

**Report on the Qualitative Assessment
Review of the Investigative Operations of
the Office of Inspector General for the
U.S. Department of State and
Broadcasting Board of Governors**

(Final Report)

Conducted by the Office of Inspector General
for the U.S. Department of Commerce

September 14, 2018

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Section 1:

Qualitative Assessment Review Opinion Letter



August 31, 2018

The Honorable Steve A. Linick
Inspector General
U.S. Department of State and Broadcasting Board of Governors
1700 North Moore Street, SA-39
Arlington, Virginia 22209

Subject: Qualitative Assessment Review Opinion Letter


Dear Inspector General Linick:

We have reviewed the system of internal safeguards and management procedures for the investigative operations of the Office of Inspector General (OIG) for the U.S. Department of State and Broadcasting Board of Governors in effect for the review period ending May 31, 2018. Our review was conducted in conformity with the Quality Standards for Investigations and the Qualitative Assessment Review Guidelines established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

We reviewed compliance with the U.S. Department of State and Broadcasting Board of Governors OIG's system of internal policies and procedures to the extent we considered appropriate. The on-site portion of the review was conducted at the headquarters office in Arlington, Virginia, but the review covered investigative operations from all locations. As part of our review, we sampled 20 case files of investigations closed during the May 3, 2017, through April 20, 2018, timeframe. In performing our review, we also gave consideration to the Attorney General's Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority and Section 6(e) of the Inspector General Act of 1978, as amended, other statutes, or as expressly authorized by the Attorney General.

In our opinion, the system of internal safeguards and management procedures for the investigative function of the U.S. Department of State and Broadcasting Board of Governors OIG in effect for the review period ending May 31, 2018, is in compliance with the quality standards established by the CIGIE and the other applicable guidelines and statutes cited above. These safeguards and procedures provide reasonable assurance of conforming with professional standards in the planning, execution, and reporting of investigations and in the use of law enforcement powers.

Sincerely,



Peggy E. Gustafson
Inspector General

Attachment A:

Listing of Sampled Closed Investigation Case Files

<u>Case Number</u>	<u>Date of Closure</u>
C2010081	10/26/2017
C2010092	02/02/2018
C2012062	02/23/2018
C2014043	02/23/2018
C2014062	08/11/2017
C2015028	09/12/2017
C2015067	03/01/2018
C2015077	10/23/2017
C2015097	09/27/2017
C2015104	09/13/2017
C2015108	07/28/2017
C2015119	04/04/2018
C2016022	01/18/2018
C2016032	01/17/2018
C2016071	07/13/2017
C2017005	08/01/2017
C2017006	02/07/2018
C2017016	10/31/2017
C2017051	01/09/2018
C2018023	04/20/2018

Section 2:

Qualitative Assessment Review Observations Letter



August 31, 2018

The Honorable Steve A. Linick
Inspector General
U.S. Department of State and Broadcasting Board of Governors
1700 North Moore Street, SA-39
Arlington, VA 22209

Subject: Qualitative Assessment Review Observations Letter

Dear Inspector General Linick:

This letter is a supplement to our Qualitative Assessment Review Opinion Letter on the investigative operations of the Office of Inspector General for the U.S. Department of State and Broadcasting Board of Governors, dated August 31, 2018.

In addition to reporting a rating of compliant, the review team identified several best practices or similar notable positive attributes of your investigative operations. Specifically, the review team noted the following:

1. Organizational Structure

The Office of Investigations' organizational structure appears extremely well-suited to fulfill the investigative mission and ensure that all cases and other operations maintain the highest quality. In addition to the traditional investigative units, your organization also has personnel dedicated to proactive initiatives, investigative support, and program management. This structure seems to greatly facilitate the development of expertise and institutional knowledge and promote positive collaboration among the various units.

2. Case Management System and Computer Forensics Division Database

CaseMan, the case management system that serves as the official repository of investigation case files, appears very well-designed and tailored to increase the efficiency of all investigative-related operations. Of particular note is the system's capability to track and maintain the supporting documentation for the numerous training, compliance, data, and other requirements applicable to law enforcement and Office of Inspector General operations. Additionally, investigative personnel seem to be well-trained in the system's capabilities and have taken full advantage of the system while suggesting other innovations to improve the system even further. On a related note, HAL, the database used by the Computer Forensics Division to track its activities and training requirements, appears to be an exceptional system that ensures the efficiency and quality of the work the division performs

3. Hotline Operations

The hotline operations group and their practices and procedures appear highly efficient, collaborative, and facilitative of the agency's mission. The workflow process is further enhanced through the use of CaseMan, which helps ensure that all hotline-related tasks and referrals are tracked and handled in a timely manner. Additionally, to ensure that the proper and most helpful information is obtained at the outset, the hotline operations group employs several online complaint intake forms, including those tailored for whistleblower retaliation matters and contractor self-disclosures. Furthermore, complainant confidentiality appears to be treated with due importance, as demonstrated in part by the practice of requesting redacted complaints from witnesses who desire to maintain their confidentiality.

4. Firearms and Other Training Requirements

Investigative personnel subject to a number of recurring firearms and other standard training requirements. The staff overseeing compliance with these requirements have commendably ensured that the requirements are satisfied in a timely manner and that the appropriate supporting documentation is maintained in an organized fashion. Their files are highly accessible, quickly provide the information needed to assess compliance, and should serve as models for other agencies to follow.

In addition to reporting a rating of compliant, the review team identified areas for improvement, increased efficiency, or effectiveness. Specifically, the review team noted the following:

1. Notification Letters to the Federal Bureau of Investigation (FBI)

Under the Attorney General Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority, in areas of concurrent jurisdiction, the Offices of Inspector General and the FBI are required to notify each other in writing within, absent exigent circumstances, 30 calendar days of the initiation of a criminal investigation. Several of the cases that were reviewed contained initial allegations implicating criminal statutes and had notification letters to the FBI that were dated beyond the 30-day window. However, the review team found no missing notification letters. Additionally, on a positive note, the review team found instances in which supplementary notification letters were sent after additional subjects were identified. Furthermore, the review team reported that investigative personnel are seeking to implement a feature in CaseMan that will track and facilitate compliance with the 30-day notification requirement.

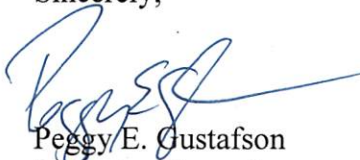
2. Documentation of Exceptions to Policy

Office of Investigations policy requires all investigative activity, as well as all relevant correspondence, reports, and other documents, to be recorded in CaseMan, which serves as the repository of the official case files. Office of Investigations policy also notes that two special agents will conduct subject interviews unless approval to do otherwise is obtained in advance from an Assistant Special Agent in Charge. The review team found

two instances in which a subject interview appeared to be conducted by only one agent. The review team also found one case in which CaseMan did not appear to contain complete documentation of investigative activities referenced in the case closure memorandum. As these practices appear to constitute exceptions to policy, it may be beneficial to create written documentation of the approval of these exceptions. The peer review team noted, however, that these exceptions did not appear to have any type of detrimental effect on the outcome of the investigations.

On behalf of the review team, I express our utmost appreciation to your entire investigations team for their accommodating assistance throughout the review. If you have any questions, please do not hesitate to contact me at 202-482-4661 or Special Agent in Charge Duane Townsend at 202-482-0174.

Sincerely,



Peggy E. Gustafson
Inspector General

Section 3:
Response Letter



OIG Office of Inspector General
U.S. Department of State • Broadcasting Board of Governors

UNCLASSIFIED

September 12, 2018

The Honorable Peggy E. Gustafson
Inspector General
United States Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Inspector General Gustafson:

A handwritten signature in cursive that reads "Peggy".

Thank you for your correspondence of August 31, 2018, which included a draft Report on the Qualitative Assessment Review and a Letter of Observations, both of which addressed the investigative operations of the U.S. Department of State Office of Inspector General.

We were pleased to learn that the report concluded that our system of internal safeguards and management procedures for investigative operations during the period of review fully complied with the quality standards established by the Council of the Inspectors General on Integrity and Efficiency, as well as the Attorney General's Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority.

We were also pleased that your correspondence, entitled "Qualitative Assessment Review Observations Letter," recognized several best practices and identified other positive attributes of our investigative operations. We will use your observations to continuously improve our operations and build on our areas of strength.

We appreciate your efforts in conducting this review and commend the expertise and professionalism of the reviewers. Your team structured its work so that we could continue our day-to-day operations with minimum disruption.

If you have any questions or need additional information, please contact me at (571) 349-9262 or Assistant Inspector General for Investigations Michael Ryan at (571) 348-3298.

Sincerely,

A handwritten signature in cursive that reads "Steve A. Linick".

Steve A. Linick
Inspector General

cc: Mr. Michael Ryan, Assistant Inspector General for Investigations, Department of State,
Office of Inspector General