24/2022	051	6/3/2022	07/07/2022	078	9/26/2022	Pending
026	2/8/2022	02/24/2022	052	6/9/2022	07/28/2022	079	9/30/2022	Pending
			053	6/14/2022	07/28/2022	080	9/30/2022	Pending

Enclosure 3. FY 2022 Investigation Summaries

IC Case 971: Federal Housing Finance Agency Office of Inspector General (FHFA OIG)

This was the second IC investigation into allegations of wrongdoing by now former IG Laura Wertheimer, Chief Counsel (CC) Leonard DePasquale, and Acting Deputy IG for Investigations (DIG) Richard Parker, FHFA OIG. The IC previously substantiated findings that, in part, IG Wertheimer wrongfully disparaged and demeaned FHFA OIG whistleblowers whom she believed complained to Congress or cooperated with a Congressional inquiry (IC Case 912).⁷ It was during the IC's investigation of that matter that another whistleblower, this one from the FHFA, contacted the IC and alleged that IG Wertheimer and CC DePasquale had inappropriately disclosed—to FHFA officials—her identity and details about a complaint that she had made in confidence to the OIG.

After deliberations, the IC voted to refer the allegations to the IC Chairperson for investigation. The IC Chairperson engaged the U.S. Department of Health and Human Services OIG to conduct the investigation on the IC's behalf and determine whether IG Wertheimer and CC DePasquale wrongfully disclosed the whistleblower's identity to senior agency officials without the whistleblower's consent and whether IG Wertheimer omitted material facts from her testimony to Congress. The IC later expanded the scope of its investigation and asked investigators to determine whether DIG Parker's repeated refusal to respond to all IC requests for access to relevant documents and witnesses related to the allegations above constituted an abuse of his authority. After thoroughly reviewing the evidence, the IC found by a preponderance of the evidence that IG Wertheimer abused her authority and engaged in substantial misconduct by revealing to an FHFA official that an FHFA whistleblower had complained to the FHFA OIG, the identity of that whistleblower, and the details of the whistleblower's complaint. This was the second IC investigation that substantiated allegations of wrongdoing involving actions by IG Wertheimer that adversely impacted whistleblowers; however, given that IG Wertheimer left federal service on June 29, 2021, the IC made no recommendation as to disciplinary or other corrective action.

Further, the IC found by a preponderance of the evidence that DIG Parker abused his authority when he, as a government employee and senior OIG leader, repeatedly and improperly denied lawful IC requests for access to government information. DIG Parker's conduct was part of a continued course of obstructionist behavior that, for two IC investigations, placed significant aspects of the conduct of IG Wertheimer and her senior leadership beyond the oversight provided for in the IG Act. Accordingly, the IC recommended that DIG Parker be subject to appropriate disciplinary action reflecting the repeated and ongoing nature of his misconduct. The IC did not substantiate allegations of wrongdoing pertaining to CC DePasquale.

IC Case 21-064: U.S. Agency for International Development Office of Inspector General (USAID OIG)

In September and October 2021, the IC received complaints alleging a senior OIG employee violated Title VII of the Civil Rights Act by demonstrating, through statements and/or actions, "an extreme bias and lack of inclusivity [against] Federal employees of color" and that the employee's supervisor was aware of this alleged misconduct and failed to take corrective action.

⁷ After thoroughly reviewing the evidence, the IC determined that IG Wertheimer showed a disdain and resistance towards Congressional and IC oversight by fostering a culture of witness intimidation through a pattern of staff abuse and fear of retaliation. Furthermore, she wrongfully refused to cooperate with the ICs investigation by denying IC investigators full access to FHFA OIG personnel and documents. The IC also found that CC DePasquale and DIG Parker abused their authority and were fully complicit in IG Wertheimer's refusal to cooperate, by repeatedly and improperly denying the IC access to documents and a key witness, who was CC DePasquale himself. CC DePasquale, a government employee, simply refused to be interviewed by IC investigators in that matter. While CC DePasquale and DIG Parker were not originally listed as subjects in IC Case 912, the IC determined the record contained sufficient evidence to support findings of wrongdoing against them without additional investigation.

After deliberations, the IC voted to refer the allegations to the IC Chairperson for investigation. The IC Chairperson engaged the U.S. Department of Housing and Urban Development (HUD) OIG to conduct the investigation on the IC's behalf. HUD OIG concluded that the allegations were not substantiated against the senior OIG employee or that employee's supervisor. After thoroughly reviewing the evidence, the IC agreed with HUD OIG's findings and conclusions. Accordingly, the IC had no recommendations.



**COUNCIL OF THE INSPECTORS GENERAL
ON INTEGRITY AND EFFICIENCY**

INTEGRITY COMMITTEE

CONTACT INFORMATION:

INTEGRITY COMMITTEE

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY

1717 H STREET, NW, SUITE 825
WASHINGTON, DC 20006

Integrity-Complaint@cigie.gov

<https://www.ignet.gov/cigie/committees/integrity-committee>