



U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

Catalyst for Improving the Environment

EPA Office of Inspector General Congressional and Media Protocols

February 2011

Office of Inspector General Approach

The U.S. Environmental Protection Agency (EPA) Office of Inspector General (OIG) exists to provide oversight and an independent voice within EPA that assists EPA in its goal of protecting public health and the environment. Developing and maintaining good working relationships with Congress and the media is critical to our success.

Contact Information

The OIG's Office of Congressional, Public Affairs and Management serves as the primary point of contact for Members of Congress and their staffs and the media; and manages the OIG's congressional and public affairs program. To contact our office:

By phone: (202) 566-2391

By fax: (202) 566-2549

By mail: U.S. Environmental Protection Agency
Office of Inspector General
Office of Congressional, Public Affairs and Management
1200 Pennsylvania Avenue, NW (2491T)
Washington, DC 20460

Join the OIG News listserv to receive notices by e-mail when new items are added to our website. Visit the OIG Newsroom page at <http://www.epa.gov/oig/Newsroom.htm> to subscribe.

**To find out more about the U.S. Environmental Protection Agency
Office of Inspector General and its activities, visit our website at:**

<http://www.epa.gov/oig>



**U.S. Environmental Protection Agency
Office of Inspector General**

Protocols at a Glance

Catalyst for Improving the Environment

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**For further information,
contact our Office of
Congressional, Public Affairs
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(202) 566-2391.**

Who We Are and What We Do

The OIG is an independent office of EPA created by the Inspector General Act of 1978, as amended (Inspector General Act). The OIG's role is to detect and prevent fraud, waste, and abuse in EPA's programs and operations, and assist EPA in protecting human health and the environment more efficiently and cost effectively. We also serve as the Inspector General for the U.S. Chemical Safety and Hazard Investigation Board.

Congressional Requests

The OIG requires a written request before work may begin. Given limited resources, the OIG may not be able to undertake all requests received from Congress and therefore must prioritize requests weighing several factors. It is strongly recommended that Members of Congress consult with the OIG prior to submitting a request. The OIG communicates with requestor(s) as necessary during the process. The OIG generally issues reports that adhere to professional standards and guidance. Reports are publicly available on the OIG's website but are issued to the requestor(s) prior to public release.

Congressional Testimony and Briefings and Legislative Review

Requests for OIG testimony should be submitted in writing from the chair of a committee or subcommittee. We provide objective testimony based on OIG work. Due to our independent reporting relationship to Congress under the Inspector General Act, OIG testimony is not subject to prior review or approval by the Office of Management and Budget or Agency officials. Further, the OIG welcomes the opportunity to brief Members of Congress or their staffs on our completed work upon request. The Inspector General Act specifies that the OIG is to review existing and proposed legislation and regulations relating to the programs and operations of EPA, and OIG comments are not subject to prior review or approval by outside entities prior to submission.

Media

For ongoing audit or evaluation work, the OIG limits comments to the scope or objectives of the review and anticipated time frame for completion. We will not discuss findings and recommendations until a final report is issued. For ongoing criminal investigations, the OIG's policy is to neither confirm nor deny criminal investigations, a standard protocol for most Federal law enforcement agencies.

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Congressional Requests

As Congress is one of the OIG's primary customers, we carefully consider requests submitted in writing to audit, evaluate, or investigate issues within our authority or jurisdiction from any committee or Member of Congress. The OIG will not begin work without a written request. Given our limited resources, the OIG may not be able to undertake all requests received from Congress as we must give priority to our mandated work. Congressional mandates include requirements for reviews directed by statutes or committee reports. Therefore, it is strongly recommended that Members of Congress or committees consult with the OIG prior to submitting a request.

Factors When Considering Requests

The OIG will take into account several factors when considering a request, including:

- Whether it is within the OIG's authority or jurisdiction;
- Whether it is from a chairman or ranking member of an oversight or appropriations committee with jurisdiction over the OIG or EPA;
- Whether it duplicates any prior or ongoing work done by the OIG, Government Accountability Office, or other oversight entity;
- The scope of the request; and
- The availability of OIG staff and resources.

The OIG prioritizes requests from Members of Congress as follows:

- Chairman of a committee or subcommittee with jurisdiction over OIG or EPA;
- Ranking Member of a committee or subcommittee with jurisdiction over OIG or EPA;
- Majority member of a committee or subcommittee with jurisdiction over OIG or EPA;
- Minority member of a committee or subcommittee with jurisdiction over OIG or EPA; and
- Other Member of Congress.

Communication with Requestors

Upon receipt of a written request, the OIG will provide a letter to the requestor(s) acknowledging receipt of the request within 10 business days. An update letter will follow stating whether the OIG has accepted or declined the request once a decision is made. If the request has been accepted, the letter may also include details on the scope or objectives of the review, and expected time frame for completion. If the request has been declined, the OIG will provide the reason(s). A transmittal letter will be provided with our final work product once our work is completed. It is OIG policy to provide separate written correspondences to any Member(s) of Congress who co-sign or are listed as courtesy copies on the request letter. Verbal communications between the OIG and requestor(s) may supplement any written correspondence.

Once the OIG commences work, the OIG will provide status updates only upon request. The OIG will not provide details on its findings or recommendations until a formal draft report has been issued to the Agency.

We generally do not provide information about ongoing OIG investigations, to protect the integrity of the investigation.

OIG Work Products and Process

The OIG generally issues reports in response to congressional requests, but may issue correspondences or other written products as appropriate. OIG reports must communicate results in a meaningful, useful, and balanced manner for the Agency, Congress, and the public. OIG reports usually are in chapter, letter, or briefing format.

OIG audits and evaluations are normally conducted in accordance with the Comptroller General of the United States *Government Auditing Standards*, commonly known as the Yellow Book. The professional standards and guidance in the Yellow Book are commonly referred to as generally accepted government auditing standards (GAGAS). These standards and guidance provide a framework for conducting high quality government audits and attestation engagements with competence, integrity, objectivity, and independence. The current version of the Yellow Book (July 2007) in its entirety is at <http://www.gao.gov/govaud/ybk01.htm>.

The OIG may use GAGAS in conjunction with other sets of professional standards and will cite their use as appropriate. For some projects, adherence to all of the GAGAS may not be feasible or necessary, which will be noted in the report.

OIG audits and evaluations are generally conducted in three phases:

- **Preliminary Research**: During preliminary research, teams may perform limited data gathering, including tests of internal controls; collect information sufficient to identify potential conditions and effects; and determine whether a full review is justified.
- **Field Work**: During field work, teams gather and analyze sufficient, competent, and relevant data to fully answer their audit or evaluation objectives. Teams also fully develop findings in accordance with GAGAS.
- **Reporting**: During the reporting phase, teams summarize information collected, meet with the Agency to discuss tentative project results, and develop a final report/product so that the findings and recommendations can be communicated to the EPA/auditee or appropriate customers. A team may provide a discussion draft to the Agency for comment. Prior to issuing a final report, the team prepares the official draft report and issues it to the Agency. After receiving the Agency's response to the draft report, a final report is then issued. Reports undergo referencing, which is a quality control mechanism intended to check the accuracy of information contained in reports.

The OIG will provide a copy of an official draft report to a Member of Congress only when requested in writing. However, our work is subject to change until a final report is issued.

The OIG endeavors to complete its work in a timely manner. However, the time frame for completing audits, evaluations, or investigations varies depending on their scope and complexity. In addition, factors beyond the OIG's control may impact how quickly a review is completed. The OIG will notify the requestor(s) if a review will be delayed beyond any agreed-to deadline.

Release of OIG Reports

Reports or other work products will be posted on the OIG's website at <http://www.epa.gov/oig> unless prohibited by law. We do not embargo final reports for requestor(s). For congressional requests, the OIG adheres to the following 3-day distribution procedure:

- **Day 1:** Report or other work product is released to the requestor(s).
- **Day 2:** Report or other work product is released to the appropriate EPA office.
- **Day 3:** Report or other work product is posted on the OIG public website.

This process ensures that both the requestor(s) and EPA officials have adequate time to review the final reports before they are released to the public. The OIG generally posts only one report per day and does not issue or post a report on a Friday unless authorized by the Inspector General.

Congressional Testimony

Testifying before Congress provides the OIG a significant opportunity to inform Members of Congress about the work that we do. We provide objective testimony based on OIG work products that adhere to strict professional standards and guidance. Due to our independent authority provided under the Inspector General Act, OIG testimony is not subject to prior review and approval by the Office of Management and Budget or Agency officials.

Requests for OIG testimony should be submitted in writing and addressed to the Inspector General from the chair of a committee or subcommittee. We strongly encourage committees to consult with the OIG prior to submitting a request to ensure that our work is properly aligned with the hearing subject matter, and that the appropriate OIG witness is available. The OIG will consider a committee's request for a specific OIG witness, but the Inspector General reserves the right to determine who will testify on behalf of the OIG. Generally, OIG witnesses are limited to the Inspector General, Deputy Inspector General, or appropriate Assistant Inspector General, depending on the subject matter and their availability.

The OIG limits testimony to work we have completed. While focused on the most updated information, OIG testimony may include older reports or investigations that still have relevance to the subject. For ongoing audits and evaluations, we limit our testimony to the scope or objectives of our ongoing reviews and expected time frames for completion. The OIG will not testify on ongoing investigations, to ensure the integrity of the investigation.

OIG testimony will adhere to specific committee guidelines on format and will be submitted within required deadlines. OIG testimony is posted on our website at <http://www.epa.gov/oig> within 1 business day of the hearing.

Congressional Briefings

The OIG welcomes the opportunity to brief Members of Congress or their staffs on our completed work upon request. To ensure we meet Congress' needs, offices should provide as much detail on the subject matter to be discussed prior to any briefing to ensure that discussions are focused on the intended topics. This will also help us determine which OIG subject matter experts should participate in the briefing. While the OIG seeks to limit the size of OIG participants, we also want to ensure that the appropriate subject matter experts are available to answer questions.

The OIG will not discuss findings or recommendations from ongoing audits or evaluations until an official draft report has been issued. However, our work is subject to change until a final report is issued. The OIG will also not discuss ongoing investigations, to ensure the integrity of the investigation.

Legislative Review

Section 4(a) of the Inspector General Act specifies that the OIG shall review existing and proposed legislation and regulations relating to the programs and operations of EPA, and to make recommendations concerning their impact.

The OIG primarily receives requests to review legislative items from the Office of Management and Budget through EPA; or the Council of the Inspectors General on Integrity and Efficiency, which represents federal Inspectors General. However, the OIG will also review and comment on specific legislation if requested by a Member of Congress or committee. Due to our independent authority under the Inspector General Act, OIG comments are not subject to prior review and approval by outside entities prior to submission.

Media

The OIG's Office of Congressional, Public Affairs and Management is the primary point of contact for all media inquiries on matters related to the OIG. Establishing one primary point of contact ensures that media requests are handled expeditiously. We understand and appreciate that reporters often work under short deadlines, so our goal is to respond to any media inquiry within 1 business day. The OIG will only respond to media inquiries that pertain to the OIG; issues that are programmatic or policy in nature will be referred to the EPA's Office of External Affairs and Environmental Education.

For ongoing audit or evaluation work, the OIG limits comments to the scope or objectives of the review and anticipated time frame for completion. We will not discuss findings and recommendations until a final report is issued. The OIG does not release congressional request letters unless it is already publicly available. If not publicly available we will refer the requestor to the appropriate Member of Congress or committee who submitted the request.

The OIG generally does not issue news releases or statements on final reports unless warranted. However, the OIG does maintain and utilize a subscription-based listserve that notifies subscribers whenever a new item is posted on our website. Since this listserve is open to all, it does include members of the media. Visit the OIG Newsroom page at <http://www.epa.gov/oig/Newsroom.htm> to subscribe.

For criminal investigations, the OIG's policy is to neither confirm nor deny ongoing criminal investigations, which is standard protocol for most federal law enforcement agencies. When appropriate, inquiries regarding criminal investigations may be referred to the Department of Justice. The OIG may issue press releases on investigations when warranted, or in conjunction with the Department of Justice.

The OIG will consider print and on-camera interview requests; however, we usually limit interviews to senior OIG executive staff such as the Inspector General, Deputy Inspector General, or appropriate Assistant Inspectors General, depending on the topic and their availability.

Freedom of Information Act and Privacy Act

The OIG is committed to open government and transparency. The Freedom of Information Act (FOIA) provides that any person has a right to obtain access to federal agency records, except to the extent that such records are protected from public disclosure by one of nine exemptions and three special law enforcement exclusions. The Privacy Act protects from disclosure all personal identifiable records in the Government's possession, with certain exceptions established by statute.

We will release to Congress upon request OIG documents and records that are not publicly available, except to the extent that those records are protected from disclosure by law. Requests from Members of Congress, however, will generally be treated in accordance with FOIA. It is OIG practice not to release EPA documents. Likewise, EPA does not release OIG documents, which helps the OIG maintain control over our information and independence. Requests for EPA documents should be directed to the EPA FOIA office.

Members of the media and the public must submit a written request for OIG documents not publicly available. FOIA requests for OIG documents can be sent directly to the OIG FOIA officer by mail to:

FOIA Officer
EPA Office of Inspector General
Mail Code 2411T
Washington, DC 20460-0001

Requests can also be submitted directly to the OIG by e-mailing a request to oig.foia@epa.gov. Provide a detailed description of the records you are seeking in a way that will permit the OIG to identify and locate them. For more information about the OIG FOIA process, please contact (202) 566-0869.

Disclaimer

Nothing in this document shall be construed as legally binding on the EPA OIG or any of its employees.