

# Seven Principles of Highly Effective Inspectors General

As the Acting Inspector General (IG) of the Department of Defense (DoD), and the former IG of the Department of Justice (DOJ), I am often asked about general principles that apply to the work of IGs. IGs occupy some of the most important but least understood positions in the federal government. There are IGs in most federal agencies – 73 IGs in total – and IGs are different in many ways. However, based on my experience in the IG community, I believe several basic principles apply to the work of IGs on the federal as well as the state and local levels. This article is my attempt to summarize these key principles.<sup>1</sup>

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## Background

The primary mission of IGs is to detect and deter waste, fraud, and abuse, and to promote economy, efficiency, and integrity within their agencies. IGs pursue this mission by conducting audits, evaluations, investigations, and special reviews relating to agency personnel and programs.

According to the Inspector General Act of 1978, as amended, IGs are nonpartisan and are appointed without regard to their political affiliation. Of the 73 federal IGs, approximately half are appointed by the President subject to Senate confirmation, and the other half are appointed by the agency head. IGs do not have a term of office and, unlike almost all other Presidential appointees, normally remain in their positions when Administrations change. Only the President can remove an IG, and the President must give the reasons for any removal to both Houses of Congress.

IGs have a dual reporting requirement – to their agency heads and to Congress. This dual reporting requirement has been famously described as akin to “straddling a barbed-wire fence.”

IGs have uncovered and reported on many high-profile problems across Government agencies, such as the FBI’s misuse of national security letters, corruption in the Department of the Interior related to lobbyist Jack Abramoff, and widespread health care fraud. Each year, IGs help return billions of dollars to the U.S. Treasury in investigative recoveries and make audit recommendations for additional billions of dollars in potential savings. For example, in fiscal year 2015, for each \$1 spent on federal IG budgets, the potential savings to the federal government from IG audits and investigations averaged \$14.

Although IGs share the same overarching mission, not all IGs approach their work in the same way. There is an apt expression in the IG community: “When you’ve seen one IG, you’ve seen one IG.” IGs are from different backgrounds – they are lawyers, accountants, investigators, and management analysts, among other professions. Some operate in large agencies with large staffs. For example, the largest Offices of Inspector General (OIG), the Health and Human Services OIG and the DoD OIG, both have approximately 1,500 employees. Others operate in smaller agencies with a small number of employees, such as the Election Assistance Commission OIG, which has one employee – the IG herself.

<sup>1</sup> This article was adapted from a speech I gave to the Association of Inspectors General at its conference in Boston, Massachusetts, in November 2016.

Despite these differences in background, size, and type of federal agency, I believe there are general principles that effective IGs can and should follow. These principles are based on my experience as the Acting Inspector General of the DoD (from January 2016 to the present); the IG of DOJ for 11 years (from 2000 to 2011), where I served in three Presidential Administrations; and 5 years as the head of the Special Investigation and Review Unit in the DOJ OIG (from 1995 to 2000).

### **Principle 1: Remain independent**

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Independence is an essential attribute of IGs and a cornerstone principle of the IG Act. For their work to be credible, IGs must pursue their mission objectively but also independently from both the agency and Congress. In recognition of that principle, according to the IG Act, the agency head may not prevent an IG from conducting an audit or investigation except in very limited circumstances (such as when that work would harm national security or interfere with ongoing criminal matters). In those circumstances, the agency head must notify Congress of the reasons why the IG should be prevented from performing the work. This provision has rarely been invoked.

However, a professional relationship between the agency head and the IG is also important. IGs should keep the lines of communication open with the agency head and senior agency officials and should not surprise them about the work that the OIGs are conducting. Conversely, the tone from the top of an agency is important to the success of the IG. Agency heads who recognize the value of the IG's work, who communicate that value to the agency's workforce, who stress the need for cooperation with the IG, and who meet with the IG on a regular basis while understanding that the IG must work independently from the agency can help that IG to be effective. Similarly, IGs who keep the agency head informed of the audits, evaluations, and investigations that are being conducted, who brief the agency head on completed reports, and who do not surprise the agency head will make the relationship much more productive.

Yet, the independent role of an IG is not intuitive to every new agency head. Many have not had previous experience with an independent IG. I have worked with five Attorneys General in my 11 years as the IG of DOJ and two Secretaries of Defense as the Acting IG of DoD. Each was different in outlook, policy preferences, and management style. Nevertheless, each appreciated the role of the IG. I met regularly with them, and I was able to discuss with them the IG Act, how IGs operate, and the necessary independence of the IG.

However, I will not forget my first meeting with one new Attorney General. After I explained my role and the need for IG independence, he scratched his head and said, "So you are telling me that I can order around everyone else in this building, but I can't tell you what to audit or investigate." I said, "Yes, that is what the IG Act requires." He replied, "Okay, I get it; we follow the law around here." And he did. I was fortunate to have a good working relationship with every Attorney General and Secretary of Defense, each of whom recognized the need for IG independence.

### **Principle 2: Be tough but fair**

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I explain to new OIG employees that we want to be, and want to be perceived as being, tough but fair. I tell them it is a difficult task to evaluate other employees who are performing their roles often under challenging circumstances and with limited resources. However, IGs frequently must make tough calls describing where operations need to be improved or where otherwise good employees have made serious mistakes. In those circumstances, we should not shy away from justifiable criticism or holding people accountable. Our duty is to make the hard judgments about the actions of those in the Departments and Agencies we oversee, with the goal of helping to improve their operations, seeking to hold employees accountable for misconduct, and clearing those who have not committed misconduct.

IGs recognize that it is not easy for anyone to be the subject of an IG investigation or the focus of an IG audit or evaluation, and OIG employees must treat the people we investigate, audit, or evaluate with professionalism and respect. We must also keep an open mind when conducting our work. We need to hear all sides of the story and obtain the full version of the relevant facts. In over 15 years in the IG community, I have learned that there are almost always two sides to every issue. We need to ensure that all subjects or witnesses have a fair opportunity to present their side and provide their input and their evidence, before we reach our conclusions. In the end, based on all the evidence, we must make the hard judgments objectively and fairly.

Another aspect of operating in a tough but fair way is to seek input on what to audit, evaluate, or investigate. I am often asked how IGs allocate their resources and determine which audits, evaluations, or investigations to conduct. Some audits and evaluations are required by statute, such as financial statement and computer security audits. Others are requested by congressional committees. Some investigations are based on anonymous tips, whistleblowers, or hotline complaints. But most IG work is discretionary and is initiated based on the judgment of each IG as to the greatest risk or the top management challenges the agency faces.

The possibility of making positive change starts with actionable, reasonable IG recommendations that provide practical solutions.

It is important to seek the input of agency leaders as to what reviews would be most useful to them as they manage their complex missions. Every year I send a memorandum to top Department leaders asking that question. I remember the initial response of one of the strongest and best leaders I knew at the DOJ – Robert Mueller, the former Director of the FBI – when I asked him if he had any ideas for potential IG reviews. He

thought about it and said, “Glenn, I have a good idea on reviews you should conduct.” I responded, “Great, what are they?” He replied, “You should do more reviews in the Drug Enforcement Administration; you are already doing enough work in the FBI.” He said this half in jest (I think).<sup>2</sup> While he did not always agree with the findings and conclusions of our reviews, I believe he recognized their value, took them seriously, and supported our work. That is one of the attributes of an enlightened and forward thinking leader, and he certainly was one.

### Principle 3: Tell the good with the bad

I also stress to OIG employees that we need to be objective in our work and that pointing out when an agency program is doing well, or an individual has not committed misconduct, if that is what the evidence shows, is just as important as identifying shortcomings in programs or misconduct by individuals. We should not pull any punches, but we must also be even handed. We are not out to play “gotcha.” Rather, if the agency program is doing well, then we need to say that in our reports with equal prominence to our discussions of problems. If an individual did something wrong, we need to seek to hold them accountable; however, if the evidence shows they did not commit misconduct, we need to state that also.

There are several reasons for the need to tell the good with the bad. Our credibility depends on us following the facts wherever they lead – not only down a one-way street of negative findings. Similarly, it is important for OIG employees to recognize how hard it is for someone to be accused of misconduct or to be the subject of an IG investigation. Understandably, subjects of IG investigations are worried that their careers and reputations are under a microscope and at risk. Often, their bonuses and promotions are placed on hold during the investigation, and their colleagues may view them differently. It is stressful and disconcerting to be accused of misconduct. Therefore,

<sup>2</sup> After his comment, I gave Director Mueller a chart showing that the FBI constituted about 30% of the Department of Justice (at the time it had approximately 28,000 employees while the Department as a whole had approximately 100,000 employees). I then calculated the number of audits and evaluations the DOJ OIG was conducting in the FBI at the time – and it was about 30%.

we have an obligation to conduct the investigation fairly and efficiently, and if the facts show the subject did something wrong, we must say so. But it is just as important a function for an IG to fully and fairly investigate the facts and reach a conclusion that the allegation is not substantiated, if that is where the facts lead.

#### **Principle 4: Provide potential solutions**

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When we conduct audits and evaluations, we often find programs deficient in some respect. Our role, however, is not solely to point out the problems. We also need to recommend potential solutions. We should offer common-sense, practical, actionable recommendations that, if implemented, will help correct the deficiencies we identify.

Under the IG Act, an IG cannot force the leadership of an agency to implement any recommendation. The agency must respond to an IG's recommendations, but it does not have to agree with the recommendations or adopt them. However, IGs have a responsibility to ensure that agency management actually implements the recommendations it agrees with. I have found that if we do not follow up on recommendations, management will sometimes move on to the next issue due to the press of new business without implementing our recommendations despite their concurrence. IGs need to be persistent in checking on unimplemented recommendations and conducting follow-up reviews to ensure that the agency has done what it said it would do. As Ronald Reagan so famously said, "Trust but verify." Often, as a result of our follow-up reviews, which at the DOJ OIG and the DoD OIG comprised approximately 10 percent of our audit work, we find that management has not fully implemented recommendations, despite a written response suggesting otherwise. Therefore, we regularly conduct follow-up audits or evaluations to confirm that corrective actions have been taken.

The possibility of making positive change starts with actionable, reasonable IG recommendations that provide practical solutions. I believe that is perhaps the most important aspect of audit or evaluation reports. Diagnosing a problem is valuable, but making reasonable recommendations for positive change is even more important. In the end, IGs must seek to improve the efficiency and effectiveness of agency operations, and that occurs when solutions to address deficiencies are actually implemented.

#### **Principle 5: Strive for timeliness**

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Telling the good with the bad and providing solutions are critically important principles, but to be effective the work of an IG must be done in a timely manner. It does little good if an important audit, evaluation, or recommendation is provided to management well after it has made a key decision on a program. We need to provide management with the report and recommendations when they can be useful. Similarly, we need to hold individuals accountable, or clear them, in a timely way.

Certainly, timeliness must be balanced with the need for accuracy and thoroughness. Some matters are more complex and difficult to complete than others. Sometimes, delays are beyond the control of the OIG, such as when the agency under review does not provide responses or information in a timely fashion, when witnesses are unavailable, or when new and different allegations arise. Other times, an OIG investigation is delayed while waiting for a decision from an outside entity, such as a Federal prosecutor. But IGs have an obligation to complete our work expeditiously to maintain a sense of urgency about our projects, and to balance thoroughness with timeliness.

Of all the criticisms I have heard about OIGs – and I believe I've heard most of them – lack of timeliness is the one that resonates with me the most, and the one that is most difficult to address. Sometimes, inadequate resources, or a relentless and increasing caseload, make it difficult if not impossible to handle all matters rapidly. There is no easy solution to address the issue of timeliness, but IGs must constantly focus on this area and challenge our staffs to complete their work in a timely and thorough way.

## Principle 6: Don't cut corners

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Another one of the first things I tell new OIG employees is that we live in a glass house, and that we need to follow the rules. If we are guilty of the actions that we criticize others for in our reports, then our credibility will be severely damaged. I also tell them that our credibility is built over many years, report by report, investigation by investigation, but it can crumble with a single misstep by one employee. We cannot be hypocritical. We need to make sure our own office is in order when we go out and evaluate others.

This is essential in all our work, but it is especially important when protecting the security of the information we collect during our audits, evaluations, and investigations. That information is not ours – it is the agency's information. We have unlimited access to it under the IG Act, and we need that information to do our jobs. But we have an obligation to protect that information, to make sure we do not have security breaches, and to ensure that we do not disclose it inappropriately.

## Principle 7: Don't expect to be popular

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Finally, I tell our employees that working for the OIG likely will not enhance their popularity. I point out that I am certain that I was not the most popular person in the DOJ cafeteria, or now in the Pentagon food court. IGs should not seek to be liked. By the nature of our role, that is not likely to happen if we undertake our work aggressively and independently. I hope our work is respected, that it is taken seriously, and that it has an impact. But I have no illusions that people will always like us or always agree with our findings.

In fact, IGs are regularly accused of being too hard or too soft, of being out to “get” people or to “cover up” problems, of engaging in a witch hunt or a whitewash, of being a junkyard dog or a lapdog. Often, we are accused of all of that by different sides in the same matter. A few months ago, I testified before a congressional committee about the DoD OIG's whistleblower reprisal investigations. Another witness at the hearing complained that the DoD OIG was being too aggressive in investigating whistleblower reprisal cases, and that we substantiated too many cases. A different witness at the same hearing complained that we were not aggressive enough and that we did not substantiate enough cases. That kind of criticism goes with the territory when you are an IG. My response is that we seek to take the facts and the evidence wherever they lead, and that we try to investigate each case as thoroughly, aggressively, and timely as we can. As an IG, you have to develop a very thick skin, because you will inevitably be criticized no matter which way you come out on a matter.

I remember the first time I went to Capitol Hill to brief a Senator about a completed report after I became the DOJ IG. My deputy at the time, Paul Martin, accompanied me. (Paul now is an accomplished and successful IG at NASA.<sup>3</sup>) After I finished the briefing, the Senator said to me, “Good briefing, but let me now tell you what I think of IGs.” He stated, “IGs must be independent. You will do things that I won't like. You will do things other members of Congress won't like. You will do things the Attorney General won't like. You won't be liked. Nobody

### The 7 Principles of Highly Effective IGs:

1. **Remain independent**
2. **Be tough but fair**
3. **Tell the good with the bad**
4. **Provide potential solutions**
5. **Strive for timeliness**
6. **Don't cut corners**
7. **Don't expect to be popular**

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<sup>3</sup> As a side note, one of my proudest accomplishments as an IG is that seven people who worked for me while the Acting DoD IG and when I was the DOJ IG have become IGs themselves at major Federal agencies (NASA, the Department of Labor, the General Services Administration, the Legal Services Corporation, the Federal Trade Commission, the Federal Deposit Insurance Corporation, and, most recently, the Architect of the Capitol). One of the most important things managers can do is help their employees succeed in their careers, and I am very proud of these seven dedicated public servants who are now IGs.

will like you. Don't try to be liked, because it won't happen." He kept repeating that, pointing and reiterating that no one would like me. After a while, I think my deputy Paul Martin had heard enough, because he interjected, "Don't worry about that, Senator, even I don't like him."

The Senator laughed heartily, and that was the end of the meeting. While humorous (in retrospect), the Senator was making an important point, and one that is essential for IGs to recognize. We cannot seek to be popular, or to be liked, or to please everyone, because that will not happen. Rather, our goal should be that our work is respected, that we are viewed as tough but fair, and that we provide timely recommendations and investigations that have an impact in improving agency operations.

I have been fortunate to have the opportunity to apply these seven principles in two of the most important agencies in the federal Government: the Department of Justice and the Department of Defense. Both jobs have been fascinating, challenging, diverse, and fast paced, and it has been a tremendous honor for me to serve in these positions. I know that I have not always been successful in applying these principles, and I have made my share of mistakes. But I believe these principles are helpful for IGs at all levels, and their staffs, to keep in mind, and that these principles can help them be more effective in executing their critically important responsibilities.

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Integrity in Brief  
Series



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# Seven Additional Principles of Highly Effective Inspectors General

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In November 2016, I gave a speech at the annual conference of the Association of Inspectors General about key principles that help to make Inspectors General (IGs) effective. After the speech, Jennifer Rodgers from the Center for the Advancement of Public Integrity at Columbia Law School asked me to convert the speech into an article, which I did. The article entitled, “Seven Principles of Highly Effective Inspectors General,” explained seven principles that I believe apply to the work of IGs at every level of government.<sup>1</sup>

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While performing the duties of the Acting IG at the Department of Defense Office of Inspector General (DoD OIG), I regularly use that article to inform our employees about what they should consider when handling their difficult and important oversight work. In addition to managing over 1600 employees within the DoD OIG, the DoD IG oversees 15,000 military service and defense agency IGs, investigators, and auditors throughout the entire DoD. I also distributed the article throughout the DoD for them to consider. In addition, I provided the article to the Council of Inspectors General on Integrity and Efficiency (CIGIE), the coordinating group of 73 IGs in federal agencies.

The article received a positive response, and several IGs told me that they thought the principles were important for their work. Several IGs from other federal agencies, as well as some DoD OIG employees, also made suggestions about additional principles that they thought IGs should follow, and I recognized there were other principles that are important for IGs to consider. Because I agreed that my list of principles for highly effective IGs could be expanded, I agreed to give another speech at the Association of Inspectors General annual conference in November 2017, discussing seven additional principles that IGs all across the government should consider adopting. This article is adapted from that speech.

## My Seven Original Principles

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As noted in my first article, the primary mission of IGs is to detect and deter waste, fraud, and abuse; to promote economy, efficiency, effectiveness, and integrity; and to help ensure ethical conduct in their agencies. IGs pursue this important mission by conducting audits, evaluations, investigations, and special reviews relating to their agency’s personnel and programs. This is a challenging task, given the size, complexity, and variety of programs that IGs must oversee.

Although there are significant differences in IGs’ backgrounds, the sizes of their agencies, and the types of agencies that IGs oversee, certain general principles can help make IGs more effective. These principles are based on my experience as the Acting DoD IG the last two years (since January 2016); as the IG of the Department of Justice (DOJ) for 11 years (from 2000 to 2011, where I served in three Presidential Administrations); and as the head of the DOJ OIG Special Investigation and Review Unit for five years (from 1995 to 2000).

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<sup>1</sup> See “Seven Principles of Highly Effective Inspectors General,” Center for the Advancement of Public Integrity, Columbia Law School, November 26, 2017, available at <http://www.law.columbia.edu/public-integrity/seven-principles-highly-effective-inspectors-general>.

The seven principles that I discussed in my first article were:

1. Remain independent
2. Be tough but fair
3. Tell the good with the bad
4. Provide potential solutions
5. Strive for timeliness
6. Don't cut corners
7. Don't expect to be popular.

Here is the sequel - seven additional principles for highly effective IGs.<sup>2</sup>

## Seven Additional Principles

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### 1. Promote Transparency

IGs have an important responsibility to be transparent with their reports and findings, and their agencies' responses to them. In practice, this means releasing reports publicly whenever possible. For several reasons, transparency is a core principle for IGs.

First, the public – which funds and is represented by the government — has a right to know how its government is operating. When an agency program is doing well, the public should know that. Similarly, when a program needs improvement, funds are wasted, or misconduct has occurred, the public also has a right to know that.

The DoD has long recognized this principle. A wall inside the Pentagon, near the DoD office of public affairs, lists the DoD's "Principles of Information." One states, "It is Department of Defense policy to make available timely and accurate information so that the public, the Congress and the news media may assess and understand the facts about national security and defense strategy." The Chief of Staff of the Army, General Mark Milley, who is a strong and forward looking leader, has also stated "The American people deserve to see what they are getting for their money."

To that end, the IG Act itself explicitly requires IGs to be transparent with their reports. Specifically, the IG Act requires federal IGs to post on their website within three days of issuance each document (such as an audit or evaluation) that makes a recommendation for corrective action, unless specifically prohibited by law.<sup>3</sup>

Second, transparency can have a positive effect on agency operations. IGs cannot force an agency to implement any IG recommendation or take any specific action. An agency is only required to respond to IG recommendations and state whether it agrees and will implement corrective action, or whether it disagrees with the recommendation. Transparency in the form of public reporting – and the need for an agency to publicly support its actions or its response to an IG report – can often spur positive change.

I have seen how some agency actions that occur in the dark without public awareness, such as classified and intelligence operations, can be mishandled or abused. Conversely, agency officials often develop an added sense of urgency to address a report, implement a recommendation, or correct a deficiency when an IG report is about to be

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<sup>2</sup> For those who are concerned that I will seek to emulate Jon Grisham or Steven Covey and try to produce another article every year with more principles, this one sequel (and 14 principles overall) is enough.

<sup>3</sup> See IG Act, Section 4(e).

publicly released, or when Congress schedules a hearing on the report. I thoroughly agree with Supreme Court Justice Louis Brandeis, who wrote: “Sunshine is the best disinfectant.”

I recognize that some agency information cannot and should not be publicly released. There are legitimate reasons for protecting classified information, for not disclosing sources and methods, and for protecting certain employee privacy rights, particularly for lower level employees. Nevertheless, often a large portion of an IG report, even on very sensitive matters, can be released without harming any national security interests, disclosing classified information, compromising investigations, or unfairly affecting privacy rights.

For example, when I was the DOJ IG, we conducted many reviews on highly classified and sensitive subjects, ranging from the Robert Hanssen case (the most damaging spy in FBI history), the handling of intelligence information related to the 9/11 attacks, the treatment of detainees after the 9/11 attacks, NSA surveillance programs, and the FBI’s misuse of national security letters. At the DoD OIG, we recently conducted a sensitive review related to allegations that intelligence information regarding the war against ISIL in Iraq and Syria was distorted by United States Central Command. As to each of these matters, we wrote a lengthy, classified report addressing these issues in detail, but we were also able to release, with agency concurrence, unclassified summaries of the report that discussed the main findings and conclusions.

In these and other reports, we also sometimes questioned an agency’s blanket classification of most of the report, or classification of entire paragraphs of the report without delineation of what, specifically, could not be released and why. Classification must be precise – with a clear justification for why specific words or sentences have to be withheld from release – rather than broad, unsupported assertions that the entire report cannot be released.

Moreover, in my experience, information from government agencies is sometimes classified not because its release would harm national security – the stated justification for classification – but because it could embarrass the agency. For example, one DoD official argued against release of one of our reports by stating that he did not want to read about the report in the Washington Post. That is not a valid argument for classification. When I was the DOJ IG, the FBI would sometimes argue that a certain piece of information should be classified, but when we searched we found the same information on the FBI’s public website. In those cases, the FBI acknowledged that the information could be released. As these examples indicate, it is important for IGs to ask questions about broad classification claims, to ask for precision rather than blanket classification assertions, and not to assume or simply accept that an entire report cannot be disclosed.

In short, transparency through public reporting is a key principle for IGs. We have an obligation to pursue transparency without compromising other government interests, a goal that can usually be accomplished even in sensitive matters.

## **2. Follow Up on Recommendations**

One of my original seven principles was “provide potential solutions.” I pointed out that IG reports are less effective if we diagnose a problem but do not provide reasonable, actionable recommendations for corrective action. Put another way, because our goal is to improve agency operations, we should make recommendations that can be implemented.

It is also critically important that we follow up to ensure that when the agency agrees with the recommendation (as it does in most cases), it actually implements the agreed-upon corrective action. A report that gathers dust on a shelf, without effective implementation of the recommendations, is not as useful as it should be.

For that reason, I believe that IGs should expend significant time and attention following up on open recommendations. We cannot assume that the agency will always follow through with corrective actions, even when

it agrees with a recommendation. For example, if the officials in place when the report was issued leave for other assignments, the new officials may not be aware of, or may not be invested in, implementing prior recommendations. Similarly, agency officials who have many pressing matters on their plate can lose focus on OIG recommendations. Occasionally when we have inquired about an old, open recommendation, we have received the response, “What report was that?”

It is therefore important for IGs to regularly follow up and focus attention on open recommendations. At the DoD OIG, we have taken steps to put this principle into action. Recently, we issued what we called a “Compendium of Open Recommendations.” We compiled a summary report of every recommendation the DoD OIG had issued in the last ten years that remained open. There were 1,298 open recommendations; management had concurred with 1251 of them. Some of the open recommendations were from recently issued reports, and we would not expect them to have been implemented yet. Others were old and should have been acted on sooner.

The Compendium also highlighted the most important recommendations, and it listed the potential monetary benefits associated with the open recommendations – over \$33 billion. We recognized that, at this point, the DoD might not be able to save or recoup all of that money. But by any measure, the Compendium identified a sizable amount of savings that could be realized by the implementation of open recommendations.

The Compendium had a positive effect. The Secretary of Defense and the Deputy Chief Management Officer discussed the Compendium at their meetings with DoD leaders and stressed the need for prompt corrective action. This caused a flurry of activity on the open recommendations, which was our goal in issuing the Compendium. We intend to issue a Compendium of Open Recommendations every year to keep the focus – and the sunshine – on implementing open recommendations.

### 3. **Communicate Regularly and Widely**

Effective IGs must communicate regularly and widely, both externally with agency leaders and internally within the OIG.

Certainly, IGs must make decisions independently from agency leadership. But we also should communicate regularly with agency leaders and should not surprise them with our work. We need to listen and consider their perspectives. It is also important to meet with agency leaders regularly to let them know about our recently issued reports, our ongoing work, and the deficiencies we uncover.

I discuss with agency leaders the scope of key ongoing audits, evaluations, and investigations, and the likely timeframe when they will be issued. I also discuss any issues affecting the OIG or impediments to the OIG’s work. At the same time, I hear from them about their priorities and their responses to OIG work. I also ask them what areas they would like to see us review, and we consider that input in determining where to allocate OIG investigative, audit, and evaluation resources.

As the DOJ IG and the DoD Acting IG, I tried to meet regularly – normally monthly, or bimonthly — with each Attorney General (I’ve worked with 5), Deputy Attorney General (8), Secretary of Defense (2), and Deputy Secretary of Defense (2). These officials had different outlooks, priorities, and styles. However, each appreciated the role of the IG and never tried to interfere with our independence. While they did not always agree with our reports or findings, they valued our work, and I found that open lines of communication were important to these relationships.

Similarly, it is critical for an IG to communicate regularly with OIG staff about important OIG matters, including priorities, principles, processes, and changes. Regular communication with OIG staff is perhaps more challenging in

large IG operations (at the DoD OIG we have 1,600 employees in 54 offices in the United States and around the world). But even in small OIGs, the IG cannot assume that the rationale for any change or the knowledge of what is happening within the OIG has spread to all employees.

At the DoD OIG, I have spent much time trying to improve communication throughout the organization. For example, I send out a monthly email with updates on my activities and other activities throughout the OIG. I hold regular brown bag lunches for different categories of OIG employees and encourage them to attend. Sometimes we talk about OIG issues, and other times we talk about sports (which I could do for the whole lunch if they let me). I walk around the offices at OIG headquarters just to say hello to employees in their workspace and to hear what people want to bring to my attention. I visit our field offices regularly (I've visited over 50 offices in less than two years). I allow our senior leaders to bring more junior staff to our Monday senior staff meeting, so they can see how we make decisions. I say to the invited staff that the meetings might not be the most scintillating, but they will get to see, as lawyers say, "how the sausage is made."

At the DoD OIG, we also have two important groups that help with communication. The Employee Engagement Council, composed of representatives from throughout the OIG, provides input and ideas on initiatives to help improve employee engagement. The council regularly provides helpful suggestions, many of which have been implemented.

Similarly, an advisory council in the Defense Criminal Investigative Service (DCIS) (the criminal investigative component of the DoD OIG), called the Journeymen Advisory Council (the JAC), is composed of field agents who volunteer to serve. They represent more than 300 DCIS field agents. Often, the best ideas for improvements come from field agents, and that is certainly true with the JAC. Other times, the JAC's suggested idea for improvement may initially sound good but there is a reason it cannot be implemented. The JAC provides an opportunity for DCIS management to discuss those ideas, to implement the good ones, and to explain why others cannot be implemented. The communication, which goes both ways, is extremely valuable. We are also reinvigorating a similar group in our Audit component, called the Journey Advisory Group.

These communication efforts have had a positive impact. The Partnership for Public Service annually conducts surveys of federal employees about their views of their agency. In these surveys, called the Federal Viewpoint (FedView) survey, the OIG has historically had below average scores compared to the DoD and the federal government. I am pleased that this year our scores have dramatically improved. In fact, the Partnership for Public Service Survey recently recognized the DoD OIG as one of the most improved agencies in the most recent survey. I think one of the main reasons for our improvement is our focus on communication.

Communication and employee engagement are valuable for many reasons – to help attract employees, to improve retention, to improve morale, and to improve productivity. Effective IGs must continually focus on communication, both with agency leaders and within the OIG.

#### **4. Strive for Clear and Understandable Reports**

Most IG work results in reports. In audits and evaluations, our work product is normally a written report that discusses the scope and methodology of the audit or evaluation, its findings, and its recommendations. Our administrative investigations often result in written reports that discuss the facts and analysis of the investigation, and whether the allegations are substantiated or not.

IGs must seek to ensure that their reports are well-written, clear, and understandable. I am often asked by OIG staff, and others: "Who is the intended audience for the report?" Sometimes this question arises when I, or another reviewer of a draft report, asks the audit or investigative team the exact meaning of a certain word, sentence,

finding, or technical phrase in a report. The response I sometimes receive is that if the auditee understands what the report is saying, there is no need to explain the word or the technical concept.

My answer is that our reports are not intended solely for the auditee, or the subject matter expert. In most cases, the auditee or the subject matter expert probably does understand the technical jargon or shorthand expression. Certainly, they are one audience for our reports. And I also agree that each report needs to be technically correct and understandable to the entity being reviewed or investigated.

Our reports have multiple audiences, however, and all of our readers must be able to understand the reports, even if they are not technical experts in the subject area. Many of our reports are reviewed and acted upon by senior management of the agency, who may not be experts in the specific subject of the report. Our reports are also important to Congress – both members and staff – who need to be able to understand and act on them. In addition, the findings and overall conclusions of the reports should be understandable to the public, which, as discussed above, has a right to transparency in government operations.

To be clear, I am not advocating that reports be dumbed down or stripped of every technical term. Some technical terms are important to a full discussion of a subject. Overall, though, the reports should also be understandable to a layperson. If they are not, they likely will not be convincing on the need for corrective action.

One particular area that can create difficulty, particularly with regard to DoD reports, is the overuse of acronyms. Some DoD documents are almost incomprehensible for this reason. I do not advocate eliminating all acronyms. However, some terms and phrases should be spelled out. A phrase that is used rarely in the report does not need to be made into another acronym that detracts from the report's readability.

I confess that I have fallen into the overuse of acronyms myself at times. When I first arrived at the DoD OIG 2 ½ years ago, my military aide sent me a 13-page glossary of commonly used DoD acronyms, which I regularly consulted. Many times the acronyms I ran across were not even on this list. My military aide then started placing at the bottom of my daily schedule a “DoD acronym of the day,” with its definition (I felt like I was back studying for the SATs). Over time, however, I like others found myself lapsing into acronyms. I knew I was getting too comfortable when in a meeting with the DoD Deputy Secretary (“DepSecDef”) a year into my tenure, I used an acronym and he asked me what it meant. For the record, it was “MCIO.” I told him “you know, MCIO, military criminal investigative organization, like NCIS, Air Force OSI, or Army CID.” I then came back and told my military aide that I had used an acronym that the DepSecDef did not know and my military aide commented, “Congratulations, you’re a true DoD official now.”

In short, sometimes acronyms or technical language is unavoidable, but IGs should strive to make their reports clear and understandable for the multiple audiences that review them.

## **5. Strive for Thoroughness and Accuracy, in Addition to Timeliness**

One of my original seven principles was the need to strive for timeliness. IG reports have an important effect on individuals and programs, but management needs timely reports to take action on allegations of misconduct or to improve essential programs. One of the most common concerns I hear about OIG reports is the length of time it takes to complete them. I agree that we need to have a sense of urgency about our work.

However, timeliness without quality and accuracy is counterproductive. Timeliness cannot be the only goal. Our reports must also be thorough and accurate.

Balancing timeliness with thoroughness is a continuing challenge, with no easy answer. Each case relies upon the judgment of professional auditors, evaluators, and investigators to determine when there is enough evidence to complete the project, and when the key issues have been addressed and the key questions answered in sufficient detail. In virtually every case, there are additional questions or trails that could be pursued, which could lead to additional evidence, but which might also unduly extend the time of the review. We need to use our professional judgment to know when the report is thorough, accurate, and fair, and to know when enough is enough.

I believe that one way to enhance thoroughness as well as fairness is to give the entities being audited or evaluated an opportunity to comment on the report before it is issued. We should be open to revising the report, and correcting any inaccuracies, if they can convince us that we have something wrong. OIGs should not change a report to appease the subjects of the audits or evaluations, or to use language that they simply prefer. But if we have included something in the report that is not fully accurate or clear, we should be open to modifying it to improve the product.

Similarly, if we find that individuals have committed administrative misconduct, we should give them an opportunity to comment on the conclusions or to correct any inaccuracies in the report before it is completed.

One challenge to thoroughness – as well as timeliness – is the need for adequate resources for IGs. I have seen, and had to deal with, increasing caseloads, responsibilities, and requirements, without a corresponding increase in the budgetary resources to handle the added responsibilities. IGs cannot keep doing more with less. In some sense, we are a victim of our own success. Often, IGs are asked to handle additional sensitive matters to provide an unbiased, nonpartisan review. Unless we receive adequate resources for these additional tasks, both timeliness and thoroughness will suffer.

In my view, an OIG's resources should increase at least as much as the growth of the agency. For example, I regularly make the point to agency leaders and Congress that if the agency budget grows, the IG's budget should grow a commensurate amount. If the agency's budget is stable, the IG's budget should be stable. And if the agency is contracting, the IG should also be subject to contraction.

That does not always happen. Often an IG's budget is both small and an afterthought (in the DoD small budget amounts are sometimes referred to as budget dust). I would not expect the IG's budget to be first on the priority list for growth in an agency. But it should not be overlooked. Adequate funding for IGs is a valuable investment, with a positive rate of return. According to the CIGIE, overall federal IGs return approximately 17 dollars for each dollar in their budgets. Adequate budgets are essential for IGs to achieve both timeliness and thoroughness.

## **6. Take Complaints Seriously**

I am often asked how we decide what to investigate or audit. Our investigations come from many sources. Many come from whistleblowers, who are a valuable source of information and complaints. Others come from referrals from agency managers, who uncover or hear about problems in their programs. Sometimes the media highlights an issue that warrants an IG investigation. Often, Congress receives allegations and refers them to the IG.

In addition, confidential hotlines are a valuable source of complaints. At the DoD OIG, our hotline receives approximately 13,000 complaints a year. At the DOJ OIG, we received about 10,000 complaints annually.

Certainly, many of these complaints are not credible or are frivolous. Obviously, we do not open investigations in those cases. Other complaints are misdirected to us. At the DOJ, for example, we received a complaint about a speeding ticket that the complainant had received on the New Jersey Turnpike. The complainant argued that we

should do something, since we were the Department of “Justice” and it was not justice that he received the ticket. In these types of cases, we pass the complainant on to the right authority.

But non-frivolous complaints need to be taken seriously. That is true even if the complainant is a disgruntled employee. Sometimes insiders complain about wrongdoing only when they are about to receive discipline, a personnel action, or be dismissed, even for justifiable reasons. But they also may know of other issues of fraud or misconduct in their workplace, and they are prompted to disclose it only when they are themselves subject to adverse action.

IGs should not ignore such complaints. The credibility and motivation of the complainant needs to be considered, and the claims should be corroborated, rather than simply accepted. Our job as an IG, though, is to separate the wheat from the chaff – to uncover the truth in a complaint, even if not all of the complainant’s allegations pan out, the complainant has exaggerated the extent of the problem, or the complainant is a difficult individual with baggage. Some of our most important cases, and resulting findings of serious problems, have come from such complainants.

For example, when I first began at the DOJ OIG, a scientist in the FBI laboratory made a series of allegations to the OIG related to faulty FBI laboratory work that impacted many FBI investigations. His allegations were broad and sensational. His own work had been criticized, and he was accused of hyperbole. He also was not the easiest complainant to work with, and he often had a black and white view of things. The OIG still took each complaint seriously, and although not all of his claims were substantiated, many were. This investigation resulted in serious findings of deficiencies in the FBI laboratory’s work and many recommendations for improvement. His allegations warranted careful review, as do many other complaints coming from complainants or whistleblowers. We should give each non-frivolous complaint the serious attention it deserves.

## 7. Collaborate

Finally, it is important for OIGs to collaborate, both internally within different parts of an OIG and externally with other OIGs. Collaboration leads to a better product and a greater impact.

With regard to internal collaboration, I believe strongly that in appropriate cases different components of the OIG should work together to fully address an issue. The end product will be more complete than if only one part of the OIG (such as Audit or Investigations) addressed the issue alone.

For that reason, the DOJ OIG was the first to establish a unit to conduct special investigations and reviews using diverse skill sets from throughout the OIG. Before I became the DOJ IG, I was the first head of that unit. The special reviews conducted there, often in very high-profile matters, did not fit neatly into the expertise of one component or another. In those reviews, we combined the skills of investigators, auditors, and evaluators, normally led by lawyers, to work together to conduct a special investigation or review and write a comprehensive report addressing the issue.

For example, Timothy McVeigh was convicted of bombing the Murrah federal building in Oklahoma City in 1995, killing more than 150 people. At trial he was convicted and sentenced to death. Shortly before his execution in 2001, it was discovered that the FBI had violated a court order by failing to disclose to McVeigh’s defense counsel many documents. The Attorney General immediately asked the OIG to conduct a review to determine what had happened.

We decided to handle the matter in the special review unit because it was not solely an audit or an investigation. If I had assigned the project to our auditors, I would have received a good review of the FBI’s overall document handling process and any systems failures, and recommendations for improvement in FBI evidence-handling

processes. If I had assigned the matter to our investigators, I would have received a good investigation regarding whether anyone in the FBI had failed to follow FBI rules or court orders, and had committed misconduct. But the questions we needed to address were a combination of these issues. The special review unit was able to identify problems in both areas. We determined that the FBI's systems for handling documents needed improvement, but we also found that some FBI employees were aware of the required disclosures and did not fulfill their responsibilities adequately.

In this case, as in many others, collaboration across OIG disciplines produced a better, more comprehensive product. This is also confirmed by various studies, which show that groups with diverse perspectives, skills, and background produce better results.<sup>4</sup>

With regard to external collaboration, I also believe it is important to collaborate across the IG community. Joint or coordinated projects by various IGs can more comprehensively address issues that span agencies. For example, when I was the DOJ IG, we coordinated joint reviews of the National Security Agency surveillance program. In response to a Congressional directive, the DOJ IG, the CIA IG, the NSA IG, and the DoD IG conducted coordinated reviews to assess the program across the government. We each issued our own reports, but we also wrote a joint report that we were able to release publicly. The end result was better, and more complete, than if we had not coordinated.

Currently, the DoD IG is what is called the Lead Inspector General for Overseas Contingency Operations. In particular, the DoD IG is the Lead IG for Operation Inherent Resolve (the effort to defeat the Islamic State in Iraq and Syria) and Operation Freedom's Sentinel (the counterterrorism mission in Afghanistan). We work with the State Department, the U.S. Agency for International Development, and the Special Inspector General for Afghanistan Reconstruction, to provide oversight of these overseas operations, and to produce quarterly reports on the status of the mission. This enduring, regular collaboration among several IGs is a unique effort and an example of the benefit of IGs working together in a whole-of-government approach to oversight.

IGs also work together on issues of common concern – such as training and legislation to enhance OIG oversight. For example, CIGIE was instrumental in the passage of the IG Empowerment Act, which clarified that IGs are entitled to all agency records. The FBI had argued that certain laws prevented it from providing documents to the IG, despite contrary language in the IG Act that IGs were entitled to all agency records. Through CIGIE, IGs collaborated to convince Congress to make clear that “all means all,” and that an agency cannot deny its IG access to agency records.

Another positive outcome of IG collaboration is a new website sponsored by CIGIE called “Oversight.gov.” Almost all IGs post their reports on this website, which provides one centralized location where anyone can search for relevant IG reports instead of having to individually search the websites of 73 federal IGs. This is a powerful resource. I ask our auditors and evaluators to review Oversight.gov to see relevant reports when we are considering topics to review and to examine new approaches to take in conducting our review.

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<sup>4</sup> See, e.g., “Diverse Backgrounds and Personalities Can Strengthen Groups,” Stanford University, August 1, 2006; “How Diversity Makes us Smarter,” Scientific American, October 1, 2014; “Why Diversity Matters,” McKinsey & Company, January 2015.

## Conclusion

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In sum, IGs have difficult and wide-ranging responsibilities that, as I noted in my first article, are not likely to make you popular. One Senator remarked that individuals who take an Inspector General position should be prepared for that to be their last government job because they are destined to make someone unhappy with their work.

But attempting to please everyone is not in our job description. Rather, our job is to conduct independent and aggressive oversight of agency personnel and programs, and to make actionable recommendations for improvement. I believe that following these seven additional principles, along with the original seven, can help all IGs perform their challenging jobs, regardless of agency or level of government, more effectively and with greater impact.

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