



December 13, 2006

Inspector General

Kirt West

Edwin J. Feulner, Ph.D.
Director
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999

Dear Dr. Feulner:

Thank you for taking the time to review and provide comments on the draft Strategic Plan of the Legal Services Corporation (LSC) Office of Inspector General (OIG). It is important that the OIG hear from all stakeholders and I want you to know that we have given your comments considerable thought. Your letter mentions certain general areas in which the OIG's work could result in improvements in LSC's administration of the federal legal services program and in greater accountability for the use of federal dollars. I would welcome a continuing dialogue on these matters with you and the Heritage Foundation.

In addition to our Strategic Plan, you may find interesting the OIG's comments on the LSC Strategic Directions and I am enclosing a copy. The LSC Board reviewed OIG's comments at its January 28, 2006, meeting and incorporated some of our suggestions. In addition, we have incorporated some of our concerns in the Major Management Challenges section of our Strategic Plan to address some of the challenges that LSC is facing.

I would like to briefly discuss a couple of the other concerns raised in your letter, including your concern that the OIG is ceding its authority for oversight to LSC itself. I disagree. The Inspector General Act of 1978, 5 U.S.C. app. 3, placed Inspectors General in most federal agencies as an independent unit to conduct audits and investigations; to recommend policies to promote economy and efficiency or to prevent and detect fraud and abuse; and to keep the agency head and the Congress informed about problems in and corrective actions taken by the agency. Congress, however, also directed that Inspectors General have no program operating responsibilities. Thus, while the LSC OIG has the authority to audit, investigate, and report, and to make recommendations for improvement, it does not have the authority to implement OIG findings and recommendations. Rather, that is the responsibility of LSC management, the LSC Board, and ultimately the Congress, should it be dissatisfied with LSC's response to OIG reports and recommendations.

In developing the OIG Strategic Plan, we attempted to implement the principles of the IG Act. We also relied on the advice of the Deputy Director for Management of the Office of Management and Budget who is the Chairman of the President's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency, the councils that oversee the Federal Inspectors General. I am enclosing a copy of that Memorandum, dated July 20, 2006, entitled Agency and OIG Working Relationships. The memorandum sets forth certain principles to guide an effective, cooperative working relationship between the OIGs and their respective agencies. I believe these principles set out a constructive framework for the OIG/agency working relationship and, as applied to LSC, suggest that the OIG should contribute to LSC's success and provide LSC and the Congress with objective assessments of opportunities to be more successful. Further, although there may be disagreements between the OIG and the LSC Board/management about the extent of a problem and the need for corrective action, these disagreements should not lead to an unproductive relationship. Rather, the OIG and the LSC Board/management are guided to interact with "professionalism and mutual respect," and to "recognize and respect the mission and priorities of the Agency and the OIG."

In sum, I believe the draft OIG Strategic Plan represents an appropriate exercise of OIG authority, while also appropriately recognizing the respective roles of the OIG and the LSC Board/management.

Again, thank you for your thoughtful comments. I look forward to continuing our dialogue.

Sincerely,



Kirt West
Inspector General

Enclosures