

**Help Wanted: Law Enforcement Staffing Challenges at the Border**  
**Committee on Oversight and Accountability**  
**National Security, the Border, and Foreign Affairs Subcommittee**  
**10:00 AM, Tuesday, June 6, 2023**  
**Rep. Gerald E. Connolly (VA-11)**

While it is my hope that today's committee hearing on "Help Wanted: Law Enforcement Staffing Challenges at the Border" would focus on real solutions to the situation at our southern border, my friends on the other side of the aisle once again chose to pedal the same myths about the border as if President Biden single-handedly broke our immigration system. Their selective memory forgets that every single Republican on this subcommittee voted against the Fiscal Year 2023 government funding package that President Biden signed into law that provided Border Patrol with a 17% increase of \$7.153 billion; \$65 million for 300 new Border Patrol agents; \$60 million for 125 new personnel at points of entry; and \$230 million for technology like autonomous surveillance towers.

For today's hearing, Republicans have invited a witness with a history of avoiding accountability. An individual that stonewalled investigations related to the missing Secret Service tests on January 6<sup>th</sup>. An individual who sued the Council of Inspectors General on Integrity and Efficiency over what his lawyers called "baseless inquiries" into his unethical conduct. Department of Homeland Security (DHS) Inspector General (IG) Joseph V. Cuffari owes Congress answers on questions unrelated to immigration.

Mr. Cuffari has a tenure that is marred by controversy and intentionally softened the negative findings of his own office's report on sexual harassment and misconduct at Customs and Border Patrol (CBP), Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA) and the Secret Service, to shield domestic violence assailants. The Project on Government Oversight (POGO) uncovered a pre-publication draft of this sexual harassment and misconduct report which documented 35 cases in which DHS law enforcement agents had engaged in domestic violence but had not been convicted.<sup>1</sup> In 30 of these cases, agents received little or no discipline and were able to keep their job as a law enforcement officer with access to a firearm. In the end, this information was stripped out of the final publication of this document at the direction of Mr. Cuffari himself. Staff were instructed to remove nearly four pages of factual evidence, narrow the declared scope of the report, and change its title from "DHS Has Not Adequately Addressed Law Enforcement Misconduct Related to Domestic Violence," to "DHS Components Have Not Fully Complied with the Department's Guidelines for Implementing the Lautenberg Amendment" weakening the report and rendering it incomplete.

Mr. Cuffari also suppressed two investigations related to his engagement in whistleblower retaliation and suspected intelligence manipulation. These investigations had been recommended by the agency's career staff but were repeatedly and persistently obstructed and prolonged.

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<sup>1</sup> <https://www.pogo.org/investigation/2022/04/protecting-the-predators-at-dhs>

After Mr. Cuffari's deputy and other high-ranking subordinates raised concerns regarding the legitimacy of his doctorate from unaccredited California Coast University, his family separation report, and other issues, the IG retaliated against his employees and eventually fired the deputy. When Mr. Cuffari heard about this criticism, he awarded law firm, WilmerHale, a \$1.4 million contract to investigate his colleagues for attempting to subvert his authority. This WilmerHale report inevitably vindicated Cuffari, and just eight months later, Mr. Cuffari placed the former Department of Homeland Security acting Inspector General Jennifer Costello, the principal target of the WilmerHale report, on administrative leave. While on leave, she faced an investigation for improperly representing herself as acting inspector prior to Cuffari's Senate confirmation, until she was ultimately terminated. IGs should not be allowed to leverage taxpayer dollars to investigate and jeopardize the jobs of employees who have voiced dissenting opinions.

In 2021, Mr. Cuffari allegedly participated in dubious behavior and unethical conduct when tasked with recovering missing Secret Service texts from January 6<sup>th</sup>, 2021. Reports indicated Mr. Cuffari refused to release certain documents, tried to block interviews, and delayed the probe. In response, I sent a letter to the Integrity Committee (IC) for the Council of the Inspectors General on Integrity and Efficiency (CIGIE) calling on the IC to publicly confirm its investigation into DHS IG Cuffari. Two months later, after the implementation of updates to the IC's System of Records Notice, CIGIE confirmed their ongoing investigation into current and former senior officials at the DHS OIG, including Mr. Cuffari.

Mr. Cuffari has also refused to conduct proper oversight of two former political allies, then-acting Homeland Security Secretary Chad Wolf and his deputy Ken Cuccinelli. The non-partisan Government Accountability Office published a report that found both these individuals were ineligible to serve in their roles while Mr. Cuffari sat on his hands.<sup>2</sup>

Federal inspectors general must operate with independence and integrity, and be as pure as the driven snow. IGs who reject accountability for themselves are not the example we want to set for the federal government. It is more than concerning that Mr. Cuffari remains a member in good standing of the federal inspector general community despite his attempts to block investigations into potential misconduct.

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<sup>2</sup> <https://www.gao.gov/assets/b-331650.pdf>