



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

December 8, 2020

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 2020. 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: Michael Rigas, Acting Executive Chairperson
Council of the Inspectors General on Integrity and Efficiency



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

December 8, 2020

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:

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 IC Chairperson, summarizing the IC activities for fiscal year 2020. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

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Sincerely,

Michael E. Horowitz
Chairperson

Enclosure

cc: Michael Rigas, Acting Executive Chairperson
Council of the Inspectors General on Integrity and Efficiency



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

December 8, 2020

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 IC Chairperson, summarizing the IC activities for fiscal year 2020. The report provides information on the number, status, and disposition of complaints received by the IC during this period.

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Sincerely,

Michael E. Horowitz
Chairperson

Enclosure

cc: Michael Rigas, Acting 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, 2019, to September 30, 2020. 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.



As the government navigates the challenges brought on by the coronavirus (COVID-19) pandemic, 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 continued to see a significant increase in case load this reporting period, from 62 cases in fiscal year (FY) 2019 to 81 cases in FY 2020, as well as an increase in the complexity and severity of the allegations. Moreover, the number of incoming communications to the IC continues to rise, from 385 in FY 2018 and 1035 in FY 2019 to 1,152 in FY 2020, which may be partially attributed to the increase in the number of individuals subject to the IC's authority, from 444 in FY 2019 to 475 in FY 2020. The IC met 19 times in this reporting period, reviewing an average of 375 pages of material per meeting, and initiated 3 investigations. The IC completed one investigation, originating in FY 2017, and issued a report 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 September 2020, the IC initiated a collaborative process to update and improve its policies and procedures.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>.

Finally, this year marks a change in IC membership as Scott Dahl, our former IC Chairperson, departed the IC after seven years as a member and four years as its Chairperson. We appreciate

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, April 2018](#)

Scott's thoughtful service and leadership and wish him all the best in his future endeavors. In June, we welcomed Robert P. Storch, IG of the National Security Agency, as our newest IC member.

I 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 assurance of the independence and integrity of the federal oversight community.

A handwritten signature in black ink that reads "K. H. Winters". The signature is written in a cursive style with a long, sweeping underline.

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 may also review allegations of misconduct by an agent or special agent in a Legislative Branch OIG.

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, Corporation for National and Community Service
- [Andrew Katsaros](#), IG, Federal Trade Commission
- [The Honorable Robert P. Storch](#), IG, National Security Agency
- [Dale "Chip" 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 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 2020 Data Reporting

Personnel Under the Authority of the IC

Pursuant to the IG Act, the IC has the authority to investigate allegations made against the 75 Inspectors General who are members of CIGIE, the Special Counsel and Principal Deputy Special Counsel of OSC, and IG designated staff members, collectively termed “Covered Persons.” Additionally, with the enactment of the Legislative Branch Inspectors General Independence Act of 2019, the IC may review any allegation of misconduct by an agent or special agent in a Legislative Branch OIG. For fiscal year (FY) 2020, there were approximately 475 Covered Persons subject to the IC’s authority, a continued growth from previous years.³ The IC attributes this pattern to the increased outreach to IGs and senior members of the IG community through multiple training sessions on IC processes and policies and the legislation mentioned above.

Disposition of FY 2020 Complaints

In FY 2020, the IC received approximately 1,152 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 81 cases for review in FY 2020, which involved 32 different agencies and 54 Covered Persons (*see* Figure 1). The IC initiated 3 investigations, submitted 12 requests for additional information in 9 cases, and sought responses from 20 respondents for 18 cases.

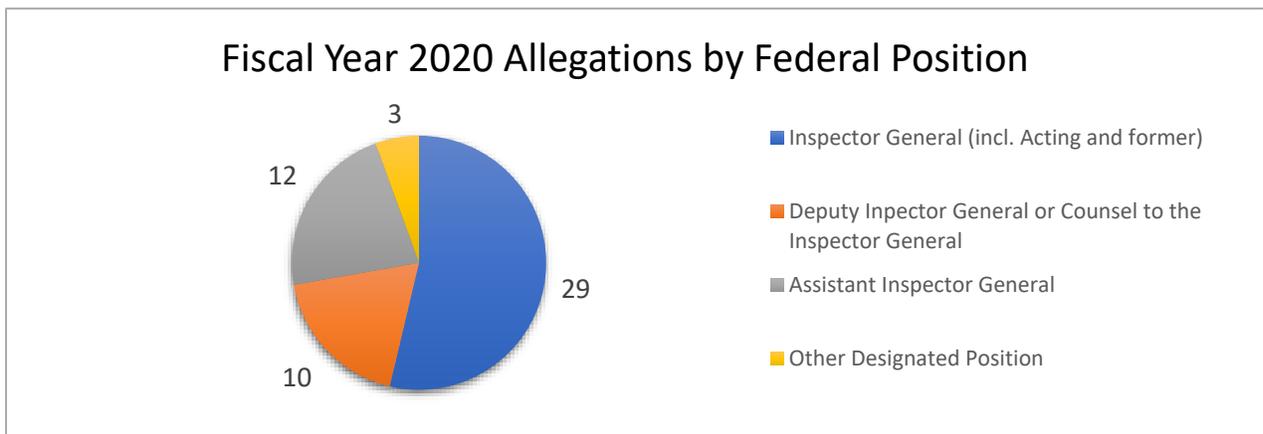


Figure 1. Fiscal Year 2020 Allegations by Federal Position

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

⁴ The IC received 385 incoming communications in FY 2018 and 1035 incoming communications in FY 2019.

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 Covered Persons within an OIG or OSC, averaging over 50 pages of substantive information for IC review per closed case.



Figure 2. Fiscal Year 2020 Allegations by Category

FY 2020 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 allowed by statute. Twenty-one 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 respondent who is asked to respond to the allegations. Four 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 the respondents.

Summary Disposition of FY 2020 Complaints

FY 2020 Case Disposition: The IC opened and reviewed 81 cases (*see* Enclosure 2).

- The IC initiated three investigations.
- The IC closed 65 cases.
 - Fourteen of these cases were referred to other heads of agencies for any action deemed appropriate:
 - Eleven to the Special Counsel of OSC;
 - One to the relevant IG; and
 - Two to the CIGIE Chairperson. The IC did not refer any matters to DOJ.
 - Fifty-one 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 13 FY 2020 cases pending review and initial determination at the end of the reporting period.

Summary Disposition of Previous Fiscal Year Complaints in FY 2020

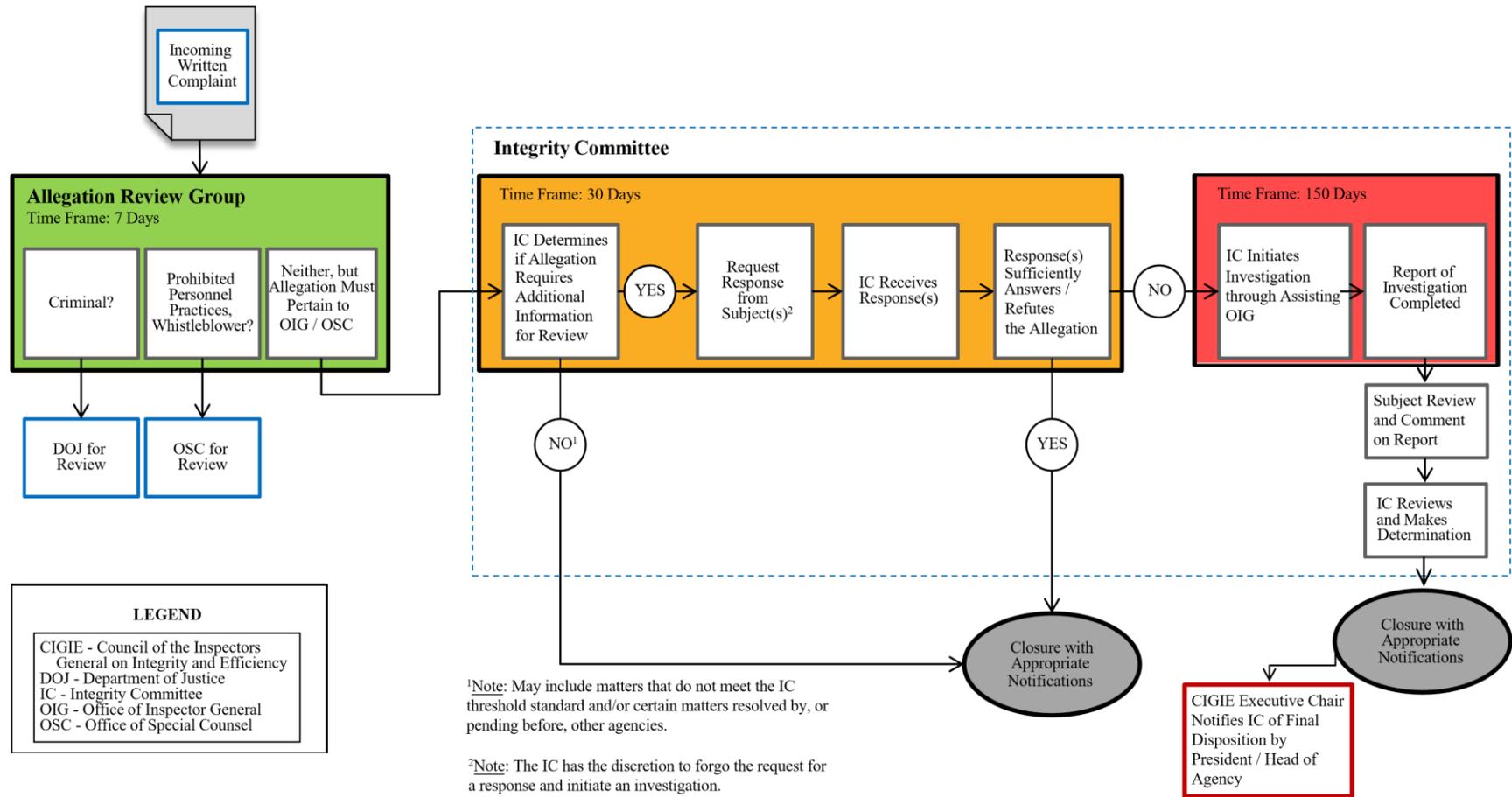
The IC continued work on 2 cases from FY 2017, 4 cases from FY 2018, and 17 cases from FY 2019.

- The IC completed one investigation arising from two underlying cases that originated in FY 2017, and substantiated findings of wrongdoing (*see* Enclosure 3).
- The IC closed one case from FY 2018 and had three investigations originating in FY 2018 pending completion at the end of the reporting period.
- The IC closed 13 cases from FY 2019 and had 4 investigations originating in FY 2019 pending completion at the end of the reporting period.

Ongoing IC Investigations

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

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



Enclosure 2. IC Case Open and Disposition Dates for Fiscal Year 2020

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	10/1/2019	1/9/2020	028	2/17/2020	2/20/2020	055	6/8/2020	6/25/2020
002	10/2/2019	1/9/2020	029	2/17/2020	Pending	056	6/15/2020	Pending
003	10/4/2019	10/24/2019	030	2/17/2020	4/23/2020	057	6/19/2020	7/16/2020
004	10/6/2019	10/24/2019	031	2/17/2020	2/20/2020	058	6/19/2020	6/25/2020
005	10/28/2019	11/14/2019	032	2/17/2020	4/23/2020	059	6/19/2020	Pending
006	10/29/2019	11/14/2019	033	2/21/2020	3/12/2020	060	6/19/2020	Pending
007	10/31/2019	11/14/2019	034	3/3/2020	3/12/2020	061	6/19/2020	6/25/2020
008	11/4/2019	11/14/2019	035	3/5/2020	Pending	062	6/22/2020	Pending
009	11/4/2019	11/14/2019	036	3/9/2020	3/12/2020	063	6/23/2020	6/25/2020
010	11/5/2019	11/14/2019	037	3/10/2020	3/12/2020	064	6/23/2020	6/25/2020
011	11/19/2019	12/10/2019	038	3/17/2020	4/2/2020	065	7/1/2020	8/6/2020
012	11/21/2019	11/22/2019	039	3/18/2020	8/6/2020	066	7/3/2020	Pending
013	11/21/2019	1/30/2020	040	3/20/2020	4/2/2020	067	7/3/2020	Pending
014	11/21/2019	11/22/2019	041	4/7/2020	4/23/2020	068	7/3/2020	8/6/2020
015	12/2/2019	12/10/2019	042	4/10/2020	Pending	069	7/6/2020	7/16/2020
016	12/10/2019	1/9/2020	043	4/21/2020	Pending	070	7/6/2020	Pending
017	12/17/2019	1/9/2020	044	4/22/2020	4/23/2020	071	7/9/2020	Pending
018	12/17/2019	1/9/2020	045	2/26/2020	9/17/2020	072	7/9/2020	8/6/2020
019	12/19/2020	1/9/2020	046	2/26/2020	9/17/2020	073	7/21/2020	8/6/2020
020	1/10/2020	1/30/2020	047	5/6/2020	5/21/2020	074	7/30/2020	8/6/2020
021	1/10/2020	1/30/2020	048	5/6/2020	6/25/2020	075	8/6/2020	8/27/2020
022	1/16/2020	1/30/2020	049	5/12/2020	6/25/2020	076	8/17/2020	8/27/2020
023	1/16/2020	1/30/2020	050	5/15/2020	5/21/2020	077	8/24/2020	8/27/2020
024	1/20/2020	1/30/2020	051	5/17/2020	5/21/2020	078	8/25/2020	Pending
025	2/4/2020	2/20/2020	052	6/2/2020	9/17/2020	079	9/7/2020	Pending
026	2/10/2020	2/20/2020	053	6/2/2020	6/4/2020	080	9/15/2020	Pending
027	2/17/2020	2/20/2020	054	6/4/2020	7/16/2020	081	9/15/2020	Pending

Enclosure 3. FY 2020 Investigation Summaries

IC Case 890/909: Securities and Exchange Commission Office of Inspector General (SEC OIG)

The IC received multiple complaints alleging the respondents: 1) improperly protected the subjects of an internal SEC OIG investigation by conducting a limited, substandard investigation; 2) understated the seriousness of the misconduct and significance of the evidence, and speculated in a manner favorable to the subjects in the resulting SEC OIG Report of Investigation; 3) obstructed the investigative peer review of SEC OIG by withholding the investigation from the reviewers; and 4) misused their positions to sponsor revisions to CIGIE's Qualitative Assessment Review Guidelines for Investigations (investigations peer review standards) to exclude internal OIG investigations from peer review, without disclosing that the changes had the potential to affect a pending peer review of SEC OIG and allegations before and likely to come before the Integrity Committee.

The IC referred the case to the IC Chairperson for investigation. The IC Chairperson engaged the assistance of the U.S. Department of Education Office of Inspector General. Upon consideration of the investigative report, the underlying evidence, and the respondents' comments, the IC determined that the facts set forth in the report were supported by a preponderance of the evidence. The IC determined that one respondent abused their authority in the exercise of their official duties and engaged in conduct that undermined the independence and integrity reasonably expected of the respondent's position, including a lack of candor. This determination was based on the respondent's initiation and management of an internal SEC OIG investigation that was inadequate, flawed, and lacking in objectivity; the respondent's inappropriate contact and questioning of a witness in the IC's investigation; and the respondent's lack of candor throughout the IC process. The IC determined there was insufficient evidence to support a finding of wrongdoing relating to the other respondents.

Given the sustained inappropriate nature of the respondent's actions throughout the IC process, such as contacting a subordinate witness about their participation in the IC's investigation, the IC recommended appropriate disciplinary action for this serious misconduct, including removal. After reviewing the IC's findings and recommendations, the appointing official suspended the respondent from duty and pay status for an unstated period of time.