



*Council of the*  
**INSPECTORS GENERAL**  
*on INTEGRITY and EFFICIENCY*

January 7, 2019

The Honorable Elijah Cummings  
Chairman, Committee on Oversight  
and Government Reform  
U.S. House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515-6143

The Honorable Jim Jordan  
Ranking Member, Committee on Oversight and  
and Government Reform  
U.S. House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515-6143

Dear Mr. Chairman and Ranking Member Jordan:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the Congress and the President an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the Integrity Committee Chairperson, summarizing the IC activities for fiscal year 2018. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

Thank you for your continued support for the work of the Inspector General community. Should your staff wish to receive any additional information concerning this report or any other CIGIE activity, please have them contact me (202) 514-3435.

Sincerely,

Michael E. Horowitz  
Chairperson

Enclosure

cc: The Honorable Margaret Weichert, Executive Chairperson  
Council of the Inspectors General on Integrity and Efficiency



*Council of the*  
**INSPECTORS GENERAL**  
*on INTEGRITY and EFFICIENCY*

January 7, 2019

The Honorable Ron Johnson  
Chairman, Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, DC 20510-6250

The Honorable Gary Peters  
Ranking Member, Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, DC 20510-6250

Dear Mr. Chairman and Ranking Member Peters:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the Congress and the President an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the Integrity Committee Chairperson, summarizing the IC activities for fiscal year 2018. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

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Council of the Inspectors General on Integrity and Efficiency



*Council of the*  
**INSPECTORS GENERAL**  
*on INTEGRITY and EFFICIENCY*

January 7, 2019

The President  
The White House  
Washington, DC 20500-0000

Dear Mr. President:

Section 11(d)(9) of the Inspector General Act of 1978, as amended, requires the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to submit to the President and the Congress an annual report on the activities of the CIGIE Integrity Committee (IC). Enclosed is the report of the Integrity Committee Chairperson, summarizing the IC activities for fiscal year 2018. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

Thank you for your continued support for the work of the Inspector General community. Should your staff wish to receive any additional information concerning this report or any other CIGIE activity, please have them contact me at (202) 514-3435.

Respectfully,

Michael E. Horowitz  
Chairperson

Enclosure

cc: The Honorable Margaret Weichert, Executive Chairperson  
Council of the Inspectors General on Integrity and Efficiency



**Council of the Inspectors General  
on Integrity and Efficiency**

**Integrity Committee Activities**

**Fiscal Year 2018  
Annual Report**

# Message from the Chairman Dahl

On behalf of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) Integrity Committee (IC), I present this annual report on the activities and accomplishments of the IC from October 1, 2017, to September 30, 2018. The Inspector General Act of 1978, as amended, mandates that the IC receive, review, and refer for investigation allegations of wrongdoing made against Inspectors General (IGs), designated staff members of those IGs, and the Special Counsel and Deputy Special Counsel of the Office of Special Counsel (OSC). The IC members and the support staff continue to serve a vital role of holding senior OIG officials accountable for serious misconduct by ensuring fair, consistent, timely, and impartial disposition of allegations that fall within the IC's statutory authority.



The IC saw a significant increase in case load since the enactment of the Inspector General Empowerment Act of 2016 (IGEA), from 39 cases in fiscal year (FY) 2017 to 63 cases in FY 2018. The IC met 18 times in FY 2018 and initiated five investigations (compared to three investigations in FY 2017). The IC completed three investigations and issued reports to Congress for each; one originating in FY 2017 and two originating in FY 2018.

During this reporting period the program management responsibilities of the IC were fully transferred from the Federal Bureau of Investigation (FBI) to CIGIE in accordance with the IGEA. We also engaged in outreach efforts to inform the IG community and congressional stakeholders about the IGEA changes to the IC, and we continued our work with OSC and the Intelligence Community IGs to address several policy issues. I commend the IC members, our support staff, and the FBI's Office of Integrity and Compliance for completing the transfer with no interruption to the IC mission. Please visit our webpage for historical records and up to date information regarding the IC and its activities at <https://www.ignet.gov/content/integrity-0>.

I look forward to continuing these efforts and working with our partner agencies and members of Congress to provide our nation's taxpayers with assurance of the independence and integrity of the federal oversight community.

A handwritten signature in black ink that reads "S. Dahl". The signature is written in a cursive, flowing style.

Scott Dahl  
Chairman, Integrity Committee

# Overview of the Integrity Committee

## Statutory Authority, Mission and Organization

The statutory mission of the Council of the Inspectors General (CIGIE) [Integrity Committee](#) (IC) is to receive, review and refer for investigation allegations of wrongdoing made against an Inspector General (IG), certain designated senior members of an Office of Inspector General (OIG), and the Special Counsel and Deputy Special Counsel of the U.S. Office of Special Counsel (OSC), in accordance with section 11(d) of the Inspector General Act of 1978, as amended, 5 U.S.C. app. (IG Act).

## Committee Membership and Support Staff

IC membership includes four IGs and a designee each from the Office of Government Ethics (OGE) and the Federal Bureau of Investigation (FBI). The current IC members are:

- [The Honorable Scott Dahl](#), IG, U.S. Department of Labor (Chairperson)
- [The Honorable Deborah Jeffrey](#), IG, Corporation for National and Community Service
- [Tom Howard](#), IG, Amtrak
- [Mary Mitchelson](#), IG, Corporation for Public Broadcasting
- Dale Christopher, Deputy Director for Compliance, OGE
- Catherine Bruno, Assistant Director, Office of Integrity and Compliance, FBI

The IC is supported by two CIGIE staff members in the CIGIE Office of General Counsel and a Department of Justice (DOJ) legal advisor, currently a senior official of the DOJ Public Integrity Section.

## IC Policies and Procedures

The IC operates pursuant to its published [policies and procedures](#). Upon receipt of a complaint against a covered person, IC support staff forwards the complaint to a three-member panel that consists of a designee of the IC, DOJ, and OSC. This ensures the equities of each agency are considered prior to referring the matter to the IC for review. The IC members meet at least monthly as an independent deliberative body to review each allegation, using a threshold standard and the current policies and procedures to guide its actions (see enclosure 2). The IC continually strives to ensure the fair, consistent, timely, and impartial disposition of allegations. To mitigate the existence or appearance of conflicts of interest, the IC members adhere to a policy of transparency at meetings and recusal from matters, as appropriate.

# Fiscal Year 2018 Data Reporting

## Federal Personnel Under the Authority of the IC

Pursuant to the IG Act, the IC has the authority to investigate allegations made against the 74 Inspectors General who are members of CIGIE, the Special Counsel and Deputy Special Counsel of OSC, and IG designated staff members, collectively termed “covered persons.” For fiscal year (FY) 2018, there were approximately 415 covered persons subject to the IC’s authority.

## Disposition of FY 2018 Complaints

In FY 2018, the IC initiated five investigations, arising from six underlying cases. The IC support staff received approximately 385 incoming communications, which were screened to remove duplicates, objectively unreliable information, and complaints determined to be completely outside of the IC’s authority. The remaining complainant communications were consolidated into 86 complaints and forwarded to the Allegation Review Group (ARG). Upon referral from the ARG, the IC support staff further consolidated the complaints into 63 IC cases, which involved 34 different agencies and 87 covered persons. Typically, each of the cases contained multiple allegations of wrongdoing against one or more covered persons within an OIG or OSC, averaging 59 pages of substantive information for IC review per closed case. The IC sought responses from 27 respondents for 21 of the 63 cases.

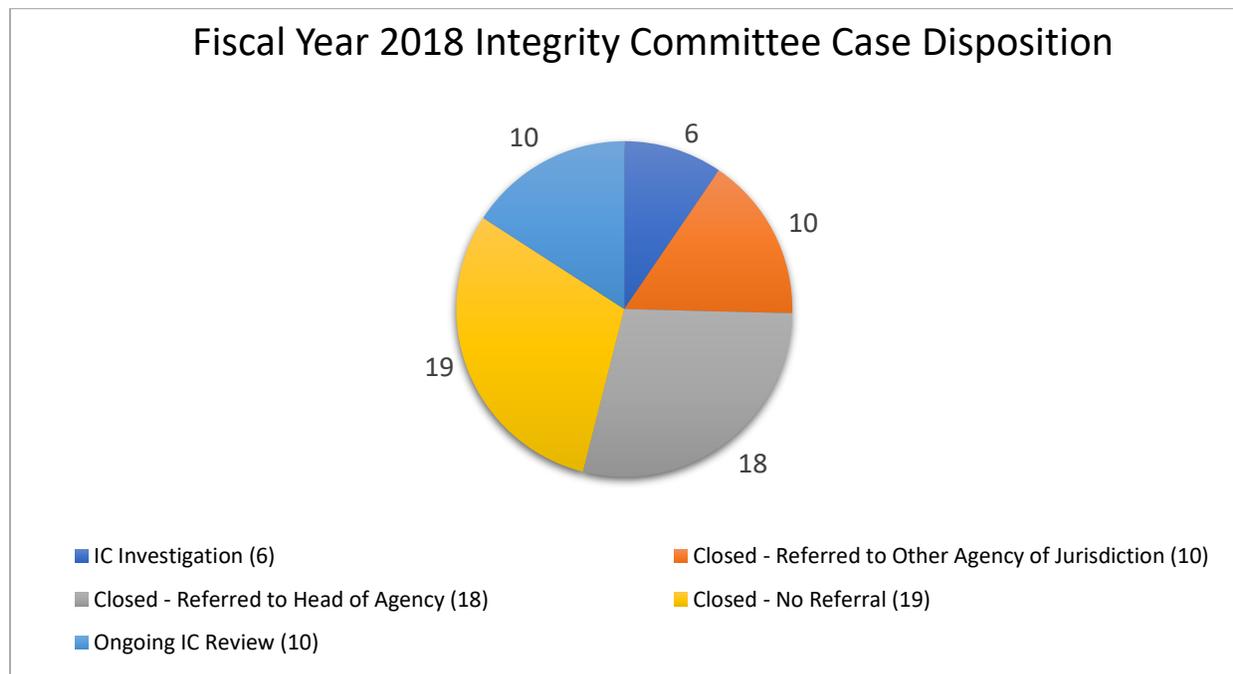


Figure 1. Fiscal Year 2018 Integrity Committee Case Disposition

## Summary Disposition of FY 2018 Complaints

FY 2018 Case Disposition: The IC opened 63 cases.

- The IC initiated five investigations, arising from six underlying cases.
  - The IC substantiated wrongdoing in case 911 (enclosure 1).
  - The IC did not substantiate wrongdoing in case 917 (enclosure 1).
  - The IC had three investigations, arising from four underlying cases, pending completion at the end of the reporting period.
- The IC closed 47 cases with no referral for investigation.
  - The IC referred 18 cases to heads of agencies for any action deemed appropriate:
    - 15 to the relevant IG,
    - one to the Special Counsel of OSC, and
    - two to the CIGIE Chairperson.
  - The IC closed 10 cases due to ongoing reviews at another agency of jurisdiction:
    - two at the Equal Employment Opportunity Commission,
    - two at the OIG for the Intelligence Community,
    - five at OSC, and
    - one at DOJ.
  - The IC closed the remaining 19 allegations without external referral. *In general, these cases either contained no apparent allegations of wrongdoing and/or the IC threshold standard was not met and there was no appropriate authority to which the case could otherwise be referred.*
- The IC had 10 FY 2018 cases pending review and initial determination at the end of the reporting period.

Each year the IC receives complaints regarding federal employees and others that are completely outside its authority to act upon. These complaints are forwarded, as appropriate, to the relevant IG, the Special Counsel, or other authority for any action they deem appropriate.

## FY 2018 Case Timeliness

The IC takes seriously our obligation to act promptly on matters before us; however, the deadlines established by the IG Act continue to pose a challenge due to the complexity of the cases. We appreciate that Congress created flexibility for the IC to handle such important matters. Pursuant to the IG Act, the IC issued eleven letters to notify Congress of the need to extend the 30-day IC review period and the 150-day IC investigation period allowed by statute. All 21 cases in which the IC requested a subject response exceeded the initial 30-day IC review period due to the 20 days given by IC policy to each subject to respond to the allegations. Three of the five investigations exceeded the 150-day IC investigation period. In general, the 150-day IC investigation period was exceeded due to the large number and volume of documents reviewed, the large number of witnesses interviewed for each case and, in some cases, the investigation of additional allegations of wrongdoing that arose during an ongoing investigation, as well as national security classification issues.

Summary Disposition of FY 2017 Complaints in FY 2018

The IC continued work on seven cases from FY 2017.

- The IC had one investigation, arising from two underlying cases, originating from FY 2017 pending completion at the end of the reporting period.
- The IC closed five cases from FY 2017.
  - The IC reconsidered a case previously referred to DOJ and determined it should remain closed as the allegations were fully addressed by another agency of jurisdiction.
  - The IC completed an investigation for case 865 and substantiated findings of wrongdoing. *See FY 2017 Annual Report for a summary of findings.*
  - Of the three remaining closed cases, two were referred to the relevant IG for any action deemed appropriate.

Comparison of FY 2018 with Previous Years

As shown in Table 1 and Figure 2 below, during FY 2018 the IC saw a significant increase in the number and complexity of cases compared to FY 2017 and previous years. This increase is attributed to the implementation of the Inspector General Empowerment Act of 2016 (IGEA), as well as proactive CIGIE outreach and education efforts, which resulted in an increased awareness of the IC and its mission.

Table 1. Comparison of IC operational data between FY 2017 and FY 2018.

	FY17	FY18
Cases Opened	39	63
Case Subjects (respondents)	54	87
Subject Agencies	22	34
Requests for Response	13	27
Investigations	3	5
Meetings Held	18	18

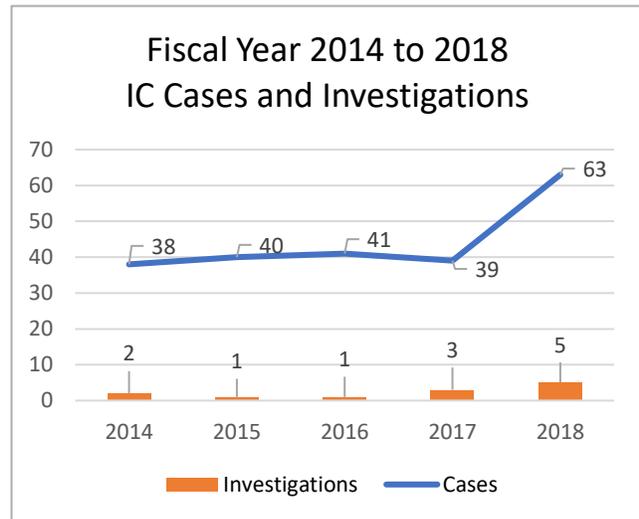


Figure 2. Fiscal Year 2014 to FY 2018 IC cases and investigations.

Other IC Activities

During this reporting period the program management responsibilities of the IC were fully transferred from the FBI to CIGIE in accordance with the IGEA. This was a significant accomplishment in that it required hiring and training new CIGIE staff members, standing up a new case and records management system, revising CIGIE Privacy Act and Freedom of Information Act regulations, publishing a new System

of Records Notice, submitting a new federal records schedule, and making substantial revisions to the IC Policies and Procedures.

The IC also worked on stakeholder outreach, transparency, and resolving important government-wide policy issues. The IC presented at multiple meetings throughout the year, including the annual IG conference, to inform the IG community of the IC's mission, processes, and changes implemented pursuant to the IGEA. We met with a Member of Congress on an oversight committee and had multiple conversations with congressional staff concerning IC operations. We are also working on a major update to our public webpage to better inform our stakeholders of IC activities, including the public, and to provide guidance to those participating in our processes (e.g., complainants, respondents, assisting OIGs). The IC is also working to address several policy issues, including: complaints made to OSC pursuant to 5 U.S.C. 1213 concerning OIG officials and whistleblower complaints made against intelligence community OIG officials pursuant to the Presidential Policy Directive-19 framework.

## Enclosure 1. FY 2018 Investigation Summaries

### IC Case 911: Federal Election Commission (FEC) OIG

The IC received a complaint alleging a covered person (subject) wrongfully accepted a performance-based cash award. The IC determined the record was sufficient to make investigative findings and referred the case to the IC Chairperson for investigation. The IC Chairperson completed the investigation, substantiating the allegation.

Upon consideration of the investigative report and the subject's response to the preliminary findings and conclusions, the IC determined that the facts set forth in the report were supported by a preponderance of the evidence. The IC concluded that the subject engaged in substantial misconduct that undermined the independence and integrity reasonably expected of a covered person. This determination was based on the subject's actions in communicating with FEC Commissioners to consider a performance award and the subject accepting the award despite acknowledging to CIGIE that an award should not have been received.

### IC Case 917: Farm Credit Agency (FCA) OIG

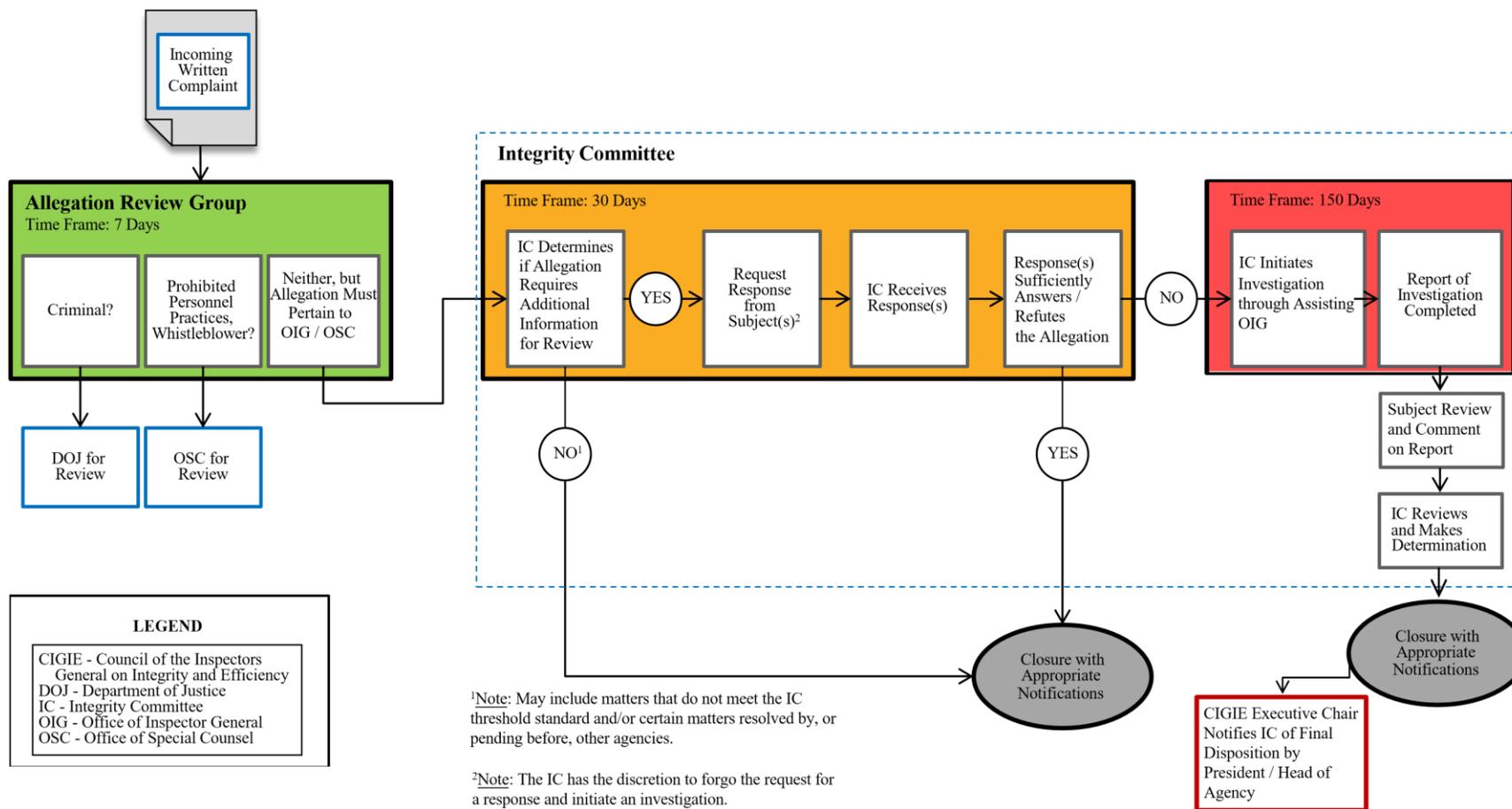
The IC received a complaint alleging a covered person (subject) wrongfully: 1) reduced the scope of an ongoing audit after meeting privately with FCA management in order to appease them, 2) attempted to remove an OIG staff member for aggressively pursuing investigations against senior FCA officials and for discriminatory reasons, and 3) sought and relied upon legal advice from FCA's Office of General Counsel thereby compromising IG independence. The IC referred the case to the IC Chairperson for investigation. The IC Chairperson engaged the assistance of the Railroad Retirement Board OIG and completed the investigation. The investigation did not substantiate the allegations.

Upon consideration of the investigative report, the IC determined that the facts set forth in the report were supported by a preponderance of the evidence. The IC concluded that the subject did not engage in substantial misconduct since the facts determined through investigation did not substantiate the allegations.

### On-going Investigations from FY 2017 and FY 2018

There were four investigations pending completion. The IC does not provide substantive information on pending investigations.

## Enclosure 2. Generic Integrity Committee Process for Allegations Received Against Covered Persons



### Enclosure 3. IC Case Open and Disposition Dates for Fiscal Year 2018

Case #	Date Referred to IC (Case Opened)	Date Disposed (Case Closed)	Case #	Date Referred to IC (Case Opened)	Date Disposed (Case Closed)
910	10/16/2017	11/7/2017	942	4/23/2018	5/10/2018
911	10/16/2017	3/21/2018	943	4/24/2018	7/12/2018
912	11/3/2017	pending	944	5/3/2018	5/10/2018
913	11/8/2017	1/11/2018	945	5/15/2018	6/7/2018
914	11/30/2017	12/14/2017	946	5/8/2018	6/7/2018
915	12/4/2017	12/14/2017	947	4/18/2018	5/10/2018
916	12/7/2017	1/11/2018	948	5/16/2018	8/2/2018
917	12/20/2017	9/27/2018	949	6/5/2018	8/2/2018
918	12/21/2017	pending	950	6/7/2018	6/21/2018
919	12/22/2017	pending	951	6/8/2018	pending
920	1/11/2018	2/8/2018	952	6/11/2018	6/21/2018
921	1/17/2018	3/8/2018	953	6/15/2018	8/23/2018
922	1/17/2018	2/8/2018	954	6/15/2018	pending
923	2/1/2018	3/29/2018	955	6/25/2018	8/23/2018
924	2/7/2018	2/8/2018	956	6/26/2018	pending
925	2/9/2018	3/8/2018	957	7/10/2018	8/2/2018
926	2/9/2018	6/21/2018	958	7/10/2018	8/2/2018
927	3/1/2018	3/29/2018	959	7/13/2018	pending
928	3/14/2018	3/29/2018	960	7/13/2018	pending
929	3/15/2018	5/10/2018	961	7/31/2018	pending
930	3/26/2018	4/19/2018	962	8/1/2018	8/23/2018
931	4/2/2018	4/19/2018	963	8/7/2018	8/23/2018
932	4/5/2018	5/10/2018	964	8/7/2018	pending
933	4/6/2018	6/7/2018	965	8/23/2018	9/13/2018
934	4/10/2018	4/19/2018	966	8/24/2018	pending
935	4/16/2018	4/19/2018	967	9/4/2018	9/13/2018
936	4/16/2018	6/21/2018	968	9/4/2018	9/13/2018
937	4/18/2018	7/12/2018	969	9/5/2018	9/13/2018
938	4/19/2018	5/10/2018	970	9/24/2018	pending
939	4/20/2018	5/10/2018	971	9/26/2018	pending
940	4/20/2018	7/12/2018	972	9/30/2018	pending
941	4/20/2018	5/10/2018			