

Committee on Oversight and Government Reform
House of Representatives

Statement of Phyllis K. Fong
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Integrity and Efficiency
Inspector General, United States Department of
Agriculture

Hearing on Inspector General Vacancies
May 10, 2012



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

Good morning, Chairman Issa, Ranking Member Cummings, and Members of the Committee.

As Chair of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), I am honored to represent the Federal inspector general (IG) community this morning to discuss our work and recent accomplishments, and to describe CIGIE's role in the process of naming new IGs.

Let me begin by thanking this Committee, on behalf of the IG community, for your continuing support of our mission and your interest in our work. This support is longstanding and bipartisan, and we are truly grateful. In particular, we note the Committee's work on the Data Accountability and Transparency Act of 2012,¹ which was recently passed by the House and which contains several provisions that would well serve the IG community.

My testimony today will briefly discuss CIGIE's mission, recent IG community accomplishments, and the role that CIGIE plays in identifying candidates for IG vacancies when they arise.

CIGIE's Mission

The Inspector General Reform Act of 2008 (IG Reform Act) established CIGIE, a unified council of statutory Federal IGs, to carry out two key missions:

- address integrity, efficiency, and effectiveness issues that transcend individual Government agencies; and

¹ H.R. 2164.

- increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the offices of the Inspectors General.²

CIGIE's members currently include 73 IGs from the executive and legislative branches of Government, as well as six senior administration officials with related portfolios and responsibilities.³ OMB's Deputy Director for Management serves as CIGIE's Executive Chairperson, while the Chairperson is an IG elected by the full membership for a 2-year term. The Chairperson appoints a Vice Chairperson from the IG members of the council.

IG Community Accomplishments

In accordance with CIGIE's primary mission, over the past several years the IG community has identified and addressed a number of issues that transcend individual agencies. CIGIE has issued reports on such topics as cyber security, suspension and debarment, the use of new media, the effectiveness of the Chief Financial Officers Act of 1990, disaster preparedness programs, international trade and competitiveness, IG hotline operations and whistleblower protections, the Federal Audit Clearinghouse, and IG oversight of the American Recovery and Reinvestment Act of 2009. These reports and others are available on CIGIE's website at www.ignet.gov.

CIGIE's training and professional development mission is addressed through our Training Institute, which offers training to OIG audit, investigative, inspection and evaluation, leadership,

² Pub. L. 110-409, Section 11(a)(2).

³ The other statutory members of CIGIE are the Deputy Director for Management of the Office of Management and Budget (OMB), the Deputy Director of the Office of Personnel Management, the Special Counsel of the Office of the Special Counsel, the Assistant Director of the Criminal Investigative Division of the Federal Bureau of Investigation, the Director of the Office of Government Ethics, and the Comptroller of the Office of Federal Financial Management of OMB.

and mission support personnel. The institute, which is in a developmental phase, trained over 1,400 students from 56 CIGIE member agencies in fiscal year (FY) 2011.

CIGIE's standing committees⁴ are active bodies that are responsible for, among other things, developing professional standards that apply to overall OIG operations, as well as OIG audits, investigations, inspections, and evaluations.⁵ CIGIE, through its committees, also manages a peer review program of IG audit and investigation operations that evaluates OIG adherence to professional standards. In FY 2012, CIGIE initiated a pilot program to peer review OIG inspection and evaluation activities on a voluntary basis. The peer review process for all three disciplines (audit, investigation, inspection/evaluation) entails developing peer review programs, guides, and training, as well as carrying out the actual reviews on a regular cycle. Overall, these programs play a critical role in advancing the professionalism of OIG operations and enhancing confidence in the quality of OIG products.

Finally, CIGIE reports annually to the President on the overall accomplishments of the Federal IG community. The report for FY 2011 should be released shortly and will be made publicly available on CIGIE's website. We anticipate that the statistical results for FY 2011 will be consistent with, and generally greater than, the results reported for FY 2010. In FY 2010, Federal OIGs reported \$87.2 billion in potential savings as a result of audits, investigations,

⁴ There are seven standing committees for Audit, Information Technology, Inspection and Evaluation, Integrity, Investigations, Legislation, and Professional Development. With the exception of the Integrity Committee, the committee chairs are IGs elected to those posts. As committee chairs, they serve on CIGIE's Executive Council and provide corporate leadership, collaborative vision, and long-term planning to the IG community.

⁵ By law, OIG audits must be done in accordance with Government auditing standards promulgated by the Comptroller General.

inspections, and evaluations. With an aggregate budget of approximately \$2.5 billion for 69 OIGs,⁶ these potential savings represent a return of about \$35 on every dollar invested.⁷

In addition to statistical accomplishments, CIGIE's annual report summarizes some of the shared management and performance challenges facing many Federal agencies. This is based on the work done by individual IGs each year, who report the high-risk activities and performance issues that affect their agencies' operations or strategic goals. A comparison of these agency-specific challenges indicates that certain top management challenges are shared by many Federal agencies. CIGIE's FY 2010 report identified challenges such as information technology management and security, financial management and performance, Federal expenditures and operations under the 2009 Recovery Act, human capital management, procurement and grants management, and performance management and accountability. Individual IGs continue to work within their agencies to address these challenges.

IG Vacancies

Under the IG Reform Act, CIGIE is responsible for submitting "recommendations of individuals to the appropriate appointing authority" for consideration when an IG vacancy arises.⁸

Generally, the appointing authority for establishment IGs is the President; the appointing authority for IGs of designated Federal entities (DFE) is the agency head. As part of this

⁶ In October 2010, Congress expanded CIGIE's membership to include four IGs from the intelligence community. Their accomplishments will be included in the annual report for FY 2011.

⁷ Note that of the \$87.2 billion in potential savings reported for FY 2010, nearly \$50 billion was reported by the U.S. Postal Service OIG in connection with its work on civil service retirement system overpayments and the certification process for electronic payments. In FY 2009, in our first annual report, CIGIE reported \$43.8 billion in potential savings, for a return of approximately \$18 on every dollar invested.

⁸ Section 11(c)(1)(F). Prior to 2008, the President's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency, which were CIGIE's predecessors, did not have a formal role in identifying potential candidates for IG positions.

process, most IGs appointed by the President are subject to Senate confirmation (PAS IGs), while IGs appointed by agency heads do not go through Senate confirmation.

To fulfill its responsibilities, CIGIE has established the IG Recommendation Panel to identify possible candidates for IG positions. The panel is composed of experienced IGs representing both establishment and DFE entities and is chaired by the IG of the Federal Election Commission. CIGIE officials actively publicize the panel's role and activities in presentations to the IG community; accountability and oversight communities at the Federal, State, and local levels; and the private sector. In addition, CIGIE provides information to the public on our website (www.ignet.gov) about the process for filling IG vacancies. Individuals who are interested in IG positions are encouraged to contact the panel.

The panel asks each potential candidate to submit a resume and complete a standardized questionnaire covering employment history; professional qualifications; prior OIG, government, and management experience; and interest in particular agencies or type of appointment. The panel meets periodically to consider applicants and decide which candidates to refer to the appointing authorities.

CIGIE works with the appointing authorities to ensure that they are aware of CIGIE's role in filling IG vacancies. With respect to establishment IGs, the panel has established a liaison with the Office of Presidential Personnel and refers candidates on a continuing basis for consideration for IG appointments as vacancies arise. With respect to DFE IGs, CIGIE notified all DFE agency heads after passage of the IG Reform Act of our new role in recommending IG candidates and invited agencies to contact the panel should a vacancy arise. CIGIE also

contacts the appropriate DFE agency head directly when an IG position becomes vacant to offer our assistance.

It should be noted that while CIGIE plays a role in identifying potential IG candidates, CIGIE is not the only source of candidates available to appointing authorities. For example, candidates can contact appointing authorities directly. Also, appointing authorities are not required to act on or accept CIGIE recommendations when filling IG vacancies.

As of May 7, 2012, CIGIE records indicate that there are ten vacant IG positions; nominations have been submitted to the Senate for two of them.⁹ Since passage of the IG Reform Act in October 2008, 25 IGs have been appointed to fill vacancies. Of these 25, 13 are PAS IGs and 12 are DFE IGs appointed by their agency heads.

Conclusion

This concludes my written testimony. Thank you again for inviting me to testify today before the Committee about CIGIE's activities and accomplishments, and the role that we play in the process of appointing IGs. I would be pleased to address any questions you may have.

⁹ Eight of the ten are Presidentially appointed (seven of these require Senate confirmation), while two are appointed by agency heads.

Phyllis K. Fong
Inspector General
U.S. Department of Agriculture

Phyllis K. Fong was sworn in as Inspector General for the U.S. Department of Agriculture (USDA) on December 2, 2002. USDA is one of the largest and most diverse departments in the Federal Government. Its mission includes the management of traditional farm programs, private lands conservation, domestic food assistance, the National Forest System, agriculture research and education, agricultural marketing, international trade, meat and poultry inspection, and rural development programs. Ms. Fong was nominated by President George W. Bush and confirmed by the U.S. Senate.

As Inspector General (IG), Ms. Fong is the senior official responsible for audits, investigations, and law enforcement efforts relating to USDA's programs and operations. The Office of Inspector General (OIG) provides leadership in promoting economy and effectiveness in USDA programs and preventing fraud, waste, and abuse.

Ms. Fong's priorities as IG have been to focus OIG's resources on the protection of public health and safety related to USDA's mission and operations, and to improve the financial integrity of the Department's beneficiary programs.

In November 2008, Ms. Fong was elected by the Inspector General community as the first Chairperson of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), which was established by Congress in the Inspector General Reform Act of 2008. CIGIE's members include 73 Federal Inspectors General, and its mission is to promote economy and effectiveness in Federal programs through coordinated Governmentwide activities. She is currently serving her second term as Chairperson of CIGIE.

Ms. Fong also serves as a member of the Recovery Accountability and Transparency Board, which was established by Congress to oversee Federal spending under the American Recovery and Reinvestment Act of 2009.

Previously, Ms. Fong served as Chair of the IG community's Legislation Committee during its extensive efforts to provide information and community perspectives to the Congressional committees seeking to strengthen the IG Act. This work on behalf of the President's Council on Integrity and Efficiency (PCIE) during 2005-2008 assisted Congress in the development of the IG Reform Act. Ms. Fong was also a member of the PCIE Audit Committee and served as the PCIE representative to the Comptroller General's Advisory Council on Government Auditing Standards.

Prior to her appointment at USDA, Ms. Fong was nominated by President Bill Clinton and confirmed by the U.S. Senate to be Inspector General of the U.S. Small Business Administration (SBA). Ms. Fong served as SBA's Inspector General from April 1999 until December 2002. A career member of the Senior Executive Service, she held several senior management positions at SBA OIG, including Assistant Inspector General for Management and Legal Counsel, and Assistant Inspector General for Management and Policy. She also served as Assistant General Counsel for the Legal Services Corporation and as an attorney with the U.S. Commission on Civil Rights.

Ms. Fong was born in Philadelphia, Pennsylvania, and raised in Honolulu, Hawaii. She graduated from Pomona College with a B.A. degree in Asian studies and earned her J.D. degree from Vanderbilt University School of Law. Ms. Fong is a member of the Tennessee and District of Columbia bars. She and her husband have two children.