

Higher Ed Watch

A Blog from New America's Higher Education Initiative

News of IG's Investigation of Ed Dept is Overblown

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Last week, the conservative news site the *Daily Caller* [claimed to have an exclusive](#). Citing unnamed sources, the online publication reported that the U.S. Department of Education's Inspector General (IG) is investigating whether Department officials leaked information to Wall Street short sellers about the agency's proposed Gainful Employment rules before they released them to the public. The *Dow Jones Newswires* followed up with [its own article](#) (which credited the *Daily Caller* for being the first to report the story), and then other news outlets [followed suit](#).

But there's just one problem with this "breaking" story -- it did not reveal anything new.

In fact, news of the investigation first broke nearly two months ago. The source was the IG herself. Speaking at [a hearing](#) before the House subcommittee in charge of higher education policy in mid-March, Inspector General Kathleen Tighe revealed that she had initiated an investigation into the leak allegations in response to [a written request](#) that she had received from Republican Senators Tom Coburn of Oklahoma and Richard Burr of North Carolina in the fall.

Tighe's comments did not go unnoticed. In fact, the Coalition for Educational Success, a for-profit college lobbying group, highlighted the remarks in [a press release](#) it sent out after the hearing:

WASHINGTON DC (March 11, 2011) --Today, at a U.S. House of Representatives Committee on Education and the Workforce Subcommittee on Higher Education and Workforce Training hearing, U.S. Department of Inspector General Kathleen Tighe confirmed that the Department is investigating contacts and activity that took place between Department officials and Wall Street short sellers...Inspector General Tighe acknowledged the investigation following questioning by Representative Mike Thompson.

The fact that the IG is investigating whether a leak occurred is not only old news, but, as the *Daily Caller* acknowledges, it also isn't surprising given the source of the request. As *Inside Higher Ed* noted in its coverage of the inquiry last week, "it is uncommon for federal agencies' inspectors general to ignore requests from members of Congress, so even if an investigation is indeed under way, gauging its seriousness is difficult." In other words, even if Tighe doesn't have any reason to believe that improprieties occurred, she is still obligated to look into the charges.

This investigation brings to mind a similar one that the IG's office conducted last year [at the behest of Rep. John Kline of Minnesota](#), who was the House Education committee's ranking Republican at the time. Kline, a fervent student loan industry supporter, [accused Education Department leaders](#) of violating federal lobbying laws in their effort to build support for legislation eliminating the Federal Family Education Loan (FFEL) program. After a thorough examination of the allegations, the IG released [a report](#) in January rejecting the charges.

At *Higher Ed Watch*, we expect that the IG will ultimately reach a similar conclusion in the leak case. After all, the for-profit higher education industry hasn't produced any credible evidence to date that wrongdoing has occurred. But that's not really the point of this exercise. The industry's champions in Congress are simply trying to intimidate the Obama administration [into abandoning a proposed rule](#) that they vehemently oppose. Given [recent developments](#), it doesn't appear that they will be anymore successful in this effort than they were in [blocking student loan reform](#).