

THE WHITE HOUSE

WASHINGTON

March 29, 2024

Dear Representative Larsen:

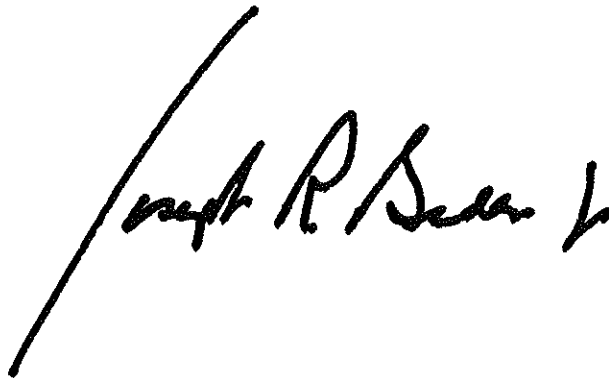
This is to advise that I am exercising my authority to remove from office the Inspector General of the Railroad Retirement Board (RRB), effective 30 days from today. Because I have determined that the Inspector General's continued presence in the workplace would jeopardize legitimate Government interests, he will be placed on the non-duty status of administrative leave, effective immediately, for the 30-day period prior to his removal from office.

Inspectors General have a critical role in promoting the economy, effectiveness, and efficiency of Federal programs and operations. As President, it is vital that I have the fullest confidence in the appointees serving as Inspectors General. That is no longer the case with regard to this Inspector General in light of evidence of misconduct uncovered by an ongoing, independent investigation conducted by the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency. That evidence is described in greater detail in the attached letter from Counsel to the President Ed Siskel.

I have also directed that Ben R. Wagner, who is currently serving as the Inspector General of the Tennessee Valley Authority, shall serve concurrently as Acting Inspector General of the RRB, effective 30 days from today. I have directed Inspector General Wagner to serve in this role in light of his exemplary track record as Inspector General and because, given the nature of the conduct that prompted my decision to remove the Inspector General of the RRB, it is important to bring in independent leadership to the RRB Office of Inspector General. I have confidence in Inspector General Wagner to provide that independent leadership.

At a later date, I will be submitting to the Senate my nomination of an individual for this position who has my full confidence and who meets the appropriate qualifications.

Sincerely,

A handwritten signature in black ink, reading "Joseph R. Biden Jr.", written in a cursive style. The signature is positioned in the center of the page, below the word "Sincerely,".

The Honorable Rick Larsen
Ranking Member
Committee on Transportation
and Infrastructure
House of Representatives
Washington, D.C. 20515



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March 29, 2024

The Honorable Mike Johnson
Speaker
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This letter provides additional detail regarding the President's decision to remove the Inspector General of the Railroad Retirement Board (RRB), to place him on immediate non-duty status, and to appoint an Acting Inspector General from outside the RRB's Office of Inspector General (RRB-OIG).

An ongoing investigation being conducted by the Integrity Committee (IC) of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) has uncovered credible evidence that the RRB Inspector General has repeatedly engaged in abusive treatment of employees of the RRB-OIG. According to the IC investigators, the investigation to date has found evidence from multiple sources establishing that the Inspector General "engaged in abusive treatment of RRB-OIG employees, including the use of crude and inappropriate language" and "openly belittling his employees and RRB members." Months after their investigation began, the IC investigators reported that there was still "strong evidence of a continuing toxic work environment attributable to" the Inspector General.

In addition, IC investigators have conveyed that the Inspector General has attempted to impede their investigation. They have explained that the Inspector General's actions "have sown considerable fear among witnesses, and have impeded, and continue to impede, the IC's investigation." IC investigators have conducted at least 51 sworn interviews with 44 witnesses. According to the IC investigators, multiple current and former RRB-OIG employees have expressed fears of retaliation as a result of their interviews, and "potential fact-witnesses are now fearful of retaliation" as a result of the IG's actions, which have created a "chilling effect for overall whistleblower cooperation." The CIGIE Integrity Committee has unanimously echoed the investigators' concerns.

This conduct is unacceptable and contrary to the President's expectations of Inspectors General. Accordingly, the President has exercised his authority to remove the Inspector General, effective 30 days from today. Moreover, because the President has determined that the Inspector General's continued presence in the workplace would jeopardize legitimate Government interests, *see* 5 U.S.C. § 6329b(b)(2)(A)(iv), he has directed that the Inspector General be placed on non-duty status with immediate effect. Finally, in light of the information outlined above—

including evidence of a continuing toxic work environment and of conduct that has made potential witnesses fearful of retaliation—there is a clear need to bring in independent leadership from outside the agency for this period of transition. The President has therefore directed that Ben R. Wagner, who is currently the Inspector General of the Tennessee Valley Authority, will serve concurrently as Acting Inspector General of the RRB, effective 30 days from today.

Sincerely,



Edward N. Siskel
Counsel to the President

cc: The Honorable Hakeem Jeffries, Democratic Leader
United States House of Representatives

The Honorable Chuck Schumer, Majority Leader
United States Senate

The Honorable Mitch McConnell, Minority Leader
United States Senate

The Honorable James Comer, Chairman
United States House Committee on Oversight and Accountability

The Honorable Jamie Raskin, Ranking Member
United States House Committee on Oversight and Accountability

The Honorable Gary Peters, Chairman
United States Senate Committee on Homeland Security and Governmental Affairs

The Honorable Rand Paul, Ranking Member
United States Senate Committee on Homeland Security and Governmental Affairs

The Honorable Sam Graves, Chairman
United States House Committee on Transportation and Infrastructure

The Honorable Rick Larsen Ranking Member
United States House Committee on Transportation and Infrastructure

The Honorable Bernie Sanders, Chairman
United States Senate Committee on Health, Education, Labor and Pensions

The Honorable Bill Cassidy, Ranking Member
United States Senate Committee on Health, Education, Labor and Pensions