

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

Policies and Procedures Manual

PART	I	Operations
SECTION	OIG-110	General Management Policies and Procedures
CHAPTER	110.2	Handling Congressional and Chairman's Office Inquiries

1. Purpose. To establish OIG policy, procedures, and responsibilities for handling inquiries from Members of the Congress, members of their staffs, congressional committees, and the FDIC Chairman related to the work of the Office of Inspector General (OIG).

2. Scope. The provisions of this chapter apply to all OIG staff. Policies and procedures for dealing with the Freedom of Information Act (FOIA) matters are covered in other chapters of the *OIG Policies and Procedures Manual*.

3. Policy. The OIG places a high priority on maintaining positive relationships with Members of the Congress and the Office of the Chairman (Chairman's Office). To that end, the OIG will ensure that communications with Members of the Congress, their staffs, congressional committees, and the Chairman's Office are timely, complete, of high quality, and consistent with other OIG communications. Also, the OIG will initiate communications with the Congress and the Chairman to keep them fully and currently informed of OIG work, in accordance with the Inspector General Act. Chapter 110.7 of the *OIG Policies and Procedures Manual* provides the policy for releasing reports and information to the Congress.

4. Responsibilities
 - a. Assistant Inspector General for Management and Congressional Relations. The Office of Management and Congressional Relations (OMCR) was established, in part, to act as a liaison and control point for congressional correspondence between the Congress, Chairman's Office, and OIG, when the inquiries are related to the OIG's work. The Assistant Inspector General (AIG) and the Director of the Policy and Congressional Relations Branch are responsible for ensuring the quality, timeliness, and consistency of these communications. The specific responsibilities are as follows.
 - (1) Monitoring and reporting on the status of congressional and Chairman's office correspondence.

(2) Providing copies of final OIG congressional correspondence to FDIC's Office of Legislative Affairs (OLA), where appropriate, and coordinating congressional-related matters with OLA, as necessary.

(3) Coordinating matters prompted by Chairman's Office inquiries with staff of that office, as appropriate.

(4) Maintaining an appropriate tracking and filing system for all formal congressional and Chairman's Office inquiries, correspondence, and testimony.

(5) Coordinating all meetings with Members of the Congress and their staffs.

(6) Producing monthly reports to the Inspector General on the status of all congressional and Chairman's Office inquiries and correspondence.

(7) Notifying designated congressional staff of recently issued OIG reports to keep them apprised of the results of OIG reviews.

b. Other OIG Office Heads. OIG office heads (AIGs, Counsel) are responsible for developing timely OIG responses to inquiries from Members of the Congress, congressional staff, or the Chairman's Office. All inquiries received by OIG staff should be referred to an OIG office head.

c. OIG Employees. Any OIG employee who receives an inquiry from a member of the Congress, congressional staff, or the Chairman's Office should document the caller's name, telephone number, position, and the nature of the request before referring the inquiry to the appropriate OIG office head. Employees receiving an inquiry on either completed or on-going work should verbally notify the appropriate OIG office head within 24 hours of its occurrence. The documented inquiry should be retained in the appropriate working paper or administrative file, and a copy should be forwarded to the Director of the Policy and Congressional Relations Branch, so that it can be included in OMCR's Congressional and Chairman's Office tracking system.

d. Counsel to the Inspector General. The Counsel to the Inspector General is responsible for providing legal advice to OIG executives and employees regarding the handling of inquiries. The Counsel also reviews and approves (1) responses to inquiries involving the release of documents and (2) congressional testimony before it is presented.

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5. Procedures for Handling Informal Inquiries. Informal inquiries generally involve requests for information regarding OIG activities, such as the status of an audit or evaluation, or requests for a copy of an issued audit or evaluation report. Such inquiries are usually received and handled by telephone.

a. Published Audit or Evaluation Report. OIG executives with specific knowledge of the issue can respond to status inquiries from a member of the Congress, congressional staff, or the Chairman's Office on a published audit or evaluation report. They may also forward copies of reports to them as they are publicly released (see *OIG Manual* Chapter 110.7).

b. On-Going Audit, Evaluation, and Other (non-investigative) OIG Work. Any OIG employee who receives an informal request for information related to an on-going audit, evaluation, or other OIG project (e.g. quality assurance review, legal analysis) can acknowledge that the work is in process, but should refer the request for information to the appropriate OIG office head. The OIG office head should consult with the Counsel to the Inspector General before handling the inquiry, or may request a direct response be provided to the requestor by Counsel.

c. Completed Investigations. Comments regarding a completed investigation are generally considered inappropriate. In many instances, it is not even appropriate to acknowledge that an investigation has been undertaken. The AIG for Investigations may comment on a completed investigation, as it relates to a matter of public record (e.g. indictment, trial, conviction, or sentencing). For the most part, OIG investigation reports are designed to "speak for themselves" and preclude further comment from being necessary.

d. On-Going Investigation. Any OIG employee receiving an informal request for information related to an on-going investigation or preliminary inquiry should "neither confirm nor deny" that such an investigation is in process. The employee should report the inquiry immediately to the AIG for Investigations. The AIG should consult with the Counsel to the Inspector General before handling the inquiry, or may request a direct response be provided to the requestor by Counsel.

6. Procedures for Handling Formal Inquiries. Formal inquiries include requests for: OIG documents; the OIG to audit, evaluate, or investigate a matter; or the OIG to provide information or data that requires research and coordination among OIG offices. Requests involving sensitive, or potentially controversial information, or requests for an opinion or speculation, should also be handled as formal inquiries. Such requests are usually received in writing and require a written OIG response.

a. Receiving Formal Inquiries

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(1) Upon receipt of any congressional or Chairman's Office correspondence that constitutes a formal inquiry, OIG offices should forward a copy of the correspondence to the Director of the Policy and Congressional Relations Branch, so that it can be included in OMCR's Congressional and Chairman's Office tracking system. This includes correspondence referred to the OIG by OLA.

(2) The OIG office head receiving or assigned the inquiry (the responsible office head) will coordinate with other OIG offices and the FDIC, as necessary, to respond to the request. If, upon further review of the inquiry, the responsible office head determines that the assignment should be directed to another OIG office, the record of the inquiry should be forwarded to that office. The Director of the Policy and Congressional Relations Branch should be informed of such reassignments.

(3) If the requestor has asked for documents that were produced by organizations other than the OIG (e.g., a document produced by the Division of Supervision), the requestor should be directed to that office for satisfaction of the request. It is generally more appropriate for the originating office to release its documents to a requestor.

b. Responding to Formal Inquiries. The responsible OIG office will prepare the response to a congressional or Chairman's Office inquiry to be signed by either the Inspector General, Deputy Inspector General, appropriate AIG, or the Counsel.

(1) Generally the OIG will acknowledge receipt of or respond to a congressional or Chairman's Office formal inquiry within 10 business days. The responsible OIG office should inform the Director of the Policy and Congressional Relations Branch if it plans to acknowledge receipt of or respond to the inquiry as soon as possible. The Director will normally prepare and sign acknowledgement letters. The Inspector General, Deputy Inspector General, or their designee will sign inquiry responses. All responses should be reviewed by the Counsel to the Inspector General before signing and transmitting to the requestor. The Counsel's review ensures that material included has been appropriately redacted, or privilege claimed, as appropriate.

(2) When the response is issued to the requestor, a copy of the response, along with the inventory or any documents that were released, should be provided to the Director of Policy and Congressional Relations Branch as soon as possible.

c. Congressional Testimony. Occasionally, an OIG official is requested to provide oral or written testimony (testimony) before a congressional committee or subcommittee. A copy of the

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request to present testimony should be provided to the Director of the Policy and Congressional Relations Branch immediately upon receipt. The presenter should prepare the testimony in coordination with the Counsel to the Inspector General. Copies of the testimony should be maintained in the OMCR filing system.

7. Summaries of Recently Issued Reports Provided to Congressional Staff. The Director of the Policy and Congressional Relations Branch will periodically notify designated congressional staff, including both majority and minority staff, with summaries of recently issued OIG reports to keep them apprised of the results of OIG reviews. As deemed appropriate, OMCR will provide copies of the summaries to the Counsel to the Inspector General for review and redacting as necessary to protect confidential information. Copies of complete reports may be provided to congressional committees in accordance with *OIG Manual* Chapter 110.7, Release of OIG Reports to Public and the Congress.

8. Monthly Report on Congressional and Chairman Correspondence. OMCR will prepare a monthly report showing all congressional and Chairman's Office correspondence received by the OIG during that month and open items remaining from previous months. The report, which includes pertinent information relating to each item of congressional and Chairman's Office correspondence, will be distributed to the Inspector General, Deputy Inspector General, and other OIG office heads, generally as a part of OMCR's monthly activities report. These recipients are responsible for ensuring that the report information is correct, including expected completion dates, and reporting any necessary corrections or updates to the Director of the Policy and Congressional Relations Branch.

9. OIG Point of Contact. Questions regarding this chapter should be directed to the AIG for Management and Congressional Relations.