



Office of Inspector General

U.S. Department of State

QUICK FACTS

About Inspectors General

Created by the Inspector General Act of 1978 (IG Act), Inspectors General are structurally unique within the Federal Government. The IG Act creates independent units within each agency to combat fraud, waste, and abuse in the programs and operations of that agency. To this end, each Inspector General (IG) is responsible for conducting, supervising, or coordinating audits, inspections, evaluations, investigations, and other activities relating to the programs and operations of its agency.

Each IG must also keep the agency principal and Congress fully and currently informed about problems and deficiencies relating to the administration of agency programs and operations. The IG Act contains a variety of statutory guarantees of independence for the Office of Inspector General (OIG) to ensure the objectivity of oversight work and to safeguard against efforts to compromise that objectivity or hinder OIG operations.

IG Independence

Congress created OIGs to strike a workable balance for IGs and agency principals. This balance is accomplished through a number of provisions of the IG Act.

The IG Act specifically prohibits agency management officials from supervising the IG. This organizational independence helps limit the potential for conflicts of interest when an audit or investigative function is placed under the authority of the official whose programs are being scrutinized. The IG Act insulates IGs against reprisal and promotes independent and objective reporting.

Additionally, the IG Act promotes independence through individual reporting of OIG budgets. For example, Section 6(g) requires OIG's requested budget to be separately identified within the

Department of State's budget. Section 6(g)(3) authorizes OIG to comment to Congress on the sufficiency of its budget if the amount proposed in the President's budget would substantially inhibit the IG from performing the duties of the office. Additionally, the Department of State Authorities Act, Fiscal Year 2017, requires annual certification by the Secretary that the Department has ensured the integrity and independence of OIG's network, information systems, and files.

IG Access to Agency Principal

The IG is required to have direct and prompt access to the agency principal when necessary to perform his or her functions and responsibilities. This helps ensure that the agency principal is directly and promptly alerted to serious problems and abuses within the agency.

Conversely, the Department of State is required to submit to OIG—within 5 business days of becoming aware of the allegation—a report of any allegation of (1) waste, fraud, or abuse in a Department program or operation; (2) criminal or serious misconduct on the part of a Department employee at the FS-1, GS-15, or GM-15 level or higher; (3) criminal misconduct on the part of a Department employee at any level; and (4) serious, noncriminal misconduct on the part of any Department employee who is authorized to carry a weapon, make arrests, or conduct searches.

Cooperation with Office of the Inspector General (60-Day Rule)

The National Defense Authorization Act for Fiscal Year 2022 became law on December 27, 2021. Section 5323 includes a mandate for the Secretary to specify the consequences of failing to comply with an OIG request; and it includes a mandate for OIG to report events of noncompliance to Congress. The 60-Day Rule states that the Secretary of State shall make explicit in writing to all

Department of State personnel, including the Secretary of State, Department employees, contractors, and political appointees, that if any of such personnel does not comply within 60 days with a request for an interview or access to documents from the Office of the Inspector General of the Department, such personnel may be subject to appropriate administrative discipline including, when circumstances warrant, suspension without pay or removal.

IG Reporting Obligations

The IG Act creates a dual-reporting obligation for IGs—to keep both Congress and the agency principal fully and currently informed about deficiencies in agency programs and operations. Many OIGs also submit to Congress agency- and program-specific reports. In addition, IGs brief their agency principals on important audits, investigations, and other issues; testify before congressional committees; respond to Questions for the Record; and regularly field requests and brief members of Congress and their staffs. The following are two key reports produced by OIG:

- **Semiannual Reports.** Section 5 of the IG Act requires IGs to issue semiannual reports detailing significant problems and deficiencies OIG identified during the 6 months preceding April 1 and October 1, listing current recommendations and summarizing prosecutorial referrals made during the period. The report also details any significant disagreements with agency management concerning OIG recommendations. Section 4 of the IG Empowerment Act of 2016 expanded the semiannual reporting requirements to include, among other items, instances where the agency resisted oversight activities or delayed access to information and investigations involving senior Government employees. By law, the IG submits the report first to the agency principal no later than April 30 and October 31 of each year. The agency principal must prepare a companion report detailing management's actions in response to OIG findings and recommendations. Upon receipt of the semiannual report, the agency principal has 30 days to add comments and the companion report and to transmit both to the appropriate committees of Congress.

- **Seven-Day Letter.** Section 5(d) of the IG Act authorizes IGs to report immediately to the agency principal particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations. Within 7 days, the agency principal must transmit the report and any comments to the appropriate committees or subcommittees of Congress. The Seven-Day Letter is a powerful tool used in compelling circumstances requiring immediate congressional attention.

IG Accountability

The IG Act has several mechanisms to ensure IG accountability. First, all OIG reports (including semiannual reports) are published on the OIG website and are open to public scrutiny, except for reports containing classified or sensitive information that may not be released. These reports reveal important information on the acceptance and implementation of OIG recommendations. Second, OIG audit offices are subject to external peer review at least once every 3 years for compliance with Government Auditing Standards established by the Government Accountability Office. OIGs that exercise statutory law enforcement authorities under the IG Act are also subject to mandatory peer review of their Offices of Investigations every 3 years.

Structure and Administration

OIGs are responsible for auditing and investigating fraud, waste, and abuse in compliance with Federal auditing and investigative standards. Many OIGs also have offices that perform inspections or evaluations of their agencies' programs and operations in accordance with standards set forth by the Council of the Inspectors General on Integrity and Efficiency. OIGs are also responsible for identifying vulnerabilities and recommending programmatic changes to strengthen controls and mitigate risk. OIGs have considerable latitude to organize their offices but must comply with the IG Act's staffing requirements.

Establishment IGs (presidentially appointed and Senate confirmed) are required to designate the following positions:

- **Assistant Inspector General for Auditing (AIGA).** The AIGA is responsible for supervising the

performance of audits relating to programs and operations of that agency.

- Assistant Inspector General for Investigations (AIGI). The AIGI is responsible for supervising investigations of that agency's programs and operations.
- Whistleblower Ombudsman. The Whistleblower Ombudsman is responsible for helping to prevent agency managers from taking action against employees or contractors for making complaints or disclosing information to OIG.

The IG Act also requires all IGs to obtain independent legal advice from a general counsel who reports directly to an IG.

Access to Agency Records and Subpoenas

The IG Act recognizes and the IG Empowerment Act affirms that access to records is critical to effective OIG investigations, audits, and other inquiries and establishes broad authorities to support this need:

- Agency Records. IGs are given a broad statutory right of access to all records available to their agencies, including confidential interagency memoranda. If an agency employee refuses to provide records to OIG, the IG must immediately report this to the agency principal and include the incident in the *Semiannual Report to Congress*.
- Subpoenas. The IG Act gives IGs broad authority to subpoena documents and information necessary for the performance of functions assigned by the IG Act. The subpoenas are enforceable in Federal district court.
- Grand Jury Materials. Subject to Attorney General approval, the IG Empowerment Act authorizes IGs to have access to Federal grand jury materials protected from disclosure under the Federal Rules of Criminal Procedure.

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1-800-409-9926

[stateOIG.gov/HOTLINE](https://stateoig.gov/HOTLINE)

If you fear reprisal, contact the OIG Whistleblower Ombudsman to learn more about your rights.

WPEAOmbuds@stateoig.gov