



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

August 14, 2026

Memorandum For: All Office of Inspector General Staff

From: Don R. Berthiaume
Inspector General

Subject: Principles of Effective Oversight of the Department of Justice

I am issuing the attached *Principles of Effective Oversight of the Department of Justice* to promote transparency and understanding regarding how the OIG carries out its statutory oversight responsibilities. These principles articulate the framework the OIG uses to make oversight decisions, manage its oversight, and report oversight results to the Department, Congress, and the public to fulfill its mission. The principles describe how the OIG exercises its statutory authorities while remaining focused on effective, impactful, and durable oversight of the Department of Justice consistent with law and respectful of the distinct roles and responsibilities of the Department and its components.

The principles do not announce new policy, expand the OIG's statutory limitations, or alter existing legal standards. Rather, they provide guidance that can be used by OIG staff at all levels of the organization in applying long-standing best practices, professional norms, and statutory requirements that already govern the OIG's work. They are also a resource to explain to stakeholders, including the Department, its components and personnel, Congress, and the public how the OIG approaches oversight and what considerations guide OIG decision-making.

Preface: These *Principles of Effective Oversight of the Department of Justice* set forth the practices that guide the exercise of the Department of Justice (Department or DOJ), Office of the Inspector General's (OIG) oversight authority. These principles are grounded in the Inspector General Act of 1978, as amended (5 U.S.C. Ch. 4) (the Act), which established the independent offices of Inspectors General to promote economy, efficiency, and effectiveness in the administration of federal programs and operations, and to prevent and detect fraud, waste, abuse, and misconduct. Taken together, these principles establish the framework for effective, impactful, and durable oversight of the Department.

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Oversight requires careful exercise of professional judgment. Decisions on how the OIG selects matters, scopes work, assesses evidence, presents timely findings, and makes recommendations are consequential to the Department, its employees, Congress, whistleblowers, program beneficiaries, crime victims, the public, and the government. The proper exercise of the OIG's statutory responsibilities supports the Department's law-enforcement and administrative functions by enhancing the economy, efficiency, and effectiveness of Department programs and increasing accountability in their execution.

These principles are intended to articulate the OIG's decision-making processes, the way it conducts oversight matters, and how it develops and issues recommendations. They are intentionally framed in general terms to provide guidance rather than to mandate outcomes. Their purpose is to promote regularity, consistency, and accountability while maintaining the OIG's ability to pursue opportunities that enhance our operations and the impact of our oversight. The principles seek to prevent unwarranted disparity while preserving the flexibility necessary to address the wide range of factual, legal, and institutional circumstances presented by matters involving the Department, its components, and personnel.

The principles also provide a common framework to understand OIG operations, support the training and development of OIG personnel, enhance coordination with Department components and external oversight partners, and contribute to the effective allocation of limited oversight resources in alignment with the Department's highest-risk and highest-impact activities. These principles endorse our vigorous oversight of complex, challenging, and controversial matters when necessitated by law, jurisdiction, risk, and evidence. The OIG will continue to conduct its oversight without regard to political, reputational, or institutional consequences.

Ultimately, the effectiveness of the Inspector General function depends not only on statutory authorities and written principles, but also on the character, integrity, independence, and professional judgment of those entrusted with oversight responsibilities.

Principle 1: Independence and Objectivity

The Inspector General Act created "independent and objective units" within agencies and tasked OIGs with promoting economy, efficiency, and effectiveness; preventing and detecting fraud and abuse; and keeping agency leadership and Congress fully and currently informed about problems and corrective actions. The Act defines and protects the OIG's independence, which in turn facilitates OIG's objectivity. The Act authorizes independent oversight of DOJ programs and operations and provides for OIG leadership in recommending policies or activities that promote efficiency and effectiveness and detect and prevent fraud and abuse. The Act also delineates that the OIG's mission does not encroach on the Department's programmatic authority to formulate policy and exercise judgment about its own priorities and allocation of resources. The OIG's role is to examine how the Department carries out its responsibilities, not to determine what policies the Department should pursue, to serve as an alternative mechanism for resolving political or policy disputes, or to assume management responsibilities for DOJ programs. Maintaining this boundary is essential to the legitimacy and durability of Inspector General oversight.

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Objectivity requires that OIG decisions and conclusions be grounded in evidence and governing standards and reported neutrally. The OIG does not act as an advocate for the Department, its components, complainants, or any other party. Findings and conclusions are derived from impartial evaluation of the evidentiary record and reported without favor or animus, consistent with the OIG's statutory responsibilities.

In maintaining our independence from the Department's management of its programs, the OIG must ensure that it does not exceed its statutory authority or substitute its judgment for that of Department officials on matters committed to their discretion. Oversight should be moored to whether conduct or performance complies with standards established by law, rule, regulation, or existing policies or promotes economy, efficiency, and effectiveness in the administration of Department programs and operations.

Principle 2: Operational Independence with Professional Cooperation

The OIG operates most effectively when it preserves its operational independence while maintaining professional working relationships with the DOJ components it oversees. Subject to the limitations and procedures established by law, the OIG must independently determine what matters to review, how to conduct its work, what evidence to gather, and what findings and recommendations to issue. Those decisions must remain objective, evidence-based, and grounded in the OIG's statutory mission, free from interference or undue influence.

Independence does not mean isolation. Effective oversight relies on constructive engagement with Department leadership and components to secure the records, expertise, and context essential for accurate reviews. Professional cooperation, timely communication, and mutual respect enhance efficiency, minimize disruption, and promote meaningful corrective action. However, cooperation must neither compromise the OIG's independence, judgment, or findings, nor grant the Department control over the OIG's scope, methods, conclusions, recommendations, or reports.

Principle 3: Transparency and Accountability

Transparency and accountability are essential to maintaining public confidence in the OIG and the integrity of its oversight work. As an independent and objective entity within the Executive Branch that reports to Department leadership and Congress, the OIG must exercise its authority with discipline, fairness, and resilience under scrutiny. Consistent with applicable law and the need to protect sensitive information, privacy interests, whistleblower confidentiality, and ongoing investigations, the OIG should be appropriately transparent about its processes, findings, recommendations, and conclusions.

Transparency fosters effective oversight by enabling meaningful engagement with Congress, Department leadership, agency personnel, whistleblowers, and the public. It also permits the OIG's work to be evaluated for factual rigor, legal soundness, professional quality, and freedom

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from institutional, political, or personal bias. Accountability also requires the OIG to assess its own practices, exercise sound quality management practices, respond to legitimate criticism, improve its effectiveness, and provide timely, objective, and mission-driven oversight. The purpose in the OIG's transparency is not publicity; it is to build trust that the OIG operates independently and fairly in advancing the integrity and effectiveness of the Department of Justice.

Principle 4: Matter Selection

The OIG selects and prioritizes oversight work through a disciplined, objective, and mission-driven process. Because the OIG's resources are finite, it must focus its efforts on matters where independent oversight can provide meaningful value, improve Department programs and operations, protect the integrity of Department activities, identify misconduct, determine systemic risk, or promote public confidence in the Department and the OIG.

In determining whether to initiate and how to prioritize its oversight work, the OIG considers relevant factors, including jurisdiction, statutory mandates, the seriousness and credibility of the allegation, the potential impact on Department programs or operations; the risk of waste, fraud, abuse, misconduct, or mismanagement; the likelihood of systemic or recurring issues; the availability and reliability of evidence; the availability of personnel and other necessary resources; and whether another process or forum is better positioned to address the matter. The OIG also considers whether independent oversight is necessary because of the nature of the allegation, the seniority of the personnel involved, the sensitivity of the matter, or the need for cross-component review.

In some matters, the OIG may conduct non-public preliminary inquiries or assessments to determine whether further oversight work is warranted. Such preliminary work may help clarify jurisdiction or scope, assess the credibility and significance of allegations, identify potential risks or affected programs, determine whether sufficient information exists to proceed, and select the most appropriate oversight response. These inquiries will be conducted consistently with applicable law, professional standards, confidentiality interests, whistleblower protections, and the responsible use of OIG resources.

Decisions to open, decline, defer, refer, or narrow a matter should be guided by available facts, applicable law and standards, institutional priorities, and the OIG's independent judgment. Selection must remain free from influence by publicity, political pressure, personal bias, or other improper considerations. Likewise, the OIG does not avoid warranted oversight due to controversy, political sensitivity, or institutional discomfort. The OIG must remain prepared to examine complex, sensitive, or high-profile matters when independent oversight is warranted.

The purpose of this disciplined selection process is to ensure that the OIG focuses its resources on matters where it can provide timely, objective, and constructive oversight. Proper matter selection promotes fairness, protects the credibility of the OIG, and helps ensure that its work advances accountability, integrity, and effectiveness within the Department of Justice.

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See **Appendix A** for additional information.

Principle 5: Proper Scoping and Scope Discipline

The OIG defines and maintains a disciplined scope for each oversight matter, focused on its statutory mission and application of existing standards established by law, rule, regulation, or Department policy.

The OIG defines scope at the outset of each oversight activity and may reassess it as evidence and risks are identified. Scope should be sufficient to address the objective of the oversight activity without becoming unnecessarily expansive. Personnel must adhere to the approved scope and should not materially deviate from it without approval from the official designated under applicable OIG policy. Newly discovered evidence should be preserved and may be examined sufficiently to determine whether a formal scope modification, referral, or separate matter is warranted.

Principle 6: Balanced Reporting

The OIG is a neutral oversight entity that gathers evidence, applies established legal and professional standards, and reports its findings accurately, completely, and dispassionately. Its conclusions are grounded in the facts developed during its oversight work and the relevant laws, rules, regulations, policies, and other applicable standards. Reports should avoid advocacy, hyperbole, and rhetorical or inflammatory language.

Neutral reporting requires identifying misconduct and deficiencies while also acknowledging any actions taken correctly, mitigating circumstances, and reasonable decisions made by Department officials based on the information and resources available at the time. Omitting relevant context may undermine the accuracy and value of an OIG product. Reports should therefore clearly distinguish between factual findings, reasonable factual inferences, professional or legal analysis, and ultimate conclusions, explaining the significance of the evidence.

Principle 7: Fair Process and Protection of Individual Interests

The OIG conducts its work in a manner that is fair to witnesses, subjects, complainants, whistleblowers, Department components, and other affected parties. Consistent with law and the needs of the oversight activity, the OIG provides this group with a meaningful opportunity to address material factual assertions and proposed adverse findings, considers contrary, exculpatory, and mitigating information, and accurately reflects relevant responses in its final work.

The OIG protects confidential and sensitive information, including whistleblower identities, to the extent permitted by law; avoids unnecessary disclosure of personal information and unnecessary reputational harm; and distinguishes clearly among allegations, established facts, analysis,

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referrals, and adjudicated conclusions. No person should be subjected to retaliation or adverse treatment for lawfully communicating or cooperating with the OIG.

Principle 8: Evidence Assessment, Credibility Determinations, and Professional Standards

The OIG evaluates evidence and credibility using objective, established standards and reports its findings accurately and without advocacy.

The OIG assesses evidence in a disciplined and consistent manner to ensure that its findings are accurate, reliable, and factually supported. The evidentiary standard and level of assurance applied depend on the nature and purpose of the oversight activity, applicable law, and governing professional standards. Administrative misconduct findings ordinarily should be supported by a preponderance of the evidence unless another standard applies. Audits, evaluations, inspections, and criminal investigations apply the evidentiary, documentation, and professional standards governing those activities.

Under the preponderance standard, a fact is established when the evidence shows that it is more likely than not that the conduct occurred. This assessment requires weighing all relevant evidence in its totality, including inculpatory, exculpatory, and mitigating information, without presumption or bias. The use of this standard by the OIG does not substitute for the distinct standards applied by prosecutors, adjudicative bodies, or employing components.

Credibility determinations are an integral component of evidence assessment and are made carefully and objectively. The OIG evaluates credibility based on the totality of the circumstances, including consistency, plausibility, corroboration, contemporaneous documentation, and the presence of motive or bias. No single factor is determinative.

Credibility assessments must be grounded in the evidentiary record and articulated with precision. The OIG does not rely on conjecture, speculation, or generalized assumptions, and avoids conclusory or inflammatory characterizations. Where evidence is conflicting, the OIG explains how credibility was assessed and why certain evidence was credited over other evidence. Across all oversight activities, the OIG applies evidentiary and credibility standards consistently, without advocacy or predisposition, and draws conclusions only where supported by the record and governing standards.

Principle 9: Timeliness

The effectiveness of oversight depends in significant part on timeliness. OIG work has its greatest impact when findings are delivered while the Department and its components can still implement corrective action, mitigate ongoing risks, and address identified deficiencies in a meaningful way. Delayed oversight diminishes relevance and reduces the likelihood that institutional improvements will occur. Untimely reports, even if substantively sound, may fail to deliver meaningful change.

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Timeliness is particularly critical in criminal and administrative misconduct investigations, and high-profile programmatic reviews. Prolonged investigations can impose significant burdens on subjects, including uncertainty, reputational harm, and personal hardship. Fairness requires that allegations of misconduct be resolved promptly whether the allegations are ultimately substantiated or unsubstantiated, so that individuals are not left under an unresolved cloud for extended periods.

Further, timeliness is necessary for the OIG to support the Department's accountability function effectively. Where misconduct has occurred, prompt investigative action enables Department leadership to take appropriate corrective or disciplinary measures, protect the integrity of Department operations and taxpayer dollars, and deter further wrongdoing. Delays in addressing substantiated misconduct may allow harm to continue and undermine public confidence in the Department.

Timeliness, however, must not come at the expense of accuracy, completeness, or fairness. The need for prompt oversight does not excuse factual error, incomplete analysis, or the omission of material information. OIG personnel must achieve both the imperative for speed and the obligation to ensure that findings are reliable and well-supported.

To promote timely oversight, the OIG must actively manage matters through meaningful milestones, periodic supervisory review, documented extensions when appropriate, disciplined scope control, and escalation of material delay. Oversight work should be completed and made actionable as promptly as accuracy, completeness, fairness, and applicable legal requirements permit.

Principle 10: Proportional, Implementable, and Objectively Closeable Recommendations

OIG recommendations should be objective, proportionate, practicable, communicated clearly and consistently, and capable of closure through verifiable corrective action. As a principal means by which oversight produces meaningful and lasting improvement, recommendations must be grounded in established criteria and directed at correcting identified deficiencies, risks, control weaknesses, misconduct-related concerns, or opportunities to improve Department programs and operations.

In developing recommendations, the OIG seeks to identify corrective actions likely to have the greatest operational impact while considering foreseeable consequences, including unintended risks, inefficiencies, delays, or excessive costs. The most effective recommendations are narrowly tailored to address the underlying issue without creating new vulnerabilities or unnecessary burdens for the Department. Recommendations must be written clearly so Department components understand what is expected and how the OIG will assess the component's corrective action.

The OIG diligently tracks implementation, acts promptly on adequately supported closure requests, and transparently reports significant unresolved recommendations or disagreements.

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Recommendations will be closed only upon objective, verifiable evidence that the corrective action addresses the underlying deficiency or risk.

Conclusion

These *Principles of Effective Oversight of the Department of Justice* reflect the statutory framework, professional standards, and institutional responsibilities that govern the work of the OIG. They are intended to guide the exercise of oversight judgment, promote consistency and fairness, and ensure that OIG activities are conducted with independence, objectivity, and respect for the rule of law.

Effective oversight demands a balance of rigor and restraint. While the OIG wields substantial authority, it is not unlimited, and its credibility relies on strict adherence to evidence, established standards, and statutory boundaries. This includes faithfully following existing law and grounding conclusions in sound legal analysis and established oversight standards. By applying these principles, the OIG seeks to identify and address fraud, waste, abuse, and misconduct; strengthen Department operations; protect individual fairness; and support timely, meaningful accountability.

Ultimately, the effectiveness of these principles depends on the integrity, professionalism, and judgment of those who carry out the OIG's mission. When applied faithfully, these principles help ensure that oversight serves its intended purpose: enhancing the efficiency and integrity of the Department of Justice and its components while maintaining the confidence of Congress, the Department, and the public.

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APPENDIX A

Evaluation Criteria for Initiating New Matters

- **Jurisdiction:** Whether the matter falls within the OIG's statutory jurisdiction or is otherwise specifically assigned to the OIG by law, regulation, or directive or is legally within the DOJ Office of Professional Responsibility's (OPR) or U.S. Office of Special Counsel's (OSC) jurisdiction.
- **Venue:** Whether OIG review is the appropriate venue, or whether the issue is better addressed through component management, existing administrative processes, the judiciary, OSC, the DOJ's Sexual Misconduct Review Unit (SMRU), the Merit Systems Protection Board (MSPB), or another oversight body.
- **Factual Basis and Risk Indicators:** Whether the proposed matter is supported by the level and type of information appropriate to the contemplated oversight activity. The OIG generally will not initiate an investigation based solely on speculation, conclusory assertions, mere disagreement with lawful policy decisions, or allegations lacking a reasonable factual foundation. Investigations ordinarily require credible, articulable information indicating that misconduct may have occurred. Audits, inspections, evaluations, and proactive reviews may be initiated based on identified risks, data anomalies, recurring weaknesses, statutory requirements, credible reporting, or significant potential institutional benefit.
- **Severity and Systemic Impact:** Whether the severity, scope, and character of the matter reflect a systemic problem, significant operational failure, or isolated event.
- **Anticipated Results:** Whether the matter is likely to produce meaningful and timely oversight value, including factual findings, accountability, criminal convictions, referrals, corrective action, recommendations, strengthened internal controls, improved Department operations, enhanced public confidence, or other durable institutional benefit. In assessing anticipated results, the OIG should consider whether the matter can produce practical and actionable outcomes, while recognizing that some matters warrant review because of their significance to integrity, accountability, whistleblower protection, public trust, or the proper functioning of Department programs and operations, even if they may not result in formal recommendations.
- **Timeliness:** Whether meaningful oversight can be conducted timely, before the matter becomes stale, overtaken by events, or otherwise less capable of producing institutional value.
- **Resources:** Whether the OIG has available resources and expertise, considering its competing oversight priorities; and whether the anticipated value of the review justifies the commitment of investigative, audit, inspection, or analytical resources.
- **Fairness and Individual Interests:** Whether the proposed oversight approach appropriately accounts for the interests of subjects, witnesses, whistleblowers, crime victims, program beneficiaries, and other affected persons, including confidentiality, due process, and the risk of unnecessary reputational harm.
- **Coordination and Parallel Proceedings:** Whether coordination with another oversight, investigative, prosecutorial, administrative, or adjudicative body is needed to protect the

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integrity of parallel proceedings, avoid unnecessary duplication, or resolve jurisdiction overlaps without compromising OIG independence.