Growing Old Together
Inspector General and Ethics Counsel Changing Environments & Challenges

By Nancy Eyl, Maryann Grodin, and Alexandra Keith

Both the Inspector General Act and the Ethics in Government Act date from 1978, an important year for "good government" with the concurrent creation of the Merit Systems Protection Board and the Office of Special Counsel. The past thirty-three years have given inspector general counsels and designated agency ethics officials the opportunity to work together and iron out some of the problems we noted in our article of 1995. Nevertheless, questions continue to arise because of the different roles each plays. The purpose of this article is to revisit basic issues and report on the legal and practice changes that have occurred in the intervening years. Our goal is to provide an update, overview, and some suggestions for best practices regarding the IG counsel/DAO relationship and respective roles. In addition to identifying relevant statutes and policies, we intend to clarify misunderstandings and restate our common objectives.

The IG Counsel Develops

The Inspector General Act of 1978 mandated only three positions within each Office of Inspector General: the Inspector General and Assistant Inspectors General for Auditing and Investigations. Neither the original statute, nor its first major amendment in 1988, mentioned the role of counsel within an OIG. Indeed, many IGs initially received legal advice and representation from attorneys working in their agency's Office of General Counsel. However, because independence is the cornerstone of the OIGs, independence of counsel was a recurring issue.

While some IGs initially relied on OGC counsel, they began to recognize the value of having their own counsel. Since the IG Act gave IGs broad authority to hire employees, contract with persons with appropriate knowledge and skills, and organize their own offices, in the decades following the IG Act's passage, many IGs eventually shed their assigned OGC attorneys and hired attorneys to work exclusively as part of the OIG staff.

Congress Considers Independent IG Counsel

The Federal Acquisition Streamlining Act of 1994 was a key turning point leading to IG Act amendments requiring presidentially appointed IGs to have independent counsel. Section 6007 of the PASA directed the comptroller general to review the independence of legal services provided to presidentially appointed IGs.

GAO Reports on IG Legal Services

Consistent with the PASA's requirement, the Government Accountability Office issued GAO Report GAO/OGC-95-15, "Inspectors General: Independence of Legal Services Provided to IGs," in March 1995. In this report to Congress, GAO compared the independence of legal services provided to IGs by attorneys located in agencies OGCs with those provided by attorneys hired by and located in OIGs. GAO asked whether agency attorneys could provide the independent legal services necessary for an official who is statutorily required to review independently that an agency's programs and operations. GAO reviewed the premise of federal IG functions from the IG Act, as amended, reporting that the intent was to establish OIGs in departments and agencies to consolidate the audit and investigative functions of those departments and agencies in an independent office under the leadership of a senior official, the IG.

---

1. 5 U.S.C. App. §§ 201-205
2. 5 U.S.C. §§ 551-559
3. 5 U.S.C. §§ 551-553
4. 5 U.S.C. §§ 551-552
5. 5 U.S.C. §§ 551-555
6. 5 U.S.C. §§ 551-558
7. 5 U.S.C. §§ 551-559
Based on a survey of 27 OIGs and interviews with five IGs whose legal advisors were located in the OIG and seven whose legal advisors were on the OIG staff, GAO concluded that there was no evidence that the composition and duties of the legal staff of the IG Offices reviewed for their report were significantly different based on their organizational location. Further, GAO reported that it was the preference of the individual IGs that influenced the functions and activities of their counsel. Finally, GAO found no indication that attorneys located in agency OIGCs were less able than those within OIGs to provide independent legal services. So with that result, no changes were made to the status of IG counsel.

The Homeland Security Act of 2002 Gives IGs Independent Law Enforcement Authority

The structure and authority of the OIGs received a major boost in 2002 with the second major IG Act amendment. The Homeland Security Act of 2002 amended Section 6 of the IG Act to allow the Attorney General, after an initial determination of need (for certain IGs not exempted), to authorize full law enforcement powers for eligible personnel of each of the various offices of presidentially appointed IGs. As required by the Homeland Security Act, the attorney general issued guidelines governing the exercise of such law enforcement powers. The guidelines provide that OIGs have “primary responsibility for the prevention and detection of waste and abuse, and concurrent responsibility with the Department of Justice for the prevention and detection of fraud and other criminal activity within their agencies and their agencies’ programs.”

Prior to enactment of the Homeland Security Act, the IG Act had not provided firearms, arrest, or search warrant authority for IG investigators. Rather, the IGs of the various executive agencies relied on a Memoranda of Understanding that “provided temporary grants of law enforcement power through deputations. As the volume of investigations warranting such police powers increased, deputations were authorized on a blanket or OIG-office-wide basis.” Nevertheless, today, certain IGs, such as the IG for the Department of Defense, enjoy — and today continue to enjoy — specific grants of statutory authority under which they exercise law enforcement powers.

Congress Mandates Independent IG Counsel

In 2006, it was the lawyers’ turn. The third major IG Act amendment, the IG Reform Act of 2006, addressed a number of matters related to enhancing the independence and prestige of the IGs. Among them was a provision for an independent counsel to support IGs. Section 6(a) of the Reform Act amended Section 3 of the IG Act to add:

“(g) Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service, obtain legal advice from a counsel either reporting directly to the Inspector General or another Inspector General.”

With this provision, IGs no longer had to rely, for confidential legal advice, on attorneys employed by and reporting to someone else — the general counsel. This provision gave each IG a dedicated IG counsel whose job, job assignments, and professional loyalty belonged exclusively to the IG.

In his signing statement, President Bush addressed the different roles of the agency and IG counsel as follows:

“It is important that inspectors general have timely and accurate legal advice. It is also important that agencies have structures through which to reach a single, final authoritative determination for the agency of what the law is. This determination is subject to the authority of the attorney general with respect to legal questions within, and the president’s authority to supervise, the executive branch and, of course, the courts in specific cases or controversies. To this end, the “rule of construction” in Section 6 ensures that, within each agency, the determinations of the law remain ultimately the responsibility of the chief legal officer and the head of the agency.”

With these words, the president emphasized that even though the OIG is independent, the IG does not determine law for the agency; nor does the IG counsel. The IG counsel’s role is to advise and represent only the IG. The
agency's general counsel is the sole attorney with authority to interpret the agency's law.

Independence of the IG

In addition to the aforementioned amendments that enhanced IG independence, the IG Act contains other provisions designed to ensure that IGs carry out their responsibilities independently. For example, IGs do not report to those directly responsible for carrying out the programs and activities subject to audit and investigation. Rather, they report to, and are under the general supervision of, the agency head or the official next in rank, if such authority is delegated.18 OIGs have their own hiring authority, as well as the authority to enter into contracts and to structure their offices and perform their mission as they see fit. With few exceptions, neither the agency head nor subordinates are to prevent or prohibit IGs from initiating, carrying out, or completing any audit or investigation or from issuing any subpoena.21 Further, IGs may not accept cash awards or bonuses from the agency head.20 Presumably appointed IGs must be appointed by the president with the advice and consent of the Senate "without regard to political affiliation and solely on the basis of integrity and demonstrated ability" in fields critical to OIG functions.22 They may be removed from office only by the president, who is required to inform both Houses of Congress not later than 30 days before the removal.23 In addition, all IGs are required to report at least semiannually to Congress (and some IGs are required to report quarterly),25 but Congress cannot order or prohibit the IG from conducting an investigation, audit, or other review, or from issuing a subpoena, except through legislation. OIGs are prohibited from carrying out program operations and so that they can objectively and independently audit and investigate the agency's programs and operations.24 Moreover, IGs in the establishments have separate budget authority that the agency head must submit to the President.25 Finally, the IG Reform Act established the IG Office of General Counsel and Efficiency (OIGE).26 The integrity committee was established under OIGE as a receiver to review and refer for investigation allegations of wrongdoing made against an IG or designated OIG employee.27 In short, all of these provisions were intended to ensure that IGs are able to fulfill their mission without interference from senior officials, such as general counsel and management.

DAEO's Role

Title 5 of the Code of Federal Regulations, Part 2600 implements Title 5 U.S.C., the Ethics in Government Act of 1978, as amended, the statute that created the Office of Government Ethics, the overseer of ethics regulation in the executive branch.28 As the agency responsible for directing ethics programs in executive departments and agencies, OGE issues rules, directives, and advisory opinions. As the agency responsible for directing ethics programs in executive departments and agencies, OGE issues rules, directives, and advisory opinions. It partners with executive branch agencies and departments to prevent conflicts of interest on the part of executive branch employees and resolve the conflicts of interest that occur. Pursuant to the authority granted under Title 5 of the Ethics in Government Act, OGE directs the administration of agency ethics programs and agency DAEOs. Title 5 of the C.F.R., Section 2638.203, et. seq., mandates that each agency shall have a DAEO (and alternate DAEO) to coordinate and manage the agency's ethics program and provide liaison with the OGE regarding such ethics program. The director of OGE and agency DAEOs have different roles from that of the IG and the IG counsel. With noteworthy exceptions, the director of OGE directs, and the agency DAEO and deputy DAEOs implement, the ethics in government. The DAEO's mission is to provide ethics advice and preventive legal assistance to agency employees. Specifically, as described in 5 C.F.R. 2638.203, the DAEO's duties include liaison with OGE, review of financial disclosure reports (one of the most unappreciated and tedious tasks in government), initiation and maintenance of ethical education and training programs, and monitoring of administrative actions and sanctions.

Like IGs and their counsel, the functions and authorities of OGE and agency DAEOs have grown in

Visit www.ignet.gov

46
DAEOS Provide Written Ethics Advice

As part of a program of formal advice to all agency employees, one of the DAEOS’ most critical functions is to develop and provide counseling on ethics and standards of conduct. Most ethics restrictions are found in Sections 202 to 209 of Title 18 of the U.S. Code and in EO 12,674 as modified by EO 12,731. The standard, found at 5 C.F.R. Part 2635, cover the basic ethical obligations of public service, including rules regarding gifts from outside sources and between employees, conflicting financial interests, impartiality in performing official duties, outside employment and activities, post-employment, and misuse of position. The regulations require the DAEO to keep records on advice rendered “when appropriate.” To ensure a productive relationship with the OIG, however, a DAEO should strive to record and maintain consistent written advice to employees and communicate promptly regarding administrative actions.

Written records evidencing the facts conveyed by an employee, and limitations and restrictions identified in the ethics advice given by the DAEO in response to those facts, play a vital role in ethics investigations. This is because OIG investigators and DOJ attorneys rely on them in prosecution, as may an employee in his or her defense.

DAEOS Have a Special Relationship with the IG

The federal ethics regulations recognize a special relationship between DAEOS and IGs. In carrying out their agency ethics programs, DAEOS are required by the standard to review information developed by the OIG and other auditors. The purpose of such review can be to determine whether there is a need for revising the agency’s supplemental standard or taking corrective action to remedy actual or potential conflict of interest situations. Thus, if an OIG audit identifies a recurring conflict situation unique to the agency, and it is not addressed by the standard, then the DAEO might consider a curative supplemental regulation. If an OIG investigation finds that an agency contracting officer has violated the standards by, for instance, purchasing stock in a firm with which the agency contracts, the DAEO might be asked by management to recommend appropriate remedial or corrective action.

DAEOS are in an excellent position to refer to the IG allegations of criminal, civil, or administrative ethics violations that they encounter in their daily work, including violations of the standard. When employees
come to the DAEQ for prospective ethics advice, there is usually no need to refer the matter to the IG. However, the DAEQ might choose to discuss proactively concerns with the IG, after all, disclosures made by an employee to an agency ethics official are not protected by an attorney-client privilege. When agency employees inform the DAEQ of past transgressions, or explain what prospective mischief they are planning, however, the DAEQ is obligated to make sure that "prompt and effective action" is taken to remedy the potential or actual violation. The best thing that the DAEQ can do at this point is to refer all information, documentary and otherwise, to the IG, pursuant to the standards and the agency's own regulations. This is because, first, the DAEQ is required to use the services of the agency's OIG, including the referral of matters to and acceptance of matters from the OIG. Second, an agency's internal investigative authority resides with the IG, and the IG must be given the opportunity to investigate.

DAEQs Refer Investigations to the IG Through the Agency Head
The law regarding the OGE director's responsibilities provides that when the OGE director believes an employee is in violation of a conflict of interest or standard regulation, he or she may recommend that the agency head investigate possible violations and take disciplinary action. Section 403(a) of the Ethics in Government Act states that the director has the authority to request assistance from the Inspector general to conduct ethics investigations. In these cases, the usual practice for an agency head in receipt of such a request is to ask the OIG to investigate.

This is for two main reasons. First, even though the OGE director is authorized to undertake administrative investigations of ethics violations, the Ethics in Government Act prohibits the director or any designee from finding that any provision of Title 18 of the U.S. Code or any U.S. criminal law has been or is being violated. Most of the ethics rules on which the standards are based are located in Title 18 U.S.C. Sections 201, et seq., and are criminal violations, although rarely prosecuted as such. Accordingly, while an ethics violation may constitute a regulatory violation, it could also be a crime and require a criminal investigation. Neither the OGE director nor agency DAEQs are, or have on their staff, internal criminal investigators. This is the exclusive province of the OIG and outside the jurisdiction and scope of employment of a DAEQ.

What Does the IG Investigate?
The IG Act authorizes IGs to conduct criminal, civil, and administrative investigations. This broad investigative authority is the same for the presidentially appointed IGs generally at the larger departments and agencies, and agency head-appointed IGs at the generally smaller "designated federal entities" and "federal entities."

The IGs' investigative authority is found in several places in the IG Act. First, Section 213 of the IG Act authorizes IGs "to conduct and supervise audits and investigations relating to the programs and operations of [their agencies]." Section 7(a) provides that an IG may receive and investigate complaints or information from employees about an array of activities. These are described as activities that could constitute, "a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety."

Section 4(d) of the IG Act requires the IGs to report "expeditiously" to the attorney general when they have reasonable grounds to believe that there is a violation of federal criminal law. IGs interpret this section to mean referrals for prosecution. Thus, an IG may, although may not always choose to, undertake significant investigative work to determine whether an allegation can be substantiated before presenting evidence of a violation of federal criminal law to the DOJ or an assistant U.S. attorney for prosecution. The attorney general and the Federal Bureau of Investigation have authority to investigate any violation of federal criminal law, including those involving government officers and employees.

To carry out their investigative authority, IGs are given some helpful law enforcement tools. For example, Section 6(a)(1) of the IG Act permits IGs to access all records, reports, documents, etc., available to the agency relating to the programs and operations for which the IG has responsibility. IGs interpret this section to mean that anything the agency can access, the IG can access also. If the agency does not have the material, then the IG can subpoena it if it is held privately. If the record is in the custody of another federal entity, the IG may not issue a subpoena, but may request and expect to receive the information.
What Constitutes an Investigation?

Agency counsel and DAEOs may justifiably assert that they correctly understand the requirement to refer criminal allegations to the OIG, and to request approval to undertake administrative investigations when the IG decides not to pursue an investigation. The agency counsel and DAEOs also may argue that, based on the information before them, they cannot always determine whether an allegation rises to a criminal level or is simply a management issue. The OIG or OGC attorney then might interview witnesses, request documents, and do other things an IG investigator might do, and later decide whether to refer to the IG.

This can present problems for an OIG if the allegation is eventually referred to or discovered by the OIG after an agency lawyer has gathered evidence and talked with witnesses. The IG investigator may find witnesses tainted, documents altered or destroyed, and confidentiality nonexistent. Moreover, agency attorneys gathering evidence rarely provide the employee the necessary and proper warnings, and they likely are not as skilled as using the tried-and-true investigative techniques that professional law enforcement employs. Accordingly, some agency OIGs have endeavored to specify in internal policies exactly what should be referred to the IG and when. Others use a rule of thumb, such as if the OGC attorney needs to talk with more than one other person to substantiate an allegation, then he or she should refer the matter to the OIG.

What Happens When IGs Do Not Investigate Allegations

On occasion, IG investigators do not investigate allegations of administrative ethics violations in order to pursue solely criminal violations, sometimes based on the advice of the U.S. Attorney's office. In such cases, if no one is investigating, the DAEO should be advised at the right time, so he or she can pursue administrative remedies and inform the Director of OGE. This does not mean that the DAEO can undertake an investigation on his or her own, as discussed above, however, without the IG's approval. A DAEO may be able to use the IG's evidence to recommend administrative action against an employee, e.g., discipline or counseling. If the issue is one that affects many agency employees, the DAEO can ensure that training and written advice address the troublesome issues.

It might be hard to determine immediately the effects of an unexplored allegation of an ethics violation. At the least, however, failure to deal with such allegations and to administer appropriate discipline when they are substantiated, runs counter to the purpose of the Ethics in Government Act and may diminish the overall ethical culture that DAEOs try to foster. Furthermore, it could hurt national security and significantly harm government operations. For example, if an employee in a "public trust position" commits a certain ethics violation, and the violation is not taken seriously and investigated, that employee – and the government – might not recognize the potential harm until it is too late. The employee may be encouraged by the lack of oversight to commit another violation, or lackadaisically or unwittingly create vulnerabilities. A public trust position includes those involved in policymaking, major program responsibility, public safety and health, law enforcement, fiduciary responsibilities, or "other duties demanding a significant degree of public trust, and positions involving access to or operation or control of financial records, with a significant risk for causing damage or realizing personal gain." An employee in such a position is particularly able to cause harm through continued access to or control of critical systems, records, and information. No matter the reason for the possible violation, failing to investigate could lead to serious national security consequences. Therefore, it is not only in the OIG's and agency's best interest to explore all potential violations, but also it protects national security.

"Agency counsel and DAEOs may justifiably assert that they correctly understand the requirement to refer criminal allegations to the OIG, and to request approval to undertake administrative investigations when the IG decides not to pursue an investigation."

IGs Should Cooperate With DAEOs

Communications cannot be a one-way street. The DAEO is required by regulation to be aware of all ethics infractions, and must maintain a list of all situations that have resulted or may result in noncompliance with ethics laws and regulations. This list must be published within the agency and made available to the public. Thus, the IG must inform the DAEO of all ethics infractions the IG has verified to enable the DAEO to fulfill his or her regulatory obligations.

This does not mean the IG must notify the DAEO immediately each time he opens an investigation involving a violation of the standard, nor must the IG advise the DAEO at any particular point in an investigation. Nevertheless, the quality standard for federal OIGs (October 2003) state that the OIG "should make a special and continuing effort" to keep the DAEO informed about OIG activities, including "the results of investigations and allegations of ethical misconduct where appropriate, that relate to the ethics official's responsibilities for the agency's ethics program." When an IG investigation uncovers an ethics violation, the DAEO may serve as a consultant for OIG investigators on technical issues of ethics law. OIG investigators and counsel might both consult the DAEO, within the confines of the Privacy Act, about what constitutes a violation, whether a violation has occurred, and what remedy or corrective action is usual within the agency.

IGs also may refer to DAEO’s audit or investigative findings regarding the agency’s ethics program, e.g., which employee grades and classifications are required to submit financial disclosure forms, which employees are not receiving their confidential forms or whether an employee is not filling them out properly or in a timely manner.

IG Counsels May Serve As Deputy DAEOs

In many large agencies, DAEOs delegate deputy DAEO authority to attorneys in various agency sub-components, including the OIG, pursuant to 5 C.F.R. 2638.204(a). A deputy DAEO in the OIG who is aware of the OIG’s special needs and mission can help the DAEO implement the agency’s ethics program. Having a deputy DAEO in-house might appear to enhance an IG’s independence. Further, OIG employees may feel more comfortable seeking advice from the OIG deputy DAEO than with the DAEO, and this comfort may encourage employees to seek advice, and as a result, have a preventive effect.

The first consideration is that an OIG must make in implementing an agency’s ethics program in-house, however, is whether this authority is officially delegated. Based on the regulations, each agency has only one primary DAEO and one alternate DAEO, and deputy DAEOs must receive their authority through delegation. The DAEO must keep a list of persons to whom delegations have been made to provide to OGE upon request. OIGs that have deputy DAEOs in-house serving without a delegation may lack the support of the Ethics in Government Act.

Second, because of the nature of the DAEO’s duties, OIGs with deputy DAEO functions in the IG counsel’s office might risk at least a perceived conflict of interest. When and if IG counsel adopt this role, they must be cautious. IG counsels may give ethics advice to IG employees, which may provide a “safe harbor.” The regulations state that disciplinary action for violating ethics rules “will not be taken against an employee who has engaged in conduct in good faith reliance upon the advice of an agency ethics official, provided that the employee, in seeking such advice, has made full disclosure of all relevant circumstances.” However, if an IG counsel were to give a “safe harbor” opinion to an IG employee, and that employee relied on the advice to commit an act later investigated by the IG, the deputy DAEO must be careful to recuse himself or herself from any ensuing investigation. If not, not only could the investigation be jeopardized, but also the attorney risks violating rules of professional conduct. Accordingly, the soundest way to prevent conflicts of interest within the OIG is for IG counsel not to accept the deputy DAEO role or to undertake the responsibilities, but limit advice to informal ethics advice and communicate the limits of such advice to the employee. Additionally, the IG counsel deputy DAEO should recuse himself or herself.

50 S.C.F.R. 74.26(b), 2638.204(b)
51 Quality standard for Federal Offices of Inspector General, President’s Council on Integrity and Efficiency, October 2003, pp. 30-31.
IG Counsel and DAEOs Should Maintain Ongoing Communications

It may be true, but it is true, regular communication can solve many problems. When IG counsel and DAEOs build and maintain strong relationships, problems can be resolved by informal discussion before they blossom into full-fledged headaches. IGs can keep DAEOs informed of the progress of relevant ethics investigations and whether documents and/or testimony may be requested. For their part, DAEOs can consult with IG counsel and refer potential ethics violations to the IG for investigation.

IG Counsel’s and DAEOs Should Do Joint Training

DAEOs are required to provide annual ethics training, and many IGs present integrity awareness briefings. Combining the two provides agency employees with the continuum from ethics education and advice to investigation and prosecution of violations. Such cooperation fosters a stronger ethical culture, which in turn breeds employees who care about doing the right thing, whether the action is guided by a standard or not. IGs can publish internal Web newsletters highlighting recurring issues and reminding agency staff of common pitfalls. DAEOs can write articles for their agency’s Web and social networking sites to make agency employees aware of current ethics issues. OGE has always graciously invited IGs and IG counsel to participate and present at annual OGE conferences. This cooperation is valuable to everyone and should be continued.

DAEOs Should Promptly Document Ethics Advice

Friction between IGs and DAEOs can be avoided when written records of advice relevant to an allegation are available. In these cases, disputed testimony about whether the DAEO’s advice indicated the activity was permitted or prohibited, can be eliminated and potential for prosecution can be preserved.

DAEOs Should Refer Investigations to the OIG

DAEOs can potentially complicate OIG investigations if they undertake their own investigations without OIG approval and before referring allegations to the OIG. By exposing confidential information, they can inadvertently allow wrongdoers to destroy evidence, fabricate
stories, and fact testimony. Thus, DAEOs should always refer investigations to the OIG.

**IG Counsels Should Be Cautious if Acting as DepDAEOs:**

IG counsel and DAEOs' roles are not the same, so when an IG counsel is confronted with an unusual, complicated, or novel ethics issue that could be referred to the OIG for investigation, he or she should also refer it to the agency DAEO.

**IG Counsel Should Consult with DAEOs on Ethics Investigations**

Recognizing that DAEOs are ethics experts, IG counsel assisting with investigations involving ethics violations should consult with and exchange information with DAEOs. IG counsel can be a bridge between OIG investigators and the DAEO. Through training and education targeting specific problems, IG counsel can further the DAEO mission, even without being formally delegated DepDAEO. Moreover, by sharing information with the DAEO, an OIG ensures that no ethics violation will go unnoticed. Such vigilance serves not only to promote an ethical culture but also can protect national security.

---

**Maryann Lawrence Grodin**

Maryann Lawrence Grodin is general counsel to the inspector general at the U.S. Nuclear Regulatory Commission. Prior to assuming this senior level service position, she was a supervisory attorney with the Navy Office of the General. She served on active duty as a reserve officer in the Navy Judge Advocate General's Corps and retired as a captain in 2010.

Ms. Grodin received a B.A., cum laude, with departmental honors in political science from Stony Brook University and a J.D. from California Western School of Law in San Diego, California. She is a member of the California Bar and admitted to practice before the U.S. Supreme Court.

In addition to authoring agency publications, her writing has been published in the Federal Bar Journal, the Judge Advocate General Journal, the Federal Ethics Report, as well as the Journal of Public Inquiry, where she served as an editor. She has served as a faculty instructor and is a frequent public speaker and has appeared at venues including the Office of Government Ethics Conference.

---

**Nancy Eyl**

Nancy Eyl is assistant counsel to the inspector general at the Department of Homeland Security, where she works on new media legal issues, among other areas. She began her legal career at the Special Inspector General for Iraq Reconstruction. Before entering the legal profession, Ms. Eyl trained to teach Russian and other Slavic languages and literatures at the university level. She taught Russian at Indiana University Bloomington and Russian, German, and the literary genre of autobiography at Tulane University.

As an academic, she received numerous awards, fellowships and scholarships, including a Fulbright to Ukraine, an award for outstanding achievement by Harvard University's Ukrainian Summer Institute; and grants supporting independent research in Germany, Ukraine, and Eastern Europe.

Ms. Eyl graduated from Georgetown University Law School and is a member of the New York bar. She received a master's degree in Slavic languages & literatures from Indiana University Bloomington, where she was a chancellor's fellow, and a B.A., magna cum laude, in German and Russian from Loyola University New Orleans, where she was a presidential scholar.

---

**Alexandra Keith**

Alexandra Keith is senior counsel in the Office of General Counsel of the Special Inspector General for Iraq Reconstruction. Prior to serving in that position, she worked as counsel to the inspector general of the Corporation for Public Broadcasting, deputy counsel to the inspector general of the Environmental Protection Agency, counsel and assistant inspector general for investigations of the National Credit Union Administration, deputy inspector general for the Peace Corps, and counsel to the inspector general of the Department of the Treasury.

She has also served as an administrative law judge and prosecutor in the District of Columbia government, a foreign service officer with the U.S. Department of State, and a Peace Corps volunteer. Ms. Keith holds a B.A. from the College of Wooster, Ohio, a master's degree in international relations from the Fletcher School of Law and Diplomacy and J.D. from the Georgetown University Law Center.