

## Internal DHS watchdog: Noem is obstructing our work

The Office of the Inspector General said in a letter he has been denied access to records in at least 10

POLITICO



The inspector general said Homeland Security Secretary Kristi Noem asked the watchdog to provide a list of all pending matters, including criminal investigations, "so that she may consider whether any audits, inspections, or investigations should be terminated." | Francis Chung/POLITICO

By **ERIC BAZAIL-EIMIL**  
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The Department of Homeland Security has hindered internal investigations amid scrutiny for its handling of President Donald Trump’s aggressive crackdown on immigration, the agency’s official watchdog warned in a letter to Congress.

DHS has been “systematically obstructing” investigations by withholding records, Inspector General Joseph Cuffari said in a letter released Tuesday — hours after Homeland Security Secretary Kristi Noem faced withering bipartisan questioning at a Senate hearing.

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Cuffari's letter, dated Monday, outlined at least 10 investigations in which his office has been denied access to records and information it requested.

Cuffari said the lack of cooperation by DHS violates the law and "longstanding principles of comity" between internal watchdogs and the agencies they oversee.

In one particularly striking case, Cuffari said DHS set conditions on OIG's access to information it demanded as part of a criminal investigation in which it was assisting. The conditions would have required the watchdog "to reveal details of the investigation to individuals who do not have a need to know, and who may be related somehow to the allegation(s) or individual(s) under investigation," Cuffari wrote.

The letter did not specify the agency OIG was assisting or disclose details of the criminal investigation.

The inspector general said Noem recently asked the watchdog to provide a list of all pending OIG matters, including criminal investigations "so that she may consider whether any audits, inspections, or investigations should be terminated."

DHS did not respond to a request for comment about the letter, which was sent as bipartisan frustrations with Noem on Capitol Hill are bubbling to the surface.

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The letter, shared with POLITICO, was referenced in a Senate Judiciary Committee hearing where Noem was testifying. Sen. Thom Tillis (R-N.C.), who has called on Noem to resign, mentioned it in his questioning, then addressed the letter in a speech on the Senate floor.

“Do you have any idea how bad it has to be for someone embedded in a department to publish a letter about the obstruction of the secretary of that department?” Tillis said.

The Wall Street Journal first reported the letter.

Beyond the criminal investigation, Cuffari says in the letter that ICE revoked the inspector general’s access to its Enforcement Integrated Database. The inspector general had used the data in that system to conduct audits and inspections for 10 years.

DHS also revoked OIG’s access to a database that tracks which employees and contractors can access classified information, which the watchdog said it needs for investigations involving national security and other sensitive matters, according to the letter.

In addition, TSA is not providing OIG access to the Secure Flight System database, leaving the inspector general’s team unable to verify data. The watchdog has also faced resistance when seeking access to a Border Patrol database that tracks arrests, detentions and releases.

OIG argues that making case-by-case requests adds delays to its audits and probes of potential wrongdoing and that the lack of access hinders how much the watchdog can verify data shared with it as part of investigations and run analytics.

Cuffari attached a letter sent to him from DHS General Counsel James Percival in which Percival accused the OIG of “bad faith and bordering on a material misrepresentation” if the complaints about access were sent to Congress and accused the watchdog of engaging in “fishing trips” in investigating possible misconduct.

Cuffari said in his letter to lawmakers that OIG is not seeking unfettered access to data, saying it would be inefficient and illegal to “rummage through DHS records with no clear purpose.”

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*CORRECTION: An earlier version of this article misspelled James Percival’s name.*

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