



*Council of the*  
**INSPECTORS GENERAL**  
*on INTEGRITY and EFFICIENCY*



# PRESIDENTIAL TRANSITION HANDBOOK

The Role of Inspectors General  
and the Transition to a  
New Administration

December 17, 2020



## MISSION, VISION, AND VALUES

Improving government-wide efficiency, effectiveness, and integrity and enhancing the professionalism of CIGIE members.

### VISION

Advancing good government through collaboration.

### VALUES

- Integrity
- Accountability
- Transparency
- Collaboration
- Excellence

## EXECUTIVE SUMMARY

### The Role of Inspectors General

In accordance with the Inspector General Act of 1978, as amended (IG Act),<sup>1</sup> virtually every federal agency has an Inspector General (IG). There are 75 federal IGs. Approximately half are appointed by the President subject to Senate confirmation, and approximately half are appointed by the agency head.

According to the IG Act, the role of an IG is to prevent and detect waste, fraud, and abuse relating to each agency's programs and operations and to promote economy, efficiency, and effectiveness in the agency's operations and programs.

IGs are nonpartisan and are selected without regard to political affiliation. They have a dual reporting requirement—to their agency heads and to Congress. IGs are required by the IG Act to keep both their agency heads and Congress fully and currently informed about problems and deficiencies in their agencies' programs and operations, as well as the necessity for and progress of corrective action.

Offices of Inspector General (OIGs) are located within their agencies but must conduct their audits, investigations, evaluations, and special reviews independently from their agencies. For example, agency heads may not prevent the IGs from initiating, carrying out, or completing any audit, evaluation, or investigation, except in limited circumstances. IGs must maintain their independence, in both fact and appearance, to provide credible oversight.

Under the IG Act, IGs are given broad statutory authorities, including access to all agency records and information. IGs also have the authority to subpoena relevant documents and information from non-federal organizations and individuals.

IGs should meet regularly with the heads of their agencies to foster effective communications. According to the IG Act, IGs must have direct and prompt access to agency heads.

THE ROLE OF AN IG IS TO PREVENT AND DETECT WASTE, FRAUD, AND ABUSE RELATING TO EACH AGENCY'S PROGRAMS AND OPERATIONS AND TO PROMOTE ECONOMY, EFFICIENCY, AND EFFECTIVENESS IN THE AGENCY'S OPERATIONS AND PROGRAMS.

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<sup>1</sup> Pub. L. No. 95-452, 92 Stat. 1101 (codified at [5 U.S.C. app.](#))



*West Front of the U.S. Capitol Building, Washington, D.C. (Source: iStock)*

The Council of the Inspectors General on Integrity and Efficiency (CIGIE), to which all 75 IGs belong, provides training for OIG employees; develops policies, professional standards, best practices, and common approaches for the work of the OIGs; and coordinates reviews by OIGs on issues that span multiple agencies. In addition, through its Integrity Committee, CIGIE receives, reviews, and refers for investigation allegations of wrongdoing made against IGs, designated staff members of those IGs, and the Special Counsel and Deputy Special Counsel of the Office of Special Counsel (OSC).

In 2016, CIGIE established the CIGIE Presidential Transition Working Group to coordinate on behalf of the IG community with eligible Presidential candidates' transition teams and to provide information about the role of federal IGs to the transition teams and to appointees in the new Administration. The CIGIE Presidential Transition Working Group first drafted this handbook in 2016 and updated it in 2020.

## Transition Issues Relating to Inspectors General

Reflecting their independent, nonpartisan role, unlike other political appointees, IGs typically remain in office when Presidential Administrations change. This practice has been followed for more than 40 years.

To sustain the independent role of IGs during a Presidential transition, transition teams should consider scheduling separate briefings by the IGs, parallel to briefings by other senior leaders in their agencies. The transition teams should also pay close attention to the IGs' congressionally mandated management challenges reports—annual reports that explain what the IGs consider as the most important management and performance challenges facing their agencies.

The transition teams should also focus attention, in coordination with the Office of Presidential Personnel, on promptly filling any vacant IG positions. The IG within each agency is a critically important position, and vacant positions should be filled with a permanent IG as quickly as feasible.

To promote an effective relationship with the IG and to support the mission of the IG, after taking office the head of each agency should consider:

- Scheduling a meeting with the IG to discuss issues affecting the agency, including significant ongoing and completed IG audits, investigations, and evaluations;
- Establishing a regular meeting schedule with the IG; and
- Sending the agency workforce a message of support for the IG's mission, underscoring IG independence; the IG's right of access to information; employees' duty to cooperate with the IG; and their duty to report illegal conduct and suspected waste, fraud, and abuse to the IG.

TO SUSTAIN THE INDEPENDENT ROLE OF IGS DURING APRESIDENTIAL TRANSITION, TRANSITION TEAMS SHOULD CONSIDER SCHEDULING SEPARATE BRIEFINGS BY THE IGS, PARALLEL TO BRIEFINGS BY OTHER SENIOR LEADERS IN THEIR AGENCIES.

IGS ARE NONPARTISAN AND ARE SELECTED WITHOUT REGARD TO POLITICAL AFFILIATION. THEY HAVE A DUAL REPORTING REQUIREMENT—TO THEIR AGENCY HEADS AND TO CONGRESS. IGS ARE REQUIRED BY THE IG ACT TO KEEP BOTH FULLY AND CURRENTLY INFORMED ABOUT PROBLEMS AND DEFICIENCIES IN THEIR AGENCIES' PROGRAMS AND OPERATIONS, AS WELL AS THE NECESSITY FOR AND PROGRESS OF CORRECTIVE ACTION.

# THE ROLE OF INSPECTORS GENERAL



## THE ROLE OF INSPECTORS GENERAL

### The Inspector General Act

Following a series of scandals involving fraud in federal programs, IGs were created by statute in a few civilian agencies, including the Department of Agriculture (in 1962) and the Department of Health, Education, and Welfare (the predecessor to the Department of Health and Human Services) (in 1976). After congressional hearings in the mid-1970s that exposed waste and fraud in executive agencies, Congress enacted the IG Act in 1978, which established IGs in 12 agencies.<sup>2</sup> Since 1978, the IG Act has been amended several times to provide IGs more authority and to establish IGs throughout the federal government, in virtually every federal agency.

The purpose of the IG Act was to create independent, objective IGs whose responsibility is to prevent and detect waste, fraud, and abuse and to promote economy, efficiency, and effectiveness in each agency's operations.

Currently, there are 75 federal IGs.<sup>3</sup> Approximately half (called Establishment IGs or PAS IGs) are appointed by the President subject to Senate confirmation, and approximately half (called Designated Federal Entity or DFE IGs) are appointed by the head of the agency, which can be an individual, a board, or a commission. See the Appendix for CIGIE's current membership list, which also identifies Establishment IGs and DFE IGs.

IGs are nonpartisan. According to the IG Act, they must be selected without regard to political affiliation, based solely on "integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations."

#### THE IG ACT CONTAINS CONGRESSIONAL NOTIFICATION PROCEDURES REGARDING THE REMOVAL OF IGs.

IGs do not have a term of office.<sup>4</sup> Establishment IGs can only be removed by the President, and DFE IGs can only be removed by their agency head. Unlike other political or high-level political appointees, IGs typically remain in office when Presidential Administrations change. Moreover, the IG Act contains congressional notification procedures regarding the removal of IGs. If the President intends to remove or transfer an Establishment IG, or an agency head intends to remove a DFE IG, the reasons for the action must be communicated in writing to both Houses of Congress at least 30 days before the removal or transfer. This provision has been invoked only three times—once in 2009 and twice in 2020.

<sup>2</sup> Pub. L. No. 95-452 (Oct. 12, 1978), 92 Stat. 1101 (codified at [5 U.S.C. app.](#)). See Congressional Research Service, *Federal Inspectors General: History, Characteristics, and Recent Congressional Actions* (June 2016), available at [www.fas.org/sgp/crs/misc/R43814.pdf](http://www.fas.org/sgp/crs/misc/R43814.pdf).

<sup>3</sup> One additional federal IG, the IG for the House of Representatives, is not a member of CIGIE.

<sup>4</sup> The exceptions are the U.S. Postal Service IG (a 7-year term) and the U.S. Capitol Police IG (a 5-year term with the possibility of reappointment for no more than two additional terms).

## Role and Authorities of Inspectors General

IGs have a dual reporting requirement—to both the agency head and to Congress. IGs are required to keep both fully and currently informed about problems and deficiencies relating to agency programs and operations.

IGs typically brief their agency heads on important audits, investigations, evaluations, and other reviews they conduct. In addition, IGs often testify before congressional committees, and they regularly receive requests from, provide briefings to, and participate in meetings with congressional members and their staffs.

To fulfill their mission, IGs are granted broad authorities. Among other powers, IGs are authorized to:

- Obtain timely access to information and documents within their agencies in relation to any program or operation over which the IG has responsibility;
- Request information or assistance from any federal, state, or local agency;
- Subpoena records and documents from any non-federal entity or individual;
- Take statements under oath;
- Have direct and prompt access to the agency head for any purpose pertaining to the IG's responsibilities; and
- Select, appoint, and employ officers and employees as necessary to carry out the functions, powers, and duties of the OIG.

## Inspector General Independence

IGs must perform their audits, investigations, evaluations, and special reviews objectively and independently from the agency.

Several key provisions of the IG Act seek to ensure IG independence, in both fact and appearance. For example, according to the IG Act, an agency head may not prevent the IG from initiating, carrying out, or completing any audit or investigation, except in very limited circumstances.<sup>5</sup>

Moreover, IGs report only to the agency head or the officer next in rank below the agency head. The IG Act specifies that each IG “shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, the officer next in rank below such head, but shall not report to, or be subject to supervision by, any other officer of such establishment.” In addition, as noted above, the IG Act requires the IG to have direct and prompt

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<sup>5</sup> Under the IG Act, the heads of seven agencies (the Departments of Defense, Homeland Security, Justice, and Treasury; the Federal Reserve Board; the Consumer Financial Protection Bureau; and the U.S. Postal Service) may prevent their respective IGs from initiating or completing an investigation or audit, or issuing a subpoena, but only for reasons specified in the IG Act (*see, e.g.*, IG Act, § 8). These reasons include preserving national security interests, protecting ongoing criminal prosecutions, or limiting the disclosure of information that could significantly influence the economy or market behavior (*see, e.g.*, IG Act, § 8D). If agency heads invoke this power, they must send an explanatory statement to certain congressional committees within 30 days.



access to the agency head for any purpose related to the performance of the IG's responsibilities. There is no statutory definition of "general supervision." However, this supervision is limited and may not be exercised in a way that would inhibit IGs' discretion to perform their mission, to undertake an audit or investigation, to issue subpoenas, or to see these matters through to conclusion.<sup>6</sup>

To ensure independence, each OIG is considered "a separate agency" for certain administrative purposes. For example, many OIGs operate their own personnel offices and determine the recruitment, screening, selection, promotion, and discipline of their employees. In addition, many of the larger OIGs operate their own information technology networks, separate from the agency's computer networks.

IGs are also required by law to obtain legal counsel independent of the agency counsel. Specifically, the IG Act requires an IG to obtain legal advice from a counsel who reports directly to the IG or to another IG. In addition, the IG Act provides that a DFE IG may seek such advice from CIGIE.

According to the IG Act, an IG's budget requests must be separately identified within their agency budgets when submitted to the Office of Management and Budget (OMB), and by OMB to Congress. Also, IGs may comment to Congress on the sufficiency of their budgets if the amount proposed in the President's budget would "substantially inhibit the [IG] from performing the duties of the office."

To ensure IGs' access to relevant information, the IG Act requires IGs to report to their agency heads "without delay" the circumstances of any unreasonable refusal of their information requests. The IG Empowerment Act of 2016 specifically revised the IG Act to reinforce the fact that IGs are entitled to timely access to all agency records needed to perform their oversight roles.

The IG Act also empowers IGs to request information or assistance from any federal, state, or local government. To ensure IGs have sufficient resources, the IG Act authorizes IGs to enter into contracts and other arrangements to support their work. Finally, 2016 revisions to the IG Act include a requirement that OIGs include in their Semiannual Reports to Congress information describing "any attempt" by the agency to interfere with their independence, including through "budget constraints" or restriction or significant delays in access to information.

The Inspector General Reform Act of 2008 contained language to be used in setting the pay of all IGs.<sup>7</sup> Establishment IGs are compensated at an amount equivalent to level III of the Executive Schedule plus 3 percent. Pay for DFE IGs is set by a formula detailed in the Inspector General Reform Act of 2008, which ensures that the agency head cannot reduce the IG's pay based on a disagreement with the IG's work.

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<sup>6</sup> Although a few court decisions have analyzed the "general supervision" language of the IG Act, one notable appellate decision, *United States Nuclear Regulatory Commission v. Federal Labor Relations Authority*, 25 F.3d 229 (4th Cir. 1994), reviewed the legislative history of the "general supervision" language and described the agency head's supervisory authority over the IG as "nominal." *Id.* at 235.

## Inspector General Work and Processes

Although some projects are statutorily mandated, in general, IGs have broad latitude to determine the reviews they conduct and the reports they issue.

The IG Act requires most Establishment IGs to appoint only two specific officials—an Assistant Inspector General for Auditing and an Assistant Inspector General for Investigations. There is no corresponding requirement that DFE IGs appoint these officials; in practice, however, this is the model followed by many DFE IGs.

IGs regularly conduct audits of their agency’s programs and operations, including congressionally mandated audits, such as annual financial statement audits and the annual evaluation of information security and privacy programs under the Federal Information Security Modernization Act (FISMA) of 2014. OIG audits also cover the performance of agency contractors and grantees. OIG audits, which are conducted in accordance with *Generally Accepted Government Auditing Standards* (called the “Yellow Book”), OMB guidance, CIGIE guidance, and other professional standards, can help reduce waste, fraud, abuse, and mismanagement. OIG audits often result in significant taxpayer savings, improved agency effectiveness, and other efficiencies.

Many IGs have also established offices that perform inspections or evaluations of their agency’s programs and operations. These projects can also improve the performance and effectiveness of agency operations, as well as reduce waste, fraud, abuse, and mismanagement. These reviews are conducted according to CIGIE’s *Quality Standards for Inspection and Evaluation* (called the “Blue Book”).

IG audits, evaluations, and inspections often make recommendations to management for improvement. Although an IG cannot compel agency management to implement any recommendation, the agency is required to respond to each IG recommendation and state whether it agrees or disagrees with the recommendation. The status of an IG’s recommendations must be included in each IG’s Semiannual Report to Congress. In addition, IG recommendations are often the subject of congressional inquiry and hearings. IGs regularly testify before Congress about their reports, their recommendations, and their view of management corrective actions in response to IG recommendations.

IGs also conduct criminal, civil, and administrative investigations related to the employees, programs, operations, grants, and contracts of their agencies. The subjects of an investigation may be agency employees, contractors, or consultants, or any person or entity involved in alleged wrongdoing affecting the agency’s programs or operations.

OIG AUDITS, WHICH ARE CONDUCTED IN ACCORDANCE WITH GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS (CALLED THE “YELLOW BOOK”), OMB GUIDANCE, CIGIE GUIDANCE, AND OTHER PROFESSIONAL STANDARDS, CAN HELP REDUCE WASTE, FRAUD, ABUSE, AND MISMANAGEMENT.

With regard to criminal investigations, the IG Act gives many, but not all, IGs law enforcement authority to assist in such criminal investigations.<sup>8</sup> These authorities include the ability to carry firearms while engaging in official duties; to make arrests without a warrant; and to seek and execute warrants for arrests, searches of premises, and seizures of evidence. IIGs refer evidence of criminal violations to the Department of Justice for possible prosecution or recovery of monetary damages and penalties. OIGs may also work with the Department of Justice on certain civil matters.

With regard to administrative investigations, IGs report the results of these investigations to agency management officials for consideration of disciplinary or remedial action.

In addition, several IGs have created offices that conduct special reviews, combining the multidisciplinary skills of investigators, auditors, evaluators, and lawyers. These special reviews can also be hybrid if warranted, involving systemic evaluations of an agency program or operation as well as any potential misconduct identified during the course of the review. One example of such a project is a 2017 joint review by the Department of State and Department of Justice OIGs of the post-incident responses by the Department of State and Drug Enforcement Administration to three deadly force incidents in Honduras under a joint Honduran–U.S. counter-narcotics program. Another example is the Department of Justice OIG’s review of certain applications filed with the Foreign Intelligence Surveillance Court (FISA) in 2016 and 2017 and a related investigation.

IGs also coordinate efforts with other agencies to combat broad-scale fraud and mismanagement. For example, in 2020, the Department of Health and Human Services OIG coordinated with state and federal law enforcement partners on a nationwide health care fraud enforcement effort that resulted in charges against more than 300 defendants in numerous jurisdictions. As another example, numerous OIGs, including the Department of the Interior OIG and the Department of Health and Human Services OIG, worked closely on the Guardians Project, a federal law enforcement task force that investigates corruption and fraud involving federal funding in Indian Country.

Each IG is authorized to receive complaints relating to potential misconduct or waste, fraud, or abuse in connection with agency programs and operations. The IG may not disclose the identity of an agency employee who makes such a disclosure without the employee’s consent, except when disclosure is “unavoidable” during the course of the investigation. Other laws also restrict the disclosure of complainants’ identities, and most IGs allow complainants to request confidentiality or file complaints anonymously.

Many OIGs manage an OIG Hotline to receive and process complaints about fraud, waste, or abuse related to agency programs and operations. Although some of the tens of thousands of calls made each year to OIG Hotlines are misdirected, frivolous, or otherwise not productive, many lead to IG investigations and other projects that result in prosecutions, cost savings, and efficiency recommendations.

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<sup>8</sup> Some IGs are granted law enforcement authority through the IG Act, while other IGs require an initial determination of eligibility by the Attorney General. See IG Act, § 6(e). A small number of IGs have been granted law enforcement authority through other laws.

Under the IG Act, OIGs also help protect whistleblowers from retaliation for protected disclosures. Federal law explicitly prohibits government personnel from retaliating against an employee who acts as a whistleblower by reporting suspected waste, fraud, or abuse to the OIG; moreover, OIGs must investigate claims of retaliation by employees of contractors or grantees and refer those matters to the agency head for action. In addition, the IG Act requires Establishment IGs to appoint a Whistleblower Protection Coordinator to educate agency employees about the prohibitions on retaliation for protected disclosures.

To further facilitate the reporting of waste, fraud, or abuse to IGs, each agency homepage must contain a direct link to the website of the agency's IG.

### **Maintaining Transparency**

Transparency is a key attribute of IG work. The IG Act requires OIGs to post final public audit, inspection, or evaluation reports (or portions of them) on their websites. These reports must be posted on the IG's public websites not later than 3 days after being submitted in final form to the agency. In addition, in 2017, CIGIE launched Oversight.gov to consolidate in one place all public reports from federal IGs to improve the public's access to information about the government. The site includes a publicly accessible, text searchable repository of reports published by IGs.

Each IG also must issue Semiannual Reports to Congress detailing, among other items, significant problems and deficiencies identified by the IG during the preceding 6-month period, listing current and pending recommendations, identifying cost savings from their reports, and summarizing prosecutorial referrals made during the period. As noted above, under the IG Act, the report also must describe any disagreement with significant management decisions. The IG Empowerment Act of 2016 revised the IG Act to require OIGs to include in their Semiannual Reports information regarding the numbers of and nature of investigative activities, including information on investigations involving senior government officials where misconduct was substantiated; information on whistleblower retaliation; and information on certain closed audits, evaluations, inspections, and investigations of senior government officials that were not disclosed to the public.

UNDER THE IG ACT, OIGS ALSO HELP PROTECT WHISTLEBLOWERS FROM RETALIATION FOR PROTECTED DISCLOSURES. FEDERAL LAW EXPLICITLY PROHIBITS GOVERNMENT PERSONNEL FROM RETALIATING AGAINST AN EMPLOYEE WHO ACTS AS A WHISTLEBLOWER BY REPORTING SUSPECTED WASTE, FRAUD, OR ABUSE TO THE OIG.



*Agency IGs must issue Semiannual Reports to Congress detailing significant problems and deficiencies during the preceding 6-month period.*

In addition to the Semiannual Report to Congress, IGs have other mandatory reporting requirements, such as annual audits of agency financial statements, annual evaluations of information security programs and practices, annual discussion of the top management challenges in their agencies, and annual reports on agency improper payments. A list of some significant recurring mandatory reporting requirements is contained in the Appendix.

The IG Act also authorizes an IG to report “immediately” to the agency head when the IG becomes aware of “particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations.” In turn, the agency head must transmit the report—and any comments—to the appropriate committees or subcommittees of Congress within seven calendar days. In practice, this so-called “Seven-Day Letter” is a powerful tool available to the IG in compelling circumstances requiring immediate congressional attention, but it has rarely been used.

OIGs are also a resource for the government in times of emergency or crisis, and they may be called upon to address specific programs or projects. For example, the IG Act was amended to provide for coordinated and comprehensive execution of oversight during overseas contingency operations. This responsibility is specifically assigned to the IGs for the Department of Defense, Department of State, and U.S. Agency for International Development. More recently, in 2020, section 4018 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act established the Special Inspector General for Pandemic Recovery (SIGPR) to oversee audits and investigations of various expenditures and programs initiated pursuant to the act. In addition, the CARES Act required CIGIE to establish the Pandemic Response Accountability Committee (PRAC) to promote transparency of the coronavirus response funds provided in the CARES Act and other related legislation and to oversee those funds and the coronavirus response more generally.

## Recoveries and Cost Savings

IG reports and investigations regularly contribute to significant recoveries and cost savings to taxpayers. CIGIE's FY 2019 Annual Report to the President and Congress reported that the combined work of approximately 13,000 federal OIG employees resulted in significant improvements to the economy and efficiency of programs government-wide, with potential savings totaling approximately \$40.8 billion. Based on the OIG community's aggregate budget of approximately \$2.5 billion, these potential savings represent about a \$16 return on every dollar invested in OIGs.

The potential savings total includes: \$29.2 billion in potential savings from audit recommendations and \$11.6 billion from investigative receivables and recoveries.

In addition, OIGs strengthened agency programs through:

- 2,685 audit, inspection, and evaluation reports issued;
- 18,778 investigations closed;
- 1,030,743 hotline complaints processed;
- 4,191 indictments and criminal informations;
- 1,288 successful civil actions;
- 4,052 suspensions or debarments; and
- 4,155 personnel actions.

IGs regularly make recommendations to agency management for improvement in the operations and programs of the agency. Although the agency is not required to implement the recommendations, the agency must respond to the recommendations, and IGs report open recommendations in their Semiannual Report to Congress. In addition, some OIGs report open recommendations on Oversight.gov. IG recommendations regularly result in more efficient and effective programs, in addition to the monetary recoveries discussed above.

## The Council of the Inspectors General on Integrity and Efficiency (CIGIE)

CIGIE is the coordinating entity for federal IGs. Congress established CIGIE as an independent entity within the Executive Branch with passage of the Inspector General Reform Act of 2008.

CIGIE's mission as set forth in the IG Act includes a requirement to address integrity, economy, and effectiveness issues that transcend individual government agencies. For example, CIGIE coordinates projects among OIGs on issues that span multiple agencies. In addition, CIGIE's mission as defined by the IG Act requires it to increase the professionalism and effectiveness of OIG personnel by developing policies, standards, and common approaches among OIGs.

CONGRESS ESTABLISHED  
CIGIE AS AN  
INDEPENDENT ENTITY  
WITHIN THE EXECUTIVE  
BRANCH WITH PASSAGE  
OF THE INSPECTOR  
GENERAL REFORM ACT  
OF 2008.

A key initiative in this area is the CIGIE Training Institute, which includes an Audit, Inspection & Evaluation Academy, an Inspector General Criminal Investigator Academy, and a Leadership and Mission Support Academy. These programs train employees throughout the OIG community. Finally, CIGIE must also maintain an Integrity Committee, through which CIGIE receives, reviews, and refers for investigation allegations of wrongdoing made against IGs, designated staff members of those IGs, and the Special Counsel and Deputy Special Counsel of OSC.

CIGIE has also established a series of standing committees to coordinate among IGs, including committees focused on audits, technology, inspections and evaluations, investigations, professional development, legislation, and CIGIE's budget.

CIGIE has a panel to recommend to the Office of Presidential Personnel and to agency heads suitable candidates for vacant IG positions. For a list of vacant IG positions, see page 17.

ANOTHER KEY CIGIE FUNCTION IS TO OVERSEE PERIODIC EXTERNAL PEER REVIEWS OF THE OIGS' INVESTIGATIVE, AUDIT, AND INSPECTION AND EVALUATION WORK BY ANOTHER OIG. THESE PEER REVIEWS ENSURE THAT THESE CORE OIG ACTIVITIES ARE CONDUCTED IN ACCORDANCE WITH PROFESSIONAL STANDARDS.

Another key CIGIE function is to oversee periodic external peer reviews of an OIG's investigative, audit, and inspection and evaluation work by another OIG. These peer reviews ensure that these core OIG activities are conducted in accordance with professional standards. CIGIE also coordinates and communicates an OIG position to Congress on potential legislation affecting the IG community. For example, CIGIE advocated for clarification that OIGs are entitled to full access to information necessary to accomplish IG responsibilities. These efforts culminated in specific provisions that were incorporated in the IG Empowerment Act. Among other updates, the IG Empowerment Act confirms that IGs are entitled to full and prompt access to all agency records. It also exempts OIGs from requirements of the Paperwork Reduction Act and of the Computer Matching and Privacy Protection Act to promote efficient collection of information.

OIGs work closely with OMB. The OMB Deputy Director for Management serves as CIGIE's Executive Chair, signifying the strong partnership between the Executive Branch's management and performance mission and the OIG's independent oversight mission. Through CIGIE, the OIG community also meets periodically with the U.S. Government Accountability Office to share work plans, deconflict work projects, and discuss matters of mutual interest.

*CIGIE annually reports to the President and Congress on the combined work of approximately 13,000 federal OIG employees, which results in significant improvements to the economy and efficiency of programs government wide.*



TRANSITION ISSUES  
RELATING TO INSPECTORS GENERAL



## TRANSITION ISSUES RELATING TO INSPECTORS GENERAL

Historically, because of their nonpartisan, independent status, IGs have remained in office when Presidential Administrations change.

The first Presidential Administration change after the passage of the IG Act occurred with the 1980 election of President Reagan. His Administration asked for the resignation of all Presidential appointees and did not make an exception for IGs. This created controversy and concern that the removal of IGs gave the appearance of an attempt to politicize these independent, nonpartisan offices. Congressional representatives explained that it was not intended the IGs be automatically removed on a wholesale basis without regard to their individual merits whenever there was a change in Administrations. In response, the Reagan Administration decided to reappoint several of the dismissed IGs.

SINCE 1981, EVERY PRESIDENT HAS EXEMPTED IGS AS A GROUP FROM THE REQUIREMENT THAT POLITICAL APPOINTEES RESIGN WHEN ADMINISTRATIONS CHANGE.

Since the 1981 transition, every President has exempted IGs as a group from the requirement that political appointees resign when Administrations change.

### The Role of Inspectors General in the Transition to a New Administration

IGS CAN PERFORM A VALUABLE ROLE DURING PRESIDENTIAL TRANSITIONS.

IGs can perform a valuable role during Presidential transitions. Based on their experience and ongoing work, IGs are an important source of information about the key issues that will confront the new Administration's management team. They and their staffs have deep institutional and historical knowledge about the challenges facing their agencies.

In the past, the transition teams for many agencies have met individually with the IG of that agency for a briefing on the IG's ongoing and recently completed work, as well as the IG's view of the important issues within the agency that will confront the new Administration. It is useful for the transition teams to meet with the IG of that agency early in the transition process. Reflecting the IGs' independence and unique perspective, transition teams should meet with the IGs separate from their meetings with other management officials from that agency.

A critical document for the transition team to review is an annual report created by many IGs on the top management challenges within their agency. The Reports Consolidation Act of 2000 requires most IGs to report annually on their agencies' top management and performance challenges. The report typically provides a list of the top challenges, the IG's description of the challenges and the agency's progress in addressing each challenge, and a summary of ongoing and completed OIG work that relates to the challenge. The report can provide a useful overview for the transition team and new Administration appointees in understanding the scope of the issues they will confront in each

agency. CIGIE encourages transition teams and new agency leadership to obtain recent management challenges reports and discuss with IGs their assessment of these challenges.

### **New Administration Officials' Interaction with Inspectors General**

Once a new Administration takes office, it is critical for each IG and the agency's leadership to have regular and candid communications. After leadership of an agency is appointed, it is important that they establish regular communications with the IG of the agency.

Many agency heads and deputy agency heads meet at least monthly with their IG. Those meetings enable the IG to inform the agency leadership about ongoing OIG work, the results of completed work, the status of open recommendations from OIG work, and the scope and status of major investigations. IGs are also able to answer questions about the processes and procedures the OIGs use in their work. In addition, the agency heads have the opportunity to discuss their priorities and their views on IG reviews that could be valuable for agency programs. IGs can raise any impediments to their work or any areas that the IG believes management needs to focus attention on for corrective action. On these and other issues, effective and regular communication between agency leadership and the OIG is important to establish an effective and candid relationship.

In this regard, agency cooperation with the OIG, including full access to agency information and employees, is essential for the OIG to be effective. The new agency head should consider sending the agency workforce a message of support for the role of the OIG, emphasizing the duty of agency employees to cooperate with OIG audits, evaluations, inspections, and investigations; the OIG's right of access to information; and each employees' duty to report illegal conduct and suspected waste, fraud, and abuse to the OIG. The tone of agency cooperation and support for the role of the OIG is set at the top of an agency.

## Filling Inspector General Vacancies

The IG is a critically important position within each agency. Although the IG has the potential to significantly improve the performance of each agency, the IG may not be among the first positions that a transition team or the new Administration acts to fill when taking office. However, it is important for the new Administration to focus on filling vacant IG positions expeditiously. In the past, IG positions have often remained vacant for significant periods of time, generating concern and criticism. Although Acting IGs have performed admirably in many cases, a confirmed IG is in a much better position to effectively fulfill the responsibilities of the office.

THE IG IS A CRITICALLY IMPORTANT POSITION WITHIN EACH AGENCY.

Pursuant to a requirement in the IG Act, CIGIE provides recommendations to the White House or the appropriate appointing authority for vacant IG positions. CIGIE has established a committee that reviews potential IG candidates and submits recommendations of qualified candidates for vacant IG positions.

The following is a list of current IG vacancies, by date vacated (as of December 7, 2020).

Agency	Appointment Type	Days Vacant
Export-Import Bank OIG	PAS	2,356
Central Intelligence Agency OIG	PAS	2,138
Department of Defense OIG	PAS	1,795
Office of Personnel Management OIG	PAS	1,754
Tennessee Valley Authority OIG	PAS	1,173
Department of Education OIG	PAS	736
Department of Health & Human Services OIG	PAS	556
Department of the Treasury OIG	PAS	527
Federal Communications Commission OIG	PAS	315
Department of Transportation OIG	PAS	312
International Trade Commission OIG	DFE	282
Pension Benefit Guaranty Corporation OIG	DFE	225
Office of the Inspector General of the Intelligence Community	PAS	219
Department of State OIG	PAS	207
Department of Labor OIG	PAS	170

# APPENDIX

## APPENDIX

### CIGIE Inspector General Offices

CIGIE’s website provides contact information for most OIGs, including links to each OIG’s website: <https://www.ignet.gov/content/inspectors-general-directory>.

### OIGs in Establishment Agencies

Agency for International Development	Department of the Treasury
Corporation for National and Community Service	Department of Veterans Affairs
Department of Agriculture	Environmental Protection Agency and the Chemical Safety and Hazard Investigation Board
Department of Commerce	Export-Import Bank of the United States
Department of Defense	Federal Deposit Insurance Corporation
Department of Education	Federal Housing Finance Agency
Department of Energy	General Services Administration
Department of Health and Human Services	National Aeronautics and Space Administration
Department of Homeland Security	Office of Personnel Management
Department of Housing and Urban Development	Small Business Administration
Department of the Interior	Social Security Administration
Department of Justice	Tennessee Valley Authority
Department of Labor	Treasury Inspector General for Tax Administration
Department of State and U.S. Agency for Global Media	U.S. Nuclear Regulatory Commission
Department of Transportation	U.S. Railroad Retirement Board

## OIGs in Designated Federal Entities

Amtrak	Federal Maritime Commission
Appalachian Regional Commission	Federal Trade Commission
Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau	Legal Services Corporation
Committee for Purchase From People Who Are Blind or Severely Disabled (AbilityOne Program)	National Archives and Records Administration
Commodity Futures Trading Commission	National Credit Union Administration
Consumer Product Safety Commission	National Endowment for the Arts
Corporation for Public Broadcasting	National Endowment for the Humanities
Defense Intelligence Agency	National Geospatial-Intelligence Agency
Denali Commission	National Labor Relations Board
Election Assistance Commission	National Science Foundation
Equal Employment Opportunity Commission	Peace Corps
Farm Credit Administration	Pension Benefit Guaranty Corporation
Federal Communications Commission	Postal Regulatory Commission
Federal Election Commission	Smithsonian Institution
Federal Labor Relations Authority	US International Development Finance Corporation
	U.S. International Trade Commission
	U.S. Postal Service
	U.S. Securities and Exchange Commission

## Other OIGs

There are also Inspectors General established pursuant to statutes other than the IG Act. These statutes may incorporate some, but not necessarily all, of the provisions of the IG Act.

OIG	Authorizing Legislation
Architect of the Capitol	2 U.S.C. § 1808
Central Intelligence Agency	50 U.S.C. § 3517
Office of the Inspector General of the Intelligence Community	50 U.S.C. § 3033
Library of Congress	2 U.S.C. § 185
Special Inspector General for Afghanistan Reconstruction	National Defense Authorization Act for FY 2008, Pub. L. No. 110-181, § 1229(b) (Jan. 2008)
Special Inspector General for Pandemic Recovery	Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, Pub. L. No. 116-136, § 4018 (Mar. 27, 2020)
Special Inspector General for the Troubled Asset Relief Program	Emergency Economic Stabilization Act of 2008, Pub. L. No. 110-343, § 121 (Oct. 3, 2008)
U.S. Capitol Police	2 U.S.C. § 1909
U.S. Government Accountability Office	31 U.S.C. § 705
U.S. Government Publishing Office	44 U.S.C. § 3901

## OIG Major Reporting Requirements

The following list sets forth some of the recurring reporting requirements applicable to most OIGs. OIGs are generally required to post publicly available reports on their websites within 3 days of issuance.

Report/Requirement Source	Subject Matter	Frequency
<b>OIG Semiannual Report to Congress</b> Inspector General Act of 1978, as amended	IGs must prepare a Semiannual report summarizing their activities during the immediately preceding 6-month period.	Semiannual Report: April 30 and October 31 to the agency head, who must transmit the report to the appropriate Congressional Committee no later than 30 days after receipt.
<b>Financial Statement Audit</b> Chief Financial Officer Act of 1990, Accountability of Tax Dollars Act of 2002, and Government Management Reform Act of 1994	For agencies that have an IG, each financial statement prepared under section 3515 by an agency shall be audited in accordance with applicable generally accepted government auditing standards.	Annual
<b>Annual FISMA Reviews</b> Federal Information Security Management Act	IGs report results of annual IT security reviews of agency programs and systems.	Annual
<b>Agency Management and Performance Challenges</b> Reports Consolidation Act of 2000	IGs issue a report or statement summarizing the most serious management and performance challenges facing the agency and briefly assessing the agency's progress in addressing those challenges.	Annual
<b>Purchase and Travel Card Oversight Report</b> Government Charge Card Abuse Prevention Act of 2012	IGs must: (1) submit a joint report on purchase card violations semi-annually; (2) conduct periodic (minimum annually) risk assessments of the agency's purchase card program; and (3) submit an annual purchase and travel card audit recommendation status report.	(1) Semiannually in January and July; (2) Annually; and (3) Annually
<b>Improper Payment Reporting</b> Improper Payments Elimination and Recovery Act of 2010	IGs must issue a report assessing whether the agency: (1) published an annual financial statement; (2) if required, conducted a program specific assessment for each program or activity; (3) if required, published improper payment estimates for all programs and activities; (4) published programmatic corrective action plans; (5) published improper payment reduction targets; (6) reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published.	Annual



Report/Requirement Source	Subject Matter	Frequency
<p><b>Report on Federal Entities Cyber Threat Indicators</b> Consolidated Appropriations (FY 2016) - Cybersecurity Information Sharing Act of 2015</p>	<p>IGs of the appropriate Federal entities, in consultation with the IG of the Intelligence Community and the Council of Inspectors General on Financial Oversight, jointly submit to Congress an interagency report on the actions of the executive branch of the federal government relating to cybersecurity information sharing.</p>	<p>Every 2 years</p>
<p><b>Council of Inspectors General on Financial Oversight Annual Report</b> The Dodd-Frank Wall Street Reform and Consumer Protection Act</p>	<p>The Council of Inspectors General on Financial Oversight is required to report annually about concerns and recommendations as well as issues that may apply to the broader financial sector.</p>	<p>Annual</p>
<p><b>Accountability for Federal Funding Report</b> Digital Accountability and Transparency Act of 2014 (DATA Act)</p>	<p>IGs, in consultation with the Comptroller General, issue a report assessing the completeness, timeliness, quality, and accuracy of data sampled and the implementation and use of data standards by the federal agency.</p>	<p>Every 2 years (last reporting deadline November 2021)</p>

WITH THEIR DEEP INSTITUTIONAL AND HISTORICAL KNOWLEDGE ABOUT THE CHALLENGES FACING THEIR AGENCIES, INSPECTORS GENERAL ARE A VALUABLE SOURCE OF INFORMATION ABOUT THE KEY ISSUES THAT WILL CONFRONT THE NEW ADMINISTRATION'S MANAGEMENT TEAM.



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