



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

October 19, 2021

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 IC Chairperson, summarizing the IC activities for fiscal year 2021. 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 703-292-7100.

Respectfully,

Allison C. Lerner
Chairperson

Enclosure

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



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

October 19, 2021

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

The Honorable Rob Portman
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 Portman:

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Sincerely,

Allison C. Lerner
Chairperson

Enclosure

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



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

October 19, 2021

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

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

Dear Ms. Chairwoman and Ranking Member Comer:

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Sincerely,

Allison C. Lerner
Chairperson

Enclosure

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

Message from Chairperson Winters

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, 2020, to September 30, 2021. 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), certain designated senior members of an Office of Inspector General (OIG), and the Special Counsel and Deputy Special Counsel of the Office of Special Counsel (OSC).



While the Inspector General community continues to exercise its oversight responsibilities for its respective programs and operations, the IC remains vigilant in its duty to ensure senior officials in the IG community “perform their duties with integrity and apply the same standards of conduct and accountability to themselves as they apply to the agencies that they audit and investigate.”¹ The IC serves as an important safeguard for promoting public trust regarding senior OIG officials by ensuring fair, consistent, timely, and impartial disposition of serious allegations that fall within the IC’s statutory authority.

Consisting of four IGs, representatives from the FBI and the Office of Government Ethics, and a small support staff, the IC opened 65 cases for review in Fiscal Year (FY) 2021, and continued to see an increase in the complexity and severity of the allegations. The number of incoming communications to the IC also continued to rise, from 1,152 in FY 2020, to 3,917 in FY 2021. The IC met 19 times in this reporting period, reviewed an average of 1,047 pages of material per meeting, and initiated 4 investigations. The IC completed 3 investigations, 2 originating in FY 2018 and 1 originating in FY 2019, and issued reports of its findings to Congress.

The IC also continued its outreach efforts to inform the IG community and congressional stakeholders of IC policies and procedures and remains focused on enhancing their rigor, timeliness, accountability, and transparency. And, in April 2021, the IC amended its policies and procedures to memorialize the long-established requirement that all IGs and their staffs provide timely and complete access to information and witnesses requested by the IC or its representatives.²

Please visit the IC webpage for historical records and up to date information regarding the IC and its activities at <https://www.ignet.gov/cigie/committees/integrity-committee>.

¹ Committee on Oversight and Government Reform, *Improving Government Accountability Act*, 110th Cong. (Sept. 27, 2007) (H. Rept. 110-354).

² [IC Policies and Procedures, revised January 2018](#).

We look forward to continuing the IC's important accountability mission and working with our partner agencies and members of Congress to provide our nation's taxpayers with the assurance of independent oversight of senior personnel within the IG community.

A handwritten signature in black ink that reads "K. H. Winters". The signature is written in a cursive style with a long, sweeping horizontal line at the end.

Kevin H. Winters
Chairperson

Overview of the Integrity Committee

Statutory Authority, Mission and Organization

The statutory mission of the Council of the Inspectors General on Integrity and Efficiency's (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). Additionally, pursuant to the Legislative Branch Inspectors General Independence Act of 2019, the IC also reviews allegations of misconduct by an agent or special agent in a Legislative Branch OIG. Collectively, individuals subject to IC oversight are referred to by the IC as Covered Persons.

Committee Membership and Support Staff

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

- [Kevin H. Winters](#), IG, Amtrak (Chairperson)
- [The Honorable Deborah J. Jeffrey](#), IG, AmeriCorps (Vice Chairperson)
- [Andrew Katsaros](#), IG, Federal Trade Commission
- [The Honorable Robert P. Storch](#), IG, National Security Agency
- [Dale A. Christopher](#), Deputy Director for Compliance, OGE
- [Catherine S. 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 U.S. 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 every three weeks 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 1). 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 2021 Data Reporting

Personnel Under the Authority of the IC

For Fiscal Year (FY) 2021, there were approximately 468 Covered Persons subject to the IC’s authority. The decrease in Covered Persons relative to FY 2020 may be attributed to the merging or dissolution of designated positions in various OIGs.³

Disposition of FY 2021 Complaints

In FY 2021, the IC received approximately 3,917 incoming communications, a significant increase from previous years,⁴ which may be attributed to IC’s continued outreach to the community and the implementation of a more interactive, informative, and helpful website. The communications 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 then forwarded to the Allegation Review Group (ARG) for review and placed on the IC’s agenda. The IC opened 65 cases for review in FY 2021, which involved 30 different agencies and 63 Covered Persons (*see* Figure 1). The IC initiated 4 investigations, submitted 14 requests for additional information, and sought 13 responses from subjects.

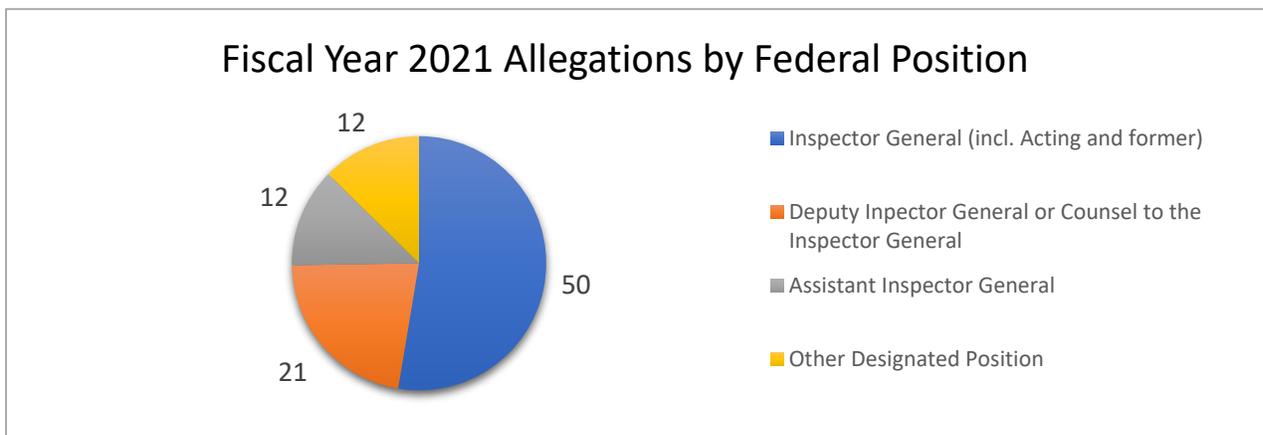


Figure 1. Fiscal Year 2021 Allegations by Federal Position

The IC takes action on allegations of wrongdoing that involve abuse of authority in the exercise of official duties or while acting under color of office; substantial misconduct, such as gross mismanagement, gross waste of funds, or a substantial violation of law, rule, or regulation; or conduct that undermines the independence or integrity reasonably expected of such persons (*see* Figure 2). Typically, each case contains multiple allegations of wrongdoing against one or more

³ There were 415 Covered Persons in FY 2018, 444 Covered Persons in FY 2019, and 475 Covered Persons in FY20.

⁴ Incoming communications received by the IC totaled 385 in FY 2018, 1035 in FY 2019, and 1,152 in FY 2020.

Covered Persons within an OIG or OSC, averaging over 1,047 pages of substantive information for IC review per meeting.

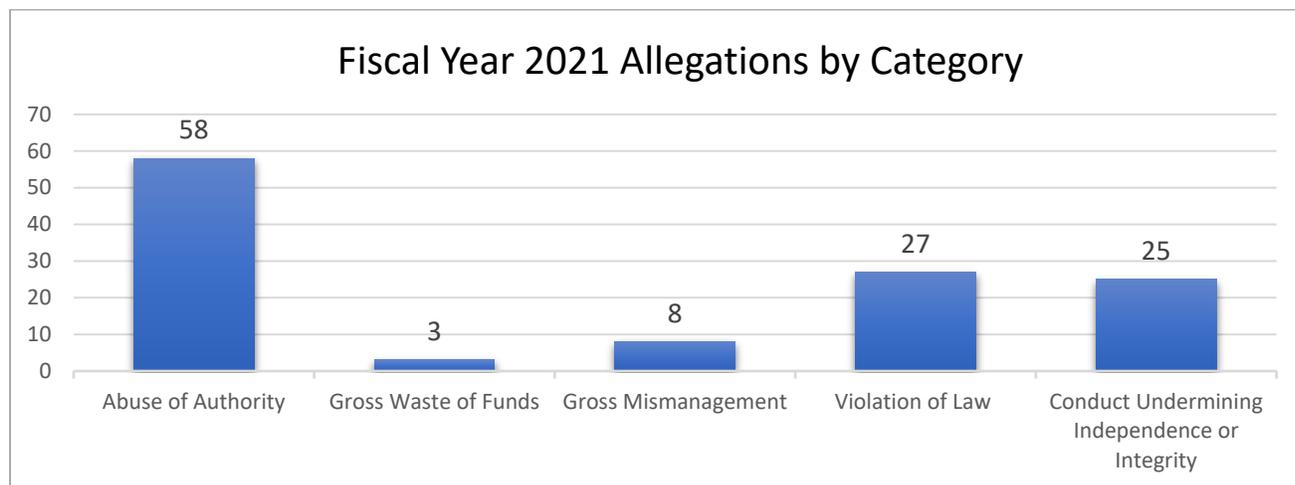


Figure 2. Fiscal Year 2021 Allegations by Category

FY 2021 Case Timeliness

The IC takes seriously its obligation to act promptly on matters; however, the deadlines established by the IG Act continue to pose a challenge due to the complexity of the cases. The IC appreciates that Congress, through deadline extensions and notification requirements, provides flexibility for the IC to handle such important matters. Pursuant to the IG Act, the IC issued 11 letters to notify Congress of the need to extend the 30-day IC review period and the 150-day IC investigation period reflected in the IG Act. Twenty-two cases exceeded the initial 30-day IC review period due to the classified nature of the material, a lack of quorum for IC determinations, requests for additional information, and the 20 days given by IC policy to each subject who is asked to respond to the allegations. Eleven investigations exceeded the 150-day IC investigation period due to the large number of documents reviewed and witnesses interviewed for each case, and, in some cases, the investigation of additional allegations of wrongdoing that arose during an ongoing investigation or a lack of cooperation by subjects and others.

Summary Disposition of FY 2021 Complaints

FY 2021 Case Disposition: The IC opened and reviewed 65 cases (*see* Enclosure 2).

- The IC initiated 4 investigations (IC 20-059, IC 21-019, IC 21-027, and IC 21-064).
- The IC closed 54 cases.
 - 8 of these cases were referred to other heads of agencies for any action deemed appropriate:
 - 5 to the Special Counsel of OSC;
 - 2 to other agencies of jurisdiction; and
 - 1 to the CIGIE Chairperson. The IC did not refer any matters to DOJ.
 - 46 cases were closed without external referral. These cases either contained no apparent allegations of wrongdoing and/or the IC threshold standard was not met. Additionally, to protect whistleblower identity, the IC will not refer an allegation to another agency of jurisdiction without the complainant's consent.
- The IC had 7 FY 2021 cases pending review and initial determination at the end of the reporting period.

Summary Disposition of Previous Fiscal Year Complaints in FY 2021

The IC continued work on 3 cases from FY 2018, 3 cases from FY 2019, and 10 cases from FY 2020.

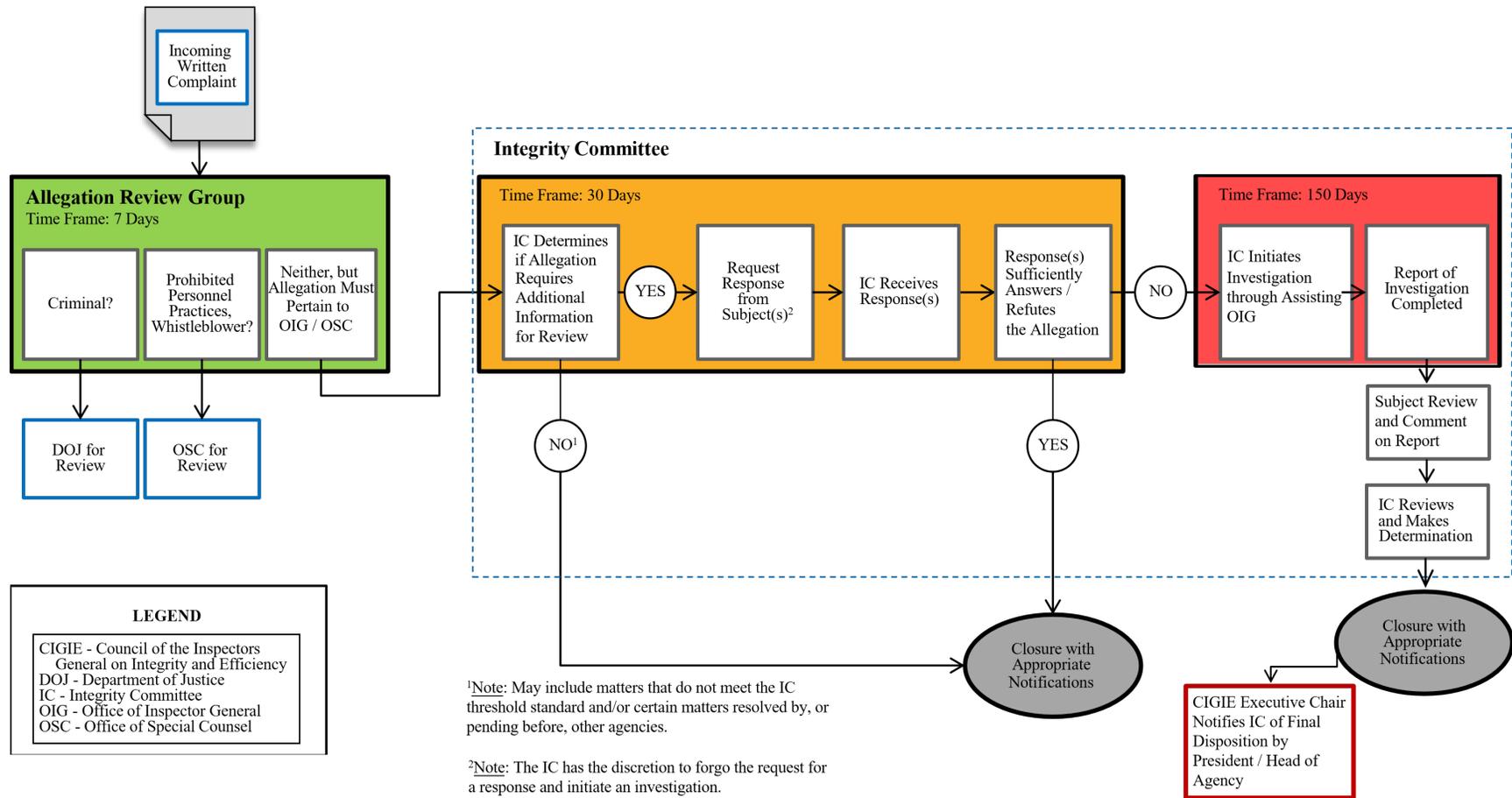
- The IC completed 2 investigations originating in FY 2018 (IC 964 and IC 912) and substantiated findings of wrongdoing (*see* Enclosure 3).⁵ The IC had 1 investigation originating in FY 2018 pending completion at the end of the reporting period (IC 971).
- The IC completed 1 investigation originating in FY 2019 (IC 989) and substantiated findings of wrongdoing (*see* Enclosure 3). The IC had 2 investigations originating in FY 2019 pending completion at the end of the reporting period (IC 986 and IC 1017).
- The IC closed 8 cases from FY 2020 and had 2 investigations originating in FY 2020 pending completion at the end of the reporting period (IC 20-029 and IC 20-035).

Ongoing IC Investigations

The IC had 9 investigations pending completion at the end of the reporting period. The IC does not provide substantive information on pending investigations.

⁵ The investigation into IC 912 was concluded by the IC; however, the case remains open as it is pending determination by the appointing authorities. *See* section 11(d)(8)(B) of the IG Act. After all final disposition are reported to the IC, the IC will issue a supplement to this report that includes a summary of the findings in IC 912.

Enclosure 1. Generic Integrity Committee Process for Allegations Received Against Covered Persons



Enclosure 2. IC Case Open and Disposition Dates for Fiscal Year 2021

Case #	Date Opened/ Referred to IC	Date Closed	Case #	Date Opened/ Referred to IC	Date Closed	Case #	Date Opened/ Referred to IC	Date Closed
001	10/02/2020	10/08/2020	023	03/11/2021	03/18/2021	045	06/09/2021	08/26/2021
002	10/05/2020	11/19/2020	024	03/12/2021	03/18/2021	046	06/11/2021	07/15/2021
003	10/07/2020	10/29/2020	025	03/18/2021	04/29/2021	047	06/23/2021	07/15/2021
004	10/08/2020	10/29/2020	026	03/18/2021	04/29/2021	048	07/01/2021	07/15/2021
005	10/13/2020	11/19/2020	027	03/24/2021	pending	049	07/01/2021	07/15/2021
006	10/26/2020	10/29/2020	028	03/31/2021	pending	050	07/07/2021	9/30/2021
007	10/29/2021	02/04/2021	029	03/31/2021	04/29/2021	051	07/09/2021	07/15/2021
008	11/02/2020	11/19/2020	030	04/12/2021	04/29/2021	052	07/14/2021	09/09/2021
009	11/02/2020	11/19/2020	031	04/12/2021	04/29/2021	053	07/19/2021	09/09/2021
010	11/04/2020	02/04/2021	032	04/19/2021	04/29/2021	054	07/21/2021	08/05/2021
011	11/10/2020	11/19/2020	033	04/19/2021	05/27/2021	055	07/27/2021	08/05/2021
012	11/11/2020	11/19/2020	034	04/20/2021	07/15/2021	056	08/02/2021	09/09/2021
013	12/16/2020	02/04/2021	035	04/29/2021	05/27/2021	057	08/03/2021	09/09/2021
014	01/19/2021	02/04/2021	036	05/04/2021	08/26/2021	058	08/05/2021	09/09/2021
015	02/02/2021	04/08/2021	037	05/06/2021	pending	059	08/24/2021	09/09/2021
016	02/11/2021	02/25/2021	038	05/07/2021	05/27/2021	060	8/25/2021	pending
017	03/02/2021	03/18/2021	039	05/17/2021	06/17/2021	061	09/20/2021	9/30/2021
018	03/03/2021	03/18/2021	040	05/20/2021	07/15/2021	062	09/23/2021	pending
019	03/03/2021	pending	041	05/24/2021	06/17/2021	063	09/23/2021	9/30/2021
020	03/04/2021	03/18/2021	042	05/25/2021	06/17/2021	064	09/27/2021	pending
021	03/05/2021	04/29/2021	043	05/31/2021	pending	065	09/30/2021	pending
022	3/10/2021	8/26/2021	044	05/31/2021	06/17/2021			

Enclosure 3. FY 2021 Investigation Summaries

IC Case 964: National Archives and Records Administration Office of Inspector General (NARA OIG)

On July 31, 2018, the IC received an anonymous complaint alleging a subject 1) misused official time and government property by conducting personal business as a tax preparer/consultant/advisor or assisting others with their taxes from their NARA office during work hours; 2) abused their authority by leveraging their position to secure an offer of employment from a contractor working for the OIG for the subject's child ; 3) abused their authority by falsifying their time sheets to conceal the amount of time they were not in the office; and 4) exhibited a lack of independence and integrity by (a) inappropriately sharing restricted audit data; or (b) advising on or working on the tax returns of one or more NARA employees.

After deliberations, the IC voted to refer the allegations to the IC Chairperson for investigation. The IC Chairperson engaged the General Services Administration Office of Inspector General to conduct the investigation on the IC's behalf. After thoroughly reviewing the evidence, the IC found by a preponderance of the evidence that the subject abused their authority and engaged in conduct that undermined the independence reasonably expected of their position. In pertinent part, the IC found that the subject improperly used their Government office, time, and equipment to perform private tax preparation services for which, on at least one occasion, they accepted compensation from a NARA employee. The IC also found by a preponderance of the evidence that the subject wrongfully used Government property for their outside employment as a compensated church treasurer and did so during work hours when they should have been fulfilling their duties for NARA OIG.

This subject failed to safeguard their independence, a cornerstone of an OIG's foundation, by allowing their outside activities, both compensated and uncompensated, to become intertwined with their official duties and they misused official resources in the course of doing so. Accordingly, the IC recommended appropriate disciplinary action for this misconduct. The appointing authority informed the IC that the subject chose to retire.

IC Case 989: U.S. Department of Labor Office of Inspector General (DOL OIG)

On January 11, 2019, the IC received a complaint alleging the subject 1) abused their authority when they, without authorization, changed the critical element weights in their 2018 annual performance plan to ensure they received the highest rating and corresponding bonus; 2) lacked candor when they told the DOL OIG Deputy Inspector General (DIG) that they changed their performance plan to match that of their predecessor and on the advice of a human resources specialist; 3) abused their authority when they, without authorization, changed the critical element weights on a subordinate executive's 2018 annual performance plan to ensure

that the executive received the highest rating and corresponding bonus; and 4) lacked candor when, during a discussion regarding the reassignment of a DOL OIG employee, they told the DIG that another supervisor did not like the employee and would not want the employee in the supervisor's section.

After deliberations, the IC voted to refer the allegations to the IC Chairperson for investigation. The IC Chairperson engaged the U.S. Postal Service Office of Inspector General to conduct the investigation on the IC's behalf. After thoroughly reviewing the evidence, the IC found by a preponderance of the evidence that the subject abused their authority and engaged in conduct undermining the integrity reasonably expected of their position when they, without authorization, (1) changed the critical element weights in their 2018 annual performance plan, and (2) changed the critical element weights on their subordinate executive's 2018 annual performance plan. The IC found the remaining allegations were not supported by the evidence. Accordingly, the IC recommended appropriate disciplinary action for this misconduct. After reviewing the IC's findings and recommendations, the appointing official suspended the subject for 15 days and, as a non-disciplinary measure, reassigned the subject from their prior position to a more confined role.