



# Special Inspector General for Pandemic Recovery: Responsibilities, Authority, and Appointment

April 13, 2020

The [Coronavirus Aid, Recovery, and Economic Security \(CARES\) Act](#) was enacted on March 27, 2020 (P.L. 116-136). The CARES Act provides over \$2 trillion in relief to [individuals](#); [businesses](#); [state, local, and tribal government](#); federal agencies; and industry sectors impacted by the COVID-19 pandemic.

In addition to these relief programs, Congress included a variety of provisions to facilitate transparency and oversight in the implementation of the CARES Act. Among these actions was the creation of a Special Inspector General for Pandemic Recovery (SIGPR). The SIGPR is similar in purpose and legal authorities to two other special inspectors general: the Special Inspector General for the Troubled Asset Relief Program and the Special Inspector General for Afghanistan Reconstruction.

This Insight provides an introduction to the responsibilities, authority, and selection of the SIGPR. Citations to the relevant provisions of the CARES Act are included in parenthesis as appropriate.

For other CRS materials related to the CARES Act and the impact of the COVID-19 pandemic, see CRS's [Coronavirus resource page](#).

## Responsibilities

The SIGPR is to lead a new inspector general office within the Department of the Treasury and is directed to “conduct, supervise, and coordinate audits and investigations” of the [financial assistance programs for businesses](#) included in [Title IV of the CARES Act](#) and any other Treasury programs established under the act (§4018(c)(1)). Specifically, the SIGPR is required to collect and summarize the following information (and to maintain appropriate systems to do so):

- a description of the types of transactions entered into by Treasury (§4018(c)(1)(A));
- a listing of eligible businesses receiving assistance (§4018(c)(1)(B));
- an explanation of each loan and loan guarantee and its financial terms (§4018(c)(1)(C));

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- biographical information about each person hired to service loans, loan guarantees, and other investments (§4018(c)(1)(D)); and
- estimates of the current status and value of each loan, loan guarantee, and other investment (§4018(c)(1)(E)).

The SIGPR is also required to submit quarterly reports (beginning within 60 days of confirmation) to Congress summarizing the activities of the SIGPR and including a statement of transactions made under Title IV of the CARES Act during the preceding quarter (§4018(f)). The SIGPR receives an appropriation of \$25 million in non-expiring funds to carry out the work of the office out of the \$500 billion provided to the Treasury in Section 4027 (§4018(g)).

The SIGPR has [the same responsibilities as other inspectors general under the Inspector General Act of 1978](#) (§4018(c)(3)). These duties include making recommendations to agency leadership to promote economy and efficiency in agency administration, prevent and detect fraud and abuse, and facilitate the identification and prosecution of participants in fraud or abuse. Further, the SIGPR is required to report those recommendations to Congress on a semi-annual basis. Finally, the SIGPR is a member of the Council of the Inspectors General on Integrity and Efficiency (§4018(i)).

## Authorities

The SIGPR has the “authorities provided in [Section 6 of the Inspector General Act](#)” (§4018(d)(1)). Those include the authority to:

- have “timely access to all records, reports, audits, reviews, documents, papers, recommendations, and other materials” of the entity the inspector general’s office oversees, unless access is expressly barred by Congress;
- issue reports as the inspector general deems necessary or desirable;
- request information or assistance from any federal, state, or local government agency;
- issue subpoenas;
- administer oaths;
- have “direct and prompt access” to the head of entity they oversee;
- “select, appoint, and employ” staff to fulfill their duties; and
- enter into contracts, including contracts with experts and consultants.

In addition, the SIGPR has certain law enforcement authorities that are provided to selected inspectors general in Section 6(f)(1) of the Inspector General Act (§4018(d)(2)).

The CARES Act also reproduces two additional provisions that appear in Section 6 of the Inspector General Act. First, the SIGPR has the authority to obtain, upon request, information or assistance from “any department, agency, or other entity of the Federal Government” (§4018(d)(4)(A)). Second, the SIGPR is required to report to Congress “without delay” whenever information or assistance, in the judgement of the SIGPR, is “unreasonably refused or not provided” (§4018(d)(4)(B)). This section was the subject of a [signing statement](#) by President Trump.

When the SIGPR issues an audit or report that identifies a deficiency, the Secretary of the Treasury is required to either address the deficiency or certify that no action is “necessary or appropriate” to the House Committee on Ways and Means, the House Committee on Financial Services, the Senate Committee on Banking, Housing, and Urban Affairs, and the Senate Committee on Finance.

## Appointment

The SIGPR is appointed by the President with the advice and consent of the Senate (§4018(b)(1)). The President selects a nominee on the basis of his or her “integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations” (§4018(b)(2)).

The SIGPR may be removed or transferred only in accordance with the provisions of [Section 3\(b\) of the Inspector General Act of 1978](#), which requires the President to provide written notice, including an explanation for the removal or transfer, to Congress at least 30 days before the change is effective (§4018(b)(3)).

On April 6, 2020, President Trump [nominated](#) Brian D. Miller to serve as SIGPR.

The SIGPR terminates five years after enactment of the CARES Act, which will be March 27, 2025 (§4018(h)).

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