

DHS Watchdog Repeatedly Misled Congress, Federal Probe Finds

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The Department of Homeland Security’s controversial top watchdog official, Joseph Cuffari, has “engaged in conduct undermining the independence or integrity reasonably expected of his position,” according to an [October 2, 2024, letter to the White House](#) sent by the Integrity Committee, which examines misconduct claims against federal inspectors general.

The Integrity Committee letter summarizes the findings of a highly anticipated, years-long probe, detailed in a [187-page investigative report](#).

The investigation [substantiated claims](#) that Cuffari “abused his authority” and engaged in a “gross waste of funds” by spending about \$1.4 million of taxpayer funds on a law firm for what the letter calls a “[retaliatory investigation](#)” of former employees who had made protected disclosures about his actions. Among other allegations, whistleblowers in his office

told Congress and the Integrity Committee that Cuffari was [unduly delaying a report](#) on the department's struggle to track migrant children and parents split apart by the Trump administration's family separation policy.

The probe also concluded that Cuffari misled Congress multiple times over many years. The [report notes](#) that "IG Cuffari's responses to IC inquiries as well as to Congress were incomplete, inaccurate, or evasive." The committee [recommends the president](#) take "appropriate action, up to and including removal" of Cuffari.

Cuffari did not respond to a request for comment regarding the findings from the Integrity Committee, which is a part of the federal government's Council of Inspectors General on Integrity and Efficiency.

Cuffari has faced controversy for a number of his decisions, including matters that are not part of this Integrity Committee probe. The inspector general drew attention for his [failure to inform Congress for months](#) after the Secret Service's mass deletion of text messages that included communications from January 6, 2021. He leads an office overseeing one of the largest Cabinet departments in the federal government, which is responsible for a host of critical, high-profile, and politically sensitive missions such as border security, immigration enforcement, responding to natural disasters, preventing terrorism, and protecting the president.

Last year, two Democratic lawmakers on the House Homeland Security Committee, including ranking member Bennie Thompson (MS), [called on Cuffari to resign](#) when he admitted under congressional questioning that he [routinely deletes all text messages](#) on his government phone. Previously, POGO's President and Executive Director Danielle Brian [urged President Joe Biden](#) to fire Cuffari after POGO reported in spring 2022 that Cuffari delayed, and still has not published, an essentially finished report detailing [rampant sexual harassment and misconduct](#) inside DHS law enforcement agencies. As [POGO recently reported](#), Cuffari has found champions on Capitol Hill, as part of campaign to derail and discredit the Integrity Committee, who have suggested that its examination of the inspector general is politically motivated.

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The new Integrity Committee findings now put the matter squarely before Biden. In 2022, when the administration was asked about removing Cuffari, spokesperson Karine Jean-Pierre [told the press](#), “We’re looking at the facts and the situation it is being investigated.” The White House did not immediately respond to a request for comment.

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Incomplete, Inaccurate or Evasive Answers

The investigation found that Cuffari omitted key information and sent “[wrongfully inaccurate and misleading](#)” written statements to the Senate during his confirmation process. He failed to tell the Senate that he knew he was under investigation when he left his previous federal position in a different office of inspector general, [the Integrity Committee found](#).

The letter stated that [Cuffari continues to fail](#) to “acknowledge his answers lacked transparency and candor.”

Given his role as a watchdog, investigators say, Cuffari’s omissions are “particularly important ... because the IG Act provides that IGs be appointed ‘solely on the basis of integrity and demonstrated ability.’” The letter [goes on to say](#), “the IC believes that the integrity reasonably expected of a person in that situation requires them to be fully forthcoming and completely candid.”

In the letter’s opening, the committee recognizes the particular importance of “independent, objective, and credible oversight” from the inspector general at the Department of Homeland Security. It is “also critically important to help ensure our safety,” [the Integrity Committee wrote](#).

Whistleblower Retaliation and Abuse of Authority

The committee found Cuffari “[lacked candor](#)” when explaining to Congress the basis for spending \$1.4 million on a law firm named WilmerHale to conduct an investigation of three staff members in his office. The Integrity Committee probe uncovered “[clear circumstantial evidence](#)” that Cuffari “abused his authority” and launched the law firm investigation in reprisal for the staffers’ whistleblowing.

“Given the apparent retaliatory intent, employment status of the subjects, and the fact that the report was not intended to address ongoing issues at the organization or achieve other goals, the endeavor appears to lack sound justification,” [according to the Integrity Committee](#).

The investigation also [substantiated allegations](#) that Cuffari was “personally attempting to intervene in the WilmerHale investigation for his own benefit.” While the point of WilmerHale’s investigation was to have [an “independent” review](#), Cuffari misrepresented his role to Congress and the Integrity Committee as that of [only a “mere witness.”](#) Yet he [failed to recuse himself](#) from the WilmerHale’s work, sought to [“pressure” someone](#) to be interviewed by the law firm, and [received updates](#) on its progress.

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Integrity Committee's letter to the White House

The Integrity Committee [also wrote](#) that “Cuffari’s argument that he essentially had no other choice but to contract with WilmerHale to investigate ... is inaccurate.” It said that its own staff offered to help Cuffari find a “disinterested” federal watchdog office to investigate.

The \$1.4 million spent on WilmerHale, [the Integrity Committee found](#), “was significantly out of proportion to the benefit reasonably expected to accrue to the government” and [“highly questionable.”](#)

Among the three whistleblowers scrutinized is Jennifer Costello, who served briefly as deputy inspector general. The others are Diana Shaw, who would leave Cuffari’s office in 2020 and served as the State Department deputy and acting inspector general until earlier this year; and Karen Ouzts, who worked as a deputy counsel inside the DHS watchdog office and who resigned in January 2021 around the time Cuffari made the WilmerHale report public.

The Integrity Committee found that [none of the allegations](#) against either Shaw, Ouzts, or a temporary aide to Cuffari, had merit. Shaw did not respond to a request for comment, and Ouzts declined to comment.

It did conclude, however, that Costello [“wrongfully resisted](#) newly confirmed IG Cuffari’s leadership through a series of divisive words and actions,” [including making](#) “disparaging remarks about IG Cuffari to members of DHS OIG staff.” The investigation did not substantiate other allegations against her and found that a June 2020 letter Cuffari sent to Congress outlining his reasons for firing her [“was either incomplete or misleading.”](#)

“Although I do accept some measure of responsibility for the toxic relationship, I will not apologize for being the first to recognize the perils facing the agency or for sounding the alarm loudly, clearly, and often,” Costello wrote in her response to the Integrity Committee’s findings.

Last year, Cuffari’s office paid Costello [\\$1.17 million](#) to settle claims she was retaliated against. Fear of reprisal looms large inside Cuffari’s office, according to the Integrity Committee’s investigative report and [prior POGO reporting](#).

“During the investigation, witnesses requested confidentiality and expressed concerns about retaliation at the hands of current DHS OIG leadership,” [the report says](#). The report goes on to cite witnesses who said that “IG Cuffari was a guarded leader who did not have trust in employees.”