

October 25, 2018

By Fax: 202-224-6020

The Honorable Charles E. Grassley
Chairman
Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Request for Investigation into the Announcement of a New Inspector General at the Department of the Interior

Dear Chairman Grassley:

Campaign for Accountability (“CfA”) respectfully requests that you investigate the circumstances surrounding the recent announcement by Ben Carson, Secretary of the Department of Housing and Urban Development (“HUD”), that Suzanne Israel Tufts, the Assistant Secretary for Administration, would be leaving the agency to become the Acting Inspector General at the Department of the Interior (“Interior”). We also suggest that your office meet with the Council of the Inspectors General on Integrity and Efficiency (“CIGIE”) to understand how it is consulting with the White House to ensure that Inspectors General throughout the government are staffed by highly skilled, independent professionals.

The Announcement of Suzanne Israel Tufts’s Appointment

On October 12, 2018, HUD Secretary Ben Carson sent an email to agency staff announcing that Suzanne Israel Tufts, Assistant Secretary for Administration, had decided to leave her Senate-confirmed position to become the Acting Inspector General at the Department of Interior.¹ Ms. Tufts joined HUD after working as a consultant and attorney in New York providing services to nonprofits, foundations, and emerging companies.² Ms. Tufts was also a member of the Republican National Lawyers Association and volunteered for President Trump’s campaign.³ At HUD, Ms. Tufts replaced a career civil servant who said she had been demoted and forced to resign after she refused to approve exorbitant expenditures to redecorate Sec. Carson’s office.⁴

¹ <https://www.pogo.org/press/release/2018/trump-administration-replacing-interior-depts-watchdog-with-political-appointee/>.

² <https://www.linkedin.com/in/suzanne-israel-tufts-89407ab/>.

³ Lisa Rein, et al., Trump Appointee Tapped Days to Ago to Run Interior Department’s Watchdog Office Resigns Amid Controversy, *The Washington Post*, October 19, 2018, available at https://www.washingtonpost.com/politics/trump-appointee-tapped-days-ago-to-run-interior-departments-watchdog-office-resigns-amid-controversy/2018/10/19/9cae13b8-d3d5-11e8-b2d2-f397227b43f0_story.html.

⁴ Lisa Rein, et al., HUD Appointee Abruptly Moved to Lead Interior Dept.’s Watchdog Unit Amid Zinke Probe, *The Washington Post*, October 16, 2018, available at <https://www.washingtonpost.com/politics/hud-political-appointee->

Four days after Sec. Carson's announcement, *The Hill* published a story revealing Ms. Tuft's planned departure. HUD spokesman Jereon Brown told the newspaper at the time that Ms. Tufts was being temporarily detailed to the IG's office at Interior but that she would remain a HUD employee.⁵ Mr. Brown claimed it was a common move that happened all the time, but IG experts said it was a highly unusual arrangement.⁶

Despite HUD's statements, Interior officials seemed to be unaware of the move. According to the *Washington Post*, the Interior Department's Acting Inspector General, Mary Kendall, only found out about the appointment when a colleague showed her a copy of Sec. Carson's email.⁷ The Inspector General's office said in a statement that no official communication had been sent by the White House or Interior.⁸ A spokesperson for Interior told the *Post* that it was up to the White House to announce a new Inspector General, but the White House never announced the move.⁹

On October 18, 2018, Interior provided a new explanation. An agency spokesperson said Sec. Carson's announcement contained "100 percent false information."¹⁰ Interior said the White House had sent Ms. Tufts name to Interior "as a potential candidate for a position in the Inspector General's office" but she was not offered a job.¹¹ While HUD officials refused to address the inconsistent explanations, White House officials told the *Post* that they were surprised to hear of the plan to move Ms. Tufts from HUD to Interior.¹²

The following day, Ms. Tufts abruptly resigned from the federal government. According to the *Post*:

[abruptly-moved-to-lead-interiors-watchdog-office-amid-ongoing-investigations-into-zinke/2018/10/16/30de03b4-d164-11e8-83d6-291fced2ab1_story.html](https://www.washingtonpost.com/politics/interiors-watchdog-office-amid-ongoing-investigations-into-zinke/2018/10/16/30de03b4-d164-11e8-83d6-291fced2ab1_story.html); Jack Gillum and Juliet Eilperin, [HUD Staffer Who Complained About Carson's Redecorating Resigns Under Protest](https://www.washingtonpost.com/politics/ HUD-staffer-who-complained-about-carsons-redecorating-resigns-under-protest/2018/06/27/c586e572-7a1f-11e8-aeec-4d04c8ac6158_story.html), *The Washington Post*, June 27, 2018, available at https://www.washingtonpost.com/politics/ HUD-staffer-who-complained-about-carsons-redecorating-resigns-under-protest/2018/06/27/c586e572-7a1f-11e8-aeec-4d04c8ac6158_story.html.

⁵ Miranda Green, [HUD Political Appointee to Replace Interior Department Inspector General](https://thehill.com/policy/energy-environment/411631-hud-political-appointee-to-replace-interior-department-inspector), *The Hill*, October 16, 2018, available at <https://thehill.com/policy/energy-environment/411631-hud-political-appointee-to-replace-interior-department-inspector>.

⁶ *Id.*

⁷ Rein, et al., *The Washington Post*, Oct. 16, 2018.

⁸ *Id.*

⁹ *Id.*

¹⁰ Juliet Eilperin, et al., [Interior Secretary Zinke's Approach to Wife's Travels Raised Red Flags, Report Finds](https://www.washingtonpost.com/politics/trump-administration-does-about-face-on-its-own-announcement-that-top-aide-at-hud-would-be-interiors-watchdog/2018/10/18/d90bbf7a-d2fb-11e8-8c22-fa2ef74bd6d6_story.html), *The Washington Post*, October 18, 2018, available at https://www.washingtonpost.com/politics/trump-administration-does-about-face-on-its-own-announcement-that-top-aide-at-hud-would-be-interiors-watchdog/2018/10/18/d90bbf7a-d2fb-11e8-8c22-fa2ef74bd6d6_story.html.

¹¹ Laura Strickler and Monica Alba, [Instead of Becoming Interior Department Inspector General, Tufts Resigns from HUD](https://www.nbcnews.com/politics/white-house/amid-confusion-interior-department-says-hud-official-not-taking-over-n921876), *NBC News*, October 18, 2018, available at <https://www.nbcnews.com/politics/white-house/amid-confusion-interior-department-says-hud-official-not-taking-over-n921876>.

¹² Eilperin, et al., *The Washington Post*, Oct. 18, 2018.

Suzanne Israel Tufts was scheduled to be interviewed Friday morning for another inspector general position elsewhere in the government, according to a person with knowledge of the interview. But she did not show up for the appointment.¹³

The *Post* also reported that Ms. Tufts had not been showing up to work for at least two months.¹⁴ At the end of the day, HUD officials finally issued an explanation, claiming that “due to a recent miscommunication at the staff level, HUD mistakenly announced Ms. Tufts was going to be detailed to another agency.”¹⁵ The White House for its part denied blame telling *Politico*, “The claim we hand-picked her is completely inaccurate.”¹⁶

Following Sec. Carson’s announcement and subsequent media stories, on October 18, 2018, Democratic members of the House Natural Resources Committee asked the Chair of CIGIE to report whether the Council had recommended Ms. Tufts for the Interior position as the Inspector General Reform Act of 2008 requires.¹⁷ It is unclear if the Council has responded.

Ongoing Investigations

The timing of Sec. Carson’s announcement is conspicuous given the status of several Inspector General investigations into Interior Secretary Ryan Zinke. On October 18, 2018 – the same day Interior officials said the White House had submitted Ms. Tufts’ name for the position – the Inspector General at Interior released the results of an investigation into allegations that Sec. Zinke had abused his position.¹⁸

The Inspector General faulted Sec. Zinke for several issues involving traveling with his wife, Lolita Zinke. For instance, the Inspector General determined Ms. Zinke inappropriately traveled in government vehicles, which is against the agency’s policies.¹⁹ The investigation also found that Sec. Zinke asked his staff to investigate whether Ms. Zinke could become a volunteer at the agency to enable her to travel in government vehicles.²⁰ The report also found Sec. Zinke’s security detail followed the Zinkes on vacation to Turkey costing taxpayers \$25,000.²¹

While the Inspector General completed the investigation into Sec. Zinke’s abuse of his position, press reports indicate there are at least three ongoing investigations into the Secretary.

¹³ Rein, et al., *The Washington Post*, Oct. 19, 2018.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Ben Lefebvre, [White House Denies ‘Hand Picking’ Controversial Interior Watchdog Candidate](https://www.politico.com/story/2018/10/19/white-house-interior-watchdog-candidate-915966), *Politico*, October 19, 2018, available at <https://www.politico.com/story/2018/10/19/white-house-interior-watchdog-candidate-915966>.

¹⁷ Letter from House Natural Resources Committee Ranking Member Raul M. Grijalva, et al., to Michael E. Horowitz, Chair, Council of the Inspectors General on Integrity and Efficiency, October 18, 2018, available at <http://democrats-naturalresources.house.gov/democratic-letter-to-council-of-igs-on-doi-ig-replacement-oct-18-2018>.

¹⁸ Investigative Report of Alleged Abuse of Position by Secretary Zinke, Office of Inspector General, U.S.

Department of the Interior, October 22, 2018, available at <https://www.doi.gov/reports/alleged-abuse-position-secretary-zinke>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

Sec. Zinke is under investigation for his personal business dealings with the chairman of Halliburton, for his decision to overrule agency staff and approve a casino after meeting with the casino's lobbyists, and for his controversial decision to dramatically shrink the boundaries of Grand Staircase Escalante National Monument.²²

Congressional Oversight

As you have repeatedly stated over the years, Inspectors General are of paramount importance in rooting out government fraud and waste. In a 2016 statement supporting legislation to empower Inspectors General, you stated:

If we've learned one thing in the last year, it's that government needs more transparency and oversight, not less. Inspectors general are our eyes and ears in government. They are on the front lines in the fight against fraud, waste and misconduct, but they can't do their job if they can't access the necessary government documents. This bill makes sure that they have the tools and access they need to safeguard our tax dollars, improve efficiency, and tackle misconduct. It also reinforces Congress' intent to grant IGs access to all agency records in the course of their work, a longstanding authority that the bureaucracy has gone great lengths to resist.²³

You also have drawn attention to the importance of establishing politically independent Inspectors General. In a 2011 speech on the Senate floor, you said:

We need independent inspectors general. They should not be removed for political reasons, so we need to make sure Congress is informed of the reasons for getting rid of an inspector general.²⁴

Indeed, that speech criticized the Obama administration's firing of the Inspector General at the Corporation for National and Community Service ("CNCS") after he issued reports critical of a program run by a major supporter of President Obama.²⁵ Specifically, you said:

Any attempt to undermine the independence and integrity of inspectors general raises serious concerns. An inspector general that does his or her job runs the risk of losing friends at their agency and the White House. The Congress must not sit idly by when an inspector general is removed improperly.²⁶

²² Rein, et al., *The Washington Post*, Oct. 16, 2018.

²³ Press Release, Office of U.S. Senator Charles Grassley, [Senate Passes Grassley Bill Restoring Watchdogs' Authority to Access "All Records"](https://www.grassley.senate.gov/news/news-releases/senate-passes-grassley-bill-restoring-watchdogs%E2%80%99-authority-access-%E2%80%99Call-records%E2%80%9D), December 10, 2016, available at <https://www.grassley.senate.gov/news/news-releases/senate-passes-grassley-bill-restoring-watchdogs%E2%80%99-authority-access-%E2%80%99Call-records%E2%80%9D>.

²⁴ Prepared Floor Statement, Office of U.S. Senator Charles Grassley, [Grassley Outlines "No" Vote Against Eisen Nomination](https://www.grassley.senate.gov/news/news-releases/grassley-outlines-no-vote-against-eisen-nomination), December 12, 2011, available at <https://www.grassley.senate.gov/news/news-releases/grassley-outlines-no-vote-against-eisen-nomination>.

²⁵ Neil A. Lewis, *White House Defends Inspector General's Firing*, *The New York Times*, June 17, 2009, available at <https://www.nytimes.com/2009/06/18/us/politics/18americorps.html>.

²⁶ Prepared Floor Statement, Office of U.S. Senator Charles Grassley, Dec. 12, 2011.

And

Attempts to remove an IG must be evaluated with strict scrutiny. When Administration officials are asked to provide information to Congress, I expect and rely on those officials to provide the unvarnished truth.

Here, in a situation similar to that about which you previously expressed concern, it appears the White House may have attempted to remove an Inspector General to subvert inquiries into a political ally. As you know, the protections in place to avoid political interference with an inspector general do not apply to an acting inspector general. For this reason, it is all the more troubling that while Ms. Kendall was in the midst of several high-profile investigations into the Secretary of Interior, the White House may have attempted to remove her in favor of a political appointee, perhaps with the goal of thwarting these inquiries.

It is an odd coincidence that Ms. Tufts was appointed to HUD in 2017 after HUD officials pushed out a career staffer who questioned Secretary Ben Carson's conduct and then, plans apparently were afoot for Ms. Tufts to replace another administration official investigating a different secretary's potential misconduct. Given the sensitive investigations into Secretary Zinke's actions and Ms. Tufts' political ties to the White House, it is imperative that Congress investigate why Ms. Tufts was slated to take over the Inspector General's office at the Department of the Interior.

Further, in light of the continued vacancies of Inspector General positions at Interior and other agencies, we urge you to ask CIGIE about the role it is playing in the administration and whether it can do more to assist the White House in nominating qualified, independent leaders to serve as Inspectors General.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E Stevens", with a long horizontal flourish extending to the right.

Daniel E. Stevens
Executive Director