Seven Additional Principles of Highly Effective Inspectors General

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.1

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

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).

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.

**Seven Additional Principles**

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.

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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2 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.

3 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 released.

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 2½ 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.4

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.

Conclusion

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.