CRS INSIGHT

Inspectors General in and Beyond the Presidential Transition Period

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Much of the federal government is in transition, as a new Congress convenes and a new Administration prepares to assume leadership of the executive branch. In the coming months, Members will join congressional committees with jurisdictions and responsibilities that may be new to them, and they might seek resources to assist their oversight responsibilities. The 73 federal inspectors general (IGs) are among the resources from which Members might choose to help them in learning about the operations of government agencies. An IG's knowledge of his or her affiliated agency may be of assistance to Members of Congress and staff and can help Congress assess where to focus limited legislative and oversight resources.

What Is an IG?

IGs, often referred to in the media as <u>internal watchdogs</u>, are appointed officials in the executive branch whose offices audit and investigate allegations of waste, fraud, and abuse in federal agencies and perform other assessments seeking to make agencies more effective and efficient. IGs are vested with broad authorities to oversee and investigate the operations of their affiliated agencies—including subpoena power, their own legal counsel, access to records and information, and, in some cases, law enforcement authority. IGs are different from other federal auditing and oversight agencies (such as the Government Accountability Office [GAO] or the Office of Special Counsel) because they are established within the executive branch and their missions are exclusively to oversee and investigate the programs and operations of the agency explicitly within their statutory authority.

Each of the 73 IGs is appointed "without regard to political affiliation and solely on the basis of integrity and a demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations." IGs, therefore, "typically remain in office when Presidential Administrations change."

How Are IGs Authorized to Act?

Among the powers provided to the IGs by the <u>IG Act</u> (5 U.S.C. Appendix) are the authorities to

 access all records, reports, audits, reviews, documents, papers, recommendations, or other material of their affiliated agencies;

- make investigations and reports examining the operations and programs of their affiliated agencies;
- request information or assistance from any federal, state, or local governmental agency; and
- subpoena all information, documents, reports, answers, records, accounts, papers, and other data needed to perform their duties.

What Can an IG Do for Congressional Oversight?

An IG's deep expertise on and access to the operations of a single agency (or, in some cases, two agencies) or agency programs, combined with the nonpartisan appointment process, can make IGs a resource that assists with oversight for both minority and majority Members and staff. IGs can identify problems or deficiencies within agency operations and programs and provide recommendations to address them. Such information may help Congress to determine where to focus its oversight resources. IGs provide such information to Congress in a variety of ways, such as the following:

- IG reports: Most visibly, IGs conduct <u>audits</u>, <u>investigations</u>, and <u>other research</u> that often are available publicly. IG research, for example, has found that bureaucratic practices may have <u>delayed officials tracking a suspect</u> in a terror investigation. Another IG audit <u>aggregated alleged cybersecurity weaknesses within the Department of Defense</u> and argued that the department has not implemented some IG and GAO recommendations for improvements. Many IGs <u>prioritize recommendations</u> to further assist their affiliated agency as well as congressional oversight. Other IGs create what they characterize as a "<u>high risk" list</u> of programs or areas they believe are particularly vulnerable to waste, fraud, or abuse.
- **Semiannual reports to Congress:** IGs are required by <u>statute</u> to <u>report twice per year to Congress</u> on particular problems or deficiencies within their affiliated agencies. These semiannual reports might contain lists of the <u>recommendations the IG made to his or her affiliated agencies</u>.
- Other congressional roles: Members of Congress sometimes request that an IG <u>perform</u> a particular audit or investigation, <u>comment</u> on draft or proposed legislation or regulations, <u>provide a briefing</u> on issues related to the IG's work or agency operations, or <u>testify at hearings</u> on agency operations or proposed legislation.

Congress authorizes the <u>Council of the Inspectors General on Integrity and Efficiency</u> (CIGIE; the interagency council of IGs) to provide a government-wide perspective on the work and responsibilities of federal IGs, including an <u>annual report summarizing the work of the federal IGs</u>. In FY2015, for example, CIGIE found the 73 federal IG offices had <u>13,000 employees and cost approximately \$2.7 billion</u> to operate. CIGIE also noted that these 73 IGs <u>conducted 6,079 audits</u>, inspections, and evaluations and closed 24,246 investigations. CIGIE maintains a website of resources that may be of assistance to Members and staff, including a list of the <u>IGs' public affairs points of contact</u>, a <u>congressional relations handbook</u>, and a <u>presidential transition handbook</u>.

Who Oversees the IGs?

Although IGs are a critical component of executive branch oversight, they also are subject to federal oversight themselves. In Congress, federal IGs, as a collection of oversight professionals, generally fall under the jurisdiction of the House Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Governmental Affairs. IGs also report to the authorizing committees and appropriations subcommittees that oversee and fund their affiliated agencies' activities.

In addition to its own IG oversight activities, Congress requires CIGIE to receive and review claims of wrongdoing brought against IG officials. CIGIE also provides advice and information to, training opportunities to, and professionalization of the federal IG community.

For additional information on federal inspectors general and their authorities, see CRS Report R43814, *Federal Inspectors General: History, Characteristics, and Recent Congressional Actions*.