



LCR 211-6

SUBJECT: FUNCTIONS, AUTHORITY, AND RESPONSIBILITY OF THE INSPECTOR GENERAL

SERIES: 200 Organization and Functions of the Library	STATUTORY AUTHORITY: 2 U.S.C. §136 2 U.S.C. §185 5 U.S.C. App. 3	RESPONSIBLE OFFICE: Office of the Librarian
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Section 1. Purpose

This regulation describes the functions, responsibilities, and authority of the Inspector General as defined in the *Library of Congress Inspector General Act of 2005* ("the Act"), as amended, with reference to the *Inspector General Act of 1978*, as amended. See also: LCR 2023-9, *Rights and Responsibilities of Library Employees to the Inspector General*

Section 2. Definitions

For the purpose of this regulation, the following definitions apply:

- A. An "Audit" is an in-depth assessment of operations, activities, programs, and/or functions of the Library of Congress, its contractors, or grantees. Audits are concerned with fraud, waste, abuse, and/or mismanagement; often focus on economy, efficiency, and effectiveness; and include evaluations of internal controls and compliance with laws and regulations. Audits typically result in recommendations to improve management. Inspector General audits shall be conducted in accordance with Government Auditing Standards (the Yellow Book), promulgated by the Comptroller General of the United States and the American Institute of Certified Public Accountants.
- B. An "Investigation" is a detailed inquiry into administrative, civil, or criminal wrongdoing involving the

programs, operations, and employees of the Library of Congress and its contractors, or grantees. Investigations may culminate in administrative or court-ordered remedies or sanctions. Investigations shall be conducted in accordance with *Quality Standards for Investigations*, published by the Council of the Inspectors General on Integrity and Efficiency.

- C. A "Review" is a general term applied to Audits, Investigations, and other Inspector General activities including, but not limited to, the following:
1. "Inspections," which are broadly defined evaluations, studies, or analyses similar to Audits but without the requirement to fully assess internal controls or determine compliance with all applicable laws and regulations. Inspections shall be conducted in accordance with the Quality Standards for Inspections, published by the Council of the Inspectors General on Integrity and Efficiency;
 2. "Attestations," which are generally narrowly focused Audits that require compliance with most auditing standards depending on the level of assurance provided by the auditor's evaluation; and
 3. "Nonaudit Services," which are generally equivalent to consulting services in the private sector.

Section 3. Functions

The Office of the Inspector General is an independent objective office which:

- A. conducts and supervises Audits, Investigations (excluding incidents involving violence and personal property), and other Reviews relating to the Library of Congress,
- B. provides leadership and coordination and recommends policies to promote economy, efficiency, and effectiveness, and
- C. provides a means of keeping the Librarian of Congress and Congress fully and currently informed about problems and deficiencies relating to the administration and operations of the Library of Congress.

Section 4. Appointment and Organization

A. Inspector General

1. The Inspector General is appointed by the Librarian of Congress without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The Inspector General reports to, and is under the general supervision of, the Librarian of Congress.
 2. The Librarian of Congress has no authority to prevent or prohibit the Inspector General from (1) initiating, carrying out, or completing any Audit, Investigation, or other Review; (2) issuing any subpoena during the course of any Audit, Investigation, or other Review; or (3) issuing any report.
 3. The Inspector General may be removed from office by the Librarian of Congress. The Librarian shall communicate promptly and in writing to both Houses of Congress the reason(s) for the removal.
- B. The Office of the Inspector General is divided into two major segments: Audits and Investigations. There is an Assistant Inspector General for Audits and an Assistant Inspector General for Investigations appointed by the Inspector General.

Section 5. Responsibilities

Pursuant to 2 U.S.C. §185(d), the Inspector General shall:

- A. Provide policy direction for and conduct, supervise, and coordinate Audits, Investigations, and other Reviews

relating to programs and operations of the Library.

- B. Review existing and proposed legislation and regulations relating to programs and operations of the Library and make recommendations concerning the impact of such legislation or regulations on the economy and efficiency, or preventing and detecting fraud and abuse in, Library programs and operations.
- C. Recommend policies for, and conduct, supervise, or coordinate:
 - 1. other activities carried out or financed by the Library for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations;
 - 2. relationships between the Library and other Federal agencies, State and local governmental agencies, and non-government entities with respect to (a) all matters relating to the promotion of economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, programs and operations administered or financed by the Library, and (b) identifying and prosecuting participants in such fraud or abuse.
- D. Keep the Librarian and the Congress fully and currently informed by means of written reports and otherwise concerning fraud and other serious problems, abuses, and deficiencies relating to the programs and operations of the Library; recommend corrective action; and report on the progress made in implementing such corrective action.
- E. Comply with professional standards established by the Comptroller General of the United States, the American Institute of Certified Public Accountants, and the Council of the Inspectors General on Integrity and Efficiency when conducting Audits, Investigations, and other Reviews; and manage and operate the Office of the Inspector General in accordance with applicable sections of the Quality Standards for Federal Offices of Inspector General.
- F. Establish guidelines for determining when it is appropriate to use non-Federal auditors, and take appropriate steps to assure that any work performed by non-Federal auditors complies with standards established by the Comptroller General or other applicable authorities.
- G. Avoid duplication of work performed by the Comptroller General and coordinate and cooperate with the Comptroller General on Audits and Investigations.
- H. Report expeditiously to the United States Attorney General when there are reasonable grounds to believe that there has been a violation of Federal criminal law.

Section 6. Authority

Pursuant to 2 U.S.C. §185, and 5 U.S.C. App. 3, and in carrying out the duties described herein, the Inspector General is authorized to:

- A. Have access to all records relating to all programs and operations of the Library. The Inspector General will work cooperatively on a case-by-case basis with Congressional Research Service management on issues regarding materials which the Congressional Research Service considers to be protected by the speech or debate clause of the U.S. Constitution.
- B. Audit or investigate and report on the administration of the programs and operations of the Library that in the Inspector General's judgment are necessary or desirable.
- C. Request any information or assistance from any Federal, State, or local government agency as may be necessary for carrying out Inspector General responsibilities.
- D. Require by subpoena the production of all records and documentary evidence necessary in the performance of the Inspector General's responsibilities.

- E. Administer to or take from any person an oath, affirmation, or affidavit.
- F. Have direct and prompt access to the Librarian when needed.
- G. Enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons or organizations, and to make such payments as may be necessary, to the extent and in such amounts as may be provided in advance by appropriations Acts (see also LCR 2110 §6, Procurement-Supplies and Services).
- H. Select, appoint, and employ such officers and employees (including consultants) as may be necessary for carrying out the functions, powers, and responsibilities of the Office of the Inspector General. The Inspector General's authority to select, appoint, and employ is subject to the provisions of law governing selection, appointment, and employment in the Library. The Office of the Inspector General is a separate competitive area for purposes of a Library reduction-in-force.
- I. Provide final certification and approval on all personnel, travel, contracting, and financial matters concerning the Office of the Inspector General. This does not preclude the Inspector General's use of or support from the offices performing these services within the Library.
- J. Designate an employee of the Office of the Inspector General to serve as Acting Inspector General in his absence for up to 30 days.

Section 7. Reports

- A. The Inspector General will, not later than April 30 and October 31 of each year, prepare a *Semiannual Report to the Congress* summarizing the activities of the Office of the Inspector General during the immediately preceding six-month periods ending March 31 and September 30 and present the reports to the Librarian for informal comment. The Librarian will provide any comments to the Inspector General within 10 calendar days of receipt. The Inspector General will consider the Librarian's comments and submit the final report to the Librarian for distribution to Congress within 10 days of receiving the Librarian's comments. The Librarian will distribute the reports to Congress by May 30 and November 30. The Librarian will, at the same time, transmit his own report in compliance with the reporting requirements under 5 U.S.C. §5(b).
- B. The Inspector General will report immediately to the Librarian whenever he becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations of the Library of Congress. The Librarian shall transmit any such report to the appropriate committees or subcommittees of Congress within seven calendar days, together with a report by the Librarian containing any comments he deems appropriate.
- C. The Inspector General will post publicly available reports (or portions of those reports) on the public Web site of the Office of the Inspector General.

See also LCR 2023-9, *Rights and Responsibilities of Library Employees to the Inspector General*, §§6 and 7 for Audit Reports and Audit Resolution.

Section 8. Investigations and Employee Complaints

- A. The Inspector General will maintain a Hotline to receive complaints or information that may lead to investigations concerning the possible existence of activities in violation of laws, rules, or regulations, or mismanagement, gross waste of funds, fraud, abuse of authority, or a substantial and specific danger to the public health and safety, affecting Library programs and operations.
- B. The Inspector General shall not, after receiving a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable during the course of an Investigation or prosecution.

- C. Upon completion of a criminal, civil, or administrative Investigation or when a prosecutor declines prosecution, the Inspector General will inform an employee who is the subject of an Investigation of the final outcome when the employee is aware of the Investigation, if such notification does not adversely affect the integrity of any ongoing Investigation.
- D. The Inspector General shall notify appropriate Library management as soon as feasible of the initiation of an Investigation, if notification will not interfere with the Investigation.
- E. The Inspector General will provide a Report of Administrative Inquiry to Library management and copy the Library's Director of Human Resources when the Inspector General finds substantial evidence that an employee has violated a law, rule, regulation, or Library policy. The Director of Human Resources will provide the Inspector General quarterly reports on the status and final disposition of all matters referred by the Inspector General.
- F. The Inspector General will maintain a record of all Hotline activity and disposition of investigative cases.
- G. The Inspector General can decline to investigate a complaint when in his judgment an Investigation is not warranted.

See also LCR 2023-9, *Rights and Responsibilities of Library Employees to the Inspector General*, §§ 4, 5, 8 & 9 for additional information about investigations.
