



Office of Inspector General
United States Department of State

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Office of Evaluations and Special Projects

May 2022

Review of the Recruitment and Selection Process for Public Members of Foreign Service Selection Boards



HIGHLIGHTS

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What OIG Reviewed

In response to a whistleblower complaint, the Office of Inspector General (OIG) reviewed allegations of nepotism and favoritism in the contract award process for Department of State (Department) Foreign Service Selection Board (FSSB) public member positions.

What OIG Recommends

OIG made 13 recommendations to the Department. OIG made five recommendations to the Bureau of Global Talent Management (GTM) to update and communicate policies and procedures to minimize favoritism in the awarding of FSSB public member contracts. OIG also made four recommendations to GTM to ensure that it recruits and selects the best qualified applicants to be public members. OIG made two recommendations to the Bureau of Administration to ensure compliance with acquisition law when awarding and administering public member contracts. Finally, OIG made two recommendations to GTM to review and strengthen its internal control system for the administration of FSSBs and develop a corrective action plan to remediate any internal control deficiencies.

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What OIG Found

OIG found that GTM's Office of Performance Evaluation (GTM/PE) did not demonstrate that it considered all Foreign Affairs Manual (FAM) criteria when recruiting and selecting FSSB public members. Less than half of the public members who served from 2019 through 2021 were fully qualified under the FAM.

OIG found that family members of Department employees, including GTM/PE employees, received public member contracts to serve on FSSBs or related boards administered by GTM/PE every year from 2014 to 2021. OIG also identified some instances of personal friends and acquaintances of GTM/PE officials receiving public member contracts. OIG found that the selections of relatives and friends of GTM/PE staff were inconsistent with Department ethics rules and the Standards of Ethical Conduct for Employees of the Executive Branch.

OIG found that GTM/PE's public member recruitment and selection process lacked adequate management oversight and internal controls to minimize the risk of favoritism and to ensure that the best qualified applicants were recruited and chosen. In addition, OIG found that the contracting personnel awarding public member contracts failed to provide adequate contract oversight, compounding the problem.

Finally, OIG Identified several instances of partiality in the administration of certain FSSBs.

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PURPOSE, SCOPE, AND METHODOLOGY

In 2020, the Office of Inspector General (OIG) received a whistleblower complaint alleging that the Department of State (Department) Bureau of Global Talent Management's Office of Performance Evaluation (GTM/PE), the entity responsible for recruiting, selecting, and overseeing the Foreign Service Selection Boards (FSSB), had placed friends and family members as public members on boards.¹ Specifically, the complaint alleged that family members and friends of GTM/PE staff had been recruited, given government contracts, and placed on boards as public members. OIG conducted a preliminary review and concluded there was sufficient evidence to warrant a special review of the process.

For this review, OIG interviewed or obtained written responses from more than 50 individuals, including Department officials and FSSB members, and reviewed internal communications, Department cables, directives, standard operating procedures, and contracts. OIG reviewed the selections and qualifications of public members who served on boards from 2019 through 2021, but also examined specific allegations of nepotism and other misconduct from 2014 through 2021. This report was prepared in accordance with OIG's standards for conducting special reviews contained in the *Office of Evaluations and Special Projects Handbook (Updated Oct. 2020)*.

BACKGROUND

The Foreign Service Selection Board

Under the Foreign Service Act of 1980, promotions of members of the Foreign Service "shall be based upon the recommendations and rankings of selection boards."² Selection boards must include public members, and "the Secretary shall assure that a substantial number of women and members of minority groups are appointed to each selection board."³

Public members must not be an agent of a foreign principal, a lobbyist for a foreign entity, or receive income from a foreign government.⁴ In addition, the Department's Foreign Affairs Manual (FAM) requires that public members, to the extent possible, meet certain criteria such as having gained prominence in a profession serviced by, or having an interest in, the Foreign Service, having overseas experience, and being available to serve full-time while the board is in

¹ The Bureau of Global Talent Management (GTM) provides personnel management services for the Department and was previously named the Bureau of Human Resources. For ease of reading, this report uses the GTM nomenclature.

² Pub. L. No. 96-465, § 601(b) (1980). The Secretary of State by regulation can specify categories of classes of Foreign Service members who may receive promotions on the basis of satisfactory performance. *Id.* Promotions can also occur in response to recommendations of the Foreign Service Grievance Board or as part of other individual-specific personnel situations. *Id.* § 606.

³ *Id.* § 602(b).

⁴ These restrictions were added by the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, Pub. L. No. 101-246, § 142 (1990), and the Lobbying Disclosure Act of 1995, Pub. L. No. 104-65, § 12.

session.⁵ The selection boards and public members are governed by 3 FAM 2326 (July 20, 2020).

Neither the Foreign Service Act of 1980 nor the FAM explicitly provide for remuneration for the public members; however, the Department does compensate them for their service. From 2019 to 2021, the awarded individual public member contracts ranged between approximately \$34,000 and \$55,000 per selection board. The actual compensation for public members was often less than the initial contract award amounts but varied significantly depending on the length of the selection board on which a public member served as well as the number of days of work claimed by the public member.⁶ For example, OIG's review of deobligation data found several examples of public members in 2019 and 2020 receiving between approximately \$20,000 and \$30,000 in actual compensation.

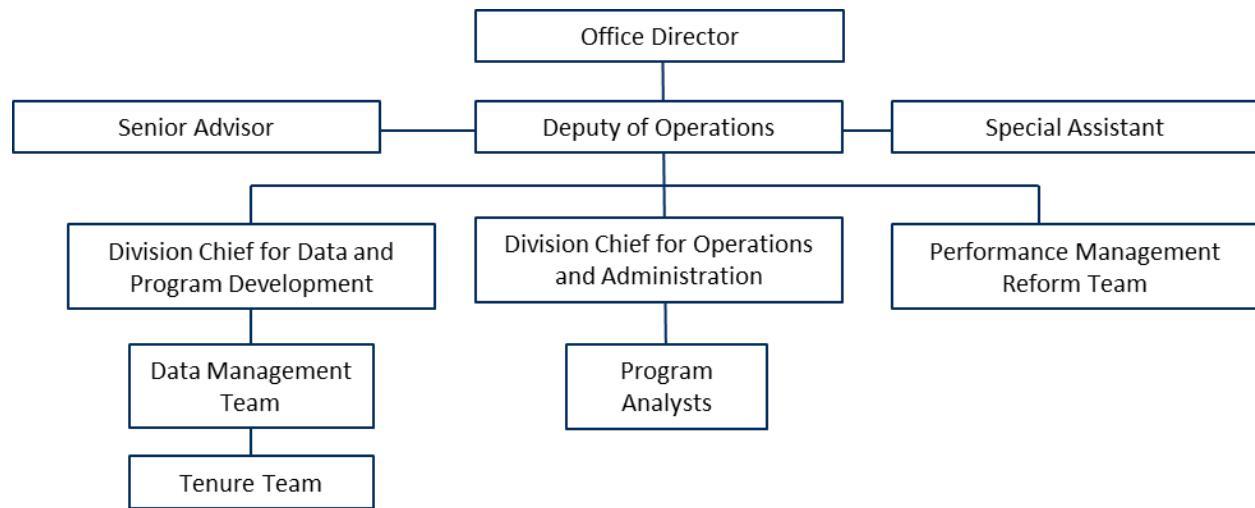
Bureau of Global Talent Management Office of Performance Evaluation's Role

GTM/PE is the office that manages Foreign Service promotions, performance, and tenure. GTM/PE is overseen by an Office Director who is a Foreign Service Officer who rotates every 2 to 3 years and reports to a Deputy Assistant Secretary (DAS).⁷ The Office Director has a Deputy Office Director, who is a civil servant, and two Division Chiefs, who are also civil servants among other staff. One Division Chief is responsible for Data and Program Development, and the other is responsible for Operations and Administration with principal responsibility for the FSSBs. See Figure 1 for a GTM/PE organizational chart.

⁵ 3 FAM 2326.1-2(b) (July 20, 2020). The FAM states "Each public member of a Selection Board, must, so far as possible, meet the following qualifications: (1) have gained prominence in a profession, in business, in labor, or in a non-governmental organization serviced by, or having an interest in, the Foreign Service; (2) have some overseas experience; (3) be available to serve on a full-time basis during the entire time the boards are in session; (4) not be employed in the Federal service; and (5) not be an agent of a foreign principal, a lobbyist for a foreign entity, or receive income from a foreign government at the time of appointment or during his or her service on a Selection Board."

⁶ Compensation is based on the annual salary of a GS-14, step 10 federal employee living in the Washington, DC metropolitan area. Public members are paid on a daily rate, which from 2019 through 2021 ranged from approximately \$571 to \$612 a day and are paid for 8 hours of work per day regardless of the number of hours actually worked and regardless of whether the work was conducted outside of days the board convened. The U.S. Office of Personnel Management 2021 salary table for the Washington, DC area includes a 1 percent general increase and 30.48 percent locality pay and lists a GS-14, step 10 annual salary at \$159,286. GTM/PE prorates the salary to a daily rate, which would be approximately \$613 (\$159,286 divided by 260 workdays per year). <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB.pdf>. In 2020, the annual salary was \$157,709 and included a 2.6 percent general schedule increase and 30.48% locality pay.

⁷There are three DAS for GTM, one of whom oversees GTM/PE.

Figure 1: Bureau of Global Talent Management Office of Performance Evaluation

Source: GTM/PE Organization Chart⁸

Promotion Process

Each year the Director General of the Foreign Service (DG) determines the number of available Foreign Service promotion opportunities considered by the selection boards. The number of boards that are needed vary, but generally 20 boards convene per year for about 4 to 8 weeks in the summer.⁹ The boards are composed of Foreign Service (FS) personnel and public members who review promotion candidates of comparable rank and areas of expertise. For example, one board may review candidates at the FS-02 level who work on economic issues, while another board may review law enforcement and security officers at the FS-04 level.¹⁰

Recruitment and Selection of FSSB Members

To recruit Foreign Service personnel to serve on the boards, the DG sends a Department-wide cable known as an ALDAC (All Diplomatic and Consular Posts) alerting staff that GTM/PE is seeking Foreign Service volunteers for the boards. The cable instructs interested employees who have permission from their supervisors to reply to the cable, and, if comfortable, indicate whether they meet the woman and/or minority requirement for the boards. The cable explains

⁸ In practice, the Deputy of Operations is consistently referred to as the GTM/PE Deputy Director. In this report, OIG refers to the position as the Deputy Office Director.

⁹ GTM/PE administers different types of boards, including Reconstituted Boards, which are convened to review members of the Foreign Service outside of the normal FSSB process when a subsequent review is necessary, for example, due to an administrative error. Reconstituted Boards typically convene for 1 to 3 days. Public members may serve on Selection Boards and Reconstituted Boards.

¹⁰ As described in 3 FAM 2650 (May 18, 2020), the Department uses FS class levels to classify positions in the Foreign Service. There are nine FS class levels from 09 to 01, which equates to Civil Service position grade levels of GS-05 to GS-15.

that all questions are to be directed to GTM/PE's Division Chief of Operations and Administration (Division Chief) and that all board members are subject to final approval by the DG.

The recruitment of public members is a semi-closed process consisting of two methods. The first is more formal: the Division Chief and staff send letters to organizations seeking nominations for candidates. The outreach letters are sent to universities, non-governmental organizations, and affinity groups, among others, and explain that public members bring a range of backgrounds and diversity that help to "enhance the integrity of the performance review process for the men and women who represent the United States."¹¹ The letter seeks recommendations of "qualified private U.S. citizens . . . with diverse backgrounds" who are comfortable working with computers and "proficient in all Microsoft Applications" but does not identify other criteria, including the FAM qualifications.¹² The list of organizations where outreach letters are sent evolves and GTM/PE officials told OIG they strive to obtain public members with specialized backgrounds, such as in healthcare to review medical personnel who are Foreign Service Officers, and those with law enforcement and security backgrounds for panels that consider Bureau of Diplomatic Security (DS) personnel. However, as detailed later in this report, there are no law enforcement groups listed in the outreach database.

The second method is through word-of-mouth efforts, in which former FSSB members and others solicit public members. The Division Chief told OIG that the DG encourages members at the end of their board sessions to tell others about their experience and to encourage them to apply. Department staff, including GTM/PE employees, also recruit public members, although according to the current Office Director they are not supposed to, as it has raised concerns about favoritism and nepotism.¹³

GTM/PE does not advertise the public member positions on the Department website or SAM.gov, the federal government site that posts contracting opportunities.

Standard Operating Procedures

OIG requested GTM/PE's procedures related to soliciting and selecting public members of FSSBs. The Standard Operating Procedures (SOPs) produced to OIG were undated and unsigned, but according to the Division Chief and current Deputy Office Director, they were written in late 2020, cleared by GTM/PE management, and finalized in February 2021. When the Division Chief assumed her position in 2019, there were no formal SOPs, so she directed a program analyst to write them based on older documents and more current policies. She told OIG she thought they should be straightforward ("SOPs for dummies") and easily understood (a

¹¹ Public member letter template provided to OIG by GTM/PE.

¹² Ibid.

¹³ As explained later in this report, there is no uniform definition of word-of-mouth recruitment with GTM. OIG counted as word-of-mouth recruitment any targeted recruitment of an individual by Department employees or former public members without a solicitation letter.

teenager should “be able to read an SOP and run a program”). The analyst said he based them on the Division Chief’s ad hoc guidance. The SOPs are located in GTM/PE’s shared internal site, however, some of the GTM/PE staff OIG spoke with who are involved in the administration of FSSBs were unsure if they had seen them. OIG reviewed the SOPs and found they are incomplete and often do not align with current GTM/PE practices.¹⁴ The gaps in the policy, coupled with relevant GTM/PE staff’s lack of awareness, suggest that the written SOPs have limited utility. OIG, therefore, relied on information obtained during this review to determine the actual GTM/PE procedures for soliciting and selecting FSSB public members.

The process is initiated when applicants send their resumes directly to the Division Chief. According to the SOP, GTM/PE will schedule interviews for candidates who meet the FAM criteria and GTM/PE specific requirements. The Division Chief told OIG that she and two GTM/PE staff (“the interview team”) review the applicants’ resumes and decide who will be interviewed, but all but one of the GTM/PE staff involved in the interview process told OIG that they were not involved in the decision to interview applicants. The one GTM/PE employee who indicated involvement told OIG that he would review resumes with the Division Chief but ultimately the Division Chief approved whether an applicant received an interview request. Based on OIG’s review of emails, OIG found that the Division Chief often would direct that an interview be set up for an applicant without appearing to receive any input from other individuals. The Division Chief does not track applicants or maintain a file with resumes of applicants who did not serve as public members, so OIG was unable to review the professional experience of individuals not selected for interviews as compared to those who were.

During an interview, the interview team uses a pre-established set of questions from the SOPs.¹⁵ There is discord between the questions and the FAM criteria, particularly with respect to overseas experience. The FAM states that public members should, so far as possible, have overseas experience, but the Division Chief told OIG that she believes overseas experience is “nice to have” rather than a “must have” and disagrees that it should be a requirement. She said she will ask about it in interviews but stated it is difficult to find individuals who have overseas experience but are not connected to the government. However, OIG notes that the FAM does not mandate that the overseas experience be in a professional capacity and that,

¹⁴ For example, the SOPs address the steps that GTM/PE staff must take when soliciting members through the recruitment letter process but are silent on word-of-mouth recruitment, which, according to OIG’s analysis, constituted the majority of public members from 2019 through 2021: 65 percent in 2019, 80 percent in 2020, and 53 percent in 2021. Another section explains that all resumes are sent to the Division Chief and that interviews will be scheduled for those who “meet the following criteria . . . have some overseas experience . . .” but the solicitation notices do not ask applicants to provide information about overseas experiences, so it is unclear how the Division Chief and her staff would evaluate the SOP criterion.

¹⁵ The questions listed in the SOPs are: (1) “Tell us about yourself and your working style” (2) “Would you have any complications with being in the office from 9 a.m. to 5 p.m., Monday through Friday, for the duration of the board?” (3) “What is your skill level when dealing with technology such as Microsoft Applications, email, and new computer interfaces?” (4) “Why are you interested in the U.S. Department of State?” (5) “Are you affiliated with the government, if at all?” and (6) “Have you previously served on a board?” (a) “What appeals to you about the selection board process?” (b) “What assets would you bring to your team if you were to serve on a board?”

during the interview, prospective applicants could be asked about educational or volunteer travel.

After an applicant has been interviewed, the interview team meets to discuss who should be hired and what board to place them on, though the Division Chief makes the final decision. The interview team does not use a scoring mechanism or rubric to rate the applicants; they rely on their impressions. After an interview, GTM/PE staff vets the applicant by reviewing social media applications, such as Facebook, conducting internet searches, and reading published articles for derogatory information that would be disqualifying, such as anti-government positions or biased stances against particular groups or types of people.

The Division Chief will make an offer to chosen applicants soon after an interview and does not wait to interview or consider all other applicants. OIG received conflicting information on the extent of involvement of officials above the Division Chief level in reviewing and approving selectees. For example, the Office Director said she, the Division Chief, and a GTM/PE program analyst conduct a second-round interview 2 to 3 weeks after the initial interview, while the Division Chief said that the second-round interview is with the Office Director, the Deputy Office Director, and the Division Chief. However, several other GTM/PE staff involved in the selection process told OIG that only one interview occurs, which was consistent with the emails reviewed by OIG.

According to GTM/PE officials, at some point later, the Division Chief compiles a list of proposed public members and gives it to the Office Director and Deputy Office Director for approval, along with the applicants' resumes. The Office Director in turn provides the list of names without resumes to the DAS responsible for oversight of GTM/PE, who then gives it to the DG. There is no action memo prepared or signed by any officials involved to formally document approval of the selections of the public members. According to the Division Chief, during her tenure the DG has never disagreed with her recommendations of public members but has removed Foreign Service employees from proposed FSSB composition lists. This results in a de facto acceptance of all public members selected and presented by the Division Chief to GTM/PE management, the DAS, and the DG. The inherent challenge in this process is that the Division Chief is the only Department official who receives all applicant resumes and decides which will be circulated to the interview team. Therefore, the list of proposed public member candidates sent to the DAS is based almost entirely on the Division Chief's judgment.

After being notified of their selection, public members are required to obtain Data Universal Numbering Systems (DUNS) numbers and System for Award Management (SAM) accounts so the Department can pay them through its invoice processing platform. After receiving DUNS numbers, GTM/PE staff prepare memos signed by the Office Director requesting the issuance of contracts by the Bureau of Administration, Office of the Procurement Executive, Office of Acquisition Management (AQM).

After FSSB personnel are selected, a second ALDAC is sent announcing all members of the boards and the dates the boards will convene.¹⁶ The cable also reminds Department employees that direct contact with board members during the operations of the board is “inappropriate.”

Relevant Department Policies and Ethics Standards

As federal employees, Department staff must follow procedural requirements and ethical standards while performing all official work, including creating and staffing FSSBs. The policies are contained in the FAM, the Department’s primary policy guide, which explains FSSBs, their functions, and board member requirements.¹⁷ Federal regulations address the ethical standards to which employees must adhere while operating as public officials.

The Standards of Ethical Conduct for Employees of the Executive Branch, codified in 5 C.F.R. § 2635, state that “public service is a public trust” and contain principles and standards to which employees must adhere so fellow citizens have confidence in the integrity of the operations of the U.S. government.¹⁸ One such standard found in 5 C.F.R. § 2635.702 states that “an employee shall not use his public office for his own private gain . . . or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.”

Similarly, 11 FAM 616.1 prohibits employees from using their public office for private gain and “for the private gain or preference of friends, relatives, or persons or entities with whom the employee is affiliated in a nongovernmental capacity.”

FINDINGS

GTM/PE Did Not Demonstrate that It Considered All FAM Criteria When Recruiting and Selecting FSSB Public Members

GTM/PE’s recruitment preferences do not align with FAM qualifications

Based on interviews with GTM/PE staff, OIG determined that being able to serve full time was the most important FAM qualification in GTM/PE’s consideration of candidates. GTM/PE staff also valued candidates who were proficient with computers. GTM/PE staff placed less importance on the FAM requirement that an individual had gained career prominence, and several staff acknowledged that they did not consider the FAM requirement of having overseas experience as a necessary qualification. GTM/PE’s preferences were reflected in the formal

¹⁶ According to technical comments GTM provided, the DG clears the ALDAC.

¹⁷ The core precepts identify the criteria for promotion (and tenure) in the Foreign Service and are negotiated every 3 years with the American Foreign Service Association (AFSA), the professional association of Foreign Service personnel that also acts in an advocacy role. Procedural precepts govern the practical responsibilities of the boards, including organization and scope, and identify the criteria the boards use to make promotion recommendations. They are negotiated every year with AFSA.

¹⁸ 5 C.F.R. § 2635.101(a).

outreach letters, which do not mention the FAM qualifications except for the requirement to be available to serve full time.

In addition to the FAM qualifications, GTM/PE also has its own internal requirements, including education requirements, that it does not include in outreach letters. GTM/PE staff provided OIG with differing accounts for when certain internal requirements were put in place, and GTM/PE had no written procedures until late 2020. As a result, OIG was unable to fully determine the extent to which public members prior to 2021 met internal GTM/PE requirements.¹⁹

The FAM specifies that public members must meet the FAM criteria “so far as possible”; however, by failing to communicate the FAM and internal requirements in outreach letters, GTM/PE is less likely to receive fully qualified candidates through the formal recruitment process. Moreover, GTM/PE’s disregard of some qualification requirements is inconsistent with the FAM language that public members must meet all requirements so far as possible. GTM/PE staff’s current recruitment focus on full-time availability and proficiency with computers is insufficient to ensure that the Department obtains the caliber of public board member the FAM contemplates. GTM should consider updating the FAM requirements to better reflect the desired qualifications of public members and their priority and articulate the FAM qualifications in its outreach letters and other potential future recruitment efforts.

From 2019 to 2021, less than half of the public members were fully qualified under the FAM

OIG reviewed the resumes of all individuals selected to serve as public members from 2019 to 2021—59 total—and found that in each year less than half of the 19 to 20 public members for that year fully met the FAM qualifications, most frequently because the resumes did not indicate that the individuals had any overseas experience. The resumes of the public members also frequently failed to demonstrate that they had gained prominence in a profession, in business, in labor, or in a non-governmental organization or institution serviced by, or having an interest in, the Foreign Service.²⁰

OIG found that individuals recruited through word-of-mouth were generally less qualified under the FAM criteria than individuals selected through the formal recruitment process. According to OIG’s analysis, most of the public members serving on FSSBs from 2019 through 2021 were word-of-mouth recruits: 65 percent in 2019, 80 percent in 2020, and 53 percent in 2021. From 2019 to 2021, 65 percent of the public members who applied in response to a solicitation letter were fully qualified under the FAM criteria. In contrast, during the same period only 18 percent

¹⁹ Of the 19 public members who served in 2021, OIG identified 3 whose resumes did not list the educational degree required according to GTM/PE’s written SOPs. In technical comments in response to a draft of this report, GTM stated that GTM/PE management had confirmed that all three public members had at least a bachelor’s degree. However, one of the public members in question who served on a generalist board should have had an advanced degree according to the SOPs.

²⁰ Where possible, OIG also reviewed related documentation, such as cover or referral letters and email correspondence, to determine whether an individual met FAM qualifications. While GTM/PE may have confirmed an individual’s qualifications through other means, such as during the interview process, it did not provide OIG with documentation showing that GTM/PE confirmed FAM qualifications.

of the word-of-mouth public members were fully qualified under the FAM criteria. This discrepancy indicates that GTM/PE was more likely to recruit and select fully qualified public members using solicitation letters.

Regardless of the recruitment method used, OIG found that GTM/PE staff relied on impressions they formed of candidates during interviews as opposed to consistently applied, standardized criteria, when selecting public members. The current selection process is not an effective means to select public members that are fully qualified under the FAM. GTM should consider developing formal selection procedures that include a ranking or scoring rubric related to FAM criteria to ensure that selected public members meet the qualification standards so far as possible.

GTM/PE Management Officials Demonstrated Favoritism in the Awarding of Public Member Contracts

OIG's review of favoritism in the awarding of public member contracts focused on the extent to which individuals with personal connections to GTM/PE employees received public member contracts. These connections need not be limited to family relationships in order to implicate ethics standards. The Standards of Ethical Conduct for Employees of the Executive Branch require employees to "act impartially and not give preferential treatment to any private organization or individual."²¹ Employees must "endeavor to avoid any actions creating the appearance that they are violating" ethics standards.²²

In each year from 2014 through 2021, friends, family, and personal acquaintances of GTM/PE staff received public member contracts, in some instances, multiple times

Although GTM/PE's SOPs prohibit spouses and relatives of Department employees from serving as public members, OIG identified relatives of Department employees serving as public members on FSSBs or related reconstituted boards every year from 2014 through 2021.

Of the 150 FSSB and related boards convened from 2014 through 2021, OIG became aware of at least seven instances (identified through the whistleblower complaint and witness interviews) of Department relatives receiving public member contracts, some receiving multiple contracts.²³ Five of those seven instances involved relatives of GTM/PE staff, including:

- The father of the then-Deputy Office Director, who served on three different boards over the course of 3 years.
- The brother-in-law of a subsequent Deputy Office Director, who served on two different boards.

²¹ *Id.* § 2635.101(b)(8).

²² *Id.* § 2635.101(b)(14).

²³ OIG did not conduct an exhaustive review of public members who served prior to 2019 and makes no conclusions about whether there are additional Department relatives who may have served between 2014 and 2018.

- The wife and the sister of a GTM/PE analyst responsible for overseeing reconstituted boards, who each served on a board.
- The father of a GTM/PE employee, who served on three boards.²⁴

OIG also found multiple instances of friends or personal acquaintances of GTM/PE staff receiving public member contracts from 2019 through 2021, including the following three with connections to GTM/PE leadership:

- A personal friend of the Division Chief, who served on one board.
- A former neighbor of the Division Chief, who served on two different boards.
- A parent of a child who played sports with the child of the then-Office Director, who served on one board.²⁵

The practice of GTM/PE staff referring and selecting friends and family to receive public member contracts is inconsistent with ethics standards.²⁶ Because these contract opportunities are not fully open to the public, even providing friends and family with the opportunity to apply can create appearances of favoritism.

The most serious breaches of public trust involved the selections of friends and family of the individuals who play a role in deciding who receives public member contracts. Notably, of the GTM/PE staff who referred or were involved in the selection of their friends or family members to be public members, only the former Deputy Office Director, whose father first served in 2014, told OIG that she believed she contacted the Office of the Legal Adviser to see if there were any concerns with her father serving as a public member. She believed that there were no concerns, though neither she nor the Office of the Assistant Legal Adviser for Ethics and Financial Disclosure (L/EFD) had any record of the communication, which the former Deputy Office Director believed may have been a phone call.²⁷

Ultimately, the former Deputy Office Director's decision to refer her father to the process to be considered for a public member position chosen and overseen by her direct subordinate created an appearance in the office of favoritism, which was exacerbated by his subsequent

²⁴ The GTM/PE employee had left the Department prior to the employee's father selection for the second and third boards.

²⁵ In addition, there were multiple instances of GTM/PE staff not in leadership positions whose friends and personal acquaintances served as public members, including two family friends, the fiancé of a staff member's friend, and the friend of a staff member's child.

²⁶ OIG also found that the former Deputy Office Director whose father served as a public member provided edits to his resume prior to its submission, including reorganizing it and commenting that her revisions were "[j]ust a suggestion based on the types of things I know we are looking for."

²⁷ The Assistant Legal Adviser for Ethics and Financial Disclosure told OIG that L/EFD does not log every question that comes to them and that a phone call would not likely result in a written record. At the time of her father's initial selection, the former Deputy Office Director advised AFSA about her father's candidacy as a public member, which AFSA appeared to have not opposed based on email communications.

service on two other boards.²⁸ Notably, more than one GTM/PE witness expressed nepotism concerns to OIG about the former Deputy Office Director's father serving as a paid public member.

However, OIG did find that the former Deputy Office Director's father fully met the FAM qualifications for public members. In fact, OIG found that of the friends, family, and personal acquaintances who served as public members, he was just one of two individuals to have fully met the FAM qualifications. Several others were demonstrably less qualified, including a friend of the current Division Chief, whose resume described a career as an elementary school teacher with some experience advising college students on college success.

When GTM/PE awards public member contracts to unqualified individuals based on favoritism, it risks negatively impacting the operations of the FSSBs. One of the most egregious instances occurred in 2017, when the Division Chief, who was a GTM/PE program analyst at the time, recommended the sister of an HR specialist in another bureau for a public member position, even though the now-Division Chief knew the individual was unqualified.²⁹ The resume reviewed by OIG included several years as a retail store cashier, a fact known and of concern to multiple GTM/PE employees at the time. According to a member of the Foreign Service that served on the board with the HR specialist's sister, the sister did poorly, demonstrated a lack of comprehension, and would consistently miss the points of the board's discussions. The Foreign Service Officer had been unaware of the amount of pay for public members and expressed outrage when learning that the public member received over \$24,000 for her service.

Without a clear written policy on selecting relatives of Department employees that is regularly communicated to staff, GTM/PE risks continued violations of the ethics standards and favoritism in its public member selection process. As recently as August 2021, the DAS with responsibility for GTM/PE told OIG that she was unaware of any restrictions against relatives serving as public members even though the SOPs contain this restriction, although she added that she was not aware of any relatives serving as public members.

GTM/PE regularly recruits from a police department with familial connections to GTM staff

OIG found that the Division Chief almost exclusively recruits public members with law enforcement backgrounds through direct word-of-mouth outreach to individuals in or retired from a single local police department in Maryland.

²⁸ The former Deputy Office Director told OIG that she did not tell the then-Division Chief that the applicant was her father, but his relationship to the former Deputy Office Director became known within GTM/PE after his initial selection and service on his first board.

²⁹ At the time, the now-Division Chief complained to the HR specialist, who was her former supervisor, that she had "been trying to work with your sister[s] resume but she is not giving us nothing to work with." The Division Chief had the HR specialist send multiple versions of the employee's sister's resume. The day after the HR specialist sent the final resume, she thanked the Division Chief in an email, writing in all caps, "It's great knowing people in high places." However, the ultimate decision to select the sister would have been made by the Division Chief's supervisor at the time.

GTM/PE's relationship with this Maryland police department appears to have started in 2015 when a police department official whose child worked in GTM/PE at the time served as a public member. The spouse of this public member was also a GTM employee until retiring a few years ago, and a third immediate family member of the individual is currently employed in GTM. Despite GTM/PE's SOPs prohibiting family members of Department employees from serving as public members, this individual has served multiple times, including on a reconstituted board in early 2021.

In total, OIG identified 10 contracts for 7 former or current officers from this police department serving as FSSB public members subsequent to 2015, in addition to multiple instances of public member service on other boards administered by GTM/PE. For all but two individuals, the information provided to OIG indicated that the public member did not fully meet FAM qualifications.

Several GTM/PE officials and employees were unaware that formal recruitment letters are not sent to any law enforcement organizations. By failing to provide direct outreach to other law enforcement organizations concerning public member opportunities, GTM/PE's current practice unfairly advantages law enforcement officers with connections to GTM.

Several Factors Limit Proper Oversight of Public Member Contracts

In the course of the review, OIG found evidence of several factors that may contribute to the high number of less than fully qualified individuals receiving public member contracts. These factors generally indicate deficiencies in the Department's internal control procedures for the public member contract process.

Senior management appeared unaware of the breadth of word-of-mouth recruitment

OIG found that a majority of public members from 2019 through 2021 were word-of-mouth referrals, yet GTM and GTM/PE leadership demonstrated a misunderstanding of the breadth of the word-of-mouth recruitment. For example, in a memo to OIG, the GTM Senior Bureau Official described such recruitment as being when "candidates are directed to the application process by recommendation of public members previously served," apparently unaware that GTM/PE staff also referred multiple individuals each year.

Similarly, the Deputy Office Director told OIG that she did not believe that any public members from 2021 were recruited through word-of-mouth, and the Office Director told OIG that GTM/PE staff were not currently informally recruiting and were not supposed to as a general rule, stating that it had been a problem in the past. In fact, 10 of the 19 individuals who served as public members in 2021 came from word-of-mouth recruitment, including 3 referred by GTM/PE staff. The Office Director also told OIG that the Division Chief would inform the Office Director of how an applicant came to GTM/PE when not recruited formally, yet one of the 2021 public members was the former neighbor of the Division Chief. These discrepancies call into question the Office Director and Deputy Office Director's actual knowledge of the recruitment methods used for the selected public members.

Without a clear policy on word-of-mouth referrals as defined and enforced by GTM/PE leadership, there continues to be a risk that GTM/PE employees will selectively refer and choose individuals with personal connections to them to receive public member contracts.

GTM/PE does not disclose its word-of-mouth recruitment in contract request documentation

OIG also found that GTM/PE fails to disclose the word-of-mouth referral process in its contract request memoranda signed by the Office Director and used to obtain public member contracts from AQM. For example, the 2021 GTM/PE memo requesting a public member contract with the former neighbor of the Division Chief misleadingly states:

The Office of Performance Evaluation (GTM/PE) selected the Public Member in the following manner: In early 2021, the Director General sent a memorandum to various local offices, colleges, and universities requesting nominations of potential candidates for service as public members on the Selection Boards. As a result of this request, emails were sent to individuals inquiring about their interest and availability for service on the Boards. They were asked to submit a resume. Selections were made from among those who responded and written offers have been sent to those selected. The Director General was informed of the selection of those public members.

OIG found variations of this inaccurate language in other GTM/PE memos requesting contracts with friends and family of GTM/PE officials involved in the selection process. These inaccurate descriptions obscure the true nature of GTM/PE's recruitment of individuals with connections to Department employees and hinder oversight of word-of-mouth recruitment.

Contracting personnel do not provide adequate oversight of public member contracts

AQM handles the administration of public member contracts. As noted, the contract amounts for FSSB public member contracts awarded from 2019 through 2021 generally ranged from about \$34,000 to \$55,000.

The Federal Acquisition Regulation states that "Contracting officers are responsible for ensuring performance of all necessary actions for effective contracting, ensuring compliance with the terms of the contract, and safeguarding the interests of the United States in its contractual relationship." Contracting officers must ensure that all legal requirements have been met before a contract is entered into and must "ensure that contractors receive impartial, fair, and equitable treatment."³⁰

OIG found that the Contracting Officer in AQM who handles public member contracts unduly defers to GTM/PE on most aspects of the contract process, including the manner of solicitation and the rate of pay for public members. The Contracting Officer told OIG that she was

³⁰ FAR 1.602-2.

unfamiliar with how GTM/PE recruits and selects individuals to serve as public members, and only becomes involved after GTM/PE selects the individuals and provides their information.

According to award data from the USASpending website, public member contracts are awarded as purchase orders using other than full and open competition under FAR 6.302-1, which requires written justifications as well as notices of contract opportunities valued at over \$25,000 to be posted on the federal government's contract opportunities website, currently at <https://sam.gov/content/opportunities>.

However, neither the Contracting Officer nor the Contracting Officer's supervisor could produce any written justifications that were prepared for public member contracts from 2019 through 2021, or otherwise explain the basis for using this authority to award public member contracts. In addition, neither could point to any applicable FAR provision or other authority that would permit an exception to the notice requirement. Many past and current GTM/PE officials and employees told OIG that posting a general notice of the public member opportunities could have a positive impact on recruitment.

OIG also found that no one in AQM or GTM involved in the administration of the contracts could explain the basis for the rate of pay, which as noted is set to the daily pay rate of a GS-14, step 10, federal employee in the Washington, DC, locality pay area. GTM/PE's contract request memos include a rate of pay, but GTM/PE officials stated that AQM or the GTM Executive Office set the pay rate. Officials in AQM and the GTM Executive Office denied setting the pay rate.

In addition, public members receive the full daily pay amount for any day in which they work any amount of time, a fact that some GTM/PE staff questioned. OIG identified multiple instances of individuals receiving a full daily payment for working only a few hours, including an individual in 2019 who received three \$571 payments for working 1 hour each day over 3 weekend days.³¹ In 2020, the Division Chief had a public member revise a timesheet in which the public member had sought 2 day's compensation for a few hours of work completed over the course of 3 days. The Division Chief explained to the public member that public members get paid the daily amount whether they "work 1 hour or 100 hours." As with the pay rate, no one in AQM or GTM involved in the administration of the contracts, including the Division Chief, could explain the basis or reasoning for the compensation structure.

AQM contracting personnel awarding public member contracts cannot defer to GTM on the contracting process and have a responsibility to ensure that all legal requirements are met before awarding these contracts. Failure to comply with FAR requirements designed to promote competition and fairness in contracting further contributes to the risk of misuse of the public member recruitment and selection process.

³¹ OIG could not determine how frequently public members worked fewer than 8 hours because GTM/PE did not require public members to mark the hours worked on their timesheets. In its technical comments in response to a draft of this report, GTM indicated that timesheets were not used for 2021 and that timesheets have been discontinued in favor of a process involving AQM.

The Division Chief in charge of recruitment is subject to few controls and inconsistently applies GTM/PE's policies

OIG found evidence that a significant risk to GTM/PE's public member recruitment and selection process is the broad authority given to a single Division Chief, who receives all public member resumes, including those she obtains through word-of-mouth recruitment, decides whether to interview individuals, and makes offers to individuals soon after their interviews but before all candidates had been considered.

The Division Chief could not provide OIG with sufficient information to determine whether the official consistently follows GTM/PE recruitment procedures or selects the best qualified applicants to serve as public members. For example, formal public member outreach letters direct that the names and resumes of potential public members be sent to this Division Chief's email address, but the Division Chief does not track or maintain a list of individuals who contact her or are referred to her. In addition, the Division Chief told OIG that she deletes records of anyone not selected to be a public member.

Because the Division Chief could not provide adequate data on her recruitment and selection activities, OIG conducted a review of the Division Chief's email communications and identified several inconsistencies in the Division Chief's handling of 2020 and 2021 selection board public member candidates that indicate that the official did not always select or interview candidates fairly or equitably. Examples include:

- The Division Chief informed a fully qualified former public member who expressed interest in serving again that she was trying to bring on new members every year, then 2 weeks later directly recruited and selected, without interviews, several other former public members who were not fully qualified under the FAM, including one with personal connections to a GTM/PE employee.
- In March 2020, the Division Chief informed a fully qualified candidate that there were no available public member positions after the candidate expressed concern about interviewing in person because of the COVID-19 pandemic. Information OIG reviewed indicates that there were remaining public member positions.
- The Division Chief instructed a staff member to hold off scheduling an interview with a fully qualified candidate who was a former Department employee after the Office Director commented in an email that the candidate was "a little long in the tooth" and that the Office Director likes "fresh (diverse) faces." A few weeks later, the Division Chief interviewed and selected a different fully qualified former Department employee who retired around the same time. The initial fully qualified candidate was never interviewed.

Without adequate oversight of the recruitment and selection process, GTM/PE cannot ensure that the process is conducted in a manner that treats public member candidates equitably. A

lack of adequate oversight also inhibits GTM/PE's ability to ensure that the best qualified candidates are ultimately chosen. In addition, stronger oversight could help prevent abuse of the process.

OIG Identified Several Instances of Partiality in the Administration of Certain FSSBs

In the course of OIG's review, OIG identified several instances of partiality in the administration of certain FSSBs. For example, OIG found an instance of a GTM/PE official taking certain actions that created the appearance of potential bias involving a FSSB panel that was considering the promotion of the official's relative. Among other actions, the GTM/PE official discussed the FSSB panel's ranking of the relative with a FSSB panel member, then shared ranking information with the relative prior to the completion of the FSSB panel's work. The GTM/PE employee was nominally recused from the process; however, the controls involving staff recusal were not sufficient to prevent the employee's involvement with the board.³²

OIG also found several instances of a GTM/PE official sharing and receiving FSSB related information with a relative in the Department, without the relative having a business need to be involved. The GTM/PE official received input from the relative about prospective FSSB panel members and shared with the relative sensitive GTM/PE communications including communications between GTM/PE and the American Foreign Service Association about prospective FSSB compositions.

The actions identified by OIG will be more fully described in a separate referral for management consideration. Stronger internal controls, such as a written recusal policy for GTM employees with relatives in the Foreign Service and written instructions regarding communications concerning sensitive FSSB matters, are warranted to ensure that GTM/PE impartially administers all aspects of the FSSB process, including the selection of board members.

CONCLUSION

OIG found that GTM/PE did not demonstrate that it considered all FAM criteria when recruiting and selecting FSSB public members. Less than half of the public members who served from 2019 through 2021 were fully qualified under the FAM.

In addition, OIG found that family members of Department employees, including GTM/PE employees, received public member contracts to serve on FSSBs or related boards administered by GTM/PE every year from 2014 through 2021. OIG also identified some instances of personal friends and acquaintances of GTM/PE officials receiving public member contracts. OIG found

³² The FSSB Procedural Precepts include instructions for board member recusal, but do not include instructions for GTM staff member recusal.

that the selections of relatives and friends of GTM/PE staff were inconsistent with Department ethics rules and the Standards of Ethical Conduct for Employees of the Executive Branch.

OIG also found that GTM/PE's public member recruitment and selection process lacked adequate management oversight and internal controls to minimize the risk of favoritism and to ensure that the best qualified applicants were recruited and chosen. In addition, OIG found that the contracting personnel awarding public member contracts failed to provide adequate contract oversight, compounding the problem.

Finally, OIG Identified several instances of partiality in the administration of certain FSSBs.

RECOMMENDATIONS

OIG has issued the following recommendations to the Bureau of Global Talent Management (GTM) and the Bureau of Administration to minimize favoritism in the awarding of Foreign Service Selection Board public member contracts, ensure that the best qualified applicants are recruited and selected, and ensure compliance with acquisition law in the awarding and administration of the contracts. GTM and the Bureau of Administration, Office of the Procurement Executive, Office of Acquisition Management (AQM) agreed with OIG's recommendations. Their separate responses can be found in the appendix. GTM also provided technical comments that OIG incorporated as appropriate into this report.

Recommendation 1: The Bureau of Global Talent Management should review the Foreign Affairs Manual qualifications for Foreign Service Selection Board public members to determine whether any revisions are necessary, such as broadening or changing public member qualification criteria to avoid potential conflicts.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and agreed to review public member qualification requirements and edit the Foreign Affairs Manual as necessary to reflect the updated qualifications.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has reviewed and revised as necessary the Foreign Affairs Manual qualifications.

Recommendation 2: The Bureau of Global Talent Management should revise its Foreign Service Selection Board public member outreach letters to include all the qualifications listed in the Foreign Affairs Manual and any other internal requirements.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and agreed to update the outreach letters.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has revised its outreach letters.

Recommendation 3: The Bureau of Global Talent Management (GTM) should issue regular reminders to GTM personnel of its policy prohibiting relatives of Department employees from serving as Foreign Service Selection Board public members and of the Standards of Ethical Conduct for Employees of the Executive Branch.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation. GTM agreed to issue on an annual basis a Department Notice that explains the public member selection process and states that relatives of Department employees may not serve as public members.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has issued such a notice.

Recommendation 4: The Bureau of Global Talent Management (GTM) should prohibit GTM employees involved in the selection of Foreign Service Selection Board public members from referring for consideration individuals with personal connections.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation. GTM stated that it would include the prohibition in its Standard Operating Procedures and notify employees involved in the selection of public members.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has updated its written procedures and provided notice of the prohibition to appropriate GTM employees.

Recommendation 5: The Bureau of Global Talent Management should consider broadening its list of law enforcement organizations receiving Foreign Service Selection Board public member outreach letters.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation. It noted that GTM/PE currently sends solicitation letters to multiple police departments and law enforcement organizations. It provided resumes of public members with law enforcement backgrounds but did not provide copies of any solicitation letters to law enforcement agencies.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has broadened its list of law enforcement organizations receiving outreach letters.

Recommendation 6: The Bureau of Global Talent Management should revise its written procedures on Foreign Service Selection Board public member recruitment to define and institute a transparent and consistent “word of mouth” referral policy, which should be communicated to staff and relevant external parties.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and agreed to establish a clear referral policy in its Standard Operating Procedures and communicate that policy to staff and relevant external parties.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has revised its procedures and communicated its referral policy to staff and relevant external parties.

Recommendation 7: The Bureau of Global Talent Management should update the Foreign Service Selection Board public member contract request memos to accurately describe the recruitment process and the specific recruitment source of the individual who is to receive the contract.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and agreed to include the specific recruitment source in contract request memos.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has updated its contract request memos.

Recommendation 8: The Bureau of Administration should direct its Contracting Officer for Foreign Service Selection Board public contracts to comply with all FAR requirements, including requirements on notices, justifications, and determination of pricing.

Management Response: In its March 29, 2022, response, AQM stated that it concurred with the intent of this recommendation.

OIG Reply: This recommendation can be closed when AQM provides documentation that the Bureau of Administration has provided direction to its Contracting Officer.

Recommendation 9: The Bureau of Administration, in coordination with the Bureau of Global Talent Management, should review and consider whether there are more appropriate alternatives to the current procurement vehicle and payment structure for obtaining Foreign Service Selection Board public member service.

Management Response: In its March 29, 2022, response, AQM stated that it concurred with the intent of this recommendation. In its April 29, 2022, response, GTM concurred with this recommendation and agreed to partner with the Bureau of Administration to review and consider alternatives to the current procurement vehicle and payment structure in advance of the 2023 recruitment cycle.

OIG Reply: This recommendation can be closed when AQM and GTM provide documentation that the Bureau of Administration, in coordination with GTM, has reviewed and considered alternatives to the current procurement vehicle and payment structure.

Recommendation 10: The Bureau of Global Talent Management should develop a mechanism to retain and track Foreign Service Selection Board public member applicants, including through a dedicated email account or other IT system to receive applicants.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation. GTM stated that it has established a new email account for public member applicants and that it will maintain all potential public member applications and correspondence in accordance with appropriate record retention requirements.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has established the email account and record retention requirements in a way that retains and tracks public member applicants.

Recommendation 11: The Bureau of Global Talent Management should revise the Foreign Service Selection Board public member recruitment written procedures to include formal selection procedures such as a ranking or scoring rubric to ensure that offers are not made to less than fully qualified applicants until all better qualified applicants have been considered.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and stated that it has already implemented a scoring rubric for considering candidates for the 2022 FSSBs.

OIG Reply: This recommendation can be closed when GTM it provides documentation that it has implemented a scoring rubric and established formal selection procedures that ensure that offers are not made to less than fully qualified applicants until after any pending better qualified applicants have been considered.

Recommendation 12: The Bureau of Global Talent Management (GTM) should develop stronger internal controls for the administration of Foreign Service Selection Boards by GTM Office of Performance Evaluation staff, such as a written recusal policy for GTM employees with relatives in the Foreign Service and written instructions regarding communications concerning sensitive FSSB matters.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation. GTM stated that it will disseminate a written recusal policy to all GTM/PE staff and written instructions on the communication of sensitive FSSB matters.

OIG Reply: This recommendation can be closed when GTM provides documentation that it has disseminated a recusal policy for GTM/PE staff and instructions on communications concerning sensitive FSSB matters.

Recommendation 13: The Bureau of Global Talent Management should review the internal control system for the administration of Foreign Service Selection Boards and develop a corrective action plan to remediate any internal control deficiencies prior to the next Foreign Service Selection Boards convening.

Management Response: In its April 29, 2022, response, GTM concurred with this recommendation and agreed to review its internal control system and develop a corrective action plan to remediate any internal control deficiencies prior to the convening of the next FSSBs.

OIG Reply: This recommendation can be closed when the Department provides documentation that it has reviewed its current internal control system and developed corrective action plans to remediate any internal control deficiencies.

APPENDIX: DEPARTMENT RESPONSES




United States Department of State

Washington, D.C. 20520

UNCLASSIFIED
MEMORANDUM

April 29, 2022

TO: OIG

FROM: DGTM - Carol Z. Perez 

SUBJECT: Response to Draft OIG Report: Review of the Recruitment and Selection Process for Public Members of Foreign Service Selection Boards

Thank you for the opportunity to review the draft OIG report on the recruitment and selection process for public members of Foreign Service Selection Boards. The Bureau of Global Talent Management provides the following comments in response to the recommendations of the OIG.

Recommendation 1: The Bureau of Global Talent Management (GTM) should review the Foreign Affairs Manual qualifications for Foreign Service Selection Board public members to determine whether any revisions are necessary, such as broadening or changing public member qualification criteria to avoid potential conflicts.

GTM Response: GTM concurs with this recommendation. GTM's Office of Performance Evaluation (GTM/PE) will review qualification requirements and edit the FAM as necessary to reflect the updated qualifications for service as a public member. To be completed by December 1, 2022.

Recommendation 2: The Bureau of Global Talent Management should revise its Foreign Service Selection Board public member outreach letters to include all the qualifications listed in the Foreign Affairs Manual and any other internal requirements.

GTM Response: GTM concurs with this recommendation and will update the outreach letters accordingly.

Recommendation 3: The Bureau of Global Talent Management (GTM) should issue regular reminders to GTM personnel of its policy prohibiting relatives of Department employees from serving as Foreign Service Selection Board public members and of the Standards of Ethical Conduct for Employees of the Executive Branch.

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GTM Response: GTM concurs with this recommendation. GTM will issue a Department Notice to explain the public member selection process and to explicitly state that relatives of Department employees may not serve as public members. The Notice will be completed by June 1, 2022 and re-published annually.

Recommendation 4: The Bureau of Global Talent Management (GTM) should prohibit GTM employees involved in the selection of Foreign Service Selection Board public members from referring for consideration individuals with personal connections.

GTM Response: GTM concurs with this recommendation. GTM/PE will notify employees involved in the selection of Foreign Service Selection Board public members that they are not permitted to refer for consideration individuals with personal connections and that prohibition will be included in the Standard Operating Procedures (SOPs). To be completed by June 1, 2022.

Recommendation 5: The Bureau of Global Talent Management should consider broadening its list of law enforcement organizations receiving Foreign Service Selection Board public member outreach letters.

GTM Response: GTM concurs with this recommendation but notes that GTM/PE currently sends solicitation letters to multiple police Departments and law enforcement agencies and organizations in the metro area, including Washington DC, Baltimore, Silver Spring, Alexandria, Arlington, Rockville and Fairfax County.

Recommendation 6: The Bureau of Global Talent Management should revise its written procedures on Foreign Service Selection Board public member recruitment to define and institute a transparent and consistent “word-of-mouth” referral policy, which should be communicated to staff and relevant external parties.

GTM Response: GTM concurs with this recommendation. A clear referral policy will be established in the public member recruitment and selection SOP and communicated to staff and relevant external parties by December 1, 2022, and reiterated in future recruitment communications.

Recommendation 7: The Bureau of Global Talent Management should update the Foreign Service Selection Board public member contract request memos to accurately describe the recruitment process and the specific recruitment source of the individual who is to receive the contract.

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GTM Response: GTM concurs with this recommendation and will include the specific recruitment source of the individual who is to receive the contract in all future contract request memos.

Recommendation 8: The Bureau of Administration should direct its Contracting Officer for Foreign Service Selection Board public contracts to comply with all FAR requirements, including requirements on notices, justifications, and determination of pricing.

GTM Response: GTM defers to the Bureau of Administration for response to this recommendation.

Recommendation 9: The Bureau of Administration, in coordination with the Bureau of Global Talent Management, should review and consider whether there are more appropriate alternatives to the current procurement vehicle and payment structure for obtaining Foreign Service Selection Board public member service.

GTM Response: GTM concurs with this recommendation and will partner with the Bureau of Administration to review and consider alternatives to the current procurement vehicle and payment structure for obtaining Foreign Service Selection Board public member service in advance of the 2023 recruitment cycle.

Recommendation 10: The Bureau of Global Talent Management should develop a mechanism to retain and track Foreign Service Selection Board public member applicants, including through a dedicated email account or other IT system to receive applicants.

GTM Response: GTM concurs with this recommendation and has established a new email box applicants at GTM-PE-PublicMembers@state.gov. In addition, GTM/PE will maintain all potential public member applications and correspondence in accordance with appropriate records retention requirements.

Recommendation 11: The Bureau of Global Talent Management should revise the Foreign Service Selection Board public member recruitment written procedures to include formal selection procedures such as a ranking or scoring rubric such that offers are not made to less than fully qualified applicants until all better qualified applicants have been considered.

GTM Response: GTM concurs with the recommendation to establish formal selection procedures and has already implemented a scoring rubric for consideration of all candidates for the 2022 FSSBs.

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Recommendation 12: The Bureau of Global Talent Management should develop stronger internal controls for the administration of Foreign Service Selection Boards by GTM Office of Performance Evaluation staff, such as a written recusal policy for GTM employees with relatives in the Foreign Service and written instructions regarding communications concerning sensitive FSSB matters.

GTM Response: GTM concurs with this recommendation and will disseminate a written recusal policy to all GTM/PE staff and written instructions on the communication of sensitive FSSB matters by June 1, 2022.

Recommendation 13: The Bureau of Global Talent Management should review the internal control system for the administration of Foreign Service Selection Boards and develop a corrective action plan to remediate any internal control deficiencies prior to the next Foreign Service Selection Boards convening.

GTM Response: GTM concurs with this recommendation and will review the current internal control system for the administration of Foreign Service Selection Boards and develop a corrective action plan to remediate any internal control deficiencies by June 1, 2022.

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United States Department of State

Washington, D.C. 20520

UNCLASSIFIED

March 29, 2022

MEMORANDUM

TO: OIG/ESP – Jeffrey McDermott

FROM: A/OPE/AQM – Michael W. Derrios, Acting **MICHAEL W. DERRIOS**
Digitally signed by
MICHAEL W DERRIOS
Date: 2022.03.29 08:57:12
+0400

SUBJECT: Draft Report - Review of the Recruitment and Selection Process for Public
 Members of Foreign Service Selection Boards

Thank you for the opportunity to provide an update to the subject report. The point of contact for this report is the A/OPE Front Office

Recommendation 8: The Bureau of Administration should direct its Contracting Officer for Foreign Service Selection Board public contracts to comply with all FAR requirements, including requirements on notices, justifications, and determination of pricing.

Management Response to Draft Report: The Office of the Procurement Executive, Office of Acquisitions Management (OPE/AQM) concurs with the intent of the OIG's recommendation.

Recommendation 9: The Bureau of Administration, in coordination with the Bureau of Global Talent Management, should review and consider whether there are more appropriate alternatives to the current procurement vehicle and payment structure for obtaining Foreign Service Selection Board public member service.

Management Response to Draft Report: The Office of the Procurement Executive, Office of Acquisitions Management (OPE/AQM) concurs with the intent of the OIG's recommendation.

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ABBREVIATIONS

AFSA	American Foreign Service Association
AQM	Office of Acquisition Management
DAS	Deputy Assistant Secretary
DG	Director General of the Foreign Service
DS	Bureau of Diplomatic Security
FAM	Foreign Affairs Manual
FSSB	Foreign Service Selection Board
GTM	Bureau of Global Talent Management
L/EFD	Office of the Assistant Legal Adviser for Ethics and Financial Disclosure
OIG	Office of Inspector General
PE	Office of Performance Evaluation
SOP	Standard Operating Procedure

OIG OFFICE OF EVALUATIONS AND SPECIAL PROJECTS TEAM MEMBERS

Claire M. Barnard
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