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January 31, 2019

President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump,

I am writing to express concern about why Sandra Bruce was “suddenly replaced” less than two months into her tenure as the acting head of the Education Department’s (the Department) Office of Inspector General (OIG) and about the concerns of Department officials that naming a senior agency official as the Acting Inspector General will do grave damage to the independence and effectiveness of the OIG.

According to a report today in Politico, which has since been confirmed by the Department, Ms. Bruce, who had served in the post for less than two months, was told yesterday that she was being replaced as Acting Inspector General by Phil Rosenfelt, a career Department official who had been serving as deputy general counsel.¹ Initial reports indicated that it is “not immediately clear whether Rosenfelt would continue to serve as deputy general counsel” while also serving as the acting Inspector General, but according to Department officials, Mr. Rosenfelt has not as of today been terminated from his deputy general counsel position. Katherine Tighe, the previous permanent Inspector General, retired in November 2018, and you have yet to nominate a permanent Inspector General.

The OIG - as an independent and nonpartisan entity - serves a critical oversight role monitoring and evaluating the Department’s operations and programs and preventing waste, fraud, and abuse. Over the last several months, the OIG has launched investigations and audits into several important department decisions and actions. For example, it announced in November “plans to review whether the [Education Department] has been properly dismissing civil rights complaints that alleged discrimination.”²

¹ Politico, “Trump administration replaces acting Education Department inspector general,” Michael Stratford, January 30, 2019, <https://subscriber.politicopro.com/education/article/2019/01/trump-administration-replaces-acting-education-department-inspector-general-1132537>


² Politico, “Trump administration replaces acting Education Department inspector general,” Michael Stratford, January 30, 2019, <https://subscriber.politicopro.com/education/article/2019/01/trump-administration-replaces-acting-education-department-inspector-general-1132537>

I am deeply troubled by concerns I have learned about from high-level Department officials. These officials indicated that placing Mr. Rosenfelt in a dual role as deputy general counsel and Acting Inspector General will risk the independence and objectivity of the important work done by the OIG, and severely damage the IG's ability to audit and improve Department operations and programs and prevent waste, fraud, and abuse.

Mr. Rosenfelt has served the Department as a nonpolitical career appointee for decades, and I have no reason to question his ethics and integrity. But the decision to replace Ms. Bruce without explanation, and with a senior agency official who appears to be still serving in that capacity, is troubling because it is vital that the work of the OIG remain uninterrupted and that the IG operate independently from the White House and from Department leadership.

I urge you to immediately address this matter and to ensure that the Office of Inspector General is able to continue operating in an effective and independent fashion. And I ask that you nominate a permanent Inspector General to lead the office as soon as possible.

Sincerely,



Elizabeth Warren
United States Senator

cc: The Honorable Betsy DeVos