



October 27, 2017

Kathleen Tighe
Inspector General
U.S. Department of Education
550 12th Street, S.W.
Washington, D.C. 20202

Dear Inspector General Tighe:

American Oversight respectfully requests that you immediately initiate a review into the potential consequences and implications of Secretary of Education Elizabeth DeVos' frequent absences from the Department.

On September 20, 2017, in response to litigation filed by American Oversight under the Freedom of Information Act (FOIA), the Department released a partially redacted copy of Secretary DeVos' official calendar for the dates February 8, 2017 through July 19, 2017.

The calendar shows that Secretary DeVos was frequently absent from the Department on work days, including numerous long weekends, early departures, and late arrivals. Of 113 federal work days during the time period in question, Secretary DeVos' calendar reflects:

- 77 full days of work;
- 21 partial days of work (on which the calendar shows six or fewer hours of meetings or other official business); and,
- 15 full days off (on which the calendar reflects no official business).

In its FOIA request, American Oversight specifically requested copies of any of Secretary DeVos' calendars, including any maintained on her behalf. According to a declaration filed in federal court, the calendars reflecting the above attendance record were a complete response to the FOIA request. That is, the Department has clearly stated that there is no other calendar accounting for Secretary DeVos' activities during these periods.

Secretary of Education is a full-time job. Given the size of the Department of Education and the complexity of its mission, the Secretary's calendar raises several questions that warrant further investigation, including:



- 1) The consequences of Secretary DeVos' frequent absences for the management of the Department, such as: the impact on employee morale and productivity, delays in Department work, or the Department's responsiveness to constituents or other agencies;
- 2) Whether Secretary DeVos is neglecting any official duties as a result of her frequent absences;
- 3) To the extent that Secretary DeVos is performing official work while on travel away from the office, whether there are appropriate controls in place to ensure that all federal records created in connection with that work are adequately captured in the agency's record management systems; and,
- 4) To the extent that Secretary DeVos' work is not fully accounted for by her calendar, whether she can otherwise account for her time and whether records of her activities are being maintained in an alternate system. According to the *New York Times*, a Department spokesman stated that Secretary DeVos is "routinely working... even if nothing is listed on her work calendar."¹

American Oversight is a non-partisan organization dedicated to accountability and ethics in government, a commitment that you no doubt share. Taxpayers have a right to expect that the leaders appointed to senior positions in our government—particularly those with the responsibility of administering a Cabinet agency—will “well and faithfully” discharge their duties. Secretary DeVos' calendar raises questions concerning her commitment to fully performing the important job with which she has been entrusted.

Thank you for your attention.

Sincerely,



Austin R. Evers
Executive Director

¹ Eric Lipton, *Betsy DeVos's Schedule Shows Focus on Religious and Nontraditional Schools*, N.Y. TIMES, October 27, 2017, <https://www.nytimes.com/2017/10/27/us/politics/betsy-devos-work-schedule-education.html>