Pension Benefit Guaranty Corporation
Office of Inspector General
1200 K Street, N.W., Washington, D.C. 20005-4026

December 2, 2014

ELECTRONICALLY SUBMITTED

The Honorable Lamar Alexander
Ranking Member
U.S. Senate Health, Education, Labor and Pensions Committee

Re: Biannual Report of Non-public Investigations, Audits and Evaluations and Access to Information

Dear Senator Alexander:

On February 5, 2013, you requested that the PBGC Inspector General provide you with "a copy of the biannual report on non-public investigations, evaluations, and audits as well as information regarding agency cooperation with Office of Inspector General activities that is provided to other senatorial offices." Attached is a letter we sent to Senators Grassley and Coburn on October 31, 2014 in response to their April 8, 2010 request that that Inspectors General "provide biannual reports on all closed investigations, evaluations, and audits conducted by your office that were not disclosed to the public."

We appreciate your support of our office's efforts to uncover waste, fraud and abuse. We also look forward to working with you in the important mission to protect the taxpayers and ensure our government agencies are functioning effectively and efficiently.

If you have any questions, please contact me by telephone at 202/326-4000 x3877, or by email at stover-springer.deborah@pbgc.gov.

Sincerely,

Deborah Stover-Springer
Acting Inspector General

Pension Benefit Guaranty Corporation
Office of Inspector General
1200 K Street, N.W., Washington, D.C. 20005-4026

October 31, 2014

ELECTRONICALLY SUBMITTED

The Honorable Charles E. Grassley
Ranking Member
U.S. Senate Judiciary Committee

The Honorable Tom Coburn
Ranking Member
U.S. Senate Homeland Security and Governmental
Affairs Committee

Re: Biannual Report of Non-public Investigations, Audits and Evaluations and Access to Information

Dear Senators Grassley and Coburn:

On April 8, 2010, you requested that Inspectors General "provide biannual reports on all closed investigations, evaluations, and audits conducted by your office that were not disclosed to the public." Thank you for your letter of July 31, 2014, reiterating your continuing efforts to support the independence of Inspectors General in protecting taxpayer dollars against waste, fraud, and abuse, and the requirement that each Inspector General provide you a report each six months, corresponding with our Semiannual Reports to Congress.

I provide this information for the period April 1, 2014 through September 30, 2014.

Non-public information. It is our policy to summarize all audits and evaluations in our semiannual reports to Congress. We also provide a full-text copy of those reports on our website, with few limited exceptions. For example, we only provide a brief summary of our information technology vulnerability assessments and penetration testing to protect PBGC from those wishing to exploit the vulnerabilities. We also summarize significant closed investigations and report on all investigative activity in our semiannual reports to Congress; this information is not otherwise on our website.

Access to Information. For this period, we unfortunately cannot report that the agency has been fully responsive to our requests for information. As you know, an agency does not have to absolutely refuse to provide information (such as occurred at the Department of Justice, Environmental Protection Agency and Peace Corps), to cause access issues.

In conducting our audits, we have experienced:

- unreasonable delays in responding to basic requests for information that should be readily available in the normal course of business,
- multiple instances of non-disclosure of relevant information, and
- allegations that OIG "didn't speak to the right people" when we had multiple conversations with the business owner for the program area and we received no notice that potentially relevant documents existed in other departments. The Corporation generates an internal monthly report on the status of audits, so leadership cannot assert a lack of awareness of the nature, timing and extent of our work

These information access issues have resulted in delays in completing our work and reporting findings to PBGC, the Board of Directors, Congress and the public. This also obstructs our ability to economically, efficiently, and effectively perform our oversight mission.

Despite assurances from senior agency leaders that corrective action would be taken to improve our access to information, PBGC continues to produce documents they assert are relevant to our audit work only after a draft report has been issued. This raises serious concerns about the validity, completeness and accuracy of the information previously and newly provided. The control environment in PBGC is weak. The causes range from a lack of adequate or effective controls to staff who don't perform the control activities to managers who don't understand appropriate controls for their programs. This poor control environment further undermines our ability to obtain timely and reliable information.

The delivery of timely and complete information, with unfettered access to that information, is essential in the performance of the critical mission of a federal Office of Inspector General. As you know, under the requirements of Section 6(a) of the 1978 Inspector General Act, we are:

> to have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable establishment which relate to programs and operations....

I have been Acting Inspector General for more than a year now. Though I believe I have an effective working relationship with PBGC Executives and the Board of Directors, the optics could suggest that PBGC is testing my OIG leadership and the independence of the office because of the indeterminate time I have been and will be acting. Though I have led this office with independence and raised access issues appropriately, as more news articles appear questioning the independence and integrity of acting Inspectors General, I am concerned.

Finally, I have discussed these issues with the PBGC Executives, including Acting Director Alice Maroni who stated she is committed to identifying effective solutions to ensure appropriate OIG information access.

If you have any questions, please contact me by telephone at 202/326-4000 x3877, or by email at stover-springer.deborah@pbgc.gov.

Sincerely,

Deborah Stover-Springer
Acting Inspector General