

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION	NUMBER: DR 1700-002
SUBJECT: Office of Inspector General Organization and Procedures	DATE: January 13, 2023
OPI: Office of Inspector General	EXPIRATION DATE: January 13, 2028

<u>Section</u>	<u>Page</u>
1. Purpose	1
2. Scope	1
3. Special Instructions/Cancellation	1
4. Policy	2
5. Roles and Responsibilities	17
6. Inquiries	19
Appendix A – Acronyms and Abbreviations	A-1
Appendix B – Authorities and References	B-1
Appendix C – OIG Organization Chart	C-1
Appendix D – OIG General Contacts	D-1

1. PURPOSE

This Departmental Regulation (DR) updates the DR on Office of Inspector General (OIG) organization and procedures regarding cooperation between U.S. Department of Agriculture (USDA) officials and employees, and OIG; and identifies the related responsibilities of OIG and USDA officials and employees.

2. SCOPE

This DR applies to USDA OIG; USDA Mission Areas, agencies, and staff offices; and all employees, contractors, and others working for or on behalf of the USDA.

3. SPECIAL INSTRUCTIONS/CANCELLATION

- a. This DR supersedes DR 1700-002, *OIG Organization and Procedures*, dated June 17, 1997.

- b. Mission Area, agency, and staff office managers are responsible for making their employees aware of the contents of this DR.

4. POLICY

- a. Inspector General (IG) General Supervision and Independence

- (1) The IG reports to and is under the general supervision of the Secretary, who can delegate the authority only to the Deputy Secretary. [5 U.S.C. § 403\(a\)](#). The IG is not subject to oversight by any other USDA official or component.
- (2) The Secretary and Deputy Secretary cannot prevent or prohibit the IG from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation. 5 U.S.C. § 403(a).

- b. General Requirements

- (1) OIG and USDA Mission Areas, agencies, and staff offices will comply with the policies and meet all responsibilities contained in this DR.
- (2) Mission Areas, agencies, staff offices, employees, contractors, and others working for, or on behalf of, USDA are required to cooperate with OIG to facilitate the conduct of audits, investigations, reviews, and activities. Mission Area, agency, and staff office management officials will focus on and take prompt action concerning problems identified and recommendations made by OIG as soon as sufficiently actionable information has been provided.
- (3) The functions of OIG do not replace established lines of managerial or operational authority and responsibility within USDA and its Mission Areas, agencies, and staff offices, nor do they eliminate the need for functional supervision and line inspections as may be necessary for Mission Areas, agencies, and staff offices to discharge their assigned responsibilities. Full responsibility is vested with Mission Area, agency, and staff office officials for establishing, executing, and ensuring compliance with policies, plans, and procedures; developing and implementing systems of internal control that fulfill the objectives of the [Federal Managers' Financial Integrity Act of 1982](#); preparing financial statements in accordance with the requirements of the [Chief Financial Officers Act of 1990](#); and taking appropriate action on conditions needing improvements, including those reported by OIG.

- c. OIG Access to Information

- (1) OIG is authorized to have timely access to all records, reports, audits, reviews, documents, papers, recommendations, or other materials that are available to USDA, which relate to the programs and operations with respect to which the

Inspector General has responsibilities under chapter 4 of Title 5 of the United States Code (U.S.C.). [5 U.S.C. § 406\(a\)\(1\)\(A\)](#).

- (2) OIG has this access provided under 5 U.S.C. § 406(a)(1)(A), notwithstanding any other law, except as limited by chapter 4 of Title 5 of the U.S.C. [5 U.S.C. § 406\(a\)\(1\)\(B\)-\(C\)](#).
- (3) Additionally, OIG is authorized to request such information and assistance as may be necessary for carrying out the duties and responsibilities provided by chapter 4 of Title 5 of the U.S.C. from any Federal, State, or local government agency or unit thereof. [5 U.S.C. § 406\(a\)\(3\)](#).
- (4) No USDA employee or other official subject to this DR will interfere with OIG's access to records or information under chapter 4 of Title 5 of the U.S.C.

d. Employee Cooperation with OIG

- (1) USDA employees are required to cooperate fully with OIG and to furnish signed sworn statements or affidavits when requested to do so. OIG will provide the employee with applicable warnings concerning their constitutional and other rights, as appropriate. Furnishing false or misleading information or refusing to answer questions may result in disciplinary action against the employee.
- (2) If questioned on a matter that may lead to noncriminal disciplinary action, an employee may request that a personal representative be present. If the requested personal representative is a subject or witness in the case, they will not be allowed to be present during the interview, and the employee will be allowed to designate another personal representative. Regardless of whether or not a personal representative is present during the interview, the employee will be required to furnish pertinent information.
- (3) If questioned on a matter that may lead to criminal prosecution, an employee may, where applicable, invoke the self-incrimination privilege of the Fifth Amendment to the United States Constitution. If the employee is in custody, OIG will advise the employee of their right to remain silent, their right to contact an attorney before being questioned, and, if the employee cannot afford an attorney, their right to have an attorney appointed to represent the employee before being questioned.
- (4) An employee of a USDA Mission Area, agency, or staff office that has a collective bargaining agreement with a union has the right to request union representation at an investigatory examination conducted by an OIG special agent or other OIG official where the employee reasonably believes that the examination may result in disciplinary action against him or her. The employee must request union representative in order to exercise this right. The right to a union representative is not affected by the employee exercising their right to have an attorney present; the employee may request both.

e. Reporting Matters to OIG

(1) Significant Matters That Must Be Reported

(a) The following are examples of significant matters which, if known, suspected, or alleged, must be reported to OIG:

- 1 Violation of Federal criminal statutes.
- 2 Allegations of criminal conduct involving any employee. See Section 4f regarding the processing of other employee misconduct matters.
- 3 All employee misconduct allegations involving the following types of USDA employees:
 - a Presidential appointees;
 - b Members of the Senior Executive Service or equivalent employees under other pay systems; and
 - c Schedule C employees.
- 4 Allegations of research misconduct involving USDA funds. *See Research Institutions Conducting USDA-Funded Extramural Research; Research Misconducts*, [2 CFR pt. 422](#).
- 5 Forest Service (FS) firefighter deaths that are allegedly caused by wildfire entrapment or burnover. Due to the need to obtain evidence in a timely fashion, such notice must be given as soon as possible but not later than 24 hours after a fatality occurs.

(b) Providing notice to OIG under this subsection 4e(1)(a) does not prohibit USDA officials and employees from also providing notice to other USDA Mission Areas, agencies, or staff offices, such as the Office of Human Resources Management or Office of the General Counsel (OGC), as may be appropriate.

(2) Reporting Bribery or Attempted Bribery of USDA Employees.

Bribery includes the offering, giving, receiving, or soliciting of anything of value to influence an official act of an employee. Bribery or attempted bribery includes situations where a forthright offer was not made, but it is suspected that the employee is being probed or tested, or where an offer of a bribe could reasonably be inferred. Since bribery allegations are especially sensitive and require special reporting procedures, the following procedures will be used:

- (a) Any Employee. Any employee, as well as any Federal contractor, subcontractor, grantee, or subgrantee or personal services contractor, who is offered a bribe or who believes that a bribe was offered to, solicited by, or accepted by another employee will immediately report that information directly (i.e., not through supervisory channels) to OIG in one of the following two ways:
 - 1 During normal business hours, contact the appropriate OIG Special Agent-in-Charge (SAC) handling the geographic location where the offer was made (see [Appendix D](#)). Employees located in USDA Headquarters offices should contact the SAC for the Northeast Region, New York, New York (see Appendix D).
 - 2 Outside of normal business hours, contact the OIG Bribery/Assault Line in Washington, D.C. (see Appendix D). The Bribery/Assault Line will be used only to report actual or potential bribery situations.
- (b) USDA Officials. USDA officials who receive any bribery allegation not previously reported to OIG must immediately report it to OIG.
- (c) Coordination with Federal Bureau of Investigation (FBI). OIG will coordinate investigative activities with the FBI, as appropriate.
- (d) Action After Reporting. After reporting the bribery or attempted bribery, the employee or USDA official must follow the instructions of OIG or the FBI on what action to take to avoid jeopardizing any subsequent investigation. Also avoid disclosing the information or the fact that it was reported to OIG to anyone without the prior approval of OIG.
- (e) Channels for Reporting Fraud, Waste, Abuse, Mismanagement, and USDA Employee Misconduct. OIG has established several channels for USDA employees and the general public to report fraud, waste, abuse, and mismanagement in USDA programs, or misconduct by a USDA employee. These include a general hotline, a Bribery/Assault Line, and (for USDA employees) a Whistleblower Coordinator. Details regarding each channel are set forth in this section, and contact information is provided in Appendix D.
- (f) OIG Hotline.
 - 1 General Hotline Complaints. OIG has established a hotline for USDA employees and the general public to report fraud, waste, abuse, and mismanagement in USDA programs, or misconduct by a USDA employee. A complaint may be filed with the Hotline by calling on the telephone, writing a letter, or completing an online complaint via the [Hotline portal](#) on OIG's public website. Complaints can be submitted anonymously.

- 2 Hotline Complaints Against Senior Executive Service Officials. The OIG Hotline will refer all allegations and complaints in which one or more subjects are Senior Executive Service employees to OIG's Office of Investigations for investigative consideration. As appropriate, OIG will subsequently notify the Office of the Assistant Secretary for Administration and the General Counsel of the allegations and complaints.
- (g) Bribery/Assault Line. As set forth in Section 4e(2), any USDA employee, as well as any Federal contractor, subcontractor, grantee, or subgrantee or personal services contractor, who is offered a bribe or who believes that a bribe was offered to, solicited by, or accepted by another employee is required to immediately report the matter to OIG. The Bribery/Assault Line is available for submitting such reports 24 hours a day.
- (h) OIG Whistleblower Protection Coordinator. The Coordinator is separate and distinct from the general hotline for USDA employees and members of the public to report allegations of fraud, waste, and abuse, etc. (see Section 4e(3)(a)). The Coordinator has a specific role: to educate USDA employees about prohibitions on retaliation for protected disclosures, and educate USDA employees who have made or are contemplating making a protected disclosure about the rights and remedies against retaliation for protected disclosures. The Coordinator is prohibited from acting as an employee's or former employee's legal representative, agent, or advocate. Contact information is contained in Appendix D. Additional information is available on the [Whistleblower Protection Coordinator page](#) on OIG's public website.
- (i) Confidentiality and Identity Protection for USDA Employees. When OIG receives an allegation, complaint, or information from a Department employee, OIG is prohibited from disclosing the identity of the employee without their consent unless the IG determines it is unavoidable during the course of the investigation. Additionally, Department employees are prohibited from taking or threatening to take any personnel action as reprisal against employees for making a complaint or disclosing information to OIG unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity. See [5 U.S.C. § 407](#).
- (3) Reporting Based on Agreements. OIG has entered into individualized agreements (e.g., memoranda of understanding) with some USDA Mission Areas, agencies, and staff offices, and those agreements describe in detail the matters that must be reported to OIG as opposed to matters that may be handled by a Mission Area's, agency's, or staff office's compliance or enforcement unit.
- (4) When Reporting is Not Required. Reporting to OIG is not required for certain matters as discussed in Sections 4f through g.

f. Matters That USDA Mission Areas, Agencies, and Staff Offices Are Authorized to Address

(1) Employee Misconduct Investigations. In accordance with USDA regulations, Mission Areas, agencies, and staff offices are authorized to conduct certain types of inquiries and investigations of possible misconduct by their employees involving violations of rules, regulations, or laws that, if proved, will not likely result in criminal prosecution. Examples of such matters which may be addressed by the Mission Areas, agencies, and staff offices include the following:

- (a) Absence without leave and other attendance irregularities.
- (b) Conducting personal business during duty hours.
- (c) Fighting, threatening, or using abusive language to coworkers, supervisors, or the public. To the extent that such actions appear to be a situation involving workplace violence and OIG is contacted, OIG may coordinate efforts with appropriate Federal, State, or local law enforcement authorities.
- (d) Refusal or failure to follow instructions or procedures.
- (e) Neglect of duty.
- (f) Misuse of government vehicles.
- (g) Off-duty conduct, unrelated to employment, resulting in arrest or conviction.
- (h) Use of government facilities, supplies, equipment, services, telephones, or personnel for other than official business.
- (i) Sexual harassment.
- (j) Falsification of application for employment.
- (k) Intoxication or consumption of alcohol or drugs while on duty.

If the Mission Area, agency, or staff office believes that an investigation by OIG of these types of misconduct is necessary for some specific reason, the Mission Area, agency, or staff office may request that OIG consider conducting such investigation.

(2) Accidents and Resulting Claims for Damage. Mission Areas, agencies, and staff offices generally will conduct their own inquiries of accidents involving government-owned vehicles or privately-owned vehicles used for official business. However, OIG may agree to conduct an investigation if OIG receives a specific request from OGC or the U.S. Department of Justice (DOJ), or when it appears that criminal activity may be a contributing factor to the accident.

- (3) Other Matters. Mission Areas, agencies, and staff offices will conduct their own inquiries into breaches of contract, negligence by warehouse operators or others, and noncriminal violations of USDA programs involving contractors, permittees, producers, borrowers, or others. If professional fact-finding assistance is needed on a high impact matter (i.e., a matter of such significance related to USDA assets and resources, health and safety, government costs, Congressional or public interest, or program vulnerability that addressing, assessing, and assuring the effectiveness of internal control systems will be instrumental in avoiding crisis conditions), Mission Areas, agencies, and staff offices may request OIG assistance and OIG will conduct audits, investigations, or both, where warranted.

g. Investigative Matters to Be Reported to Entities Other than OIG

- (1) Property Crimes. Mission Areas, agencies, and staff offices must report to the local law enforcement agency with jurisdiction, the Federal Protective Service, or the FBI, as appropriate, any unlawful act (for example, theft or willful damage) committed on or against Federal property or premises. Concurrently Mission Area, agency, and staff office personnel must notify the SAC of the geographical location impacted if:

- (a) There is any indication that a USDA employee is involved as a perpetrator; or
- (b) There is any indication of organized activity, such as expressions of civil disobedience, civil rights violations and hate crimes, or terrorist acts.

- (2) Assaults. This subsection applies to assaults and other crimes threatened or committed against a USDA employee if there is any indication that the threat or crime was related to the employee's job or the performance of official duties. Such assaults and crimes should be reported as follows:

- (a) Assaults and Crimes that Occur at Non-USDA Locations. Immediately report the assault or crime to the local law enforcement agency with jurisdiction. As soon as practical thereafter, notify the SAC with responsibility for the geographic location where the assault or crime occurred.

- (b) Assaults and Crimes that Occur in USDA Facilities.

1 USDA Headquarters Offices. Immediately contact the USDA Office of Safety, Security and Protection (OSSP). OSSP will notify local law enforcement. As soon as practical thereafter, OSSP will notify the SAC, Investigations Liaison and Special Operations Division, OIG.

2 USDA Field Offices and Other Facilities. Immediately report the assault or crime to the local law enforcement agency with jurisdiction as well as to Federal Protective Services or general building security. As soon as

practical thereafter, notify the SAC with responsibility for the geographic location where the assault or crime occurred.

- (3) **Discrimination.** Allegations of discrimination because of race, color, religion, national origin, age, sex (including gender identity and expression), sexual orientation, disability, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information are to be addressed in accordance with USDA regulations.
 - (4) **Prohibited Political Activity.** Forward allegations of prohibited political activity to the U.S. Office of Special Counsel, and provide a copy of the referral to the USDA Office of Ethics. If the allegations involve an OIG employee, also forward a copy of the referral to OIG's Office of Compliance and Integrity. USDA employees who are unsure about whether a specific activity is prohibited and should be referred may contact the USDA Office of Ethics for advice.
- h. **Requests for Audits, Investigations, and Office of Analytics and Innovation (OAI) Assistance**
- (1) **Audits.** Mission Area, agency, and staff office heads and other authorized officials will direct requests for audits to the Assistant Inspector General (AIG) for Audit. Requests for audits at the State or local level will be forwarded to the cognizant Audit Director (see Appendix D).
 - (2) **Investigations.** Requests for domestic investigative services will be directed to the SAC with responsibility for the geographic location concerned (see Appendix D). Requests for investigations of foreign programs and for investigative services of extremely sensitive or unusual situations will be directed to the AIG for Investigations, Deputy AIG for Investigations, Deputy IG, or IG.
 - (3) **OAI.** Mission Area, agency, and staff office heads and other authorized officials will direct requests for data analytics, computer matching, and continuous monitoring to the AIG for Analytics and Innovation.
 - (4) **Preparing Requests.** Requests must be in writing, cite known pertinent facts, and specify concerns to be audited, investigated, or reviewed. When time is of the essence, the request may be made by telephone and confirmed by memorandum. OIG will acknowledge requests for assistance within 10 business days of receipt.
- i. **Notification of Audits, Investigations, and Other Activities.**

The OIG *Annual Plan* issued at the beginning of each fiscal year describes anticipated audit, investigative, and other initiatives. OIG collaborates with Departmental and Mission Area, agency, and staff office officials to determine the audits to be included in the plan. OIG also gives advance notice of specific audits, investigations, or other activities to appropriate Mission Area, agency, and staff office officials, except in

unusual circumstances where time or other considerations make notification impracticable.

- (1) Audits. OIG management will notify Mission Area, agency, and staff office officials of OIG's intent to begin an audit and will arrange an entrance conference with Mission Area, agency, and staff office officials to advise them of the purpose and objectives of the audit, its scope, and the general methodology and procedures to be followed.
 - (2) Investigations. OIG will issue a case opening memorandum to the appropriate officials. Upon receipt of notice that an investigation has been initiated, Mission Area, agency, and staff office officials will notify employees who have a "need to know" of the investigation (unless they are subjects of an investigation or are the subjects of a complaint or allegation of wrongdoing). In response to any inquiry regarding an OIG investigation, employees may not acknowledge that an investigation is being conducted or provide any other information unless OIG has notified them that such confirmation may be made or information provided. Any publicity about the allegations being investigated, or even about the existence of a planned investigation, may interfere with the investigation or with necessary legal, administrative, contractual, or personnel action.
 - (3) OAI Reviews and Activities. As appropriate, OIG will notify Mission Area, agency, and staff office officials when OAI initiates reviews or other activities involving the use of predictive data analysis, computer matching, continuous monitoring, data mining, and data warehousing of USDA programs and operations in support of OIG audits, investigations, and other activities.
 - (4) Other Activities. As appropriate, OIG will notify Mission Area, agency, and staff office officials when OIG initiates other types of reviews and activities involving Department programs and operations.
- j. Administrative Action by Mission Areas, Agencies, and Staff Offices. Mission Areas, agencies, and staff offices must not take administrative or enforcement actions concerning matters under investigation by OIG without first coordinating with OIG. However, Mission Areas, agencies, and staff offices must contact OIG if they believe expedited administrative action is required to protect the Government's interest.
- k. Using Non-Federal Personnel for Audits
- (1) Approval or Agreement for the Use of Non-Federal Personnel. Non-Federal personnel will not conduct audits of Departmental operations without the prior approval of OIG in a written agreement signed by OIG and the Mission Area, agency, or staff office.
 - (2) OIG Use of Non-Federal Personnel for Audits. When essential to the accomplishment of the USDA OIG audit mission, OIG may enter into contracts for

audit services with State audit staffs, independent public accountants, and other organizations outside the Department.

- (3) Limitations on the Use of Non-Federal Personnel for Audits. USDA program participants (either individuals or entities) that are funded by the Department may be subject to audit by non-Federal auditors in accordance with departmental regulations. OIG may review the quality of audits completed by non-Federal personnel by conducting periodic reviews of the work of such personnel. It is the policy of OIG to rely on these audits to the fullest extent practicable. However, for all audits that they have required, USDA Mission Areas, agencies, and staff offices must ensure the following:
 - (a) Stipulate that audits conducted by non-Federal auditors be performed in accordance with the generally accepted Government auditing standards issued by the Comptroller General of the United States. For single audits, there must be further stipulation that the requirements of [2 CFR part 200, subpart F](#) are met.
 - (b) Require that all irregularities involving potential fraud, abuse, or illegal acts discovered by non-Federal auditors, regardless of materiality, be reported by the auditors to the Federal agency arranging for the audit and to OIG for appropriate action.
 - (c) Provide for OIG (and the Government Accountability Office; (GAO)) to have access to all audit-related documents, including audit reports, correspondence, workpapers, and management letters prepared by non-Federal auditors. Further, the results of peer reviews and partners' inspections made by national or State accounting organizations must be made available to OIG upon request.
 - (d) Establish an audit tracking and monitoring system, based on the universe of organizations subject to audit, in order to ensure that Mission Area, agency, and staff office audit requirements are met.
 - (e) Maintain systems and procedures for programmatic reviews of all audit reports, including analysis and evaluation of the activity and follow-up of findings and recommendations.
 - (f) Refer to OIG those audit reports where clarification or technical advice is needed, the independence of the auditor is questioned, a financial interest is suspected, or substandard work is suspected.
 - (g) For *Single Audit Act* entities, provide that additional audits be planned and carried out in a manner that builds upon the single audit, and are arranged and paid for by the Mission Area, agency, or staff office. Additional audits are those which do not duplicate audit work performed during other audits of Federal awards.

- (h) Establish policy for frequency of audits required by the Mission Area, agency, or staff office (e.g., annual, semiannual).

1. Corrective Action on OIG Reports

- (1) Audit Recommendations. [DR 1720-001](#), *Audit Follow-up and Management Decision*, prescribes the procedures for management decisions and final actions on OIG audit reports. Mission Areas, agencies, and staff offices must implement adequate audit resolution procedures for audits made by both Federal and non-Federal auditors to ensure that audit findings and recommendations are evaluated and acted on in a timely manner.
- (2) Reports of Investigation (ROI). The OIG office that issues an ROI is responsible for following to conclusion all matters reported.
 - (a) Action Addressee. This official will inform OIG and OGC of all administrative action planned or taken against offending employees and outside violators (e.g., program participants). Legal action must be coordinated with OIG, OGC, and DOJ.
 - (b) Closing Action. OIG will consider an investigative matter subject to “closure” action when either of the following conditions are met:
 - 1 Pre-appellate criminal and civil legal actions are completed or declined by DOJ, or OGC if the report was sent to OGC. A final judgment or settlement obtained by DOJ in a civil case is considered the completion of legal action, even though the amount has not been collected.
 - 2 Impacted Mission Areas, agencies, and staff offices have reported back to OIG the results of any administrative action taken in the matter (e.g., an amount of indebtedness is determined and arrangements are made for its payment; personnel actions or contractual remedies are initiated and accomplished; suspension, or debarment is completed; a Department service, license, permit, or authorization is withheld, suspended, or revoked; Mission Area, agency, and staff office determined that no action would be taken).

It is expected that Mission Areas, agencies, and staff offices that are responsible for taking or following any additional action necessary subsequent to the receipt of an OIG ROI, such as collecting periodic payments, will promptly take such action.

- (3) Closure of OAI Request. OIG will consider an OAI request closed when impacted Mission Areas, agencies, and staff offices have provided requested information and taken appropriate actions which are responsive to the OAI request. It is expected

that Mission Areas, agencies, and staff offices will take actions to promptly provide the requested information.

- m. **Media Inquiries.** Mission Areas, agencies, and staff offices must refer all news media inquiries about any OIG activities to the OIG Office of Counsel.
- n. **Release of OIG Reports and Other Products or Documents.** OIG reports and other products and documents should not be released publicly without prior approval from OIG. Procedures governing specific OIG products are set forth in this section.

(1) **General Restrictions on Release of ROIs**

- (a) ROIs are FOR OFFICIAL USE ONLY. ROIs are part of an OIG system of records that is governed by the *Privacy Act* ([5 U.S.C. § 552a](#)). OIG's current system of records notices are published in the Federal Register ([87 FR 62066](#)). To maintain security and confidentiality of ROIs, distribution is generally limited to those USDA officials who have an official "need to know" the results of investigations.
- (b) ROIs and their contents must neither be discussed or distributed outside USDA agencies or staff offices nor duplicated without prior written approval from OIG. This includes any potential release of an ROI in either disciplinary or program-related administrative proceedings, or civil or criminal litigation.
- (c) Direct all requests for release or duplication of an ROI by USDA agencies or staff offices to the OIG Office of Counsel.
- (d) As a general rule, Mission Areas, agencies, and staff offices should destroy or delete ROIs once appropriate criminal, civil, or administrative action has been taken. The ROIs should be destroyed by shredding the documents or deleting electronic files, as applicable. However, Mission Areas, agencies, and staff offices are authorized to maintain a record copy of the ROI in their files, if needed. Any record copy that is maintained by the Mission Area, agency, or staff office must be destroyed at the end of the relevant retention period for the ROI. See *Request for Records Disposition Authority*, [Job No. N1-016-00-003](#), Items 1b(2), 1c(2), 1d(2), and 1e(2) (Oct. 17, 2001) (cases that resulted in criminal and/or civil prosecutive or administrative action are destroyed after 10 years; cases that did not result in prosecutive or administrative action are destroyed after 5 years).

- (2) **Public and Limited Outside Release of Certain Investigative Reports.** In accordance with Federal law, certain investigative reports and findings may be released publicly or to a limited set of non-USDA entities and individuals, as follows:

- (a) A summary of findings during an investigation of FS firefighter deaths that are caused by wildfire entrapment or burnovers conducted pursuant to [7 U.S.C. §§ 2270b](#) and [2270c](#), is routinely published on OIG's [Freedom of Information Act \(FOIA\) Requests page](#).
 - (b) Pursuant to [5 U.S.C. § 1213](#), the U.S. Office of Special Counsel (OSC) may refer allegations of whistleblower reprisal to the Secretary of Agriculture for investigation. In turn, the Secretary may ask OIG to conduct the investigation and prepare an ROI that sets forth its findings. OSC may post and publicly release a copy of OIG's final ROI along with other information on OSC's [Public Files page](#).
 - (c) In accordance with the *National Defense Authorization Act (NDAA) of 2013*, as amended ([41 U.S.C. § 4712](#)), ROIs relating to the investigation of alleged whistleblower reprisal against employees of a contractor, subcontractor, grantee, subgrantee, or personal services contractor are released to the person who filed the complaint, the contractor or grantee concerned, and the head of the Mission Area, agency, or staff office. As appropriate, reports are redacted in accordance with the *Privacy Act* and the *2013 NDAA*.
 - (d) In accordance with *FOIA*, [5 U.S.C. § 552](#), OIG publicly releases copies of ROIs that have been released under *FOIA* and which OIG determines have become or are likely to become the subject of additional *FOIA* requests. See [5 U.S.C. § 552\(a\)\(3\)\(D\)](#). These reports are published on OIG's [FOIA Requests page](#).
- (3) Routine Release of Audit Reports.
- (a) Draft reports must not be released, shared, or discussed with any individual outside the Department except with the specific advance written authorization of OIG. Circulation within the Department must be limited only to those officials having a "need to know." When preparing a response to a draft report, Mission Areas, agencies, and staff offices must exclude identifiers to individual persons, pursuant to the *Privacy Act*, because such responses are attached to final reports and, thus, made part of the official record, which then are published and distributed publicly.
 - (b) OIG provides all final audit reports to relevant Congressional committees and Members of Congress after issuance to the Secretary and the head of the Mission Area, agency, or staff office. With few exceptions, within 3 days of a final audit report being issued, OIG will release and post the report on OIG's [Reports web page](#). In a limited number of instances (e.g., reports that contain sensitive security information), release of a final audit report may be confined to USDA action Mission Areas, agencies, and staff offices, other USDA Mission Areas, agencies, and staff offices having an official interest, entities receiving USDA funding that were the subject of the audit (e.g., State

agencies), and central guidance agencies such as GAO, OMB, and Congress. In such circumstances, OIG will release and post a summary of the report's findings on OIG's [Reports page](#).

- (4) Release of OIG Recommendations for Corrective Action. In accordance with 5 U.S.C. § 404(e)(1,) whenever OIG issues a recommendation for corrective action to a USDA Mission Area, agency, or staff office, OIG is required to submit the document making the recommendation to the Secretary, congressional committees of jurisdiction, and the individual or entity who requested the recommendation (if not the IG); may submit the document to any Member of Congress upon request; and is required to post the document on OIG's [public website](#) within 3 days of submitting it to the Secretary. However, prior to any such release, OIG will withhold from any such document any information that it is prohibited from release by law.
 - (5) Outside Requests for OIG Reports. Any request that agencies or staff offices receive from the public, outside the Department, or from entities or individuals not included in OIG's original or subsequent distribution(s) for copies of OIG audit or investigative reports, or other OIG products that have not previously been released and published on OIG's [public website](#) must be referred to the OIG Office of Counsel for review pursuant to the *FOIA* or *Privacy Act*.
 - (6) Requests for Authenticated OIG Documents. A request for an authenticated copy of an OIG document must be sent to the OIG Office of Counsel at the address set forth in Appendix D. Such requests will be processed in accordance with [7 CFR § 1.10](#).
 - (7) Release by OGC or USDA Mission Areas, Agencies, and Staff Offices. OGC or a USDA Mission Area, agency, or staff office may determine that an OIG report or other OIG product is needed in order to defend the Department's interests in adversarial proceedings such as litigation, judicial proceedings, or administrative hearings and that the report may need to be released outside the Department in such proceedings or other contexts. In such cases, the OGC attorney or Mission Area, agency, and staff office representative must contact the OIG Office of Counsel to discuss the requested release. The OIG Office of Counsel will timely review the requested report or other OIG product and make a final determination regarding whether the report or other OIG product will be released.
- o. Approval and Oversight of Mission Area, Agency, or Staff Office Audit or Investigative Functions
- (1) A Mission Area, agency, or staff office proposing to establish a unit staffed by auditors or investigators must submit a formal request to the AIG for Investigations or AIG for Audit, as appropriate, seeking advance consultation and agreement prior to the establishment of such a unit.

- (2) If OIG agrees that it is appropriate for a Mission Area, agency, or staff office to establish such a unit and conduct audit or investigative functions with its own personnel (other than as authorized in this DR), the arrangement must be documented by a written agreement signed by OIG and the Mission Area, agency, or staff office. The agreement will explain why the Mission Area, agency, and staff office deems it necessary to perform the functions and define the responsibilities of the Mission Area, agency, and staff office and OIG with respect to these functions. The agreement will include a specific date when it must be renewed by mutual agreement by both parties or it will expire. OIG will retain general compliance oversight responsibility for such Mission Area, agency, and staff office unit functions.

p. Relationship with the FBI

- (1) Liaison. OIG is the USDA liaison with the FBI except that the Director, OHS, is the liaison official on matters which involve the USDA personnel security program. The IG has delegated to the AIG for Investigations the authority to carry out USDA's operational liaison with the FBI.
- (2) Control of Information. OIG receives information from the FBI in the form of investigative reports, letters, memoranda, and other means. The AIG for Investigations is responsible for receipt, handling, and prompt referral of documents to interested USDA agencies. Mission Areas, agencies, and staff offices must establish controls to ensure that FBI documents, or copies or parts thereof, are adequately safeguarded while in agency custody and are destroyed as soon as agency needs are served.
- (3) Use of FBI Information. Reports and other communications received from the FBI, or the contents of these documents, may be disseminated only to USDA employees who need the information in execution of their official duties. Advance written permission must be obtained from OHS (for personnel security program matters) or from OIG (for all other matters) before an FBI document is referenced, copied, reproduced, paraphrased, quoted, portions extracted therefrom, or used as a part of an exhibit to any Department report, file, or other record which may have a distribution broader than that outlined in this subsection. FBI reports cannot be made available to any other individual or entity unless advance written permission is obtained from the FBI by OIG and the release does not violate the *Privacy Act*.

5. ROLES AND RESPONSIBILITIES

- a. The Secretary will provide general supervision to the IG. 5 U.S.C. § 403(a).
- b. The Deputy Secretary will provide general supervision to the IG when delegated to do so by the Secretary. 5 U.S.C. § 403(a).
- c. The Inspector General will:
 - (1) Report to the Secretary and, to the extent such authority has been delegated, the Deputy Secretary, in accordance with chapter 4 of Title 5 of the U.S.C. 5 U.S.C. § 403(a); and
 - (2) Exercise, oversee, and manage all authorities, duties, and responsibilities under chapter 4 of Title 5 of the U.S.C., and other relevant Federal authorities (see [Appendix B](#)).
- d. The Assistant Inspector General (AIG) for Investigations will:
 - (1) Supervise all investigative activities of OIG. [5 U.S.C. § 403\(d\)\(2\); and](#)
 - (2) Coordinate USDA's operational liaison activities with the FBI.
 - (3) As appropriate, coordinate with OGC regarding DOJ initiating litigation matters on behalf of USDA, pursuant to OIG cases. In general, absent factors that would indicate an alternate timing or manner of coordination with OGC, such coordination will be accomplished via an email notification from OIG Investigations to the relevant OGC Regional Attorney, with a copy to the career Deputy General Counsel, no later than upon DOJ acceptance of such matter for prosecution.
- e. The AIG for Audit will supervise all audit activities of OIG. [5 U.S.C. § 403\(d\)\(1\)](#).
- f. The Counsel to the Inspector General will:
 - (1) Provide independent legal counsel to the IG. [5 U.S.C. § 403\(g\)](#);
 - (2) Serve as OIG's liaison with USDA's OGC;
 - (3) Manage OIG's congressional, media, *FOIA*, and ethics programs; and
 - (4) Coordinate the review and processing of all requests for OIG records and information, including requests submitted pursuant to the *FOIA* (5 U.S.C. § 552) or *Privacy Act* (5 U.S.C. § 552a).
- g. Mission Area, Agency, and Staff Office Heads will:

- (1) Render all possible assistance during audits, investigations, and other activities by providing records and information that are available to USDA which relate to the programs and operations with respect to which the Inspector General has responsibilities under 5 U.S.C. § 406(a)(1)(A), and explaining controls, systems, and practices relating to matters under review.
- (2) Appoint an Agency Liaison Officer (ALO). Mission Areas, agencies, and staff offices may appoint one ALO or may choose to appoint separate individuals for audits, investigations, reviews, and other activities. Keep the relevant AIG informed in writing of the name and title of the person(s) designated, including any changes in the designation.
- (3) If requested by OIG, assign technical advisors to assist OIG staff.
- (4) Report matters to OIG and other appropriate authorities in accordance with Sections 4e and g.
- (5) Instruct Mission Area, agency, and staff office personnel that they must report expeditiously to OIG or other appropriate officials all known or suspected violations of law or regulations in accordance with Section 4.
- (6) Upon receipt of notice that an OIG investigation has been initiated, only notify employees who have a “need to know” about the investigation (unless they are subjects of an investigation or are the subjects of a complaint or allegation of wrongdoing).
- (7) Not acknowledge to outside parties or other USDA officials or employees who do not have an official “need to know” that an OIG investigation is being conducted or provide any other information without prior approval from OIG.
- (8) Refer all media inquiries relating to OIG activities as well as other requests for OIG documents and information, to OIG’s Office of Counsel.
- (9) Establish controls to ensure that FBI documents, or copies or parts thereof, that the Mission Area, agency, or staff office receives from OIG or USDA’s Office of Homeland Security (OHS) are adequately safeguarded while in Mission Area, agency, or staff office custody and are destroyed as soon as Mission Area, agency, or staff office needs are served.
- (10) Contact OIG prior to taking administrative or enforcement actions concerning matters under investigation by OIG, and coordinate as necessary.
- (11) Prior to establishing a unit staffed by auditors or investigators, seek advance consultation and agreement from the appropriate AIG.

- h. The Director, OHS will serve as USDA’s liaison with the FBI on matters which involve the USDA personnel security program.
- i. The ALO will:
 - (1) Be the initial and primary contact between OIG and the Mission Area, agency, and staff office to coordinate audit, investigative, and review matters within the Mission Area, agency, and staff office and to handle GAO reports and related correspondence; and
 - (2) Keep OIG informed of significant changes within the Mission Area, agency, and staff office that affect OIG planning (e.g., changes in organization, legislation, program emphasis, and funding).
- j. Employees, Contractors, and Others Working For or On Behalf of USDA will:
 - (1) Render all possible assistance during audits, investigations, and other activities by providing records and explaining controls, systems, and practices relating to matters under review; and
 - (2) Report matters to OIG and other appropriate authorities in accordance with Sections 4e and g.
- k. Records and Information Control will:
 - (1) Not acknowledge to outside parties or other USDA officials or employees who do not have an official “need to know” that an OIG investigation is being conducted or provide any other information without prior approval from OIG;
 - (2) Refer all media inquiries relating to OIG activities as well as other requests for OIG documents and information, to OIG’s Office of Counsel; and
 - (3) Contact OIG prior to taking administrative or enforcement actions concerning matters under investigation by OIG, and coordinate as necessary.

6. INQUIRIES

All USDA Mission Areas, agencies, and staff offices should direct questions and inquiries regarding this DR to the OIG Office of Counsel at (202) 720-9110. Additional contact information for individual OIG components can be found on the [contact page](#) of the OIG’s public website, as well as in Appendix D.

-END-

APPENDIX A

ACRONYMS AND ABBREVIATIONS

AIG	Assistant Inspector General
ALO	Agency Liaison Officer
CFR	Code of Federal Regulations
DOJ	Department of Justice
DR	Departmental Regulation
FBI	Federal Bureau of Investigation
FOIA	Freedom of Information Act
FS	Forest Service
GAO	Government Accountability Office
IG	Inspector General
NDAA	National Defense Authorization Act
OAI	Office of Analytics and Innovation
OGC	Office of the General Counsel
OHS	Office of Homeland Security
OIG	Office of Inspector General
OMB	Office of Management and Budget
OSC	U.S. Office of Special Counsel
OSSP	Office of Safety, Security and Protection
SAC	Special Agent-in-Charge
ROI	Report of Investigation
TDD	Telecommunication Device for the Deaf
U.S.C.	United States Code
USDA	United States Department of Agriculture
WBP	Whistleblower Program

APPENDIX B

AUTHORITIES AND REFERENCES

The following is a non-exhaustive list of existing Federal laws and regulations that set forth the IG's authorities and responsibilities.

Availability of Information to the Public, [7 CFR 2620](#)

Chief Financial Officers Act of 1990, [31 U.S.C. §§ 3521, 9105](#)

Delegations of Authority to the Inspector General, [7 CFR § 2.33](#)

Disclosures of violations of law, gross mismanagement, and certain other matters, [5 U.S.C. § 1213\(c\)](#)

Enhancement of contractor protection from reprisal for disclosure of certain information, [41 U.S.C. § 4712](#)

Federal Financial Management Improvement Act of 1996, [31 U.S.C. § 3512 note](#)

Federal Information Security Modernization Act of 2014, [44 U.S.C. §§ 3551-3557](#)

Forfeiture and Denial of Property Rights, [7 CFR § 271.5\(e\)](#)

Forfeiture of property involved in illegal benefits trafficking, [7 U.S.C. § 2024\(e\), \(f\)](#)

Government Management Reform Act of 1994, [31 U.S.C. §§ 3515, 3521](#)

IG Investigation of FS Firefighter Deaths, [7 U.S.C. §§ 2270b, 2270c](#)

Improper Payments Information Act of 2002, as amended by the Improper Payment Elimination and Recovery Improvement Act of 2012, [31 U.S.C. § 3321 note](#)

Inspectors General, [5 U.S.C. §§ 401-424](#)

Law Enforcement Authorities, [7 CFR pt. 1a](#)

Organization, Functions, and Delegations of Authority, [7 CFR 2610](#)

Privacy Act of 1974; Systems of Records, [87 FR 62066](#)

Program Fraud Civil Remedies Act of 1986, [31 U.S.C. §§ 3801-3812](#)

Reports Consolidation Act of 2000, [31 U.S.C. § 3516](#)

Research Institutions Conducting USDA-Funded Extramural Research; Research Misconducts, [2 CFR pt. 422](#)

Section 1(12) of the Federal Managers Financial Integrity Act of 1982, [31 U.S.C. § 3512\(c\)-\(d\)](#)

Section 3 of the Improper Payment Elimination and Recovery Act of 2010, [31 U.S.C. § 3321 note](#)

Section 1337 of the Agriculture Food Act of 1981, [7 U.S.C. § 2270](#), as amended.

Single Audit Act of 1984, [31 U.S.C. §§ 7501-7506](#)

USDA, Audit Follow-up and Management Decision, [DR 1720-001](#)

APPENDIX C

OIG ORGANIZATIONAL CHART

(as of March 2022)

- Inspector General
 - Counsel to the Inspector General; reports to the Inspector General
 - Deputy Counsel to the Inspector General; two positions, both report to the Counsel to the Inspector General

- Deputy Inspector General; reports to the Inspector General
 - Director, Office of Equal Opportunity, Diversity, and Inclusion; reports to the Deputy Inspector General

 - Director, Office of Compliance and Integrity; reports to the Deputy Inspector General

 - Assistant Inspector General for Audit; reports to the Deputy Inspector General
 - Deputy Assistant Inspector General for Audit; two positions, both report to Assistant Inspector General for Audit. The first Deputy Assistant Inspector General for Audit manages two regional offices and 3 work units. The second Deputy Assistant Inspector General for Audit manages one regional office and three work units.

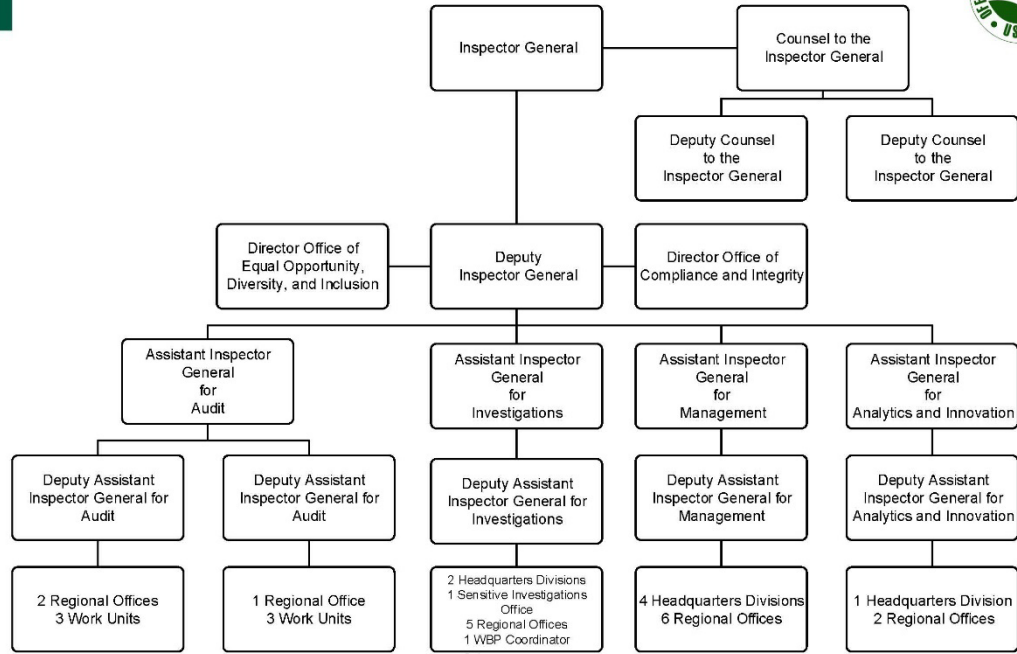
 - Assistant Inspector General for Investigations; reports to the Deputy Inspector General
 - Deputy Assistant Inspector General for Investigations; reports to the Assistant Inspector General for Investigations. Manages two headquarters divisions, one sensitive investigations office, five regional offices, and one Whistleblower Protection (WBP) coordinator.

 - Assistant Inspector General for Management
 - Deputy Assistant Inspector General for Management; reports to the Assistant Inspector General for Management. Manages four headquarters divisions and six regional offices.

 - Assistant Inspector General for Analytics and Innovation
 - Deputy Assistant Inspector General for Analytics and Innovation; reports to the Assistant Inspector General for Analytics and Innovation. Manages one headquarters division and two regional offices.



APPENDIX C OIG ORGANIZATIONAL CHART (MARCH 2022)



C-1

APPENDIX D

OIG GENERAL CONTACTS

A. Reporting Suspected Wrongdoing in USDA Programs.

Bribery/Assault Line: (202) 720-7257 (24 hours a day)

Fraud, Waste, and Abuse Hotline:

1. File complaint online via [OIG's Hotline page](#).
2. Telephone:
 - a. (800) 424-9121
 - b. (202) 690-1622
 - c. (202) 690-1202 (TDD)
3. Fax: 202-690-2474
4. Write: United States Department of Agriculture
Office of Inspector General
P.O. Box 23399
Washington, D.C. 20026-3399

Whistleblower Coordinator: USDA employees may contact the Coordinator via email at OIGombudsman@oig.usda.gov. Additional information about the Coordinator is available on OIG's [Whistleblower Protection Coordinator page](#).

B. Audit Contacts.

1. Office of the Assistant Inspector General for Audit, and Headquarters Elements and Divisions

USDA Office of Inspector General
Office of Audit
1400 Independence Avenue SW
USDA Stop 2311
Washington, D.C. 20250
Telephone: (202) 720-6945
Facsimile: (866) 432-0535

2. Audit Regions

Region & Area Covered	Address/Telephone
<p>Eastern Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virgin Islands, Virginia, West Virginia, and Wisconsin</p>	<p>5601 Sunnyside Avenue Suite 2-2230 (Mail Stop 5300) Beltsville, MD 20705-5300 Fax Number: (866) 432-0535</p>
<p>Midwestern Colorado, Iowa, Kansas, Missouri, Montana, Minnesota, Nebraska, North Dakota, South Dakota, Utah, and Wyoming</p>	<p>8930 Ward Parkway Suite 3016 Kansas City, MO 64114 Fax Number: (866) 432-0535</p>
<p>Western Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Territory of Guam, Trust Territories of Pacific, and Washington</p>	<p>1333 Broadway Suite 400 Oakland, CA 94612 Fax Number: (866) 432-0535</p>

C. Investigations Contacts.

1. Office of the Assistant Inspector General for Investigations, and Headquarters Elements and Divisions

Office/Division Name	Address/Telephone
<p>Immediate Office of the AIG for Investigations Investigations Liaison and Special Operations Division Sensitive Investigations Office</p>	<p>1400 Independence Ave., SW Room 148-W Washington, D.C. 20250 Main Number: (202) 720-3306 Fax Number: (202) 690-3935</p>
<p>Technical Crimes Division</p>	<p>8930 Ward Parkway, Suite 3016 Kansas City, MO 64114 Main Number: (816) 926-6077 Fax Number: (816) 926-7596</p>

2. Investigations Regions

Region & Area Covered	Address/Telephone
Midwest Illinois (northern and central judicial districts), Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin	111 N. Canal Street Suite 325 Chicago, IL 60606-7296 Main Number: (312) 353-1358 Fax Number: (312) 353-8963
Northeast Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia	26 Federal Plaza Room 1409 New York, NY 10278-0004 Main Number: (212) 264-8400 Fax Number: (212) 264-8416
Southeast Alabama, Florida, Georgia, Illinois (southern judicial district), Kentucky, North Carolina, Puerto Rico, South Carolina, Tennessee, and the Virgin Islands	401 W. Peachtree Street NW Room 2329 Atlanta, GA 30308 Main Number: (404) 730-3170 Fax Number: (404) 730-3181
Southwest Arkansas, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, and Texas	101 South Main Room 311 Temple, TX 76501 Main Number: (254) 743-6535 Fax Number: (254) 298-1358
Western Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Territory of Guam, Trust Territories of the Pacific, Utah, Washington, and Wyoming	1333 Broadway Suite 400 Oakland, CA 94612 Main Number: (510) 208-6860 Fax Number: (510) 208-3751

D. OAI Contacts.

USDA Office of Inspector General
 Office of Analytics and Innovation
 1400 Independence Avenue SW
 Room 44-E
 Washington, D.C. 20250
 Telephone: (202) 720-5168

E. Office of Counsel Contacts.

General Contacts:

USDA Office of Inspector General
Office of Counsel
1400 Independence Avenue SW
STOP 2308
Washington, D.C. 20250-2308
Telephone: (202) 720-9110
Facsimile: (202) 690-1528

FOIA Requests:

USDA, Office of Inspector General
Office of Counsel
1400 Independence Avenue SW
STOP 2308
Washington, D.C. 20250-2308
Email: FOIASTAFF@oig.usda.gov
Facsimile: (202) 690-6305

F. Office of Compliance and Integrity Contacts.

USDA Office of Inspector General
Office of Compliance and Integrity
1400 Independence Avenue SW
STOP 2302
Washington, D.C. 20250-2302
Email: OCI@oig.usda.gov
Facsimile: (202) 260-8993