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Federal Inspectors General: History, Characteristics, and Recent Congressional Actions

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Summary

Federal inspectors general (IGs) are authorized to combat waste, fraud, and abuse within their affiliated federal entities. To execute their missions, offices of inspector general (OIGs) conduct and publish audits and investigations—among other duties. Two major enactments—the Inspector General Act of 1978 and its amendments of 1988 (codified at 5 U.S.C. Appendix)—established federal IGs as permanent, nonpartisan, and independent offices in more than 70 federal agencies.

OIGs serve to assist Congress in overseeing executive branch—and a few legislative branch—agencies. They provide recommendations and findings to their affiliated agency head and to Congress that may save the government millions of dollars per year. As a result, Congress may have an interest in ensuring that federal OIGs have the appropriate authorities and access to information they need to perform their investigations, audits, and evaluations. Concurrently, Congress has a responsibility to protect some records and information, such as national security information or information about an ongoing criminal investigation, from improper release. This report provides background on the statutory creation of federal OIGs and provides historical context for contemporary debates about the strengths and limitations of the offices.

Congress has a number of tools at its disposal to enhance OIG oversight, including through the introduction or passage of legislation, through formal letters to and from overseers, and through oversight hearings. Recent legislative initiatives have sought to enhance OIG oversight by creating new IGs (P.L. 114-113, 114th Congress; H.R. 302 and H.R. 3770, 113th Congress), expanding the authority of existing ones (P.L. 113-6, H.R. 314, 113th Congress), amending IGs' appointment structures (P.L. 113-126 §§401, 413), or increasing IGs' reporting requirements to Congress (H.R. 1211, 113th Congress; H.R. 658, 112th Congress).

In December 2015, Congress established a new agency-head-appointed IG to assist oversight of the Committee for Purchase from People Who Are Blind or Severely Disabled, an organization also referred to as AbilityOne.

Some Members of Congress have recently focused on how IGs might leverage technology to assist congressional staff in their oversight of Congress. In December 2015, for example, the Senate Committee on Homeland Security and Governmental Affairs examined IGs' required processes for audit and follow-up on their audit recommendations to their affiliated agencies. Some committee members suggested that the IG community establish a single, centralized database in which all open IG recommendations are collected. Officials from the IG community welcomed the idea, but expressed concerns about the costs and administration of such a database. On June 30, 2016, Senator Heidi Heitkamp introduced legislation that she said "would fill a gap ... I saw in federal management" as a result of the hearing. The bill, S. 3109, would require federal IGs to publish online all recommendations that remain open after one year. The online list would be required to be updated at least every six months.

Strengthening government oversight through IGs and ensuring proper access to agency records, among other issues, will likely continue to be of interest to Congress in the future.

Contents

Introduction 1
Evolution of the Inspector General Act of 1978 2
Types, Categories, Authorities, and Operations 3
Method of Appointment 3
Purposes 5
Authorities 5
Reporting Requirements (to the Attorney General, Agency Head, Congress, and the Public) 6
Independence 6
Coordination and Controls 8
Council of the Inspectors General for Integrity and Efficiency 8
Other Coordinative Bodies 9
Investigation of Alleged OIG Wrongdoing 9
Recent Congressional Legislation and Oversight 9
Selected Legislation in Recent Congresses 10
Expanding an IG's Jurisdiction 10
Establishing a New IG 10
Amending an IG's Appointment Structure 11
Additional Reporting Requirements 12
IG Community-Wide Provisions 12
Selected Recent Congressional Hearings 13
Exemption from the Paperwork Reduction Act 13
Concerns Over Records Access 13
Oversight of IG Recommendations 14

Tables

Table A-1. Statutes Authorizing IGs Appointed by the President with the Advice and Consent of the Senate, 1976-Present 16
Table A-2. Designated Federal Entities and Other Agencies with Statutory IGs Appointed by the Head of the Entity or Agency 18
Table A-3. Tabulation of Existing Federal Establishments, Entities, or Agencies with IGs Authorized in Law 19

Appendixes

Appendix. Offices of Inspectors General and Their Authorizing Statutes 16

Contacts

Author Information 19

Introduction

Congress created federal inspectors general (IGs) to combat waste, fraud, and abuse within designated federal departments and agencies. Generally, these IGs head permanent, nonpartisan, and independent offices that conduct audits, investigations, and other evaluations of federal department and agency programs and operations. Offices of inspectors general (OIGs) exist in more than 70 federal agencies, including all Cabinet departments and larger agencies, numerous boards and commissions, and other entities.[1]

Federal OIGs date back to the mid-1970s. Since their establishment, they have been granted substantial independence and powers to audit, investigate, and evaluate federal programs and agencies to assist Congress in its oversight duties.[2] In most cases, OIGs produce reports, often made available to the public, that provide findings and recommendations to their affiliated agencies. Often these recommendations find ways to increase federal efficiency or examine allegations of employee misconduct. OIGs are predominantly located in executive branch agencies, but several legislative branch entities—for example, the Library of Congress, the Government Accountability Office, and the Government Printing Office—are also overseen by IGs.

The overwhelming majority of IGs are governed by the Inspector General Act of 1978, as amended (hereinafter referred to as the IG Act).[3] The IG Act structures IG appointments and removals, IG powers and authorities, and IG responsibilities and duties.[4] The law also authorizes and delineates the responsibilities of the Council of the Inspectors General for Integrity and Efficiency (CIGIE), which comprises a vast majority of federal IGs and "works to address integrity, economy, and effectiveness issues that transcend individual [g]overnment agencies" and seeks to "increase the professionalism and effectiveness of [OIG] personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce."[5]

Congress may have an interest in ensuring that federal OIGs have the appropriate authorities and access they need to perform their investigations, audits, and evaluations. Concurrently, Congress has a responsibility to protect from improper release some records and information, such as information related to national security or to ongoing criminal investigations. This report provides background on the statutory creation of federal OIGs and provides historical context for contemporary debates about the strengths and limitations of the offices.

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[1] Three other inspector general posts (in the armed forces departments) are recognized in public law: Air Force (10 U.S.C. §8020), Army (10 U.S.C. §3020), and Navy (10 U.S.C. §5020). These offices, however, are not examined here, because they have a significantly different heritage, set of authorities, operational structure and organization, and degree of independence.

[2] For more information about congressional oversight tools and options, see CRS Report RL30240, *Congressional Oversight Manual*, by Alissa M. Dolan et al.

[3] 5 U.S.C. (IG Act) Appendix.

[4] The IG Act of 1978, as amended, establishes offices of inspectors general in many federal agencies as well as defines the IG as the head of each of these offices. The act assigns to the IG specific duties and authorities, including the authority "to select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office." (5 U.S.C. (IG Act) Appendix §6(a)(7)).

[5] Council of the Inspectors General for Integrity and Efficiency, "Mission and Organization," at http://www.ignet.gov/cigie1.html.

Evolution of the Inspector General Act of 1978

Since its enactment in 1978, the IG Act has been substantially amended twice:

- The Inspector General Act Amendments of 1988 created a new set of IGs in "designated federal entities" (DFEs), which are usually smaller federal agencies.[6] The IG Act of 1988 also added to the reporting obligations of all IGs and agency heads, among other things.
- The Inspector General Reform Act of 2008 established the Council of the Inspectors General for Integrity and Efficiency; amended reporting obligations, salary, bonus, and award provisions; amended removal requirements; and added budget protections—including requiring that Congress be provided IGs' unaltered original budget submissions.[7]

Other laws have established or amended the authorities provided to IGs in specified agencies or programs—either directly under the IG Act or as separate pieces of legislation. Still other enactments have enhanced IG independence or added new responsibilities and powers on a selective basis.[8] As a result, statutory IGs are not identical. In certain cases, differences among IGs are significant. For example, some IGs are appointed by an agency head while others are presidentially appointed with the advice and consent of the Senate. Nonetheless, in general, statutory IGs follow the standards, guidelines, and directives in the IG Act.[9]

Typically, the jurisdiction of an inspector general includes only the programs and operations of a single affiliated agency and its components. A few IGs, however, have express authority to audit and investigate more than one agency, organization, program, or activity.[10]

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[6] P.L. 100-504.

[7] P.L. 110-409.

[8] For instance, the inspectors general of federal banking agencies and of the Federal Reserve System had been given review and reporting mandates in separate legislation (12 U.S.C. §1831o(k) and 12 U.S.C. §1790d(j), respectively), which were modified in 2010 by the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203, §§987(a) and 988(a)).

[9] OIGs may follow additional regulations, policies, or standards in addition to the IG Act. For example, the Council of the Inspectors General on Integrity and Efficiency maintains "Quality Standards for Inspection and Evaluation," which, pursuant to 5 U.S.C. (IG Act) Appendix §4(b)(1)(A), all OIG employees are required to follow when conducting inspections or evaluations. Available at http://www.ignet.gov/pande/standards/iestds12r.pdf.

[10] 5 U.S.C. (IG Act) Appendix §§2-4 and 8G(g)(1). The Inspector General of the Intelligence Community (IC), created by the Intelligence Authorization Act for Fiscal Year 2010 (P.L. 111-259, §405), has express cross-agency jurisdiction; this enactment recognizes the continued authority of the existing statutory inspectors general over IC components. The same law (P.L. 111-259, §431) created inspector general posts in four Defense Department agencies, identified as "designated federal entities" under the IG Act: the Defense Intelligence Agency (DIA), National Geospatial-Intelligence Agency (NGA), National Reconnaissance Office (NRO), and National Security Agency (NSA). NRO and NSA were subsequently statutorily redefined as establishments for the purposes of the IG Act by P.L. 113-126.The Inspector General of the Department of State and Broadcasting Board of Governors' jurisdiction includes both the Department of State and the Broadcasting Board of Governors (recognizing the Broadcasting Board of Governors as a separate organization outside the State Department; P.L. 105-277, Division G, Title XIII, Chapter 3, §1322(a)(3); 112 Stat. 2681-777 and 2681-778). In 2010, the Inspector General of the Board of Governors for the Federal Reserve System was given jurisdiction over a new organization—the Bureau of Consumer Financial Protection, which was established as an "independent bureau" in the Federal Reserve System by the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203, §1011). To reflect this expanded coverage, the IG was retitled the Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection (P.L. 111-203, §1081(1)-(2)). Most recently, P.L. 113-6, enacted on March 26, 2013, requires, among other things, the Government Accountability Office (GAO) IG to concurrently serve as the IG for the Commission on Civil Rights (P.L.

Types, Categories, Authorities, and Operations

As noted above, statutory offices of inspector general are currently authorized in more than 70 federal establishments, designated federal entities, and other agencies or programs.[11] Authority for most of the IGs is provided by the IG Act.[12] The statutory IGs may be grouped by these criteria: the method of appointment, the authorizing statute, and the branch of government in which they are located.

In addition to appointment structure, however, IGs can be identified and described using a host of different authorities, requirements, and operations. This section provides an overview of the various similarities and differences among federal IGs.

Method of Appointment[13]

Generally, there are five different methods of appointment for an IG:

1. appointment by the President with the advice and consent of the Senate, under the IG Act;
2. appointment by the head of the affiliated agency, under the IG Act;
3. appointment by the President with the advice and consent of the Senate, enacted under a separate statutory authority;
4. appointed by the President alone or with the advice and consent of the Senate, enacted under separate statutory authority, and temporary; and
5. appointed by the agency head, enacted under separate statutory authority, and located in the legislative branch.

113-6; 127 Stat. 266).

[11] Some now-defunct statutory IGs have been abolished, sunset, or transferred either in tandem with their affiliated agency or when superseded by another inspector general office. The most recent example of the sunset of an IG was the Special Inspector General for Iraq Reconstruction (SIGIR), established by the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, as amended (P.L. 108-106). SIGIR was abolished in October 2013. SIGIR's final report, which anticipates its abolition, is available from the IG's archived website here: http://cybercemetery.unt.edu/archive/sigir/20131001092420/http://www.sigir.mil/files/quarterlyreports/September2013/Report_-_September_2013.pdf#view=fit. An example of transferred IG responsibilities is the Office of Inspector General in the Office of the Director of National Intelligence (ODNI)—which operated under the full discretionary authority of the Director of National Intelligence (P.L. 108-458). The ODNI IG was supplanted by the Inspector General of the Intelligence Community (IC); the new IC IG post was established by the Intelligence Authorization Act of 2010 (P.L. 111-259, §405) with substantially broader authority, jurisdiction, and independence than the previous IG.

[12] Nine other IGs have been established by and are governed by separate statutes. Seven of the nine are the Inspector General in the Central Intelligence Agency (CIA), the Inspector General of the Intelligence Community within the Office of the Director of National Intelligence (ODNI) with cross-agency jurisdiction, and the inspector general in each of five legislative branch agencies. The other two IGs are the Special Inspector General for Afghanistan Reconstruction and the Special Inspector General for the Trouble Asset Relief Program.

[13] The **Appendix** contains several tables that detail the establishing legislation and appointment structures of federal IGs.

Appointment by the President with the Advice and Consent of the Senate, Under the IG Act

"Federal establishments," as identified in the IG Act, include the 15 Cabinet departments and larger federal agencies. Each IG is appointed by the President with the advice and consent of the Senate and can be removed by the President, but *not* by the agency head.[14]

Appointment by the Head of the Affiliated Agency, Under the IG Act

"Designated federal entities" (DFEs), as identified in the IG Act, include the usually smaller boards, commissions, foundations, and government entities. Each IG is appointed by and removable by the head of the affiliated agency.[15]

Appointment by the President with the Advice and Consent of the Senate, Enacted Under Separate Statutory Authority

Two other permanent executive agencies IGs operate under their own statutory authorities. These are the Inspector General in the Central Intelligence Agency (P.L. 101-193) and the Inspector General of the Intelligence Community within the Office of the Director of National Intelligence, whose jurisdiction extends across all IC elements or components (P.L. 111-259). Each IG is appointed by the President with the advice and consent of the Senate and is removable by the President, but *not* by the agency head.

Appointed by the President Alone or with the Advice and Consent of the Senate, Enacted Under Separate Statutory Authority, and Temporary

Two temporary programs operate under their own authorities and reflect different appointment structures.[16] These IGs are the Special Inspector General for Afghanistan Reconstruction (SIGAR), a direct presidential appointee, unique among IGs (P.L. 110-181); and the Special Inspector General for the Troubled Asset Relief Program (SIGTARP), who is appointed by the President with the advice and consent of the Senate (P.L. 110-343).[17]

Appointed by the Head of the Affiliated Agency, Enacted Under Separate Statutory Authority, and Located in the Legislative Branch

Five legislative branch IGs operate under their own statutory authorities. These are the Architect of the Capitol (P.L. 110-161); Government Accountability Office (P.L. 110-323); Government

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[14] 5 U.S.C. (IG Act) Appendix §2. For a listing of IGs in federal establishments, see U.S. Government Accountability Office, *Inspectors General: Reporting on Independence, Effectiveness, and Expertise*, GAO-11-770, September 2011, p. 21, at http://www.gao.gov/assets/330/323642.pdf.

[15] For a listing of IGs in DFEs, see U.S. Government Accountability Office, *Inspectors General: Reporting on Independence, Effectiveness, and Expertise*, p. 22.

[16] A third, temporary special IG, SIGIR, was abolished in October 2013. See supra note 10.

[17] The Troubled Asset Relief Program investment authority expired on October 3, 2010. The termination of that authority did not affect the Treasury Department's ability to administer existing troubled asset purchases and guarantees and its ability to expend TARP funds for obligations entered into before the closing date. Consequently, SIGTARP's oversight mandate did not end. Rather, the special inspector general is authorized to carry out the office's duties until the Government has sold or transferred all assets and terminated all insurance contracts acquired under TARP. See SIGTARP, *Quarterly Report to Congress*, July 25, 2012, p. 15.

Printing Office (P.L. 100-504); Library of Congress (P.L. 109-55); and U.S. Capitol Police (P.L. 109-55). Each IG is appointed and removable by the head of the agency.

Purposes

Pursuant to Section 2 of the IG Act, the three principal purposes of inspectors general who are governed by the IG Act are

- conducting and supervising audits and investigations related to agency programs and operations;
- providing leadership and coordination as well as recommending policies for activities designed to promote the economy, efficiency, and effectiveness of the affiliated agencies' programs and operations; providing for the prevention and detection of fraud and abuse in such programs and operations; and
- keeping the agency head and Congress "fully and currently informed about problems and deficiencies relating to" such programs and the necessity for and "progress of corrective action."[18]

Over time and as conditions dictated, some IGs have acquired unique responsibilities on a selective basis. For instance, the Dodd-Frank Wall Street Reform and Consumer Protection Act contains a number of provisions that add to the duties of IGs over certain federally insured funds. The Dodd-Frank legislation also requires coordination among relevant IGs via a Council of Inspectors General on Financial Oversight.[19]

Authorities

To carry out their purposes, IGs covered by the IG Act (establishment and DFE) have been granted broad authority to

- conduct audits and investigations;
- access directly the records and information related to the affiliated agency's programs and operations;
- request assistance from other federal, state, and local government agencies;
- subpoena information and documents;
- administer oaths when conducting interviews;
- hire staff and manage their own resources;
- receive and respond to complaints from agency employees, whose identity is to be protected; and
- implement the cash incentive award program in their agency for employee disclosures of waste, fraud, and abuse.[20]

[18] DFE IGs and IGs not covered by the IG Act generally have similar or identical purposes, although some IG missions may vary pursuant to their statutory requirements and authorities.

[19] P.L. 111-203, §§989E(a)-989E(b).

[20] 5 U.S.C. (IG Act) Appendix §§6(a), 6(e), and 7; 5 U.S.C. §4512. IGs not explicitly covered by the IG Act may have similar or identical authorities, although some IGs may have additional authorities or be prohibited from exercising the authorities listed here.

Notwithstanding these broad powers, IGs are *not* authorized to take corrective action themselves. The IG Act prohibits the transfer of "program operating responsibilities" to an IG.[21]

Reporting Requirements (to the Attorney General, Agency Head, Congress, and the Public)

IGs have various reporting obligations to Congress, the Attorney General, agency heads, and the public. One such obligation is to report suspected violations of federal criminal law directly and expeditiously to the Attorney General.[22] IGs are also required to report semiannually (twice per year) about their activities, findings, and recommendations to the agency head, who must submit the IG's report to Congress within 30 days.[23] The agency head's submission must provide the IG's report unaltered, but it may include any additional comments from the agency head. These semiannual reports are to be made available to the public in another 60 days.[24] IGs are also to report "particularly serious or flagrant problems" immediately to the agency head, who must submit the IG report (unaltered but with his or her comments) to Congress within seven days.[25]

Independence

IGs have broad powers and protections that support their independence, including the authority to hire their own staff. Their independent status is reinforced in other ways; for instance, many IGs are vested with law enforcement powers.[26] IGs determine the priorities and projects for their offices without outside direction, in most cases. IGs may decide to conduct a review requested by the agency head, President, legislators, employees, or any member of the public; but they are not obligated to do so, unless it is called for in law.[27] Congress, however, has mandated in legislation that OIGs conduct certain reviews. For example, pursuant to the Federal Information Security Act

[21] 5 U.S.C. (IG Act) Appendix §8G(b) and §9(a)(2). One rationale for this proscription is that it would be difficult, if not impossible, for IGs to audit or investigate programs and operations impartially and objectively if they were directly involved in carrying them out.

[22] 5 U.S.C. (IG Act) Appendix §4(d).

[23] 5 U.S.C. (IG Act) Appendix §5(a), (b).

[24] 5 U.S.C. (IG Act) Appendix §5(c).

[25] 5 U.S.C. (IG Act) Appendix §5(d). IGs are to keep the agency head and Congress "fully and currently informed" by means of the required reports and "otherwise." (5 U.S.C. (IG Act) Appendix §4(a)(5)).

[26] 5 U.S.C. (IG Act) Appendix §§6(a)(4) and 6(e). For more information, see CRS Report R43722, *Offices of Inspectors General and Law Enforcement Authority: In Brief*, by Wendy Ginsberg.

[27] Pursuant to the IG Act, the heads of six agencies—the Departments of Defense, Homeland Security, Justice, and Treasury, plus the U.S. Postal Service and Federal Reserve Board—may prevent or halt the IG from initiating, carrying out, or completing an audit or investigation, or issuing a subpoena, and then only for certain reasons: to preserve national security interests or to protect ongoing criminal investigations, among a few others. (U.S.C. (IG Act) Appendix §§8, 8D(a), 8E(a), 8G(f), 8G(g)(3), and 8I(a)). When exercising this power, the IG Act generally provides for congressional notification of the exercise of such authority, either via the agency head or the inspector general, who must transmit an explanatory statement for such action to specified congressional committees within 30 days. 5 U.S.C. (IG Act) Appendix §§8(b)(3)-8(b)(4) states that the Secretary of Defense must "submit a statement concerning" the exercise of such power to various congressional committees within 30 days and must also submit a "statement of the reasons for the exercise of power" to the congressional committees within an additional 30 days after the submission of the first statement. See also 5 U.S.C. (IG Act) Appendix §8E(a)(2), which requires the Attorney General to notify the IG in writing of the exercise of such power and mandating that the IG transmit a copy of such notice to certain congressional committees.

of 2002, federal IGs are required annually to review federal agencies' information technology security programs.[28]

IGs serve under the "general supervision" of the agency head, reporting exclusively to the head or to the officer next in rank if such authority is delegated.[29]

Budgets and Appropriations

Pursuant to the IG Act, presidentially appointed IGs in establishments are provided a separate appropriations account, known colloquially as a "line item," for their offices.[30] This provision prevents agency administrators from limiting, transferring, or otherwise reducing IG funding once it has been specified in law. In contrast, each DFE IG's budget is part of the affiliated entity's budget and may be susceptible to some reallocation of funds.

The Inspector General Reform Act of 2008 amended the budget process for establishment and DFE OIGs. Pursuant to the reform act amendments, OIG budget estimates (i.e., budget proposals, which are to include operations, IG training, and other costs to support the federal IG council)[31] are to be provided to the affiliated agency. The affiliated agency's aggregated budget request to the President is required to include the OIG's original budget estimate and any response from the IG to the agency head's suggested changes. The President, in turn, must then include in his budget submission to Congress

- the IG's original budget estimate;
- the President's requested amounts for the IG; and
- comments of the affected IG, if he or she determines that the President's budget would "substantially inhibit" the IG from performing his or her duties.[32]

Similar provisions apply to the IGs for the CIA and of the IC.[33]

Appointment, Removal, and Term Limits

Some variations occur with regard to the appointment and removal of IGs, reflecting, to a degree, the status, location, and permanency of the affiliated agency. All IGs, however, follow certain laws and practices to help ensure impartiality and political nonpartisanship.

Pursuant to the IG Act and other statutes, IGs are to be selected without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial and management analysis, law, public administration, or investigations.[34] IGs that are

[28] 44 U.S.C. §3541.

[29] 5 U.S.C. (IG Act) Appendix §§3(a), 8G(d).

[30] 31 U.S.C. §1105(a)(25). The IGs in the CIA and of the IC have similar safeguards for their budget accounts. (50 U.S.C. §3517(f) and 50 U.S.C. §3033(m), respectively.)

[31] The federal IG council, known as the Council of the Inspectors General for Integrity and Efficiency (CIGIE), will be discussed below in greater detail.

[32] 5 U.S.C. (IG Act) Appendix §6(f)(1)-(3).

[33] 50 U.S.C. §3517(f) and 50 U.S.C. §3033(n), respectively.

[34] 5 U.S.C. Appendix (IG Act) §§3(a) and 8G(c). The CIA IG and the IC IG, who operate under different statutes, are to be selected under these criteria as well as prior experience in the field of foreign intelligence or national security and in compliance with the relevant security standards (50 U.S.C. §3517(b) and §3033(c), respectively, for the CIA IG and the IC IG).

presidentially appointed with the advice and consent of the Senate can be removed only by the President (or through the impeachment process in Congress).[35]

IGs in designated federal entities and legislative branch agencies vary in appointment structure, removal procedure, and term limits. The DFE IGs are appointed by and can be removed by the agency head, who must notify Congress in writing 30 days in advance when exercising the removal authority.[36] Differences, however, arise over who might be considered to be the "head of the agency" in a DFE.[37]

The U.S. Postal Service (USPS) IG is the only inspector general with the restriction that he or she can be removed only "for cause" (e.g., malfeasance or neglect of duty) and then only by the written concurrence of at least seven of the nine presidentially appointed governors of USPS.[38] In other cases, the Dodd-Frank Wall Street Reform and Consumer Protection Act amended the IG Act to require the written concurrence of a two-thirds majority of board or commission members for removal of an IG in any designated federal entity in which the board or commission is considered the DFE head.

Coordination and Controls

Coordination among the IGs and controls over their actions, which might include investigating charges of wrongdoing by the IGs themselves, exist through several channels—including interagency councils created by public law or administrative directive.

Council of the Inspectors General for Integrity and Efficiency

Perhaps the most important coordinating body for IGs is the Council of the Inspectors General for Integrity and Efficiency (CIGIE), created by the IG Reform Act of 2008.[39] CIGIE is designed to aid coordination among IGs and maintain one or more academies for the professional training of auditors, investigators, inspectors, evaluators, and other personnel in IG offices.[40] CIGIE includes all statutory IGs along with other relevant officers, such as a representative of the Federal Bureau of Investigation (FBI) and the Special Counsel of the Office of Special Counsel.[41] The council chairperson is an IG chosen from within its ranks, while the executive chairperson is the OMB deputy director of management.[42]

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[35] 5 U.S.C. Appendix (IG Act) §3. When exercising removal authority, the President must communicate the reasons to Congress in writing 30 days prior to the scheduled removal date. This advance notice allows the inspector general, Congress, or other interested parties to examine and possibly object to the planned removal (5 U.S.C. Appendix §3(b) for presidentially appointed, Senate-confirmed (PAS) IGs under the IG Act; 50 U.S.C. §3517(b)(6) for the IG in the CIA; and 50 U.S.C. §3033(c)(4)) for the IG of the IC).

[36] 5 U.S.C. Appendix (IG Act) §8G(c) and (e).

[37] The agency head may be an individual serving as the administrator or director or as spelled out in law (e.g., the Archivist of the United States in the National Archives and Records Administration), the chairperson of a board or commission, a full board or council as specified in law (e.g., the National Council on the Arts in the National Endowment of the Arts), or a certain super-majority of a governing board. (5 U.S.C. Appendix (IG Act) §§8G(f)(1)-(2) and (4)). In the United States Postal Service (USPS), for instance, the governors appoint the IG.

[38] 39 U.S.C. §202(e)(3).

[39] 5 U.S.C. Appendix (IG Act) §11.

[40] 5 U.S.C. Appendix (IG Act) §11(c)(1)(E).

[41] 5 U.S.C. Appendix (IG Act) §11(b)(1).

[42] 5 U.S.C. Appendix (IG Act) §11(b)(2).

Other Coordinative Bodies

Other interagency mechanisms have been created by law or administrative directive to assist coordination among IGs. For example, a separate Council of Inspectors General on Financial Oversight—chaired by the Treasury IG and composed of IGs from nine financial agencies—was established by statute to facilitate information sharing among them and develop ways to improve financial oversight.[43] In 2010, Congress enacted a bill requiring the establishment of the Intelligence Community Inspectors General Forum. The forum consists of all statutorily or administratively established inspectors with oversight responsibility of an element of the IC and is chaired by the IC Inspector General.[44] At least two administrative organizations have also been created to help coordinate IG activities and capabilities in selected areas: the Homeland Security Roundtable[45] and the Defense Council on Integrity and Efficiency.[46]

Investigation of Alleged OIG Wrongdoing

Investigations of alleged misconduct by OIG officials—including IGs themselves—are the province of a special Integrity Committee within CIGIE.[47] The special committee receives, reviews, and refers for investigation allegations of wrongdoing by these officials, with the relevant processes and procedures spelled out in the IG Act.[48] The committee is composed of four IGs on the council, along with the Special Counsel, the Director of the Office of Government Ethics, and the FBI representative on the council, who chairs the committee.[49]

Recent Congressional Legislation and Oversight

Congress has the authority to amend the IG Act as well as oversee the operations of IGs and their offices. In recent Congresses, these legislative and oversight authorities have been used in a

[43] P.L. 111-203, §989E. The members of the Council of Inspectors General on Financial Oversight are the Inspector General of the Board of Governors of the Federal Reserve System; Inspector General of the Commodity Futures Trading Commission; Inspector General of the Department of Housing and Urban Development; Inspector General of the Department of the Treasury (serves as chairperson); Inspector General of the Federal Deposit Insurance Corporation; Inspector General of the Federal Housing Finance Agency; Inspector General of the National Credit Union Administration; Inspector General of the Securities and Exchange Commission; and Special Inspector General for the Troubled Asset Relief Program (until termination of authority).

[44] P.L. 111-259, §405; 50 U.S.C. §403-3h(h).

[45] According to the CIGIE website, the Homeland Security Roundtable "supports the Inspector General community by sharing information; identifying best practices; and, participating on an ad hoc basis with various external organizations, and governmental entities." See Council of the Inspectors General on Integrity and Efficiency, "Homeland Security Roundtable," at https://www.ignet.gov/content/homeland-security-roundtable.

[46] The council is composed primarily of the Department of Defense (DOD) audit and investigative units and chaired by the DOD IG. Office of Inspector General, Department of Defense, *Defense Council on Integrity and Efficiency: Charter*, at http://www.dodig.mil/dcie.html.

[47] 5 U.S.C. Appendix (IG Act) §11(d)(1). Pursuant to the 5 U.S.C. Appendix (IG Act) §11(d)(4)(B), the Integrity Committee has the authority to receive, review, and refer allegations of wrongdoing by the IG or any "staff member" who reports directly to the IG. Additionally, the IG Act authorizes the Integrity Committee to receive, review, and refer allegations of wrongdoing against any employee who holds a position designated by the IG as qualifying as a "staff member." The IG is required to annually submit to the chairperson of the Integrity Committee a list of "positions whose holders are staff members." (5 U.S.C. Appendix §11(d)(4)(B)).

[48] For more information on the duties and operations of the Integrity Committee, see CRS Report R44198, *Oversight of the Inspector General Community: The IG Council's Integrity Committee*, by Wendy Ginsberg.

[49] 5 U.S.C. Appendix §11(d)(2).

variety of ways, including through introduction or passage of bills, through formal letters to and from overseers, and through oversight hearings. The section below includes several recent examples of legislation and oversight that sought to amend the IG Act or clarify Congress's position on how the law should be executed.

Selected Legislation in Recent Congresses

Congress has perennially attempted to address IG oversight through legislation in a number of ways, including expanding an existing IG's oversight to additional federal entities; creating a new IG for an agency that appears to be without such an oversight mechanism; amending the appointment structure of an existing IG; requiring additional reporting measures by one or several IGs; and various other administrative initiatives like ensuring competitive pay rates for IGs.

Expanding an IG's Jurisdiction

One example of legislation expanding the jurisdiction of an existing IG is P.L. 113-6 (enacted in the 113th Congress), which established an IG at the Commission on Civil Rights. The law requires the IG at GAO to "also hold the position of Inspector General of the Commission on Civil Rights."[50] The law, among other things, also provided the new commission IG the same responsibilities and authorities as other federal DFE IGs; authorized the use of GAO resources and personnel to perform the commission's IG responsibilities; and created procedures to waive certain reporting requirements required of other federal IGs (pending approval from the House and Senate Committees on Appropriation).

The Inspector General Improvement Act (introduced as H.R. 314 in the 113th Congress and H.R. 6723 in the 112th Congress) is another example of legislative action that sought to amend the responsibilities of existing IGs. Both bills sought to require existing IGs to assume oversight responsibilities of smaller federal entities that appear not to have OIG oversight. For example, H.R. 314 would have required that the U.S. Agency for International Development IG "supervise, direct, and control audit and investigative activities" at the Trade and Development Agency, the Japan-United States Friendship Commission, and the Overseas Private Investment Corporation.[51] Both bills were reported to the House Committee on Oversight and Government Reform. No further action was taken on either bill.

Establishing a New IG

In addition to amending the jurisdiction of existing IGs to oversee the operations of certain federal entities, Congress has, from time to time, proposed legislation seeking to create an entirely new IG. For example, in December 2015, Congress created a new agency-head-appointed IG to oversee the operations of the Committee for Purchase from People Who Are Blind and Severely Disabled, also known as the AbilityOne Program.[52] The new IG was established

[50] P.L. 113-6; 127 Stat. 266.

[51] H.R. 314, §2.

[52] P.L. 114-113, Title IV. 129 Stat. 2639. According to its website,

> [t]he AbilityOne Program is the largest source of employment for people who are blind or have significant disabilities in the United States. More than 550 nonprofit organizations employ these individuals and provide quality products and services to the Federal Government at a fair market price.

See U.S. AbilityOne Commission, "History," at http://www.abilityone.gov/abilityone_program/history.html.

following the release of a 2013 GAO report that found "specific areas where the Commission needs to establish adequate oversight procedures to better help ensure program integrity, transparency, and effectiveness."[53] The GAO report recommended establishing an AbilityOne IG.

The Metropolitan Washington Airports Authority Inspector General Act of 2013 (H.R. 302, 113th Congress) sought to establish an IG for the Metropolitan Washington Airports Authority (MWAA), which "operates a two-airport system that provides domestic and international air service for the mid-Atlantic region."[54] The bill was concurrently reported to the House Committee on Oversight and Government Reform and the House Committee on Transportation and Infrastructure's Subcommittee on Aviation. No further action was taken on the bill.

In another example, both the House and Senate have introduced bills entitled the Bureau of Consumer Financial Protection-Inspector General Reform Act of 2015 (H.R. 957 and S. 510, 114th Congress). The similar bills seek to create a new, separate "federal establishment" IG to audit, investigate, and evaluate the CFPB. The bills would require the President to appoint the CFPB's IG within 60 days of enactment.[55] H.R. 957 includes language that would provide the newly established CFPB IG a dedicated funding stream of 2% of the CFPB's total funding and require the IG to testify before appropriate congressional committees of jurisdiction, upon request, at least two times per year. The legislation would require the IG's testimony to address the CFPB's and the CFPB OIG's most recent semi-annual reports. S. 510 does not include the same funding and testimony provisions.

On February 2, 2015, H.R. 957 was concurrently referred to the House Committee on Oversight and Government Reform and the House Committee on Financial Services. On September 9, 2015, H.R. 957 was ordered to be reported by the House Committee on Financial Services. On February 12, 2015, S. 510 was referred to the Senate Committee on Banking, Housing, and Urban Affairs. No further action has been taken on either bill. Similar legislation seeking to establish an independent IG for the CFPB was introduced in the 113th Congress (H.R. 3770, 113th Congress).

Amending an IG's Appointment Structure

In the 113th Congress (2013-2014), several bills were introduced seeking to amend the appointment structure of federal IGs.[56] Sections 403 and 413 amended the appointment structures of the National Security Agency IG (NSA IG) and the National Reconnaissance Office IG (NRO IG) from agency head appointments to presidential appointments with the advice and consent of

[53] U.S. Government Accountability Office, *Employing People with Blindness or Severe Disabilities: Enhanced Oversight of the AbilityOne Program Needed*, GAO-13-457, May 2013, p. 33, at http://gao.gov/assets/660/654946.pdf.

[54] Metropolitan Washington Airports Authority, "About the Authority," at http://www.metwashairports.com/263.htm. Currently, the Department of Transportation (DOT) IG has been conducting audits and investigations of the MWAA's activities. DOT was provided explicit statutory authority to perform audits, investigations, and other IG functions for the MWAA in the 2014 Omnibus Appropriations Bill (P.L. 113-76; 128 Stat 600). H.R. 302 would create a new IG with oversight authority exclusively over the MWAA.

[55] The appointment process of a "federal establishment" IG includes the advice and consent of the Senate. Whether the Senate would be required to act within the 60-day time cap to allow for completion of the appointment process is unclear. CFPB and the Board of Governors of the Federal Reserve System are currently overseen jointly by the same IG. H.R. 3770 would have kept this structure in place until a new CFPB IG was appointed and confirmed, resulting in separate IGs for CFPB and the Federal Reserve Board.

[56] See, for example, H.R. 3436, H.R. 4533, H.R. 4681 (as reported in the House), and S. 2439. All of these bills sought to amend the appointment structure of the NSA IG.

the Senate.[57] In a Senate report to accompany one of the bills seeking to amend the IGs' appointment structures, the committee wrote

> [T]his provision will ensure the NSA Inspector General operates independently of the Director of the Agency in overseeing the activities of the NSA, particularly with respect to activities that may raise privacy concerns. ...
>
> By requiring Presidential appointment and Senate confirmation of the NRO Inspector General, this provision will ensure the NRO Inspector General continue to operate with appropriate independence from the NRO Director in overseeing the activities of the NRO.[58]

Additional Reporting Requirements

There have been a number of legislative efforts by Congress in recent years to place additional reporting requirement on all IGs, certain IGs, or one particular IG. For example, the FOIA Act (H.R. 1211, 113th Congress), would have required IGs government-wide to review their affiliated agency's compliance with the Freedom of Information Act (FOIA).[59] The Reducing Over-Classification Act (P.L. 111-258), among other provisions, required certain IGs to evaluate whether agencies are appropriately applying classification policies and to "identify policies, procedures, rules, regulations, or management practices that may be contributing to persistent misclassification."[60] The FAA Modernization and Reform Act of 2012 (P.L. 112-95), among other provisions, required the Department of Transportation's IG to report to Congress each fiscal year from 2013 to 2015 on "the number of new small business concerns owned and controlled by socially and economically disadvantaged individuals," including veterans, that participated in certain Federal Aviation Administration programs.[61]

IG Community-Wide Provisions

Other bills may address several IG-community related issues. In the 113th Congress, for example, the Oversight Workforce Improvement Act of 2014 (S. 1953), among other things, sought to codify the pay rates of IGs at designated federal entities and would have statutorily required the IG of the Intelligence Community and the IG of the Central Intelligence Agency (CIA) to be members of CIGIE. Section 4 of S. 1953 sought to set the average pay of an IG at a designated federal entity as "no less than the average total compensation (including bonuses)" of the affiliated agency's "senior level officials," which include the "General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer." The bill would have provided CIGIE the authority to investigate allegations of wrongdoing made against an IG's special counsel or deputy special counsel.[62] Currently, as noted above, CIGIE has the authority to investigate allegations of wrongdoing against only an IG or

[57] Intelligence Authorization Act for Fiscal Year 2014, §§402 and 412.

[58] U.S. Congress, Senate Select Committee on Intelligence, *Intelligence Authorization Act for Fiscal Year 2014*, report to accompany S. 1681, 113th Cong., 1st sess., November 13, 2013, S.Rept. 113-120 (Washington: GPO, 2013), p. 9.

[59] FOIA requires agencies to release federal records that are requested by any member of the public, unless those records fit within any one of nine specific statutory exemptions from public release. For more information on FOIA, see CRS Report R41933, *The Freedom of Information Act (FOIA): Background, Legislation, and Policy Issues*, by Wendy Ginsberg.

[60] P.L. 111-258, §6(b); 124 Stat. 2651.

[61] P.L. 112-95, §140(c); 126 Stat. 28.

[62] *Special Counsel* is defined in 5 U.S.C. §1211.

certain members of the IG's staff. S. 1953 was referred to the Senate Committee on Homeland Security and Governmental Affairs. No further action has been taken on the bill.

Selected Recent Congressional Hearings

In addition to introducing legislation related to federal IGs, some congressional committees have held hearings that examine IG-related issues.

Exemption from the Paperwork Reduction Act

For example, in November 2013, the Senate Committee on Homeland Security and Governmental Affairs' Subcommittee on Efficiency and Effectiveness of Federal Programs and Federal Workforce held a hearing entitled *Strengthening Government Oversight: Examining the Roles and Effectiveness of Oversight Positions Within the Federal Workforce*.[63]

At the hearing, two federal IGs—one from the U.S. Small Business Administration (SBA) and another from the U.S. Department of Justice—provided testimony on the status and limitations of federal IGs.[64] Among the issues raised by Peggy Gustafson, the SBA IG who also testified on behalf of CIGIE, was a suggestion to exempt federal IGs from the Computer Matching and Privacy Protection Act.[65] According to Ms. Gustafson, exempting IGs from the act would allow some IGs "to identify those who improperly receive Federal assistance and payments and subsequently, seek removal of those persons from the program after verification of this information and due process is applied."[66] Ms. Gustafson also stated that IGs may need to be exempted from the Paperwork Reduction Act (PRA),[67] which requires agencies to acquire approval from the Office of Management and Budget (OMB) prior to surveying a particular community or seeking feedback from the public in certain cases. An exemption from the PRA, according to Ms. Gustafson, "would enhance our independence and remove lengthy processes that are hampering our ability to do our job."[68]

Concerns Over Records Access

At a September 10, 2014, hearing before the House Committee on Oversight and Government Reform, three inspectors general testified to difficulties accessing records and information from

[63] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce, *Strengthening Government Oversight: Examining the Roles and Effectiveness of Oversight Positions Within the Federal Workforce*, 113th Cong., 1st sess., November 19, 2013, at http://www.hsgac.senate.gov/subcommittees/fpfw/hearings/strengthening-government-oversight-examining-the-roles-and-effectiveness-of-oversight-positions-within-the-federal-workforce.

[64] U.S. Congress, House Committee on Oversight and Government Reform, *Obstructing Oversight: Concerns from Inspectors General*, 113th Cong., 2nd sess., September 10, 2014, at http://oversight.house.gov/hearing/obstructing-oversight-concerns-inspectors-general/.

[65] 5 U.S.C. §552a.

[66] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce, *Strengthening Government Oversight: Examining the Roles and Effectiveness of Oversight Positions Within the Federal Workforce*, 113th Cong., 1st sess., November 19, 2013, S.Hrg. 113-367 (Washington: GPO, 2014), p. 5.

[67] PRA; P.L. 96-511; 44 U.S.C. §§3501-3521. For more information on the PRA see CRS Report R40636, *Paperwork Reduction Act (PRA): OMB and Agency Responsibilities and Burden Estimates*, by Curtis W. Copeland and Vanessa K. Burrows. The authors of that report have left CRS. Questions about its content can be directed to Maeve P. Carey, Analyst in Government Organization and Management.

[68] Ibid., p. 6.

their affiliated agencies.[69] The hearing followed the committee's receipt of a letter signed by 47 federal IGs detailing difficulties of IGs accessing requested records from three particular federal agencies: the Peace Corps, the Chemical Safety and Hazard Investigation Board,[70] and the Department of Justice. Pursuant to Section 6(a) of the IG Act, federal IGs are "to have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable establishment which relate to programs and operations with respect to which that Inspector General has responsibilities under this Act." According to the IGs affiliated with the three agencies listed above, the agencies either stalled in providing or did not provide information or records that the IGs requested. According to the Peace Corps IG, for example, the Peace Corps declined to provide the IG with records related to sexual assault victims who were Peace Corps volunteers. The IG testified that the agency's general counsel had asserted that the Kate Puzy Volunteer Protection Act of 2011,[71] which protects the release of certain personally identifiable information about sexual assault victims from being shared beyond "specified individuals," prevents the agency from providing the records to the IG.

Oversight of IG Recommendations

A December 10, 2015, hearing before the Senate Committee on Homeland Security and Governmental Affairs examined IGs' required processes for audit and follow-up on their audit recommendations. In her opening statement, Representative Heidi Heitkamp stated that

> IGs do not maintain a centralized database in which all outstanding recommendations government-wide are input, stored, and made accessible to Members of Congress and the public.... [T]he current set-up right now doesn't allow Congress or the public to track outstanding recommendations or recommendations over time. And it's not just Congress that would win with having a more open process regarding IG recommendations, but other IGs would be able to see what is working at other IG departments.[72]

At the hearing, Michael Horowitz, chairman of CIGIE, stated that a database of IG recommendations was "a great idea." He, however, added,

> It takes a fair amount of staff to do that kind of work and information technology infrastructure. We do not think we even have the IT capacity to do that at this point without an actual ... direct appropriation to do it.[73]

On June 29, 2016, Senator Heidi Heitkamp introduced the Inspector General Recommendation Transparency Act (S. 3109), which, among other requirements, would require federal IGs to post online a list of the recommendations that the IG has made to the agency "that [have] not been adopted or implemented" by the agency affiliated with the IG. The list of open recommendations would be required to be updated at least every six months. In her press release announcing introduction of the bill, Senator Heitkamp stated, "Posting inspectors general recommendations online will give agencies, Congress, and the public more opportunities for oversight, and help

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[69] U.S. Congress, House Committee on Oversight and Government Reform, *Obstructing Oversight: Concerns from Inspectors General*, 113th Cong., 2nd Sess., September 10, 2014, at http://oversight.house.gov/hearing/obstructing-oversight-concerns-inspectors-general/.

[70] The IG affiliated with the Chemical Safety and Hazard Investigation Board is the Environmental Protection Agency IG.

[71] P.L. 112-57.

[72] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Regulatory Affairs and Federal Management, *Implementing Solutions: The Importance of Following Through on GAO and OIG Recommendations*, 114th Cong., 1st sess., December 10, 2015, S.Hrg. 114-265 (Washington: GPO, 2016), p. 3.

[73] Ibid., p. 16.

inspectors general save taxpayers even more money."[74] S. 3109 was referred to the Senate Committee on Homeland Security and Governmental Affairs. No further action has been taken on the bill.

[74] Senator Heidi Keitkamp, "Heitkamp, Lankford Introduce Bipartisan Bill to Improve Transparency at More Than 70 Federal Agencies," press release, June 30, 2016, at http://www.heitkamp.senate.gov/public/index.cfm/press-releases?ID=A6BFF5A9-E282-4B2E-871A-251B48F2CD04.

Appendix. Offices of Inspectors General and Their Authorizing Statutes

This appendix provides information about federal inspectors general, past and present, including the years of their establishment, their appointment structures, and tallies of the various types of IGs.

Table A-1. Statutes Authorizing IGs Appointed by the President with the Advice and Consent of the Senate, 1976-Present

(sunset offices in *italics*)

Year	Statute	IG Established
1976	P.L. 94-505	Health, Education, and Welfare (now Health and Human Services; HHS)
1977	P.L. 95-91	Energy (DOE)
1978	P.L. 95-452	Agriculture (USDA)
		Commerce (DOC)
		Community Services Administration (CSA)
		Housing and Urban Development (HUD)
		Interior (DOI)
		Labor (DOL)
		Transportation (DOT)
		Environmental Protection Agency (EPA)
		General Services Administration (GSA)
		National Aeronautics and Space Administration (NASA)
		Small Business Administration (SBA)
		Veterans Administration (now the Veterans Affairs Department)
1979	P.L. 96-88	Education (ED)
1980	P.L. 96-294	*U.S. Synthetic Fuels Corporation (USSFC)*
1980	P.L. 96-465	State[a]
1981	P.L. 97-113	Agency for International Development (USAID)[b]
1982	P.L. 97-252	Defense (DOD)
1983	P.L. 98-76	Railroad Retirement Board (RRB)
1986	P.L. 99-399	*U.S. Information Agency (USIA)*
1987	P.L. 100-213	*Arms Control and Disarmament Agency (ACDA)*
1988	P.L. 100-504	Justice (DOJ)[c]
		Treasury
		Federal Emergency Management Agency (FEMA)[d]
		Nuclear Regulatory Commission (NRC)
		Office of Personnel Management (OPM)
1989	P.L. 101-73	*Resolution Trust Corporation (RTC)*

Year	Statute	IG Established
1989	P.L. 101-193	Central Intelligence Agency (CIA)[e]
1993	P.L. 103-82	Corporation for National and Community Service (CNCS)
1993	P.L. 103-204	Federal Deposit Insurance Corporation (FDIC)
1994	P.L. 103-296	Social Security Administration (SSA)
1994	P.L. 103-325	*Community Development Financial Institutions Fund (CDFIF)*
1998	P.L. 105-206	Treasury Inspector General for Tax Administration (TIGTA)[f]
2000	P.L. 106-422	Tennessee Valley Authority (TVA)[g]
2002	P.L. 107-189	Export-Import Bank (EXIM)
2002	P.L. 107-296	Homeland Security (DHS)
2008	P.L. 110-289	Federal Housing Finance Agency (FHFA)[h]
2008	P.L. 110-343	Special Inspector General for the Troubled Asset Relief Program
2010	P.L. 111-259	Office of Director of National Intelligence (ODNI)[e,i]
2014	P.L. 113-126	National Security Agency (NSA)[j]
2014	P.L. 113-126	National Reconnaissance Office (NRO)[j]

a. The State Department IG had also served as the IG for ACDA. In 1998, P.L. 105-277 transferred the functions of ACDA and USIA to the State Department and placed the Broadcasting Board of Governors and the International Broadcasting Bureau under the jurisdiction of the State IG.

b. The USAID IG may also conduct reviews, investigations, and inspections of the Overseas Private Investment Corporation (22 U.S.C. §2199(e)).

c. In 2002, P.L. 107-273 expanded the jurisdiction of the Department of Justice IG to cover all department components.

d. P.L. 107-296, which established the Department of Homeland Security (DHS), transferred FEMA's OIG functions to the DHS IG.

e. All except the CIA and the ODNI IGs are established by and operate under the 1978 Inspector General Act, as amended.

f. The OIG for Tax Administration in Treasury is the only case where a separate establishment IG, under the 1978 IG Act, exists within an establishment or entity that is otherwise covered by its own statutory IG.

g. P.L. 106-422, which re-designated the TVA as an establishment, also created, in the Treasury Department, a Criminal Investigator Academy to train IG staff and an Inspector General Forensic Laboratory.

h. In 1989, P.L. 101-73 abolished the Federal Home Loan Bank Board and placed the new Federal Housing Finance Board under the 1988 IG Act. Both of these predecessor agencies to the Federal Housing Finance Agency were designated federal agencies whose inspectors general were appointed by their agency head.

i. Prior to the statutory establishment of the ODNI IG as a presidential appointment with the advice and consent of the Senate, P.L. 108-458 granted the Director of National Intelligence (DNI) full discretion to create and construct an OIG in his office (based on provisions in the IG Act). The director created an IG using this administrative authority in 2006. ODNI, *Report on the Progress of the DNI in Implementing "the Intelligence Reform Act of 2004,"* May 2006; and House Select Committee on Intelligence, *Intelligence Authorization Act for FY 2007* (H.Rept. 109-411). The ODNI IG is formally known as the Inspector General of the Intelligence Community.

j. P.L. 111-259, Intelligence Authorization Act for Fiscal Year 2010, §431(a) defined the NRO and NSA as DFEs. P.L. 113-126 §§403, 413 re-designated both as establishments.

Table A-2. Designated Federal Entities and Other Agencies with Statutory IGs Appointed by the Head of the Entity or Agency

(sunset offices in *italics*)

Action[a]	Government Printing Office (GPO)[b]
Amtrak	*Interstate Commerce Commission (ICC)*[c]
Appalachian Regional Commission (ARC)	Legal Services Corporation (LSC)
Architect of the Capitol (AOC)[b,d]	Library of Congress (LOC)[b,e]
Board of Governors, Federal Reserve System[f]	National Archives and Records Administration (NARA)
Board for International Broadcasting (BIB)[g]	National Credit Union Administration (NCUA)
Coalition Provisional Authority (in Iraq) (CPA)[b]	National Endowment for the Arts (NEA)
Commodity Futures Trading Commission (CFTC)	National Endowment for the Humanities (NEH)
Committee for Purchase from People Who Are Blind or Severely Disabled (AbilityOne)[h]	National Geospatial-Intelligence Agency (NGA)[i]
Consumer Product Safety Commission (CPSC)	National Labor Relations Board (NLRB)
Corporation for Public Broadcasting (CPB)	*National Reconnaissance Office (NRO)*[i]
Defense Intelligence Agency (DIA)[i]	National Science Foundation (NSF)
Denali Commission[j]	*National Security Agency (NSA)*[i]
Election Assistance Commission (EAC)[k]	*Panama Canal Commission (PCC)*[l]
Equal Employment Opportunity Commission (EEOC)	Peace Corps (PC)
Farm Credit Administration (FCA)	Pension Benefit Guaranty Corporation (PBGC)
Federal Communications Commission (FCC)	Postal Regulatory Commission (PRC)[m]
Federal Deposit Insurance Corporation (FDIC)[n]	Securities and Exchange Commission (SEC)
Federal Election Commission (FEC)	Smithsonian Institution
Federal Home Loan Bank Board (FHLBB)[o]	*Special Inspector General for Iraq Reconstruction (SIGIR)*[b]
Federal Housing Finance Board (FHFB)[o]	*Tennessee Valley Authority (TVA)*[p]
Federal Labor Relations Authority (FLRA)	U.S. Capitol Police[b,e]
Federal Maritime Commission (FMC)	U.S. International Trade Commission
Federal Trade Commission (FTC)	U.S. Postal Service[q]
Government Accountability Office (GAO)[b,r]	

Notes: This table does not include the Special Inspector General for Afghanistan Reconstruction who is appointed by the President alone (P.L. 110-181, §1229; 122 Stat. 379).

a. In 1993, P.L. 103-82 merged Action into the new Corporation for National and Community Service.

b. All agencies listed in this table—except SIGIR, AOC, GAO, GPO, LOC, and the U.S. Capitol Police—are considered "designated federal entities" (DFEs) and placed directly under the 1978 IG Act, as amended. Coalition Provisional Authority was dissolved in mid-2004, with its IG converted to SIGIR.

c. The ICC was abolished in 1995 by P.L. 104-88.

d. P.L. 110-161, Consolidated Appropriations Act for FY2008, Division H.

e. The Legislative Branch Appropriations Act, FY2006 (P.L. 109-55) added IGs to LOC and the Capitol Police, whose IG has specialized responsibilities.

f. In 2010, P.L. 111-203 §1081(1)-(2) established the Consumer Financial Protection Bureau and placed it under the jurisdiction of the Board of Governors of the Federal Reserve IG. To reflect this expanded

coverage, the IG was retitled the Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection.

g. The Board for International Broadcasting was abolished by P.L. 103-236 and its functions transferred to the International Broadcasting Bureau within USIA, which also was abolished and its functions transferred to the State Department.

h. P.L. 114-113, Consolidated Appropriations Act, 2016, Title IV.

i. P.L. 111-259, Intelligence Authorization Act for Fiscal Year 2010, §431(a) defined the DIA, NGA, NRO, and NSA as DFEs. P.L. 113-126 §§403, 413 re-designated the NRO and NSA as establishments. The DIA and NGA remain DFEs.

j. P.L. 105-277 (42 U.S.C. 3121), Denali Commission Act of 1998, as amended.

k. P.L. 107-252, the Help America Vote Act of 2002.

l. The Panama Canal Commission was ended with the transfer of the Canal to Panama (22 U.S.C. 3611).

m. P.L. 109-435, §605(a).

n. In 1993, P.L. 103-204 made the IG in Federal Deposit Insurance Corporation a presidential appointee, subject to Senate confirmation.

o. In 1989, P.L. 101-73 abolished the Federal Home Loan Bank Board and placed the new Federal Housing Finance Board under the 1988 IG Act.

p. P.L. 106-422 re-designated TVA as a federal establishment.

q. In 1996, the U.S. Postal Service Inspector General post was separated from the Chief Postal Inspector. The separated IG is appointed by, and can be removed only by, the governors.

r. P.L. 110-323, §5.

Table A-3. Tabulation of Existing Federal Establishments, Entities, or Agencies with IGs Authorized in Law

Controlling Statutes	President Nominates, Senate Confirms	Agency or Entity Head Appoints	President Appoints	Total
1978 IG Act, as amended	32	32	0	64
Other statutes	3[a]	5[b]	1[c]	9
Total	35	36	1	73

a. The CIA IG, the ODNI IG (formally known as the Inspector General of the Intelligence Community) and the Special Inspector General for the Troubled Asset Relief Program are appointed by the President with Senate confirmation.

b. AOC, GAO, GPO, LOC, and the U.S. Capitol Police are appointed by agency heads.

c. The Special Inspector General for Afghanistan Reconstruction is appointed by the President alone and does not require Senate confirmation (P.L. 110-181, §1229; 122 Stat. 379).

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