# Seven Principles of Highly Effective Inspectors General

**Author: Glenn Fine**
Glenn A. Fine is the Acting Inspector General of the United States Department of Defense and has served in that position since January 2016. He joined the Department of Defense Office of Inspector General in June 2015 and previously served as the Inspector General of the United States Department of Justice from 2000-2011.

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

## Background

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

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

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

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

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

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

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

## Principle 1: Remain independent

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

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

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

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

## Principle 2: Be tough but fair

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

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

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

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

It is important to seek the input of agency leaders as to what reviews would be most useful to them as they manage their complex missions. Every year I send a memorandum to top Department leaders asking that question. I remember the initial response of one of the strongest and best leaders I knew at the DOJ – Robert Mueller, the former Director of the FBI – when I asked him if he had any ideas for potential IG reviews. He thought about it and said, "Glenn, I have a good idea on reviews you should conduct." I responded, "Great, what are they?" He replied, "You should do more reviews in the Drug Enforcement Administration; you are already doing enough work in the FBI." He said this half in jest (I think).[2] While he did not always agree with the findings and conclusions of our reviews, I believe he recognized their value, took them seriously, and supported our work. That is one of the attributes of an enlightened and forward thinking leader, and he certainly was one.

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

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

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

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

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

### Principle 4: Provide potential solutions

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

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

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

### Principle 5: Strive for timeliness

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

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

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

## Principle 6: Don't cut corners

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

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

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

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

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

The 7 Principles of Highly Effective IGs:

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

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

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

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

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

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

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