

- The Head of the Establishment Must report separately on the Status of actions on OIG Reports without final action after 365 days from agreement (resolution).
- The IG shall report immediately to the Head of the Establishment serious or flagrant problems, abuses or deficiencies. The Head shall transmit any such report to Congress within seven calendar days, together with any appropriate comments.

VI. Employee Complaints

- The IG receives and investigates employee complaints concerning possible violations of laws or regulations; mismanagement; waste of funds; abuse of authority; or danger to public health and safety.
- The IG shall not disclose the identity of the employee without the consent of the employee, unless such disclosure is unavoidable.
- Action will not be taken against any employee as reprisal for making a complaint or disclosing information to an IG unless the complaint was made with the knowledge that it was false or with willful disregard for its truth or falsity.

Additional Explanation of Responsibilities/Authority

- **OIG Budget:** IG's requested budget amounts be:
 - separately identified within their agency budgets when submitted to OMB and by OMB/President to the Congress (including amounts for training and CIGIE support).
 - IGs comment to Congress on the sufficiency of their budgets if the amount proposed in the President's budget would "substantially inhibit the [IG] from performing the duties of the office."
- **Web Link Requirement:** each agency homepage must contain a direct link to the website of the agency's OIG for public reporting. OIGs must post all reports and provide a link to receive complaints.

Report Possible Fraud, Waste and Abuse

Call NEA-OIG Hotline

1-877-535-7448

Learn more about the NEA OIG

<https://www.arts.gov/oig>



National
Endowment
for the Arts

Highlights: Inspector General Act of 1978

Purpose:

To create independent and objective units within each agency to prevent and detect waste, fraud and abuse; and to promote economy efficiency and effectiveness in agency programs and operations.

I. Departments and Agencies Involved

- The IG Act of 1978 established Office of Inspector General in 12 departments and agencies – then amended to include all departments and agencies as well as Designated Federal Entities.
 - Today there are 72 statutory Inspectors General.

II. Appointment and Removal of Inspector General

- The IG is appointed by the President or by the head of the entity in smaller agencies and Designated Federal Entities – such as NEA
...without regard to political affiliation and solely on basis of integrity and demonstrated ability in accounting, auditing, financial analyses, law, management analyses, public administration or investigations.
- The IG can only be removed from office by the President/Entity Head with the reasons to both houses of Congress.
- The IG shall report to and be under the general supervision of the Head of the Establishment.
- The IG shall not be prevented from initiating, carrying out, or completing any audit or investigation, or from issuing any related report or subpoena = *Independence*.

"If the agency head is committed to running and managing the agency effectively and to rooting out fraud and waste at all levels, the Inspector General can be his/her right arm in doing so, while maintaining the independence needed to honor his/her reporting obligations to Congress"

III. Duties and Responsibilities

- Provide policy direction for and conduct, supervise and coordinate audits and investigations relating agency programs and operations.
- Provide leadership and coordination and recommend policies to promote economy, efficiency and effectiveness and to prevent and detect fraud and abuse in the Agency's programs and operations.
- Review existing and proposed legislation and regulations and make recommendations to Congress concerning their impact on the economy and efficiency of the establishment.
- Conduct, supervise, and coordinate relationships between the establishment and other Federal agencies, State and local governments, and non-governmental entities in all matters relating to the promotion of economy and efficiency and the prevention and detection of fraud and abuse in the Agency's operations.
- Identify vulnerabilities and recommend changes that would, when enacted or implemented, strengthen controls or mitigate risk.
- Keep the Head of the Establishment and the Congress fully and currently informed of problems and deficiencies in the Agency's programs and operations and recommend corrective action.
- In carrying out the above duties and responsibilities, the IG shall:
 - Comply with the Comptroller General's audit standards.
 - Establish guidelines for appropriate use of non-Federal auditors.
 - Give particular attention to GAO to avoid duplication and ensure effective coordination and cooperation.
 - Report expeditiously to the Attorney General when there are reasonable grounds to believe Federal criminal laws have been violated. Investigate allegations of mismanagement.

IV. Authority and Administrative Provisions

- To have access to all records, reports, audits, reviews, documents, papers, recommendations, or material available to the Agency.
- To request information or assistance as necessary from any Federal, State, or local governmental agency.
- Determine when to use non-federal auditor and assure their work complies with standards of the Comptroller General.

- To require by subpoena the production of all information, documents, and other data, except that procedures other than subpoenas shall be used with respect to other Federal agencies.
- To have direct and prompt access to the Head of the Establishment.
- To select, appoint, employees as may be necessary.
- To obtain the services of experts and consultants and to enter into contracts for audits, studies, analyses and other services.
- To be furnished with appropriate and adequate office space with necessary equipment, supplies, facilities and services.
- Administer Oaths and Affirmations (testimony admissible in court)
- Budget authority (separate "line" in agency & OMB submissions)
- Report to the Attorney General violations of federal law.
- Have access to independent counsel and law enforcement services

V. Reporting Requirements

- The IG Semiannual Report to Congress shall be furnished to the Head of the Establishment not later than April 30th and October 31st of each year. The OIG does not seek clearance from, nor may the agency head change the OIG's semiannual report.
- The Head of the Establishment shall transmit the report to Congress within 30 days after receipt along with any comments or material he or she considers appropriate.
- Within 60 days of the transmittal of the report to Congress, the report shall be made available to the public. The semiannual reports are to include the following information:
 - Significant problems, abuses and deficiencies reported
 - Recommendations for corrective action made by the OIG.
 - Identification of each significant recommendation in previous semiannual reports on which corrective action is not completed.
 - Matters referred to prospective authorities and resulting prosecutions and convictions.
 - Status of management decisions on OIG Reports
 - Reports on information or assistance refused or not provided.
 - Audit reports issued by the OIG along with the value of questioned costs and recommendations for costs put to better use.
 - Tables showing the disposition of decisions on recommendations.