



Prepared Remarks of
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***“1978 – 2018: 40 Years of IGs Helping Congress
Fight Waste and Protect the Taxpayer”***

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Thank you for the introduction and the invitation to participate today.

In 1982, I joined the staff of the Senate Permanent Subcommittee on Investigations. Oversight has been my life ever since, including nearly 15 years working for Senators Nunn and Levin and a shorter stint with Chairman John Dingell, one of the founders of modern congressional oversight, as his Chief Oversight Counsel.

The importance of Congressional oversight cannot be overstated. In 1900, Woodrow Wilson wrote that “it is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees...the informing function of Congress should be preferred even to its legislative function.”¹ One wonders if he came to regret those words once he became president thirteen years later.

For Congress to conduct effective oversight, it must have expertise into the matters it is looking at. As the Supreme Court wrote in 1927, “a legislative body cannot legislate wisely or effectively in the absence of information...and where the legislative body does not itself possess the requisite information – which not infrequently is true – recourse must be had to others who do possess it.”²

¹ James Hamilton, *The Power to Probe*, 1st ed. (New York: Random House, 1976), pp. 127.

² *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927).

Traditionally, Congress has turned to committee staff and their support agencies for expertise, as James Hamilton, assistant chief counsel during the Watergate hearings, noted in his 1976 study of Congressional investigations.³

But much has changed in the past four decades that affects that ability. According to the Brookings Institution, the number of committee staff in the House has declined from 2,000 to 1,100, and from 1,400 to 950 in the Senate since 1979.⁴ Personal office staff was reduced by nearly 7% over the same time period.⁵ This, at a time when each House member represents roughly 200,000 more constituents, and the average Senator 1.6 million more than they did three decades ago.⁶

Congressional support agencies which might have filled the expertise gap suffered similar cuts. Since 1979, the number of Government Accountability Office staff dropped from 5,300 to 3,000; the staff of the Congressional Research Service was reduced by 28% to just over 600;⁷ and the Office of Technology Assessment, with its staff of 145, was completely abolished in 1995.⁸

While Congress' internal expertise declined, the number of think tanks and lobbyists in Washington exploded. University of Pennsylvania research found that the number of think tanks in the United States has more than doubled since 1980.⁹ Although Washington D.C. is home to less

³ James Hamilton, *The Power to Probe*, pp. 57.

⁴ "Vital Statistics on Congress," Brookings Institution, accessed June 7, 2018, <https://www.brookings.edu/multi-chapter-report/vital-statistics-on-congress>.

⁵ "Vital Statistics on Congress," Brookings Institution.

⁶ Curtlyn Kramer, "Vital Stats: Congress Has a Staffing Problem, Too," *FixGov* (blog), Brookings Institution, May 24, 2017, <https://www.brookings.edu/blog/fixgov/2017/05/24/vital-stats-congress-has-a-staffing-problem-too>.

⁷ "Vital Statistics on Congress," Brookings Institution.

⁸ "Vital Statistics on Congress," Brookings Institution.

⁹ James G. McGann, *2008 Global Go To Think Tanks Index Report*, University of Pennsylvania, accessed June 7, 2018, https://repository.upenn.edu/think_tanks/index.html#year_2008.

than one-half of one percent of the nation's population, it houses 21% of our 1,900 think tanks.¹⁰

Many think tanks do great work but, as a 2014 *New York Times* investigation found, some may be beholden to foreign government donors.¹¹ Additionally, as National Public Radio reported last year, think tanks are also increasingly relying upon corporations for donations in a cutthroat fundraising environment.¹² Think tanks have a lot of expertise, but can Congress count on them for independence and absolute objectivity?

But then, of course, there are the lobbyists. As the number of Congressional staff has decreased, the number of lobbyists has, unsurprisingly, increased. There are now roughly 12,000 Congressional staffers and 11,500 registered lobbyists.¹³ They may have useful information for Congress, but by definition, lobbyists are partial to whomever is paying them and whatever cause they're advancing.

So where can Congress turn to for independent oversight and expertise?

I would argue it is the Inspector General community. IGs and their staff are legislatively charged with identifying waste, fraud, and abuse; investigating those who steal from the U.S. government; and recommending ways to improve government efficiency. And since 1978,

¹⁰ James G. McGann, *2017 Global Go To Think Tanks Index Report*, University of Pennsylvania, accessed June 7, 2018, https://repository.upenn.edu/think_tanks/index.html#year_2017.

¹¹ Eric Lipton, Brooke Williams, and Nicholas Confessore, "Foreign Powers Buy Influence at Think Tanks," *New York Times*, September 6, 2014, <https://www.nytimes.com/2014/09/07/us/politics/foreign-powers-buy-influence-at-think-tanks.html>.

¹² Peter Overby, "Who Controls Think Tanks? Shift in Funding Highlights Changes in the Industry," *National Public Radio*, September 20, 2017, <https://www.npr.org/2017/09/20/551364067/who-controls-think-tanks-shift-in-funding-highlights-changes-in-the-industry>.

¹³ "Lobbying Database," Center for Responsive Politics, accessed June 7, 2018, <https://www.opensecrets.org/lobby>.

the number of federal IG Offices has grown to 72, with a combined workforce of over 14,000.

Take for example my little agency, the SIGAR, which has issued over 300 audits and reports and identified over \$2 billion in savings and returns to the taxpayer. Much of our work has come at the direction of Congress, including a request from 93 Members of Congress to investigate whether the Defense and State Departments were complying with human rights laws in Afghanistan, commonly referred to as the Leahy Amendment, and an appropriations directive to evaluate the anti-corruption efforts of the Afghan government which we released last week.

The IG Act charges each of us with keeping Congress “informed about problems and deficiencies related to the administration of...programs and operations and the necessity for and progress of corrective action.”¹⁴ If that’s not oversight, I don’t know what is. The Act also provides IGs with the independence necessary to publicly share unvarnished findings with limited threat of retribution. In essence, good IGs should be “change agents” to improve government operations.

But, as I wrote in a recent op/ed published in *The Hill*, now 40 years after the 1978 Act created independent IGs, I believe IG offices need to reflect and think about how they can do their job better. For example, do they need to partner more often with other IGs to examine matters that aren’t within a single agency’s purview? The major challenges of today – whether it be Afghan reconstruction or addressing the opioid crisis – require whole of government approaches, and IG offices need to adjust accordingly.

And unlike Congressional staff whose job security is tied to election outcomes, IG offices have the longevity to embark upon lessons learned activities to go beyond an audit to examine the big issues. At the urging of Gen. John Allen and Ambassador Crocker, SIGAR established just such a

¹⁴ The Inspector General Act of 1978, Pub. L. No. 95-452, 5 U.S.C. App, (1978).

lessons learned program and will issue our fifth report tomorrow. I'm pleased to say that Congress and the Administration has acted to implement many recommendations from those reports since we risk the future if we ignore lessons from the past.

In closing, while the IG community can support Congress – Congress also has an important role in supporting IGs. No one in the executive branch has ever been heard to say, "Oh great, the IG is here." Protection by Congress (and sometimes from Congress) allows us to do our work with the objectivity that Congress and the American people expect and demand.

Thank you.