

Statement of Congressman Gerald E. Connolly (VA-11)
Committee on Oversight and Government Reform
Full Committee Hearing: Improving Government Accountability and Transparency
Monday, May 3, 2021

Chairwoman Maloney, thank you for holding this hearing focused on eliminating the gaps in the foundations of our federal democratic institutions exposed by the Trump Administration. These initiatives, some of which I authored and all of which I am a proud to support, ensure that:

- the public is aware of who is providing policy and grant making advice to federal agencies;
- individuals can learn who holds consequential federal leadership positions;
- those who oversee government have the appropriate independence and skill set to speak truth to power; and
- federal records are effectively retained and made accessible.

This collection of initiatives invites greater public access to and accountability in our federal government. These efforts start a much-needed journey to restore trust in government. According to Pew Research Center, just 20% of adults in the United States report the federal government can be trusted to “do the right thing” just about always or most of the time. We need to repair this mistrust.

IG Independence and Empowerment Act (H.R. 2662)

Just more than a week ago, my Subcommittee on Government Operations held a critical hearing on the importance of Restoring the Independence of Federal Inspectors General (IGs). The IGs lead offices that recover overpayments by government agencies, identify risks and program improvement areas, and root out fraud, waste, abuse, and gross mismanagement related to federal programs and operations. As I noted at that hearing, in fiscal year 2020 alone, the 75 federal offices of the inspectors general (OIGs) collectively identified \$33.3 billion in potential savings from audit reports and \$19.7 in actual and anticipated recoveries from investigations — amounting to a \$17 return for every dollar spent on sourcing the OIGs. Moreover, IGs helped fortify our federal cybersecurity posture, investigate ethics violations, and ensure efficient use of federal resources in the midst of a global pandemic.

President Trump executed a rash of politically-motivated retaliatory personnel moves against federal IGs who were investigating his actions or the actions of his political allies. Mr. Trump would not say why he was removing these IGs, but the motivation was clear. It was blatant retaliation. Mr. Trump would remove an IG and replace them with his own political appointee — sometimes “dual-hatting” an individual who would concurrently serve within the agency he or she was assigned to oversee.

The Government Accountability office concluded in a report addressing the impact of political retaliation against the IGs, that IG independence was “critical to their effectiveness.” Surely having someone from within the agency oversee its operations fails to qualify as independent.

On April 19, I joined Chairwoman Maloney, Majority Leader Steny Hoyer and others in introducing the IG Independence and Empowerment Act (IGIEA). The Act is a compilation of essential provisions to bolster the independence of IGs while increasing transparency and

accountability into their operations. The IGIEA allows removal of an IG only for a specific set of defined reasons that would demonstrate a rational basis for removal. And the IGIEA would require the appointing authority to document the cause for removal and report directly to Congress.

Additionally, the IGIEA would:

- render the Integrity Committee — which investigates allegations of wrongdoing by the IGs themselves— more transparent and accessible. (Ranking Member Jody Hice and I introduced this provision as a standalone — H.R. 2681 — on April 20th);
- require OIG employees to attend training on how to engage whistleblowers, which I intend to introduce as a standalone bill;
- require notification to Congress when the IG is placed on non-duty status— thereby helping to prevent an administration from concealing sensitive investigations by removing an IG; and
- Grant IGs testimonial subpoena authority to compel testimony from contractors and former government employees in investigations. (full Committee Vice Chair Jimmy Gomez introduced this a standalone bill – H.R. 2089).
- require an acting IG be selected from either an existing IG for another agency or from the senior staff in an OIG. (Government Operations Vice Chair Porter will introduce a related provision as a standalone on 5/4).

Whistleblower Protection Improvement Act (to be introduced 5/4)

The Whistleblower Protection Improvement Act (WPIA), which will be introduced tomorrow and of which I'm an original co-sponsor, would extend whistleblower protections to non-career Senior Executive Service employees, Public Health Service officers or applicants, and the National Oceanic and Atmospheric Administration's commissioned officer corps. The WPIA would also prohibit retaliation against employees who blow the whistle, including launching retaliatory investigations, and would limit public disclosure of whistleblowers.

Additional Good Government Bills

PLUM Act (H.R. 2043)

I am an original co-sponsor of the PLUM Act (H.R. 2043), which would require the Office of Personnel Management (OPM) to develop and maintain a publicly accessible website with data on senior leaders in government that meets modern data standards, require all federal agencies to share data on senior officials with OPM, and require OPM to coordinate with the White House every six months to confirm that information is complete, accurate, reliable, and up-to-date.

Federal Advisory Committee Transparency Act (H.R. 1930)

Roughly 1,000 federal advisory committees operate each year to help advise congressional and Executive Branch policymaking and grantmaking. These committees — which facilitate discussions among policy and grant stakeholders include members from academia, government, and the private sector — operate pursuant to the Federal Advisory Committee Act. The bipartisan Federal Advisory Committee Transparency Act (H.R. 1930), which I co-sponsored, is a collection of transparency and access provisions that seeks to engender public access to advisory committee operations and

deliberations. According to a coalition of transparency and good government groups and experts, the reforms would “make advisory committees more transparent, strengthen the independence of advisory committees, improve oversight of the advisory committee process, and close implementation loopholes.”

Federal Employee Access to Information Act (H.R. 2042); Presidential Records Preservation Act (H.R. 1929); Congressionally Mandated Reports Act (H.R. 2485)

Finally, I am also a proud co-sponsor of the Federal Employee Access to Information Act (FEAI; H.R. 2042), the Presidential Records Preservation Act (PRPA; H.R. 1929), and the Access to Congressionally Mandated Reports Act (ACMRA; H.R. 2485). FEAI would protect federal employees from retaliation should they request access to federal records pursuant to the Freedom of Information Act. PRPA would require the president to establish records management controls to ensure that electronic messages are preserved in a manner that would allow them to be readily searched and retrieved. ACMRA would enhance government transparency by creating a single website where the public can access reports that agencies submit to Congress.

This hearing examines a jam-packed legislative agenda that presents Congress with the opportunity to rebuild trust in this democracy. As Chairman of the Government Operations Subcommittee, I understand that these administrative procedures and fundamental oversight efforts are the building blocks that our nation relies on to hold our leaders accountable and equitable provide access to our policy making processes. These initiatives may seem like they are in the weeds of government, and that is because they’re the soil that nurtures democratic policymaking.