

~~SENSITIVE BUT UNCLASSIFIED~~

REDACTIONS MADE BY THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
OR THE U.S. OFFICE OF PERSONNEL MANAGEMENT AS INDICATED



Office of Inspector General
United States Department of State

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December 2021

(U) Information Report: Review of Allegations Related to the U.S. Agency for Global Media's Personnel Suitability and National Security Program

INFORMATION REPORT

~~SENSITIVE BUT UNCLASSIFIED~~

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(U) Summary of Review

~~(SBU)~~ On January 14, 2021, the Chief Executive Officer (CEO) of the U.S. Agency for Global Media (USAGM)¹ sent a letter to the Office of Inspector General (OIG) alleging that USAGM senior management did not fully address “persistent security problems” in USAGM’s personnel suitability and national security program. The CEO stated that these deficiencies were identified in multiple assessments conducted by the Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI) between 2010 and 2020. Furthermore, he stated that ~~Provided by ODNI~~ ~~Provided by ODNI~~; yet, USAGM continued to grant access, security clearances, and suitability determinations that were invalid ~~Provided by ODNI~~ ~~Provided by ODNI~~² The CEO requested that OIG investigate these “exceptionally serious issues at USAGM.”

~~(SBU)~~ OIG conducted this review to determine whether USAGM employees received valid suitability and national security determinations and whether USAGM has a process to ensure that newly hired employees receive valid suitability and national security determinations. OIG found that ~~Provided by ODNI~~ ~~Provided by ODNI~~³ which are the U.S. Government’s Suitability and Credentialing Executive Agent and Security Executive Agent responsible for overseeing agencies’ personnel suitability and national security programs.⁴ Specifically, according to ~~Provided by OPM; (b)(5)~~ ~~Provided by OPM; (b)(5)~~⁵ which rendered those investigations invalid,⁶ and according to ~~Provided by ODNI~~

~~Provided by ODNI~~ 7,8

¹ (U) The CEO, Michael Pack, resigned on January 20, 2021.

² (U) OIG provided a draft copy of this report to ODNI for comment. On October 6, 2021, OIG received a response from the Chief of the Personnel Security Group, Special Security Directorate, National Counterintelligence and Security Center. ODNI requested redaction of these sections be redacted. This information was marked Unclassified//FOUO – a marking that prevents them from being included in an UNCLASSIFIED document intended for public release.

³ (U) See footnote 2.

⁴ (U) Executive Order 13467, as amended, Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information, June 30, 2008.

⁵ ~~(SBU)~~ ~~Provided by OPM; (b)(5)~~

~~Provided by OPM; (b)(5)~~

⁶ (U) OPM, *Follow-Up Review of the U.S. Agency for Global Media Suitability Program 27* (July 2020).

⁷ (U) ODNI, *Security Executive Agent National Assessment Program Final Report on the U.S. Agency for Global Media Personnel Security Program 8* (September 2019).

⁸ (U) See footnote 2.

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(SBU) ~~OPM~~ ⁹ ~~ODNI~~ ⁰ ~~USAGM~~ ⁰ ~~transferred~~ ⁰ ~~its~~ ⁰ ~~investigations~~ ⁰ ~~for~~ ⁰ ~~newly~~ ⁰ ~~hired~~ ⁰ ~~employees~~ ⁰ ~~and~~ ⁰ ~~reinvestigations~~ ⁰ ~~of~~ ⁰ ~~current~~ ⁰ ~~employees~~ ⁰ ~~to~~ ⁰ ~~the~~ ⁰ ~~Department~~ ⁰ ~~of~~ ⁰ ~~Defense's~~ ⁰ ~~Defense~~ ⁰ ~~Counterintelligence~~ ⁰ ~~and~~ ⁰ ~~Security~~ ⁰ ~~Agency~~ ⁰ ~~(DCSA)~~ ⁰ ~~. From~~ ⁰ ~~2018~~ ⁰ ~~to~~ ⁰ ~~April~~ ⁰ ~~2021,~~ ⁰ ~~DCSA~~ ⁰ ~~scheduled~~ ⁰ ~~2,021~~ ⁰ ~~investigation~~ ⁰ ~~requests~~ ⁰ ~~from~~ ⁰ ~~USAGM~~ ⁰ ~~and~~ ⁰ ~~closed~~ ⁰ ~~1,747~~ ⁰ ~~of~~ ⁰ ~~these~~ ⁰ ~~investigations.~~ ⁰ ~~According~~ ⁰ ~~to~~ ⁰ ~~a~~ ⁰ ~~USAGM~~ ⁰ ~~official,~~ ⁰ ~~all~~ ⁰ ~~reinvestigations,~~ ⁰ ~~which~~ ⁰ ~~Provided by OPM; (b)(5)~~ ⁰ ~~Provided by OPM; (b)(5)~~ ⁰ ~~have~~ ⁰ ~~since~~ ⁰ ~~been~~ ⁰ ~~completed~~ ⁰ ~~by~~ ⁰ ~~DCSA.~~ ⁰ ~~In~~ ⁰ ~~addition,~~ ⁰ ~~USAGM~~ ⁰ ~~transferred~~ ⁰ ~~adjudication~~ ⁰ ~~responsibilities~~ ⁰ ~~to~~ ⁰ ~~OPM~~ ⁰ ~~and~~ ⁰ ~~the~~ ⁰ ~~General~~ ⁰ ~~Services~~ ⁰ ~~Administration.~~ ⁰ ~~Furthermore,~~ ⁰ ~~USAGM~~ ⁰ ~~drafted~~ ⁰ ~~an~~ ⁰ ~~alternative~~ ⁰ ~~investigative~~ ⁰ ~~program~~ ⁰ ~~for~~ ⁰ ~~foreign~~ ⁰ ~~nationals~~ ⁰ ~~who~~ ⁰ ~~do~~ ⁰ ~~not~~ ⁰ ~~meet~~ ⁰ ~~the~~ ⁰ ~~3-year~~ ⁰ ~~residency~~ ⁰ ~~requirement.~~ ⁰ ~~According~~ ⁰ ~~to~~ ⁰ ~~USAGM~~ ⁰ ~~officials,~~ ⁰ ~~the~~ ⁰ ~~alternative~~ ⁰ ~~investigative~~ ⁰ ~~program~~ ⁰ ~~had~~ ⁰ ~~subsequently~~ ⁰ ~~been~~ ⁰ ~~approved~~ ⁰ ~~by~~ ⁰ ~~ODNI~~ ⁰ ~~and~~ ⁰ ~~was~~ ⁰ ~~awaiting~~ ⁰ ~~approval~~ ⁰ ~~from~~ ⁰ ~~OPM,~~ ⁰ ~~as~~ ⁰ ~~of~~ ⁰ ~~September~~ ⁰ ~~2021.~~ ⁰ ~~In~~ ⁰ ~~the~~ ⁰ ~~interim,~~ ⁰ ~~USAGM~~ ⁰ ~~may~~ ⁰ ~~hire~~ ⁰ ~~foreign~~ ⁰ ~~nationals~~ ⁰ ~~who~~ ⁰ ~~do~~ ⁰ ~~not~~ ⁰ ~~meet~~ ⁰ ~~the~~ ⁰ ~~3-year~~ ⁰ ~~residency~~ ⁰ ~~requirement~~ ⁰ ~~if~~ ⁰ ~~they~~ ⁰ ~~can~~ ⁰ ~~conduct~~ ⁰ ~~their~~ ⁰ ~~work~~ ⁰ ~~without~~ ⁰ ~~access~~ ⁰ ~~to~~ ⁰ ~~USAGM~~ ⁰ ~~facilities~~ ⁰ ~~or~~ ⁰ ~~IT~~ ⁰ ~~systems.~~ ⁰

(U) According to OPM and ODNI officials, USAGM has made progress in addressing deficiencies previously reported about USAGM's personnel suitability and national security program. This progress includes ensuring applicable USAGM employees receive valid suitability and national security determinations. OPM and ODNI officials stated that they are closely monitoring USAGM's progress in addressing the identified deficiencies. Furthermore, the new suitability and national security determination processes used by USAGM for U.S. citizens have been approved by OPM (suitability) and ODNI (national security). Because of the actions taken by USAGM, along with OPM and ODNI's monitoring of USAGM's progress, OIG is not making any recommendations related to this issue.

(U) In USAGM's response to a draft of this report, the Acting CEO stated that "USAGM had been working in earnest, going back to at least 2018 (well before Mr. Pack arrived at the agency), to implement actions to address open recommendations from OPM and ODNI audits." Additionally, the Acting CEO noted that "USAGM's workforce is predominantly working journalists – who, like any other journalists, rely on access to open source information. Their workspaces are newsrooms . . . , and they do not use, store, or have access to classified information. This bears mentioning so that stakeholders or external audiences understand the context of this matter and do not get the wrong impression of our

⁹ (SBU) ~~OPM~~ ⁹ ~~ODNI~~ ⁰ ~~transferred~~ ⁰ ~~its~~ ⁰ ~~investigations~~ ⁰ ~~for~~ ⁰ ~~newly~~ ⁰ ~~hired~~ ⁰ ~~employees~~ ⁰ ~~and~~ ⁰ ~~reinvestigations~~ ⁰ ~~of~~ ⁰ ~~current~~ ⁰ ~~employees~~ ⁰ ~~to~~ ⁰ ~~the~~ ⁰ ~~Department~~ ⁰ ~~of~~ ⁰ ~~Defense's~~ ⁰ ~~Defense~~ ⁰ ~~Counterintelligence~~ ⁰ ~~and~~ ⁰ ~~Security~~ ⁰ ~~Agency~~ ⁰ ~~(DCSA)~~ ⁰ ~~. From~~ ⁰ ~~2018~~ ⁰ ~~to~~ ⁰ ~~April~~ ⁰ ~~2021,~~ ⁰ ~~DCSA~~ ⁰ ~~scheduled~~ ⁰ ~~2,021~~ ⁰ ~~investigation~~ ⁰ ~~requests~~ ⁰ ~~from~~ ⁰ ~~USAGM~~ ⁰ ~~and~~ ⁰ ~~closed~~ ⁰ ~~1,747~~ ⁰ ~~of~~ ⁰ ~~these~~ ⁰ ~~investigations.~~ ⁰ ~~According~~ ⁰ ~~to~~ ⁰ ~~a~~ ⁰ ~~USAGM~~ ⁰ ~~official,~~ ⁰ ~~all~~ ⁰ ~~reinvestigations,~~ ⁰ ~~which~~ ⁰ ~~Provided by OPM; (b)(5)~~ ⁰ ~~Provided by OPM; (b)(5)~~ ⁰ ~~have~~ ⁰ ~~since~~ ⁰ ~~been~~ ⁰ ~~completed~~ ⁰ ~~by~~ ⁰ ~~DCSA.~~ ⁰ ~~In~~ ⁰ ~~addition,~~ ⁰ ~~USAGM~~ ⁰ ~~transferred~~ ⁰ ~~adjudication~~ ⁰ ~~responsibilities~~ ⁰ ~~to~~ ⁰ ~~OPM~~ ⁰ ~~and~~ ⁰ ~~the~~ ⁰ ~~General~~ ⁰ ~~Services~~ ⁰ ~~Administration.~~ ⁰ ~~Furthermore,~~ ⁰ ~~USAGM~~ ⁰ ~~drafted~~ ⁰ ~~an~~ ⁰ ~~alternative~~ ⁰ ~~investigative~~ ⁰ ~~program~~ ⁰ ~~for~~ ⁰ ~~foreign~~ ⁰ ~~nationals~~ ⁰ ~~who~~ ⁰ ~~do~~ ⁰ ~~not~~ ⁰ ~~meet~~ ⁰ ~~the~~ ⁰ ~~3-year~~ ⁰ ~~residency~~ ⁰ ~~requirement.~~ ⁰ ~~According~~ ⁰ ~~to~~ ⁰ ~~USAGM~~ ⁰ ~~officials,~~ ⁰ ~~the~~ ⁰ ~~alternative~~ ⁰ ~~investigative~~ ⁰ ~~program~~ ⁰ ~~had~~ ⁰ ~~subsequently~~ ⁰ ~~been~~ ⁰ ~~approved~~ ⁰ ~~by~~ ⁰ ~~ODNI~~ ⁰ ~~and~~ ⁰ ~~was~~ ⁰ ~~awaiting~~ ⁰ ~~approval~~ ⁰ ~~from~~ ⁰ ~~OPM,~~ ⁰ ~~as~~ ⁰ ~~of~~ ⁰ ~~September~~ ⁰ ~~2021.~~ ⁰ ~~In~~ ⁰ ~~the~~ ⁰ ~~interim,~~ ⁰ ~~USAGM~~ ⁰ ~~may~~ ⁰ ~~hire~~ ⁰ ~~foreign~~ ⁰ ~~nationals~~ ⁰ ~~who~~ ⁰ ~~do~~ ⁰ ~~not~~ ⁰ ~~meet~~ ⁰ ~~the~~ ⁰ ~~3-year~~ ⁰ ~~residency~~ ⁰ ~~requirement~~ ⁰ ~~if~~ ⁰ ~~they~~ ⁰ ~~can~~ ⁰ ~~conduct~~ ⁰ ~~their~~ ⁰ ~~work~~ ⁰ ~~without~~ ⁰ ~~access~~ ⁰ ~~to~~ ⁰ ~~USAGM~~ ⁰ ~~facilities~~ ⁰ ~~or~~ ⁰ ~~IT~~ ⁰ ~~systems.~~ ⁰

¹⁰ (U) See footnote 2.

¹¹ (U) ODNI's Security Executive Agent Directive 4, "National Security Adjudicative Guidelines," 6 (June 8, 2017) states that adjudication is an examination "to make an affirmative determination that the individual is an acceptable security risk."

operation.” USAGM’s response to a draft of this report is reprinted in its entirety in Appendix B.

(U) OBJECTIVE

(U) OIG conducted this review to determine whether USAGM employees received valid suitability and national security determinations and whether USAGM has a process to ensure that newly hired employees receive valid suitability and national security determinations.

(U) BACKGROUND

(U) USAGM’s mission is to inform, engage, and connect people around the world in support of freedom and democracy. This mission is reinforced by the broadcasting networks overseen by USAGM: two Federal organizations—Voice of America and the Office of Cuba Broadcasting—and three non-profit organizations (grantees)—Radio Free Europe/Radio Liberty, Radio Free Asia, and the Middle East Broadcasting Networks. In general, these networks are intended to function as professional news organizations and report news and information to populations that may not have access to a free press. In support of its mission, USAGM employs a diverse group of professionals, such as journalists, reporters, producers, editors, translators, and technicians, both U.S. citizens and foreign nationals. Depending on the type of position held, these professionals require a suitability and/or a national security determination to be employed by the U.S. Government.

(U) Suitability Determinations

(U) OPM can delegate to the heads of agencies authority for making suitability determinations,¹² which is a determination that a person is suitable or is not suitable for employment in a covered position¹³ in the Federal Government.¹⁴ These determinations are based on a person’s character or conduct that may have an impact on the integrity or efficiency of the service.¹⁵ To establish a person’s suitability for employment, the person must undergo an investigation by OPM or by an agency with delegated investigative authority from OPM.¹⁶ OPM is authorized to establish minimum investigative requirements correlating to risk levels.¹⁷

¹² (U) 5 Code of Federal Regulations (C.F.R.) § 731.103(a), “Delegation to agencies.”

¹³ (U) According to 5 C.F.R. § 731.101(b), “Purpose,” a covered position includes (1) a position in the competitive service, (2) a position in the excepted service where the incumbent can be noncompetitively converted to the competitive service, and (3) a career appointment to a position in the Senior Executive Service.

¹⁴ (U) 5 C.F.R. § 731.101(b).

¹⁵ (U) 5 C.F.R. § 731.101(a).

¹⁶ (U) 5 C.F.R. § 731.104(a), “Appointments subject to investigation.”

¹⁷ (U) 5 C.F.R. § 731.106(c)(1), “Designation of public trust positions and investigative requirements.”

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Agency heads must designate every covered position within the agency at a high-, moderate-, or low-risk level based on the position's potential for adverse impact on the efficiency or integrity of the service.¹⁸ Agencies must report to OPM the level or nature, result, and completion date of each background investigation.¹⁹

(U) National Security Determinations

(U) ODNI can delegate to agencies the authority to conduct background investigations and determine eligibility of employees or contractors who need access to classified information.²⁰ A security clearance investigation is an inquiry into an individual's loyalty, character, trustworthiness, and reliability to ensure that he or she is eligible for access to national security information. ODNI is authorized to develop a common set of investigative standards and adjudicative guidelines for determining eligibility for access to classified information and eligibility to hold a sensitive position.²¹ Agency heads must evaluate all positions for a "position sensitivity designation."²² Positions receiving a position sensitivity designation also receive a risk designation.²³ Agencies must record all national security adjudicative determinations in the appropriate databases.²⁴

(U) OPM and ODNI Oversight

(U) OPM's Director, as the U.S. Government's Suitability and Credentialing Executive Agent, is responsible for developing and issuing policies and procedures for the completion of investigations and adjudications relating to suitability determinations, as well as eligibility for access to federally controlled information systems and facilities.²⁵ When OPM grants delegated authority to an agency to conduct its own investigations and/or adjudications, the Suitability and Credentialing Executive Agent will conduct oversight reviews of the agency's personnel suitability and vetting program.²⁶

¹⁸ (U) 5 C.F.R. § 731.106(a).

¹⁹ (U) 5 C.F.R. § 731.206, "Reporting requirements."

²⁰ (U) ODNI, Security Executive Agent Directive 1, "Security Executive Agent Authorities and Responsibilities," 2 (March 13, 2012).

²¹ (U) *Ibid.*, at 4.

²² (U) 5 C.F.R. § 1400.101(b), "Purpose." According to 5 C.F.R. § 1400.201(a)(1)-(3), "Sensitivity level designations and investigative requirements," there are three possible designations. Noncritical-sensitive positions have the potential to cause significant or serious damage to national security. Critical-sensitive positions have the potential to cause exceptionally grave damage to national security. Special-sensitive positions have the potential to cause inestimable damage to national security.

²³ (U) 5 C.F.R. § 1400.201(b).

²⁴ (U) Security Executive Agent Directive 4, June 8, 2017, at 3.

²⁵ (U) Executive Order 13467, § 2.3(b).

²⁶ (U) 5 U.S.C. § 1104(b).

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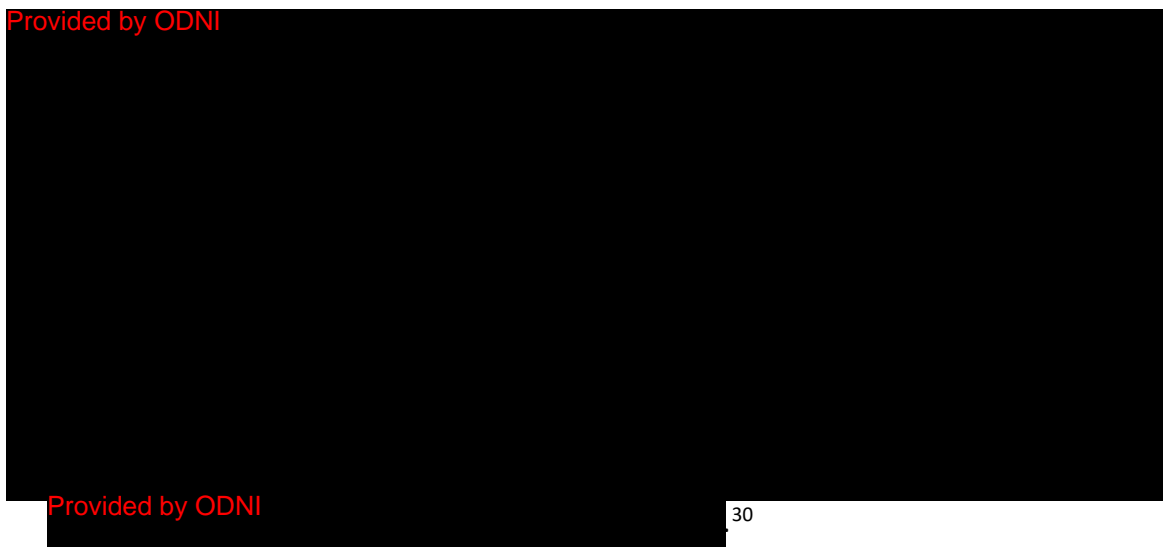
(U) The Director of National Intelligence, as the U.S. Government's Security Executive Agent, is responsible for developing and issuing policies and procedures for investigations and adjudications of eligibility for access to classified information or eligibility to hold a sensitive position Government-wide.²⁷ To provide oversight, ODNI established the Security Executive Agent National Assessments Program, which provides agencies with the opportunity to address issues or concerns regarding their personnel security processes.

(U) OPM and ODNI may conduct joint oversight assessments of personnel suitability and national security programs. If an agency fails to conform to requirements, OPM²⁸ and ODNI²⁹ can revoke an agency's delegated authority.

(U) Former CEO's Allegations

(U) On January 14, 2021, USAGM's CEO sent a letter to OIG alleging that previous USAGM senior management did not fully address "persistent security problems" in USAGM's personnel suitability and national security program. The CEO stated that these problems were identified in multiple assessments conducted by OPM and ODNI between 2010 and 2020.

~~(SBU)~~ The CEO also alleged that the OPM and ODNI assessments



~~(SBU)~~ Furthermore, the CEO alleged that

²⁷ (U) Executive Order 13467, § 2.3(c)(ii).

²⁸ (U) 5 C.F.R. § 731.103(f).

²⁹ (U) Security Executive Agent Directive 1, March 13, 2012, at 2 (stating that the Security Executive Agent has the authority to revise or revoke such delegation).

³⁰ (U) See footnote 2.

Provided by ODNI





Provided by ODNI

³¹

(U) RESULTS

(U) Finding A: USAGM Has Taken Actions To Address Long-Standing Deficiencies Identified by OPM and ODNI With the Personnel Suitability and National Security Determination Processes

(SBU) ~~ODNI~~ found that  ³² which are the U.S. Government's Suitability and Credentialing Executive Agent and Security Executive Agent responsible for overseeing agencies' personnel suitability and national security programs. 

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³⁶ Provided by OPM; (b)(5)

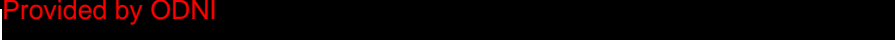
Provided by OPM; (b)(5)

³⁷ Provided by OPM; (b)(5)

Provided by OPM; (b)(5)

Provided by OPM; (b)(5)

³⁸ which rendered those investigations

invalid.³⁹ Furthermore 

³¹ (U) See footnote 2.


³² (U) See footnote 2.

³³ (SBU) 



³⁴ (U) ODNI, *Security Executive Agent National Assessment Program Final Report on the U.S. Agency for Global Media Personnel Security Program* at 5 (September 2019).

³⁵ (U) See footnote 2.

³⁶ (SBU) 



³⁷ (U) *Ibid.*, at 17.

³⁸ (U) *Ibid.*, at 23.

³⁹ (U) OPM, *Follow-Up Review of the U.S. Agency for Global Media Suitability Program* at 27 (July 2020).

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(U) Synopsis of Findings and Recommendations From OPM and ODNI Assessments

(SBU) Provided by OPM; (b)(5)
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Provided by OPM; (b)(5) According to Provided by OPM; (b)(5)
Provided by OPM; (b)(5)
Provided by OPM; (b)(5) 43 Moreover, Provided by OPM; (b)(5)
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Provided by OPM; (b)(5) 44 Furthermore, Provided by OPM; (b)(5)
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Provided by OPM; (b)(5) 45

(SBU) Provided by OPM; (b)(5)
Provided by OPM; (b)(5) 46 Provided by OPM; (b)(5)
Provided by OPM; (b)(5)
Provided by OPM; (b)(5) 47 OPM deemed these prior investigations
invalid, "as they were conducted under an expired Delegation for Investigative Authority and on
expired security forms."⁴⁸ In addition, in 2019, Provided by ODNI
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Provided by ODNI 49 Provided by ODNI

⁴⁰ (U) ODNI, *Security Executive Agent National Assessment Program Final Report on the U.S. Agency for Global Media Personnel Security Program* at 8 (September 2019).

⁴¹ (U) See footnote 2.

⁴² (SBU) Provided by OPM; (b)(5)
Provided by OPM; (b)(5)

⁴³ (SBU) Provided by OPM; (b)(5)
Provided by OPM; (b)(5)

⁴⁴ (U) *Ibid.*, at 40.

⁴⁵ (U) *Ibid.*, at 38.

⁴⁶ (U) *Ibid.*, at 11. OPM's National Background Investigation Bureau was transferred to DCSA in 2019.

⁴⁷ (U) *Ibid.*, at 40.

⁴⁸ (U) OPM, *Follow-Up Review of the U.S. Agency for Global Media Suitability Program* at 27 (July 2020).

⁴⁹ (U) ODNI, *Security Executive Agent National Assessment Program Final Report on the U.S. Agency for Global Media Personnel Security Program* at 8 (September 2019).

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(SBU) Provided by OPM; (b)(5)

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⁵² Provided by ODNI

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(U) USAGM's Response

(SBU) In response to ⁵⁷ Provided by OPM; (b)(5)

⁵⁷ USAGM ceased all investigative activities in November 2018 and began to transition its investigative functions to DCSA. OPM had provided USAGM with a list of 1,527 investigations that USAGM conducted under the expired delegated authority to assist USAGM in identifying the individuals who required a new investigation.⁵⁸ USAGM determined that, of the 1,527 individuals identified by OPM, approximately 750 individuals required reinvestigation.⁵⁹ From 2018 to April 2021, DCSA scheduled 2,021 investigation requests from USAGM and closed 1,747 of these investigations. According to a USAGM official, all reinvestigations have since been completed by DCSA. In addition, USAGM transferred adjudication responsibilities to OPM and the General Services Administration.

⁵⁰ (U) See footnote 2.

⁵¹ (SBU) ⁵⁷ Provided by OPM; (b)(5)

Provided by OPM; (b)(5)

⁵² (U) ODNI, *Security Executive Agent National Assessment Program Final Report on the U.S. Agency for Global Media Personnel Security Program* at 26-28 (September 2019).

⁵³ (U) *Ibid.*, at 26-28.

⁵⁴ (U) *Ibid.*, at 15.

⁵⁵ (U) ODNI, *Security Executive Agent National Assessments Program Draft Report U.S. Agency for Global Media (USAGM)* 18, 20-21 (February 2020).

⁵⁶ (U) See footnote 2.

⁵⁷ (SBU) ⁵⁷ Provided by OPM; (b)(5)

Provided by OPM; (b)(5)

⁵⁸ (U) OPM, *Follow-Up Review of the U.S. Agency for Global Media Suitability Program* at 52 (July 2020).

⁵⁹ (U) According to USAGM, the remainder had left the agency or were a type of employee that did not require reinvestigation.

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(U) Since transferring its suitability and national security investigations to DCSA, USAGM's role in the process for U.S. citizens is limited. Specifically, when an individual accepts an offer of employment, USAGM checks Federal systems to validate whether there is an existing investigation that meets the needs of the prospective employee's position.⁶⁰ If reciprocity can be applied, USAGM's Office of Security will obtain copies of all previous investigations and process the case without additional investigation. If reciprocity cannot be applied, USAGM's Office of Human Resources notifies the Office of Security of the need to initiate an investigative request through the Electronic Questionnaires for Investigations Processing⁶¹ system. The Office of Security will initiate the electronic questionnaire link for the prospective employee to complete. As part of an agreement, OPM reviews and submits USAGM's investigation requests to DCSA. Fingerprints are also electronically sent to the Federal Bureau of Investigation for a criminal history check. Once the investigation is complete, DCSA provides an investigation report to USAGM.

(U) Initially, all suitability and national security investigation and reinvestigation requests (including full-time USAGM employees, contractors, grantee employees, and foreign nationals) were sent to DCSA. However, in January 2021, OPM notified USAGM that, in accordance with policy,⁶² foreign nationals who had not resided in the United States for at least 3 of the most recent 5 years could not be investigated by DCSA.⁶³ In response, USAGM drafted an alternative investigative program for foreign nationals who do not meet the residency requirement. According to USAGM officials, the alternative investigative program had subsequently been approved by ODNI and was awaiting approval from OPM, as of September 2021. In the interim, USAGM may hire foreign nationals who do not meet the residency requirement if they can conduct their work without access to USAGM facilities or IT systems.

(U) CONCLUSION

(U) As the U.S. Government's Suitability and Credentialing Executive Agent and Security Executive Agent, OPM and ODNI have oversight responsibilities of Federal agencies' personnel suitability and national security programs. OPM and ODNI conducted assessments of USAGM's

⁶⁰ (U) According to USAGM's Personnel Security Management Directive, any investigation completed and favorably adjudicated by, or for, another Federal agency that is of the same or higher risk and scope as the one required is sufficient to meet the investigative requirements if it was conducted within the past 7 years.

⁶¹ (U) The Electronic Questionnaires for Investigations Processing is a web-based application that allows applicants to provide required data for background investigations for Federal security, suitability, fitness, and credentialing purposes.

⁶² (U) OPM, Memorandum for Heads of Executive Departments and Agencies, "Credentialing Standards Procedures for Issuing Personal Identity Verification Cards under HSPD-12 and New Requirement for Suspension or Revocation of Eligibility for Personal Identity Verification Credentials," 15 (December 15, 2020).

⁶³ (U) Of 2,809 people employed by USAGM (as of May 2021), 185 (7 percent) were foreign nationals. USAGM submitted all 185 foreign national cases to DCSA for either initial investigation or reinvestigation.

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program between 2010 and 2020 and identified numerous deficiencies, including that USAGM was conducting investigations without proper delegated authority. The current suitability and national security determination process employed by USAGM (i.e., using DCSA to conduct investigations and OPM and the General Services Administration to conduct adjudications for U.S. citizens) has been approved by OPM (suitability) and ODNI (national security). Furthermore, as of September 2021, according to USAGM officials, ODNI had approved an alternative investigative program for a subset of foreign nationals, and USAGM was awaiting OPM's approval.

(U) According to OPM and ODNI, USAGM has made progress in addressing deficiencies previously reported by each about USAGM's personnel suitability and national security program to include ensuring applicable USAGM employees receive valid suitability and national security determinations. Furthermore, OPM and ODNI officials stated that they are closely monitoring USAGM's progress in addressing identified deficiencies. Because of the actions taken by USAGM, along with OPM and ODNI's monitoring of USAGM's progress, OIG is not making any recommendations related to this issue.

(U) APPENDIX A: PURPOSE, SCOPE, AND METHODOLOGY

~~(SBU)~~ The Office of Inspector General (OIG) conducted this review to determine whether U.S. Agency for Global Media (USAGM) employees received valid suitability and national security determinations. OIG initiated this review in response to a letter from the USAGM Chief Executive Officer (CEO)¹ alleging that USAGM senior management did not fully address “persistent security problems” in USAGM’s personnel suitability and national security program. The CEO stated that these deficiencies were identified in multiple assessments conducted by the Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI) between 2010 and 2020. Furthermore, he alleged that ~~Provided by ODNI~~ ~~Provided by ODNI~~ yet, USAGM continued to grant access, security clearances, and suitability determinations that were invalid ~~Provided by ODNI~~.² The CEO requested that OIG investigate these “exceptionally serious issues at USAGM.”

(U) OIG conducted its work from February to June 2021 in the Washington, DC, metropolitan area. OIG conducted this evaluation in accordance with the Council of the Inspectors General on Integrity and Efficiency’s *Quality Standards for Inspection and Evaluation*. These standards require that OIG plan and perform the evaluation to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the evaluation objective. OIG believes the evidence obtained provides a reasonable basis for the findings and conclusions based on the evaluation objective.

(U) OIG reviewed OPM and ODNI assessment reports and documentation provided by USAGM and the Defense Counterintelligence and Security Agency. OIG also interviewed OPM, ODNI, Defense Counterintelligence and Security Agency, and USAGM officials. Such interviews were performed to understand to what extent current and newly hired USAGM employees possess valid suitability and national security determinations.

(U) Data Reliability

(U) OIG did not use any electronic data to support the findings in this report. Although references are made to data sources and personnel counts, OIG did not validate any of the data sources referenced in this report or USAGM’s personnel count.

¹ (U) The CEO, Michael Pack, resigned on January 20, 2021.

² (U) OIG provided a draft copy of this report to ODNI for comment. On October 6, 2021, OIG received a response from the Chief of the Personnel Security Group, Special Security Directorate, National Counterintelligence and Security Center. ODNI requested a redaction of these sections. This information was marked Unclassified//FOUO – a marking that prevents them from being included in an UNCLASSIFIED document intended for public release.

(U) APPENDIX B: U.S. AGENCY FOR GLOBAL MEDIA RESPONSE



U.S. AGENCY FOR
GLOBAL MEDIA

330 Independence Avenue SW | Washington, DC 20237 | usagm.gov

October 8, 2021

Mr. Norman Brown
Assistant Inspector General for Audits
Office of Inspector General
U.S. Department of State

Dear Mr. Brown:

Thank you for the opportunity to respond to the Office of Inspector General's (OIG) draft *Information Report: Review of Allegations Related to the U.S. Agency for Global Media's (USAGM) Personnel Suitability and National Security Program* (hereinafter "draft report" or "report").

USAGM takes security profoundly seriously. As recognized in the report, the agency has worked steadfastly to improve its personnel suitability and national security programs.

USAGM is pleased to see that the OIG's report acknowledges the agency's continued hard work and significant progress, in cooperation with both the U.S. Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI), in addressing all the recommendations and findings outlined by both entities in their inspection reports.

We appreciate that the OIG expressly recognized that, contrary to the crux of Mr. Pack's assertions, USAGM had been working in earnest, going back to at least 2018 (well before Mr. Pack arrived at the agency), to implement actions to address open recommendations from OPM and ODNI audits. Furthermore, we are pleased to see that the OIG recognizes that under the current processes used by the agency, USAGM staff are receiving suitability and national security determinations carried out via a process that meets all relevant OPM and ODNI standards. Based on feedback we have received, the agency is optimistic that both OPM and ODNI will conclude that USAGM has taken sufficient action to address and close nearly all open audit recommendations.

We value that the OIG's analysis seems to recognize the complexity of the matter at hand, and contrary to the picture that Mr. Pack sought to paint, the agency did not simply ignore these matters. For example, the longstanding, and now-discontinued agency practice of requiring the *more* rigorous version of the Standard Form in *all* cases may have resulted in *over-investigating* staff, but the purpose, outcome, and intent (vetting at the highest possible level)



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was, by definition, inconsistent with Mr. Pack's assertion that the agency did not take personnel security seriously. Again, USAGM, as the OIG noted, was already working to comply with these recommendations years before Mr. Pack arrived at the agency, as we have continued to do up to this day. For these and many other reasons described herein, we question the motivation behind Mr. Pack's letter. Accordingly, we believe that it speaks volumes that not only did the OIG determine *not* to make any recommendations in this report, but the OIG also determined it was *not* even necessary to conduct an audit of USAGM's personnel security program. We understand that this *unusual* step by the OIG is *highly significant*, and should not be overlooked when assessing the OIG report.

We also appreciate the OIG noting at the outset of its report the unique mission of USAGM, providing much needed context. As the legislative history makes clear, the mission of the agency is "hardly ... a typical government function," but rather one that is intended to carry out functions of a professional news organization – where the employees of the "broadcasters are journalists, reporting the news of the United States and the world to foreign audiences." H.R. Conf. Rep. No. 105-432, at 127 (1998). USAGM's workforce is predominantly working journalists – who, like any other journalists, rely on access to open source information. Their workspaces are newsrooms dedicated to newsgathering and reporting, and they do not use, store, or have access to classified information. This bears mentioning so that stakeholders or external audiences understand the context of this matter and do not get the wrong impression of our operation.

Finally, there are a few updates that may not have occurred soon enough to make it into the report, but we think bear mentioning. The OIG report mentions the Alternative Vetting Program (AVP) to allow for an expedited, common-sense process for a sub-set of our foreign national employee population who require certain facility and IT system access, but reside overseas, or in the U.S. for a limited time. USAGM developed the AVP in close coordination with OPM and ODNI. We are particularly proud of its rapid development and the positive responses it has elicited from both OPM and ODNI. We are happy to report that ODNI has approved our AVP for national security positions. OPM has informed USAGM that the agency may begin processing vetting for this sub- set of our employee population in public trust positions. We look forward to continuing to work closely with these inter-agency partners as USAGM begins to implement the AVP and continues to further improve USAGM's personnel security.

We greatly appreciate the highly professional work of your staff during this review. Should you have any additional questions, please do not hesitate to contact me or members of my team.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelu Chao".

Kelu Chao
Acting Chief Executive Officer

(U) ABBREVIATIONS

CEO	Chief Executive Officer
C.F.R.	Code of Federal Regulations
DCSA	Defense Counterintelligence and Security Agency
MOU	Memorandum of Understanding
ODNI	Office of the Director of National Intelligence
OIG	Office of Inspector General
OPM	Office of Personnel Management
USAGM	U.S. Agency for Global Media

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