

AUD-MERO-20-40 Office of Audits September 2020

(U) Management Assistance Report: Additional Guidance Needed to Improve the Oversight and Management of Locally Employed Staff Serving at Remote Missions

MANAGEMENT ASSISTANCE REPORT

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(U) Summary of Review

- (U) The Department of State (Department) may evacuate an embassy or consulate to ensure the safety of mission personnel during natural disasters, political instability, or other security threats. In some cases, a temporary evacuation may lead to an indefinite suspension of operations where all U.S. Direct Hire (USDH) staff are ordered to depart post. When this occurs, some overseas missions have established operations in a separate location, often in another country, which is referred to as a "remote mission." Locally employed (LE) staff remain in the host country and may continue to work, depending on the mission's needs. Those LE staff are often managed by USDH employees who are based at the remote mission. Two such remote missions are the Yemen Affairs Unit (YAU), which operates from the U.S. Embassy in Riyadh, Saudi Arabia, and the Venezuelan Affairs Unit (VAU), which operates from the U.S. Embassy in Bogota, Colombia. The YAU was established in March 2015, and the VAU was established in August 2019.
- (U) During an audit of remote diplomatic missions, which is currently underway, the Office of Inspector General (OIG) identified challenges that remote missions face in overseeing and managing their respective LE staff. Department guidance regarding the oversight and management of LE staff of remote missions is broadly outlined in a 2017 policy issued by the Bureau of Global Talent Management, Office of Overseas Employment (GTM/OE), titled the *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status.* Among other issues, the policy addresses how posts should make decisions about the continued employment of LE staff based on the ongoing needs of the mission. For LE staff determined to be nonessential, the policy states that posts may proceed with a Reduction-in-Force (RIF) process to remove them from the Department's payroll. For example, beginning in April 2018, the YAU implemented two consecutive RIFs that reduced the total number of LE staff in Yemen by approximately 72 percent. Similarly, the VAU initiated its first RIF in March 2019 to streamline its operations and reduce the total number of LE staff in Venezuela by 17 percent.
- (U) The 2017 GTM/OE policy was developed, in part, to inform the process for identifying those LE staff required to support the ongoing needs of missions in suspended operations status. Nonetheless, OIG identified areas for improvement. For example, although the policy addresses the need to conduct regular staffing reviews, the policy was not widely distributed to those responsible for directly overseeing LE staff working for remote missions, including USDH supervisors. Although they were not familiar with the policy, the YAU independently initiated a review of all LE staff positions in Yemen in December 2019—4 years after the suspension of operations at Embassy Sana'a. According to YAU officials, the staffing review was intended to improve LE oversight and ensure that work requirements reflected the needs of the remote mission. The YAU discovered that 21 LE staff in Yemen were not

¹ (U) At the time the policy was issued, the Bureau of Global Talent Management was known as the Bureau of Human Resources. The name was changed to the Bureau of Global Talent Management in February 2020.

reporting to work on a regular basis.² Of these, 16 had not been consistently reporting to work for more than 4 years, but they continued to receive their full salaries, collectively totaling more than \$2 million.

- (U) OIG also identified areas where additional guidance may be needed. Specifically, OIG found that in the absence of more robust Department-wide guidance, some regional bureau officials independently took steps to preempt known challenges faced by other remote missions when establishing the VAU. For example, officials worked to ensure that LE staff had access to secure IT networks to communicate with their USDH supervisors and conduct Department business following the suspension of operations in Venezuela.³ In addition, regional bureau officials implemented a process to identify temporary employment opportunities at other U.S. embassies and consulates around the world to help LE staff remain gainfully employed. Although the 2017 GTM/OE policy addresses a variety of issues that remote missions may need to consider with regard to oversight of LE staff, the policy lacks detail in some areas and has not been updated to reflect lessons learned or documented best practices. Both the VAU and the YAU would have been better informed and more effective in their approach to managing LE staff had challenges related to LE oversight been addressed in a more in-depth policy document or outlined in more detailed guidance.
- (U) Furthermore, OIG found that the Department has no policy in place to address the unique circumstances of renewing security certifications for those LE staff working in support of a remote mission. Specifically, remote missions face challenges renewing security certifications when security conditions in the country have deteriorated and information used to inform background investigations becomes difficult to obtain. For example, it may be difficult to obtain reliable police reports or travel restrictions could prevent LE staff from travelling to the country where the remote mission has been established in order to renew their security certifications. Because of these challenges, some LE security certifications at remote missions have lapsed.
- (U) OIG made 14 recommendations in this report that are intended to address known challenges encountered when LE staff must be overseen and managed from a remote mission. On the basis of responses from the Under Secretary for Management, GTM/OE, the YAU, and the Bureau of Diplomatic Security to a draft of this report, OIG considers 13 recommendations resolved pending further action and 1 recommendation unresolved. A synopsis of management's comments to the recommendations offered and OIG's reply follow each recommendation in the Results section of this report. Management's response to a draft of this report received from the Under Secretary for Management, GTM/OE, the YAU, and the Bureau of Diplomatic Security are reprinted in their entirety in Appendices A through D, respectively.

² (U) According to YAU officials, following the review, the YAU instituted remedial work plans or a reassignment of work requirements, as applicable, for the 21 staff.

³ (U) The need to establish secure alternative e-mail accounts for LE staff who lose access to Department IT systems following a suspension of operations is not explicitly addressed in Department policy.

(U) BACKGROUND

(U) Remote Missions

- (U) Following the decision to suspend operations, some overseas missions have established operations in a separate location, often in another country, where mission essential functions continue and the embassy effectively operates as a "remote mission" or a "mission in exile." While there is no common terminology or official definition for a remote mission, several Department officials stated that a remote mission can be established when "the Department intends to have a Chief of Mission presence but has discontinued operations because of political instability or other safety and security issues. For these missions, the Department intends to return as soon as conditions allow." According to the Department, some of the missions that currently fit this definition include Yemen, Venezuela, Libya, and Somalia.⁴
 - **(U)** Yemen Affairs Unit (Remote Mission Site: U.S. Embassy Riyadh, Saudi Arabia) In February 2015, the Department suspended operations at the U.S. Embassy in Sana'a, Yemen due to deteriorating security conditions resulting from the Houthis' take-over of the government. One month later, the Department established the YAU remote mission at the U.S. Consulate in Jeddah, Saudi Arabia, under the Bureau of Near Eastern Affairs. On October 24, 2018, the YAU relocated from Jeddah to the U.S. Embassy in Riyadh, where it continued to reside at the time of this review.
 - (U) Venezuelan Affairs Unit (Remote Mission Site: U.S. Embassy Bogota, Colombia) –
 In March 2019, the Department suspended operations at the U.S. Embassy in Caracas,
 Venezuela, due to security concerns and the deteriorating political situation in the
 country. On August 5, 2019, the Department established the VAU remote mission at the
 U.S. Embassy in Bogota, Colombia, under the Bureau of Western Hemisphere Affairs.⁸
 - (U) Libya External Office (Remote Mission Site: U.S. Embassy Tunis, Tunisia) In July 2014, the Department suspended operations at U.S. Embassy Tripoli, Libya, due to political instability and internal conflict in the country and established the Libya External Office at the U.S Embassy in Malta under the Bureau of Near Eastern Affairs. In June 2015, the Department moved the Libya External Office to the U.S. Embassy in Tunis, Tunisia, where it continued to reside at the time of this review.⁹

⁶ (U) The Department's regional bureaus oversee the U.S. embassies and consulates and coordinate U.S. foreign relations in their respective geographic areas.



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⁴ (U) Other missions that have operated from secondary locations include Syria and Cuba.

⁵ (U) The Houthis are an armed Islamic group that emerged in northern Yemen in the 1990s. The Houthi movement is officially called Ansar Allah.

(U) Locally Employed Staff

- (U) The Foreign Affairs Manual (FAM) defines "LE staff" as an "employee hired under the local compensation plan at a U.S. mission abroad under Chief of Mission authority." LE staff are typically citizens of the host country, 11 often have specialized technical skills, and provide a wide variety of support services. According to GTM/OE, LE staff are an important part of the operations of U.S. missions overseas because they provide continuity and institutional knowledge and bring an understanding of local customs, conditions, and languages. The Chief of Mission has the authority to direct, supervise, and coordinate all USDH employees, as well as LE staff. 12
- (U) Department guidance regarding the oversight and management of LE staff at remote missions is broadly outlined in a 2017 policy issued by GTM/OE, *Policy on Employment of Locally Employed Staff (LE) at U.S. Missions in Suspended Operations Status*. The policy states that "before operations are suspended at a U.S. mission or as soon thereafter as feasible, the Chief of Mission or his/her designee(s) should determine which duties, if any, must continue during suspended operations and which LE staff, if any, will be needed to perform such duties on behalf of the mission." However, the 2017 policy was not established until almost three years after Embassy Sana'a suspended operations in 2015. When the YAU was established, there was no Department policy in place on oversight and management of LE staff at posts in suspended operations status.
- (U) Although GTM/OE establishes policies regarding the employment of LE staff and provides support to overseas posts on a variety of LE employment issues, direct oversight of LE staff is the responsibility of each individual mission. ¹³ In the case of remote missions, USDH staff working at the remote location are responsible for overseeing and supporting those LE staff who continue to be employed in the original host country. This means that USDH staff working at a remote mission must manage and support LE staff long-distance from another country. For example, all LE staff employed in Sana'a, Yemen, are overseen by USDH staff at the YAU based in Riyadh, Saudi Arabia. Those LE staff who continue to be employed in Caracas, Venezuela, are overseen by USDH staff based at the VAU in Bogota, Colombia.
- (U) In addition to establishing and administering policies and regulations relating to recruitment, employment, compensation, performance management, recognition, discipline, separation, and retirement of LE staff, GTM/OE also provides policy interpretations and procedural guidance to overseas missions, including researching and resolving labor relations

¹⁰ (U) 3 FAM 7120, Definitions.

¹¹ (U) U.S. citizens and third country nationals who legally reside in the host country and meet employment requirements may also be employed by the mission as LE staff.

¹² (U) Foreign Affairs Handbook, 2-FAH-2, H-112.1 (a). According to the Foreign Affairs Handbook, 2-FAH-2, H-112, the Chief of Mission is the principal officer in charge of a diplomatic mission of the United States or of a U.S. office abroad. Usually, the U.S. Ambassador to a foreign country, or the Chargé d'Affaires, is the Chief of Mission in that country.

¹³ (U) 3 FAM 7112.1.

issues and disputes. GTM/OE also provides consulting services to posts, bureaus, agencies, and employees on specific issues relating to LE staff.

(U) The Bureau of Diplomatic Security manages the Department's personnel security clearance program, including approving and updating security certifications for LE staff. All LE staff employed by the Department are required to obtain and maintain a security certification as a mandatory condition of employment. The Bureau of Diplomatic Security reviews and analyzes investigations on employment candidates, employees, and others seeking access to the Department to ensure that granting an individual access to classified or sensitive information is consistent with the interest of national security. The Regional Security Office at each embassy and consulate is responsible for carrying out background investigations in support of security certifications for LE staff. Security certifications for LE staff must be renewed every 5 years.

(U) Scope and Purpose of This Management Assistance Report

- (U) This Management Assistance Report focuses on management, oversight, and support of LE staff at the YAU and the VAU. With respect to the Libya External Office, OIG has a separate review underway that discusses the management and oversight of its LE staff. This Management Assistance Report also examines more generally the challenges remote missions face in updating security certifications for LE staff.
- (U) This Management Assistance Report is intended to provide early communication of deficiencies identified during OIG's audit of remote diplomatic missions, which is currently underway. The primary objective of the audit is to determine whether the Department has instituted adequate protocols to a) inform the decision to establish a remote diplomatic mission, b) identify and provide resources to support mission-essential functions, c) guide daily operations, and d) evaluate and mitigate risks associated with the execution of foreign assistance programs that are overseen remotely. OIG is conducting this performance audit in accordance with generally accepted government auditing standards. Those standards require that OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. OIG faced challenges in completing this work because of the COVID-19 pandemic. These challenges included limitations on in-person meetings, difficulty accessing information, prohibitions on travel, and related difficulties within the Department that affected its ability to respond to OIG requests for information in a timely manner. Despite the challenges, OIG believes that the evidence obtained provides a reasonable basis for the findings and conclusions presented in this report.

(U) RESULTS

(U) Finding A: Remote Missions Face Challenges in Managing and Overseeing Locally Employed Staff

(U) OIG found that because no Department policy was in place requiring it to do so, the YAU did not implement a RIF to remove nonessential employees from the Department's payroll until April 2018, 3 years after the YAU was first established in March 2015. Moreover, it was not until 4 years after establishing the remote mission in Saudi Arabia that the YAU initiated a review of all LE staff positions in Yemen in December 2019. Following this staffing review, the YAU discovered that 21 LE staff assigned to work in Yemen were not reporting to work on a regular basis. Of these, 16 staff had not consistently reported to work in more than 4 years and were employed over that time period at a total cost of more than \$2 million. Finally, OIG found that, following the suspension of operations in Venezuela, and in the absence of more robust Department-wide guidance, the VAU implemented ad hoc procedures to preemptively address LE staff oversight challenges not addressed by the 2017 GTM/OE policy. These conditions occurred, in part, because there was no Department policy in place regarding the employment of LE staff at missions in suspended operations status until 2017. Furthermore, once established, the 2017 GTM/OE policy did not fully address many of the known challenges that remote missions will likely encounter when managing and overseeing LE staff remotely. Had these challenges been adequately addressed in policy and accompanied with detailed guidance, OIG concludes that both the YAU and the VAU would have been better informed and more effective in their approach to managing and overseeing LE staff.

(U) In the Absence of Department-Wide Guidance, the YAU Faced Challenges Managing Locally Employed Staff and Some Staff Were Paid for Work Not Performed

(U) When the Department suspended operations at the U.S. Embassy in Sana'a, Yemen, and established the YAU at the U.S. Consulate in Jeddah, Saudi Arabia, in March 2015, it employed 829 LE staff in Yemen. It was not until 3 years later, in April 2018, that the YAU executed its first RIF. In addition, OIG learned that, contrary to Department policy, the YAU employed one LE staff member, an individual with dual American and Yemeni citizenship, for 4 years after that individual had relocated to the United States. ¹⁴ Finally, OIG learned that the YAU failed to complete required performance reviews for LE staff in Yemen and did not update job titles for those staff who were reassigned to new positions following the suspension of operations in Yemen. ¹⁵ OIG determined that the absence of Department-wide guidance contributed to the challenges faced by the YAU in managing and overseeing LE staff working in Yemen.

¹⁴ (U) The LE staff member was the Defensive Security Coordinator in Yemen. After relocating to the United States, he continued to produce reports on the security situation in Yemen though he was unable to complete many of his job duties as assigned. The circumstances surrounding his continued employment are discussed in more detail later in this report.

¹⁵ (U) Starting in 2019, the YAU reinstated regular performance reviews for all LE staff for the first time since 2015.

- (U) The YAU Did Not Execute a RIF Until 3 Years After the Suspension of Operations
- (U) The 2017 GTM/OE policy, Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status, states that "every [6] months, the relevant USDH supervisor/regional bureau must recertify the list of LE staff who continue to be designated as caretaker LE staff and must submit an action memo to the Under Secretary for Management for authorization to continue retention and pay of those staff." According to the policy, the designation of caretaker LE staff "must be documented in writing and must be based on the continued needs of the U.S. mission during suspended operations status and on information establishing that the caretaker LE staff in question are continuing to perform work on behalf of the U.S. mission and that such work is required." The 2017 GTM/OE policy also states that an LE staff member whose duties are no longer deemed essential must eventually be separated from employment. 17 Specifically, the post can proceed with a RIF to remove the staff from the Department's payroll. 18 Because the YAU was established in March 2015 prior to the issuance of the 2017 GTM/OE policy, it was not required to submit action memos to the Under Secretary for Management recertifying those LE staff who would continue to be employed by the mission for the first 3 years after it was established. Following the issuance of the policy, the YAU executed two major RIFs in 2018—one in April 2018 and another in July 2018—reducing the total number of LE staff in Yemen by 72 percent. 19
- (U) According to USDH staff previously assigned to the YAU, a RIF was not executed earlier, in part, because the Ambassador believed the Department would reopen Embassy Sana'a in the near future and, therefore, the LE staffing level should be maintained. However, the establishment of the GTM/OE policy in 2017 requiring justifications for the continued employment of LE staff, along with the Department's decision to relinquish one of its leased properties in Sana'a in 2018, resulted in the decision to reduce LE staffing levels in Yemen.²⁰

(b) (3) (A)

²⁰ (U) In December 2017, a decision was made to relinquish the Diplomatic Transit Facility Sana'a, an 8-story former hotel situated on a 14.5-acre compound overlooking both the city and the embassy compound. Prior to the evacuation of Embassy Sana'a, the facility had been used for housing U.S. personnel. OIG recommended in its Inspection of the Yemen Affairs Unit report, ISP-18-21, that the Bureau of Near Eastern Affairs conduct a cost-benefit analysis to determine whether the Department should continue to lease, maintain, and secure the Diplomatic Transit Facility. In response to OIG's report, the Department made the decision to relinquish the facility. Approximately 303 of the LE security staff in Yemen were assigned to protect the facility. Following the

¹⁶ (U) According to the 2017 GTM/OE policy, LE staff designated as "caretaker staff" continue to perform duties as assigned and receive a full salary. LE staff not designated as caretaker staff are placed on administrative leave while the Department assesses the needs of the mission; they continue to receive a full salary and their status can be extended every 30 days for a period not to exceed 180 days.

¹⁷ (U) As noted previously, there was no policy in place specific to the management and support of LE staff at posts in suspended operations status at the time the YAU was established in 2015. The 2017 GTM/OE policy was not developed until almost three years after Embassy Sana'a suspended operations.

¹⁸ (U) The Department is required to give LE staff 30 days' notice if they are going to be subject to a RIF.

¹⁹ (SBU) (3) (A)

- (U) Even though some regional bureau officials appeared to be familiar with the 2017 GTM/OE policy, USDH supervisors at both the YAU and the VAU told OIG that they were not aware the policy existed. One GTM/OE official stated that GTM/OE did not widely distribute the policy because it outlines requirements for executing RIFs, and they did not want to create anxiety among LE staff or their USDH supervisors. Consequently, GTM/OE did not post the policy on the Department's internal website or distribute it to all Department staff responsible for overseeing LE staff at missions with suspended operations, including USDH supervisors at the YAU and the VAU. In a subsequent meeting, GTM/OE officials stated that the policy was developed in conjunction with regional bureaus, but further elaborated on the reasons for not widely distributing the policy. Specifically, they stated that because it is an internal document used for decision-making purposes and applies only to posts in suspended operations status, open distribution of the policy could imply entitlements that do not apply to most posts. However, GTM/OE officials acknowledged that USDH supervisors at remote missions should have access to the policy and stated that they expect regional bureaus to share the policy with individual posts. Regardless, the policy was not widely distributed to staff at remote missions and USDH supervisors at the YAU and the VAU were not familiar with the policy. As a result, those officials responsible for implementing the policy may not be fully aware of their specific management and oversight responsibilities.
- (U) As outlined in the 2017 GTM/OE policy, OIG found that officials from the Bureau of Near Eastern Affairs submitted the required action memos to the Under Secretary for Management requesting authorization to continue to retain LE staff employed in Yemen. However, OIG found that the Bureau of Near Eastern Affairs submitted the action memos to the Under Secretary of Management requesting authorization to continue retention of LE staff annually, even though the 2017 GTM/OE policy stipulates that it must be done every 6 months. If timely and well-informed reviews of LE staff are not conducted in accordance with the 2017 GTM/OE policy, the Department risks wasting taxpayer funds on salary costs for nonessential staff. OIG therefore offered the following recommendations:

Recommendation 1: (U) OIG recommends that the Office of Overseas Employment distribute its policy, *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, November 2017, to all staff at remote missions responsible for oversight of locally employed staff and post the policy on its internal website.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, noting, "Because this policy is intended for post management, there is a need to place controls on the policy and to limit its distribution to management officials." As such, the Office of Overseas Employment stated that it will "draft a policy aid providing high level, general suspended operations guidance" as it pertains to the management of LE staff, and that it will add the policy aid to its website page with an alert for post management and the regional bureau to contact its office for further guidance. The Office

Department's decision to relinquish the facility, a RIF was executed because fewer security staff were needed to protect the remaining embassy properties.

of Overseas Employment stated that the target date for the creation of this policy aid is February 2021. The Office of Overseas Employment added that it is "not in a position to distribute policies directly to all relevant U.S. Direct Hire employees at post and must rely on the regional bureau and post's Human Resource Officers and Management Officers in the further distribution of the guidance to the appropriate personnel." However, to ensure distribution of the policy, the Office of Overseas Employment stated it would provide the policy "to the regional bureau's Post Management Officer(s), post's Human Resources Officer(s) and post's Management Officer(s) when [it] is made aware that a post may go into suspended operations."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has distributed its policy, *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, to all staff at remote missions responsible for oversight of LE staff and has posted the policy aid on its internal website.

Recommendation 2: (U) OIG recommends that the Under Secretary for Management establish an oversight mechanism to ensure that certifications in support of the continued employment of locally employed staff at missions in suspended operations status are submitted every 6 months, in accordance with the Office of Overseas Employment policy, *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, November 2017.

Management Response: (U) The Under Secretary for Management (M) concurred with the recommendation, stating that M will work with the "Office of Overseas Employment and other stakeholders to determine the best course of action for establishing a mechanism and policy."

OIG Reply: (U) On the basis of the Under Secretary for Management's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Under Secretary for Management has established an oversight mechanism to ensure that certifications in support of the continued employment of LE staff at missions in suspended operations status are submitted every 6 months in accordance with the *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, November 2017.

- (U) The YAU Retained a Locally Employed Staff Member Who Relocated to the United States
- (U) According to current and former staff at the YAU, the Defensive Security Coordinator, an LE staff member, was meant to be included in one of the planned RIFs in 2018. Shortly after the Department suspended operations at Embassy Sana'a in 2015, this individual moved from

Yemen to the United States, ²¹ and continued his employment with the Department, receiving his full salary from the Department for the next 4 years. ²² The job description for his position states that the Defensive Security Coordinator is responsible for "development of an integrated defensive security plan," "oversight and daily management of post's security forces," "assisting with monitoring guard performance," "supervising members of the post security team," and "providing needed continuity during staffing gaps." According to Regional Security Officers assigned to the YAU, it was impossible for the Defensive Security Coordinator to effectively perform his duties from the United States. They said that, while working in the United States, the Defensive Security Coordinator submitted weekly reports on the security situation in Yemen based on news articles, but these reports were not particularly helpful nor were they "in-line" with his assigned duties. Accordingly, YAU senior staff initially decided to terminate his employment under the planned April 2018 RIF.

(U) According to former YAU USDH supervisors, upon learning that he would be terminated as part of the planned RIF, the Defensive Security Coordinator appealed to the Ambassador, who agreed in July 2018 that he could continue to perform his duties from the United States and should remain employed. According to YAU officials, the Ambassador believed that the Defensive Security Coordinator's personal and professional contacts and his knowledge of the security situation in Yemen would make him a valuable resource if the Department decided to reopen Embassy Sana'a.

(U) In the spring of 2019, the new Regional Security Officer also questioned the continued employment of the Defensive Security Coordinator and recommended to the new Ambassador that his employment be terminated because the work outlined in his position description could not be performed from the United States. After consulting with the Office of the Legal Advisor, it was concluded that allowing the Defensive Security Coordinator to work in the United States from 2015 to 2019 was contrary to Department policy. The Defensive Security Coordinator was hired under a Personal Services Agreement, which is not intended to employ staff long-term in the United States. Furthermore, the 2017 GTM/OE policy states that LE staff who leave the country and who can no longer perform work on behalf of the U.S. mission must be removed from duty. Therefore, senior YAU staff initiated the termination of the Defensive Security Coordinator's employment in 2019. The Defensive Security Coordinator's employment was officially terminated in July 2019, one year after the 2018 RIFs were executed and more than 4 years after the employee left Yemen.²³

²¹ (U) The Defensive Security Coordinator was a dual citizen, holding both Yemeni citizenship and U.S. citizenship.

²² (U) According to information provided to OIG, the Defensive Security Coordinator's total compensation during the time he was in the United States totaled \$233,033. This amount includes salary, severance, a Ramadan bonus, retirement contributions, medical payments, and payment in lieu of accrued leave.

²³ (U) The Defensive Security Coordinator did not return all Department property in his possession, including firearms and ammunition, when he separated from the Department. The Bureau of Diplomatic Security considered the items abandoned and did not take action to recover them. OIG will address issues related to oversight of Department property from remote missions in its audit, which is currently underway.

(U) Staff at the YAU referenced other instances in which LE staff were given special exemptions from Department policy or in which LE staff appealed to USDH supervisors to protect their positions after operations were suspended in Yemen. LE staff working in Yemen face potential harassment and detention by the Houthis, and, because there is active fighting in Sana'a, ²⁴ all LE staff working in Yemen face ongoing security threats. A senior YAU official stated that these security threats highlight the importance of ensuring that all LE staff are treated equitably. Allowing some LE staff to continue their employment after leaving the country while telling others that their employment will be terminated if they leave their assigned post risks creating the perception that the 2017 GTM/OE policy has not been equitably applied. This was especially true with respect to the decision to continue to employ the Defensive Security Coordinator after he relocated to the United States. To help ensure Department policy is followed and is consistently and equitably executed for all LE staff working for the Department, OIG offered the following recommendation:

Recommendation 3: (U) OIG recommends that the Office of Overseas Employment, in coordination with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs, conduct outreach and education with remote missions to a) reinforce existing policies and b) emphasize the importance of applying policies consistently and equitably.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation to "increase outreach and education" on its policy and to "coordinate with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs on future efforts." Specifically, the Office of Overseas Employment stated that it now has a dedicated point of contact for this policy who "provides guidance to regional bureaus and posts who are in, or who are preparing to enter, suspended operations." The Office of Overseas Employment added that the contact provides information on the policy to participants in the Foreign Service Institute training course PA 230, "Human Resource Management Overseas," and that the policy is also highlighted during consultations with outbound human resource and management officials. The Office of Overseas Employment concluded that it will "add language to the policy, and communications on this policy, that reiterates the need to apply personnel policies consistently and equitably."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment, in coordination with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs, has conducted outreach and education with remote missions to a) reinforce existing policies and b) emphasize the importance of applying policies consistently and equitably.

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²⁴ (U) LE staff in Venezuela also face an increased threat for working for the U.S. Government, including potential harassment from armed groups aligned with President Maduro.

- (U) The YAU Faced Additional Challenges in Managing and Supporting LE Staff
- (U) GTM/OE policies, including the 2017 *Policy on Employment of Locally Employed (LE) Staff at Missions in Suspended Operations Status*, require LE staff to receive annual performance evaluations.²⁵ However, OIG found that the YAU USDH supervisors had not completed performance reviews for LE staff for the first 4 years after the YAU was established. According to YAU HR staff, annual performance reviews were reinstated in June 2019 and are now being conducted in accordance with Department policy.
- (U) In addition, OIG learned that some LE staff working in Yemen were assigned to positions that were no longer relevant, such as "Chauffer to the Ambassador," "Bodyguard," and "Audio-Visual Technician." For example, because the Ambassador now works from the YAU in Saudi Arabia, a "Chauffer to the Ambassador" position is no longer needed in Yemen. Although some LE staff in Yemen had been assigned new responsibilities, their job titles were never officially changed. Furthermore, the 2017 GTM/OE policy does not provide a mechanism for reprogramming or retraining those LE staff who may need to be reassigned following the suspension of operations. HR staff in Yemen stated that this can be problematic, particularly when LE staff are reprogrammed into positions that are considered a downgrade and they noted that additional guidance from GTM/OE would be helpful on this topic.
- (U) In December 2019, YAU senior staff conducted a review of all LE staff working in Yemen to ensure that they had current performance reviews, were receiving appropriate direction from USDH supervisors in Saudi Arabia, and were held accountable for their performance. During the review, the YAU identified 21 staff who were not regularly reporting to work. Of these 21 LE staff, 16 had not consistently reported to work in more than 4 years but continued to receive their full salaries, collectively totaling more than \$2 million. Based on this review, the YAU informed all delinquent staff that they would be required to return to work or face have their employment terminated.
- (U) As noted previously, even after the GTM/OE policy was established in 2017, USDH supervisors told OIG that they were not familiar with the policy and were therefore uncertain of their specific responsibilities under the policy. In addition, confusion about the roles and responsibilities of USDH supervisors further contributed to deficiencies in managing and overseeing LE staff. For example, a Regional Security Officer previously assigned to the YAU stated that he was aware that a few LE staff were not regularly reporting to work and continued to receive their salaries, but he assumed that officials within the Bureau of Near Eastern Affairs were tracking which staff should continue to be employed and as a result, there was no need for him to take action. Likewise, a Management Officer previously assigned to the YAU said that he assumed that, if LE staff were not reporting to work, then those LE staff with HR oversight responsibilities in Yemen would have highlighted the issue. In both cases, neither the Regional

²⁵ (U) Prior to the development of the GTM/OE Policy regarding employment of locally employed staff at posts in suspended operations status in 2017, the 2009 GTM/OE Policy, *Locally Employed Staff Performance Management Policy Guidebook* would have been applicable to locally employed staff in Yemen. The 2009 GTM/OE Guidebook also specifies that employee work performance must be documented annually in writing.

Security Officer nor the Management Officer was aware of their obligations as USDH supervisors to recertify those LE staff that continued to be employed in Yemen in accordance with the 2017 GTM/OE policy. Thus, the extent to which USDH supervisors at the YAU were consulted on information used to inform the required action memos requesting authorization to continue to retain LE staff is unclear. Specifically, given that USDH supervisors at the YAU were not familiar with the policy, it is unclear whether the justifications submitted to the Under Secretary for Management were well informed and reflected up-to-date information from USDH supervisors at the YAU.

(U) OIG identified additional deficiencies with the 2017 GTM/OE policy that further contributed to challenges with managing and overseeing LE staff working in Yemen. For example, frequent turnover and short-term assignments among USDH supervisors at the YAU—an issue that is not addressed in the 2017 GTM/OE policy—contributed to the delay in identifying those LE staff that were not reporting to work as expected. Specifically, prior to 2018, USDH supervisors were assigned to the YAU on 1-year temporary duty assignments. ²⁶ These short-term assignments meant that USDH supervisors responsible for overseeing LE staff were focused on the most immediate problems in their sections. As a result, some of the challenges related to managing and overseeing LE staff were overlooked. Furthermore, USDH supervisors newly assigned to the YAU had minimal overlap with their predecessors, giving them limited time to familiarize themselves with their job responsibilities, including those related to LE staff management and oversight. In addition, USDH supervisors reported that they received little or no documentation from their predecessors regarding the LE staff working in their sections. GTM/OE officials stated that ensuring adequate transitions between USDH supervisors is not unique to remote missions, but acknowledged that it may be particularly challenging for USDH supervisors at remote missions who must manage LE staff from a second country location. Figure 1 shows a timeline of major decision points for the YAU from September 2014 through December 2019.

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²⁶ (U) Starting in 2018, USDH staff assignments to the YAU were normalized, with staff serving in 2- and 3-year tours.

Figure 1: Yemen Affairs Unit Timeline (U)

2014	September	Houthi tribal militant groups defeat government forces and enter the capital, Sana'a
2015	February	U.S. Embassy Sana'a, Yemen, suspends operations
	March	Yemen Affairs Unit established as a remote mission at U.S. Consulate Jeddah, Saudi
		Arabia
2017	November	Adoption of 2017 GTM/OE Policy
2018	March	OIG's Office of Inspections completes an Inspection of the Yemen Affairs Unit
	April-July	Yemen Affairs Unit executes two Reductions in Force, reducing the total number of
		locally employed staff by 72 percent
	October	Yemen Affairs Unit relocates to U.S. Embassy Riyadh, Saudi Arabia, and normalizes
		U.S. Direct Hire assignments to 2- and 3-year tours
2019	December	Yemen Affairs Unit completes review of locally employed staff and determines that 21
		staff have not been regularly reporting for work

Source: (U) OIG generated based on information obtained from Department sources including the YAU, the Bureau of Near Eastern Affairs, and prior OIG reports.

(U) Finally, current and former YAU staff stated that LE staff in Yemen do not have access to regular training opportunities. They explained that while there are occasional opportunities for LE staff to attend training and conferences in other countries, it is difficult for them to obtain visas and passports for travel and to safely travel in and out of Sana'a. The LE Handbook for Yemen notes that employees are encouraged to take courses and training to improve their ability to perform official duties. Further, GTM/OE's 2018 Policy, Supervisor's Field Guide for Supervisors of Locally Employed Staff, emphasizes the importance of training, stating that "training is an important component of professional development, and can have long-term positive benefits for LE staff, the section, the supervisor, and the mission." Although the 2017 GTM/OE Policy on Employment of Locally Employed (LE) Staff at Missions in Suspended Operations Status states that LE staff may request training to complete their work commitments, it does not offer guidance on how USDH supervisors might overcome the challenges specific to remote missions. To address these issues, OIG offered the following recommendations:

Recommendation 4: (U) OIG recommends that the Office of Overseas Employment develop guidance requiring that regional bureaus actively involve U.S. Direct Hire supervisors in decisions to recertify locally employed staff as caretakers in accordance with established policy. Information gathered from U.S. Direct Hire supervisors should include, but not be limited to, data on the extent to which employees are regularly reporting to work, data on those employees who may require updated work plans or job reassignments, data on those employees who are no longer living in the host country, and the extent to which ongoing duties assigned to locally employed staff continue to be mission essential.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating it will "add language to the policy highlighting the need for regional bureaus to actively work with [USDH] supervisors at post on decisions to recertify [LE] staff as caretakers." The Office of Overseas Employment further stated that "the

additional language will highlight potential factors to consider such as data on the extent to which employees are regularly reporting to work, data on those employees who may require updated work plans or job reassignments, data on those employees who are no longer living in the host country, and the extent to which ongoing duties assigned to [LE] staff continue to be mission essential." The Office of Overseas Employment concluded that although it will add this guidance to the policy, it "does not have operational responsibility in the area of caretaker certification; these decisions are completed by post, the regional bureau, and the Undersecretary [sic] for Management."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance requiring that regional bureaus actively involve USDH supervisors in decisions to recertify LE staff as caretakers in accordance with established policy.

Recommendation 5: (U) OIG recommends that the Office of Overseas Employment develop guidance on how posts can ensure adequate transitions, turnovers, and information sharing between current and future U.S. Direct Hire supervisors assigned to remote missions, with a specific focus on the management and oversight of locally employed staff.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that although it "does not have oversight or operational responsibility in the area of USDH transitions," it will "add language to the policy with respect to transitions and information sharing" between USDH supervisors of LE staff at remote missions.

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance on how posts can ensure adequate transitions, turnovers, and information sharing between current and future USDH supervisors assigned to remote missions, with a specific focus on the management and oversight of LE staff.

Recommendation 6: (U) OIG recommends that the Office of Overseas Employment develop guidance instructing remote missions to communicate with locally employed staff regarding their employment status within 90 days of a suspension of operations. Information conveyed to locally employed staff should include, but not be limited to, expectations regarding their ongoing responsibilities and any anticipated changes to their job assignments resulting from the suspension of operations.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that it "will revise the policy to include additional guidance on

communication with [LE] staff," and "will alert management to the need to communicate with [LE] staff on changes in work status and the need to do so in a timely manner and consistent with local law."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance instructing remote missions to communicate with LE staff regarding their employment status within 90 days of a suspension of operations.

Recommendation 7: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining mechanisms for reprogramming or retraining staff who may be assigned to other duties following a suspension of operations.

Management Response: (U) The Office of Overseas Employment did not concur with the recommendation, stating that LE staff "should not be reassigned to positions or duties for which they are not qualified." The Office of Overseas Employment further stated that, in accordance with its priority placement policy, LE staff "whose positions will be made redundant, may, at management's discretion, be priority placed (reassigned) into vacant positions at the same grade or lower if the employee is qualified for the position."

OIG Reply: (U) Although the Office of Overseas Employment did not concur with the recommendation, OIG believes that its response meets the intent of the recommendation and therefore considers the recommendation resolved pending further action. Specifically, the Office of Overseas Employment outlined the allowable parameters for reassigning LE staff into other positions following a suspension of operations. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance for remote missions that outlines the allowable parameters for placing LE staff into other positions following a suspension of operations.

Recommendation 8: (U) OIG recommends that the Yemen Affairs Unit 1) review all current locally employed staff titles and positions, 2) identify those that do not accurately reflect current titles and duties, and 3) revise locally employed staff titles, position descriptions, and workplans, as appropriate.

Management Response: (U) The Yemen Affairs Unit concurred with the recommendation, stating, "Post took the initiative to launch a review of all LE staff work responsibilities and completed the review in December 2019. The YAU will now follow this with the OIG-recommended review to revise titles, position descriptions, and work plans." The YAU further stated, "In conjunction with our reinstatement of LE staff performance reviews, Post identified a small number of caretaker staff performing work not explicitly identified in their position descriptions. Post requests that GTM/OE include guidance in the

suspended operations policy to address instances in which an LE Staff Caretaker position description loses or gains duties during suspended operations."

OIG Reply: (U) On the basis of the YAU's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the YAU 1) reviewed all current LE staff titles and positions, 2) identified those that do not accurately reflect current titles and duties, and 3) revised LE staff titles, position descriptions, and work plans as appropriate.

Recommendation 9: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining specific mechanisms for providing locally employed staff at posts in suspended operations status with ongoing opportunities for training, including those required to fulfill position-specific training requirements and to promote professional development. Guidance should include suggestions for identifying opportunities for training outside of the host country or online training when access to Department systems and networks is limited.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that although it "does not have operational responsibility in the area of training for [LE] staff," it will "add language to the policy highlighting the need for post management and the regional bureau to work with the Foreign Service Institute (FSI) in identifying opportunities for training that are available to [LE] staff at remote missions."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance outlining specific mechanisms for providing LE staff at posts in suspended operations status with ongoing opportunities for training, including those required to fulfill position-specific training requirements and to promote professional development.

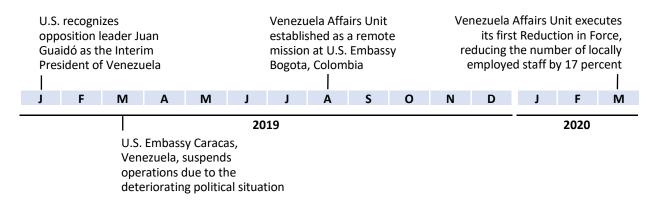
(U) The Bureau of Western Hemisphere Affairs Complied With the 2017 GTM/OE Policy for Oversight of Locally Employed Staff When Establishing the VAU, but Improvements Are Needed

(U) Department officials with the Bureau of Western Hemisphere Affairs stated that they were familiar with the 2017 GTM/OE policy and complied with it when establishing the VAU. For example, officials executed a staffing review in September 2019, 6 months after the suspension of operations in Venezuela. They then executed a second staffing review in March 2020, which resulted in a RIF that reduced the total number of LE staff in Caracas by 17 percent.²⁷ Figure 2



provides a timeline of major decision points for the VAU from January 2019 through March 2020.

Figure 2: Venezuela Affairs Unit Timeline (U)



Source: (U) OIG generated based on information obtained from Department sources including prior OIG reports and the Bureau of Western Hemisphere Affairs.

- (U) The Venezuelan Affairs Unit Implemented Lessons Learned From Other Remote Missions
- (U) Department officials within the Bureau of Western Hemisphere Affairs stated that they were aware of some of the challenges that other remote missions, such as the YAU and the Libya External Office faced, and wanted to limit the extent to which the VAU encountered the same issues when it was established in 2019. They contacted staff at the Bureau of Near Eastern Affairs for their insights on best practices and lessons learned and then took steps to preempt some of the challenges faced by other remote missions when they established the VAU. For example, to reduce the turnover rate of USDH supervisors, officials requested that the Department assign USDH supervisors to the VAU on a permanent basis, rather than the 1-year temporary rotations initially used by the YAU. Officials also re-assigned several USDH supervisors who had previously worked at U.S. Embassy Caracas, Venezuela, to serve on "Y-tours" at the Venezuela desk within the Bureau of Western Hemisphere Affairs in Washington, DC.²⁸ According to Bureau of Western Hemisphere Affairs officers, Y-tours were an effective tool to retain USDH staff with first-hand experience in Venezuela during the first year after the suspension of operations. Officials stated that they could not have provided adequate oversight of Venezuela-based operations or executed necessary human resource functions without the assistance provided by USDH staff on Y-tours.
- (U) In addition, Bureau of Western Hemisphere Affairs officials implemented a program allowing LE staff in Venezuela to temporarily fill positions at other U.S. embassies and consulates worldwide. Under the program, LE staff with expertise in finance, human resources, and property management temporarily fill positions at other embassies and consulates that are

²⁸ (U) According to the Department's Human Resources intranet site, "Y-tours" are short-term domestic assignments for Foreign Service Officers and are usually requested by a bureau with a specific employee in mind to fill a needed position.

in need of support staff. Their travel authorization expenses were paid by the gaining post. As of April 2020, LE staff in Venezuela have worked on 140 temporary assignments throughout the world. Bureau of Western Hemisphere Affairs officers stated that the program is a way to meet the needs of other posts while keeping LE staff employed following the suspension of operations. A bureau official further stated that the program boosts morale because it helps the LE staff stay connected to day-to-day Department operations even when working from another post.

(U) Because LE staff may lose access to OpenNet following a suspension of operations, Bureau of Western Hemisphere Affairs officials also established Foreign Affairs Network (FAN) accounts for each of the LE staff prior to the suspension of operations in the country. ²⁹ Up until April 2020, FAN accounts could only be established prior to the suspension of operations while LE staff still had access to OpenNet because an active OpenNet account was required to establish a new FAN account.³⁰ The FAN allows file sharing, collaboration, and cloud storage. According to USDH supervisors at the VAU, the use of FAN accounts has made it easier to manage and oversee LE staff working in Venezuela. For example, a USDH supervisor at the VAU stated that when USDH staff were evacuated from Venezuela, she began holding daily conference calls with the LE staff that remained in Caracas to discuss their responsibilities. When she noticed that the LE staff were having difficulties completing their assignments, she created a spreadsheet that listed outstanding tasks, due dates, and explanatory notes. The LE staff access the spreadsheet using their FAN accounts. The USDH supervisor stated that she can better assess whether the LE staff are reporting to work and keeping up with their assignments based on their edits to the spreadsheet. Bureau officials reported that while the FAN is not a perfect solution or a substitute for OpenNet, it is still beneficial because it provides a mechanism for communication between USDH supervisors and the LE staff.

(U) Additional Guidance is Needed

- (U) Because the VAU was established in 2019, it had the unique opportunity to learn from other remote missions' experiences, thereby allowing the VAU to proactively address some of the key challenges faced by other missions. However, these best practices and lessons learned are not reflected in the 2017 GTM/OE policy. VAU officials stated that documenting some of these best practices will prevent other remote missions from having to develop their own ad hoc procedures to address these unique challenges in the future.
- (U) Bureau of Western Hemisphere Affairs officials provided feedback to GTM/OE in early 2020 about needed improvements to the 2017 GTM/OE policy, and GTM/OE officials stated that they

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²⁹ (U) OpenNet is the Department's Sensitive But Unclassified internal network, providing access to Department-specific information, email, and other resources. According to IRM staff, when the Department suspends operations at a mission and all USDH staff leave post, Department IT systems are de-activated, and LE staff may lose access to OpenNet as a result.

planned to update the policy within the next 18 months. Among other updates, GTM/OE officials stated that they plan to update the policy to address preparatory measures that newly established remote missions must consider, including the need to keep local attorneys on retainer in the event that they must navigate issues relevant to local labor law, ensure their RIF and local compensation plans are up-to-date, and ensure that missions have telework policies in place where feasible. According to GTM/OE officials, they have worked closely with the relevant regional bureaus to address questions that arise specific to the policy since its implementation in 2017. However, because the policy has not been distributed to USDH supervisors, staff at remote missions have not had an opportunity to provide feedback on needed updates to the policy. To address these issues, OIG offered the following recommendations:

Recommendation 10: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for assigning U.S. Direct Hire employees to remote missions in a way that ensures the continuity of operations following a suspension of operations.

Management Response: (U) The Office of Overseas Employment did not concur with the recommendation, stating that it "does not have oversight or operational responsibility in the area of [USDH] assignments." However, the Office of Overseas Employment stated that it will "add language to the policy to highlight the need for regional bureaus and posts to consider the impact of USDH assignments and continuity of operations following a suspension of operations."

OIG Reply: (U) Although the Office of Overseas Employment did not concur with the recommendation, OIG believes that its response meets the intent of the recommendation and therefore considers the recommendation resolved pending further action. Specifically, the Office of Overseas Employment stated that it would update its policy to highlight the need for regional bureaus and posts to consider the impact of USDH assignments and continuity of operations following a suspension of operations. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment added language to its policy to highlight the need for regional bureaus and posts to consider the impact of USDH assignments and continuity of operations following a suspension of operations.

Recommendation 11: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for deploying locally employed staff on temporary assignments to other U.S. embassies and consulates following a suspension of operations.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that although the "operation and oversight of a [temporary duty] program would fall to the regional bureau and post," it will "revise the policy to highlight the potential use of temporarily assigning [temporary duty] [LE] staff to other U.S. embassies and consulates during a suspension of operations." The Office of Overseas Employment noted, however, that this may be a very limited tool depending on the location of the mission due to issues such as language and work authorizations, and that

TDYs may also impact RIFs and associated notifications as well as staffing pattern analyses.

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance on options for deploying LE staff on temporary assignments to other U.S. embassies and consulates following a suspension of operations.

Recommendation 12: (U) OIG recommends that the Office of Overseas Employment, in coordination with the Bureau of Information Resource Management, develop guidance regarding the option to establish Foreign Affairs Network accounts for locally employed staff following a suspension of operations.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that it "will highlight in the policy the potential need for posts to work with [the Bureau of Information Resource Management] on the creation of FAN accounts for [LE] staff."

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has developed guidance regarding the option to establish FAN accounts for LE staff following a suspension of operations.

Recommendation 13: (U) OIG recommends that the Office of Overseas Employment solicit feedback from remote missions, regional bureaus, and U.S. Direct Hire supervisors in order to develop guidance on identified best practices and lessons learned regarding effective oversight and management of locally employed staff at posts in suspended operations status.

Management Response: (U) The Office of Overseas Employment concurred with the recommendation, stating that it "continues to communicate with remote missions and will send the revised policy to the regional bureaus for review, feedback, and clearance." The Office of Overseas Employment stated that its target date for finalizing the revised policy is August 2021.

OIG Reply: (U) On the basis of the Office of Overseas Employment's concurrence with the recommendation and planned actions, OIG considers the recommendation resolved pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that the Office of Overseas Employment has solicited feedback from remote missions, regional bureaus, and USDH supervisors in order

to develop guidance on identified best practices and lessons learned regarding effective oversight and management of LE staff at posts in suspended operations status.

(U) Finding B: Remote Missions Face Difficulties With Updating Security Certifications for Locally Employed Staff

(U) OIG found that remote missions have faced difficulties with updating security certifications for LE staff. For example, according to the Regional Security Officer at the YAU, the security situation in Yemen has made it difficult to complete the required security certification updates for LE staff and, as a result, the certifications for LE staff have lapsed. Although the Bureau of Diplomatic Security has developed guidelines to standardize the process for vetting LE staff, existing guidance does not address the unique challenges that remote missions may encounter when updating LE staff security certifications.

(U) Remote Missions Have Faced Challenges Updating Locally Employed Staff Security Certifications

- (U) According to 3 FAM 7732.3, every LE staff member is required to obtain and maintain a security certification from the Regional Security Office as a condition of employment. The 2017 GTM/OE policy further states that, "as feasible, the Bureau of Diplomatic Security will continue to perform routine updates of security certificates." LE staff are required to have their security certification updated every 5 years.
- (U) To update their security certification, the LE staff must submit an application that includes pertinent familial, biographical, residential, educational, and employment information, as well as fingerprints, to the Regional Security Office at post. The Regional Security Office then conducts a background investigation and verifies the accuracy of the reported data. The Office reviews local police reports; interviews neighbors, family members, friends, co-workers, and previous employers; and checks databases for other available information. To complete the background investigation, the Regional Security Office conducts in-person interviews with the LE staff to ascertain suitability for continued employment. If no derogatory information or issues are found, the Regional Security Office approves the security certification.
- (U) The Regional Security Officer at the YAU stated that the security situation in Yemen has made it difficult, if not impossible, to complete the security certification updates for LE staff. He stated that, under normal circumstances, his office would rely, in part, on reports and other information from local law enforcement (such as police reports). However, because the U.S. Government does not recognize the legitimacy of the Houthis, the Regional Security Office is limited in its ability to obtain official and reliable police reports. He also stated that the Houthis monitor LE staff phones, emails, and social media, making it difficult to transmit information in support of the investigation without risking the personal safety of the LE staff. Finally, the LE staff in Yemen are not able to travel to the YAU in Saudi Arabia to participate in in-person interviews in support of the investigation. As a result of these difficulties, the Regional Security Officer stated that security certifications for all 225 LE staff currently working in Yemen have lapsed.

(U) The VAU has also had to make some adjustments to its process for updating LE staff security certifications but has generally faced fewer challenges. The Regional Security Officer said there was a short backlog of background investigations following the suspension of operations at Embassy Caracas in March 2019. By October 2019, the office was able to resume the background investigation update process. Additionally, LE staff in Caracas can travel to Bogota for the in-person interview.³¹

(U) The Bureau of Diplomatic Security Standardized the Vetting Process for Locally Employed Staff, but Has Not Addressed Unique Challenges Faced by Remote Missions

- (U) In a 2017 report, OIG recommended that the Bureau of Diplomatic Security standardize the process for conducting LE staff security certifications. In response, in January 2020, the Bureau's Office of Personnel Security and Suitability developed Overseas Vetting Guidelines to inform Regional Security Office-led investigations that determine the eligibility of LE staff to perform work overseas. Among other issues, the guidelines focus on full-scope investigations for those LE staff who have access to sensitive personnel data, systems, and facilities; outline key components that should be included in LE background investigations; and provide instructions on making suitability determinations. Bureau of Diplomatic Security officials further stated that they are finalizing supplemental guidance for limited-scope investigations for those LE staff who do not have full access to personnel data, systems, and facilities. Officials added that limited-scope investigations would be applicable to LE staff currently working in Yemen.
- (U) While the development of Overseas Vetting Guidelines is a positive step to assisting Regional Security Offices with conducting LE staff security certifications, the challenges that remote missions face are not adequately addressed by this guidance. For example, the guidance states that each interview "must cover all areas of adjudicative concern and should be conducted in person. Exceptions to the in-person interview requirement are permitted only in rare or exigent circumstances that must be documented in the report of the interview." However, the guidance does not discuss what should happen if interviews cannot be conducted in person or securely by phone.



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³²(U) OIG, Audit of Department of State Compliance with Conducting Background Investigations of Overseas Employees and Foreign Contractor Employees (AUD-CGI-17-02, October 2017).

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Recommendation 14: (U) OIG recommends that the Bureau of Diplomatic Security develop an addendum to its January 2020 Overseas Vetting Guidelines, including instructions regarding how security certifications should be updated if key parts of the background investigation cannot be completed and how to proceed if security certifications lapse. The addendum should include instructions specific to updating security certifications for locally employed staff at missions in suspended operations status.

Management Response: (SBU/LES) The Bureau of Diplomatic Security did not concur with the recommendation, stating that there was "no need to address any specific situation like this in the Overseas Vetting Guidelines."

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OIG Reply: (U) On the basis of the Bureau of Diplomatic Security's non-concurrence with the recommendation, OIG considers this recommendation unresolved. In its response, the Bureau of Diplomatic Security outlined specific examples of the flexibilities available to the Regional Security Officers when conducting security certification updates for LE staff at posts in suspended operations status, as well as detailed instructions for how to update the Local Checks Feasibility list accordingly. However, OIG notes that while the Overseas Vetting Guidelines currently indicate that the Regional Security Officer has the authority to make a security certification decision based on the available information at the time, these examples and instructions that are specific to updating security certifications for LE staff at posts in suspended operations status are not outlined in detail in the Overseas Vetting Guidelines for the knowledge and application by the Regional Security Officers.

This recommendation will be considered resolved when the Bureau of Diplomatic Security agrees to update the Overseas Vetting Guidelines, or develop other written guidance, to inform Regional Security Officers of the flexibilities and detailed instructions that they would execute when conducting a reinvestigation for an LE staff member operating at a post in suspended operations status in support of a security certification determination. This recommendation will be closed when OIG receives and accepts documentation demonstrating that such actions have been taken.

(U) RECOMMENDATIONS

Recommendation 1: (U) OIG recommends that the Office of Overseas Employment distribute its policy, *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, November 2017, to all staff at remote missions responsible for oversight of locally employed staff and post the policy on its internal website.

Recommendation 2: (U) OIG recommends that the Under Secretary for Management establish an oversight mechanism to ensure that certifications in support of the continued employment of locally employed staff at missions in suspended operations status are submitted every 6 months, in accordance with the Office of Overseas Employment policy, *Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status*, November 2017.

Recommendation 3: (U) OIG recommends that the Office of Overseas Employment, in coordination with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs, conduct outreach and education with remote missions to a) reinforce existing policies and b) emphasize the importance of applying policies consistently and equitably.

Recommendation 4: (U) OIG recommends that the Office of Overseas Employment develop guidance requiring that regional bureaus actively involve U.S. Direct Hire supervisors in decisions to recertify locally employed staff as caretakers in accordance with established policy. Information gathered from U.S. Direct Hire supervisors should include, but not be limited to, data on the extent to which employees are regularly reporting to work, data on those employees who may require updated work plans or job reassignments, data on those employees who are no longer living in the host country, and the extent to which ongoing duties assigned to locally employed staff continue to be mission essential.

Recommendation 5: (U) OIG recommends that the Office of Overseas Employment develop guidance on how posts can ensure adequate transitions, turnovers, and information sharing between current and future U.S. Direct Hire supervisors assigned to remote missions, with a specific focus on the management and oversight of locally employed staff.

Recommendation 6: (U) OIG recommends that the Office of Overseas Employment develop guidance instructing remote missions to communicate with locally employed staff regarding their employment status within 90 days of a suspension of operations. Information conveyed to locally employed staff should include, but not be limited to, expectations regarding their ongoing responsibilities and any anticipated changes to their job assignments resulting from the suspension of operations.

Recommendation 7: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining mechanisms for reprogramming or retraining staff who may be assigned to other duties following a suspension of operations.

Recommendation 8: (U) OIG recommends that the Yemen Affairs Unit 1) review all current locally employed staff titles and positions, 2) identify those that do not accurately reflect

current titles and duties, and 3) revise locally employed staff titles, position descriptions, and workplans, as appropriate.

Recommendation 9: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining specific mechanisms for providing locally employed staff at posts in suspended operations status with ongoing opportunities for training, including those required to fulfill position-specific training requirements and to promote professional development. Guidance should include suggestions for identifying opportunities for training outside of the host country or online training when access to Department systems and networks is limited.

Recommendation 10: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for assigning U.S. Direct Hire employees to remote missions in a way that ensures the continuity of operations following a suspension of operations.

Recommendation 11: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for deploying locally employed staff on temporary assignments to other U.S. embassies and consulates following a suspension of operations.

Recommendation 12: (U) OIG recommends that the Office of Overseas Employment, in coordination with the Bureau of Information Resource Management, develop guidance regarding the option to establish Foreign Affairs Network accounts for locally employed staff following a suspension of operations.

Recommendation 13: (U) OIG recommends that the Office of Overseas Employment solicit feedback from remote missions, regional bureaus, and U.S. Direct Hire supervisors in order to develop guidance on identified best practices and lessons learned regarding effective oversight and management of locally employed staff at posts in suspended operations status.

Recommendation 14: (U) OIG recommends that the Bureau of Diplomatic Security develop an addendum to its January 2020 Overseas Vetting Guidelines, including instructions regarding how security certifications should be updated if key parts of the background investigation cannot be completed and how to proceed if security certifications lapse. The addendum should include instructions specific to updating security certifications for locally employed staff at missions in suspended operations status.

(U) APPENDIX A: UNDER SECRETARY FOR MANAGEMENT RESPONSE



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United States Department of State

Under Secretary of State for Management

Washington, D.C. 20520

August 19, 2020

MEMORANDUM

TO:

OIG - Norman P. Brown

FROM:

M - Brian J. Bulata

SUBJECT:

Response to the Draft Report - Additional Guidance Needed to Improve the

Oversight and Management of Locally Employed Staff Serving at Remote

Missions

Thank you for the opportunity to review the draft report of the Additional Guidance Needed to Improve the Oversight and Management of Locally Employed Staff Serving at Remote Missions.

Recommendation 2: OIG recommends that the Under Secretary for Management establish an oversight mechanism to ensure that certifications in support of the continued employment of locally employed staff at missions in suspended operations status are submitted every 6 months, in accordance with the Office of Overseas Employment policy, Policy on Employment of Locally Employed (LE) Staff at U.S. Missions in Suspended Operations Status, November 2017.

Management Response: M concurs with the recommendation to establish an oversight mechanism to ensure that certifications in support of continued employment of locally employed staff at missions in suspended operations are submitted regularly. M will work with the GTM's Office of Overseas Employment and other stakeholders to determine the best course of action for establishing a mechanism and policy.

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(U) APPENDIX B: GLOBAL TALENT MANAGMENT – OFFICE OF OVERSEAS EMPLOYMENT RESPONSE



United States Department of State

Washington, D.C. 20520

UNCLASSIFIED

August 24, 2020

MEMORANDUM

TO:

OIG - Norman P. Brown

FROM:

GTM/OE - Karin B. Sullivan

SUBJECT:

Response to the Draft Report - Additional Guidance Needed to Improve the

Oversight and Management of Locally Employed Staff Serving at Remote

Missions

Thank you for the opportunity to review the draft report of the Additional Guidance Needed to Improve the Oversight and Management of Locally Employed Staff Serving at Remote Missions.

Recommendation 1: (U) OIG recommends that the Office of Overseas Employment distribute its policy, *Policy on Employment of Locally Employed Staff at U.S. Missions in Suspended Operations Status*, November 2017, to all staff at remote missions responsible for oversight of locally employed staff and post the policy on its internal website.

GTM/OE Response: GTM/OE concurs with the recommendation to ensure distribution of the Policy on Employment of Locally Employed Staff at U.S. Missions in Suspended Operations Status to appropriate management officials. Because this policy is intended for post management, there is a need to place controls on the policy and to limit its distribution to management officials. As such, GTM/OE will draft a policy aid providing high level, general suspended operations guidance as it pertains to the management of Locally Employed (LE) Staff; this policy aid will be added to GTM/OE's web page and will alert post management and the regional bureau of the need to contact GTM/OE for further guidance. The target date for the creation of this policy aid is February 2021.

Additionally, to ensure distribution of the policy, GTM/OE provides the policy to the regional bureau's Post Management Officer(s), post's Human Resource Officer(s), and post's Management Officer(s) when GTM/OE is made aware that a post may go into suspended operations. GTM/OE is not in a position to distribute policies directly to all relevant U.S. Direct Hire employees at post and must rely on the regional bureau and post's Human Resource Officers and Management Officers in the further distribution of the guidance to the appropriate personnel.

Recommendation 3: (U) OIG recommends that the Office of Overseas Employment, in coordination with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs, conduct outreach and education with remote missions to a) reinforce existing policies and b) emphasize the importance of applying policies consistently and equitably.

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GTM/OE Response: GTM/OE concurs with the recommendation to increase outreach and education on this policy and will coordinate with the Bureaus of Near Eastern Affairs and Western Hemisphere Affairs on future efforts. GTM/OE now has a dedicated point of contact (POC) for this policy; the GTM/OE POC provides guidance to regional bureaus and posts who are in, or who are preparing to enter, suspended operations. Additionally, the GTM/OE POC provides information on this policy to participants in FSI course PA 230, Human Resource Management Overseas. Lastly, this policy is highlighted during GTM/OE consultations with outbound human resource and management officials. GTM/OE will add language to the policy, and communications on this policy, that reiterates the need to apply personnel policies consistently and equitably.

Recommendation 4: (U) OIG recommends that the Office of Overseas Employment develop guidance requiring that regional bureaus actively involve U.S. Direct Hire supervisors in decisions to recertify locally employed staff as caretakers in accordance with established policy. Information gathered from U.S. Direct Hire supervisors should include, but not be limited to, data on the extent to which employees are regularly reporting to work, data on those employees who may require updated work plans or job reassignments, data on those employees who are no longer living in the host country, and the extent to which ongoing duties assigned to locally employed staff continue to be mission essential.

GTM/OE Response: GTM/OE concurs with the recommendation and will add language to the policy highlighting the need for regional bureaus to actively work with U.S. Direct Hire supervisors at post on decisions to recertify locally employed staff as caretakers. The additional language will highlight potential factors to consider such as data on the extent to which employees are regularly reporting to work, data on those employees who may require updated work plans or job reassignments, data on those employees who are no longer living in the host country, and the extent to which ongoing duties assigned to locally employed staff continue to be mission essential. Although GTM/OE will add this guidance to the policy, GTM/OE does not have operational responsibility in the area of caretaker certification; these decisions are completed by post, the regional bureau, and the Undersecretary for Management (M).

Recommendation 5: (U) OIG recommends that the Office of Overseas Employment develop guidance on how posts can ensure adequate transitions, turnovers, and information sharing between current and future U.S. Direct Hire supervisors assigned to remote missions, with a specific focus on the management and oversight of locally employed staff.

GTM/OE Response: GTM/OE concurs with this recommendation and will add language to the policy with respect to transitions and information sharing between U.S. Direct Hire (USDH) supervisors of locally employed staff at remote missions. GTM/OE does not have oversight or operational responsibility in the area of USDH transitions.

Recommendation 6: (U) OIG recommends that the Office of Overseas Employment develop guidance instructing remote missions to communicate with locally employed staff regarding their employment status within 90 days of a suspension of operations. Information conveyed to locally

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employed staff should include, but not be limited to, expectations regarding their ongoing responsibilities and any anticipated changes to their job assignments resulting from the suspension of operations.

GTM/OE Response: GTM/OE concurs with recommendation and will revise the policy to include additional guidance on communication with locally employed staff. GTM/OE will alert management to the need to communicate with locally employed staff on changes in work status and the need to do so in a timely manner and consistent with local law.

Recommendation 7: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining mechanisms for reprogramming or retraining staff who may be assigned to other duties following a suspension of operations.

GTM/OE Response: GTM/OE does not concur with the recommendation to develop guidance outlining mechanisms for reprogramming or retraining staff who may be assigned to other duties following a suspension of operations. Locally employed staff should not be reassigned to positions or duties for which they are not qualified. In accordance with GTM/OE's priority placement policy, local employed staff whose positions will be made redundant, may, at management's discretion, be priority placed (reassigned) into vacant positions at the same grade or lower if the employee is qualified for the position.

Recommendation 9: (U) OIG recommends that the Office of Overseas Employment develop guidance outlining specific mechanisms for providing locally employed staff at posts in suspended operations status with ongoing opportunities for training, including those required to fulfill position-specific training requirements and to promote professional development. Guidance should include suggestions for identifying opportunities for training outside of the host country or online training when access to Department systems and networks is limited.

GTM/OE Response: GTM/OE concurs with the recommendation and will add language to the policy highlighting the need for post management and the regional bureau to work with the Foreign Service Institute (FSI) in identifying opportunities for training that are available to locally employed staff at remote missions. GTM/OE does not have operational responsibility in the area of training for locally employed staff.

Recommendation 10: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for assigning U.S. Direct Hire employees to remote missions in a way that ensures the continuity of operations following a suspension of operations.

GTM/OE Response: GTM/OE does not concur with the recommendation as GTM/OE does not have oversight or operational responsibility in the area of U.S. Direct Hire (USDH) assignments. GTM/OE will add language to the policy to highlight the need for regional bureaus and posts to consider the impact of USDH assignments and continuity of operations following a suspension of operations.

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Recommendation 11: (U) OIG recommends that the Office of Overseas Employment develop guidance on options for deploying locally employed staff on temporary assignments to other U.S. embassies and consulates following a suspension of operations.

GTM/OE Response: GTM/OE concurs with the recommendation and will revise the policy to highlight the potential use of temporarily assigning (TDY) locally employed staff to other U.S. embassies and consulates during a suspension of operations. This may be a very limited tool depending on the location of the Mission due to issues such as language and work authorizations. TDYs may also impact RIFs and RIF notifications as well as staffing pattern analysis. The operation and oversight of a TDY program would fall to the regional bureau and post, not GTM/OE.

Recommendation 12: (U) OIG recommends that the Office of Overseas Employment, in conjunction with the Bureau of Information Resource Management, develop guidance regarding the option to establish Foreign Affairs Network accounts for locally employed staff following a suspension of operations.

GTM/OE Response: GTM/OE concurs with the recommendation and will highlight in the policy the potential need for posts to work with IRM on the creation of FAN accounts for locally employed staff.

Recommendation 13: (U) OIG recommends that the Office of Overseas Employment solicit feedback from remote missions, regional bureaus, and U.S. Direct Hire supervisors in order to develop guidance on identified best practices and lessons learned regarding effective oversight and management of locally employed staff at posts in suspended operations status.

GTM/OE Response: GTM/OE concurs with the recommendation. GTM/OE continues to communicate with remote missions and will send the revised policy to the regional bureaus for review, feedback, and clearance. GTM/OE's target date for finalizing the revised policy is August 2021.

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Approved: GTM/OE - Karin Sullivan, Director

Drafted: GTM/OE - Kristin Giuliano

Cleared:

GTM/OE: Steven Lemelin GTM/OE: Debra Higgins GTM/OE: Sally Cintron

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(U) APPENDIX C: YEMEN AFFAIRS UNIT RESPONSE



Embassy of the United States of America

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TO:

Director Melinda Perez, OIG Middle East Region Operations

FROM:

Ambassador Christopher Henzel

SUBJECT: Response to Draft Management Assistance Report: Additional Guidance Needed to Improve the Oversight and Management of Locally Employed Staff Serving at Remote Missions.

The Yemen Affairs Unit has reviewed the draft OIG report. We provide the following comments in response to the recommendations provided by OIG:

Recommendation 8: (U) OIG recommends that the Yemen Affairs Unit 1) review all current locally employed staff titles and positions, 2) identify those that do not accurately reflect current titles and duties, and 3) revise locally employed staff titles, position descriptions, and work plans, as appropriate.

Management Response: The YAU concurs with this recommendation. Post took the initiative to launch a review of all LE staff work responsibilities and completed the review in December 2019. The YAU will now follow this with the OIG-recommended review to revise titles, position descriptions, and work plans. In conjunction with our reinstatement of LE staff performance reviews, Post identified a small number of caretaker staff performing work not explicitly identified in their position descriptions. Post requests that GTM/OE include guidance in the suspended operations policy to address instances in which an LE Staff Caretaker position description loses or gains duties during suspended operations.

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Approved: YAU – Ambassador Christopher Henzel [CPH]

Drafted: YAU - RNicholson

Cleared: NEA/FO: EAubin (OK)

NEA/FO: EXidereas (OK)
NEA-SCA/EX: MWeiller (OK)
NEA-SCA/EX: DDykhouse (OK)
GTM/OE: SLemelin (OK)

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Attachment 2

(U) APPENDIX D: BUREAU OF DIPLOMATIC SECURITY RESPONSE



United States Department of State

Washington, D.C. 20520

SENSITIVE BUT UNCLASSIFIED//LES

September 2, 2020

INFORMATION MEMO TO ACTING INSPECTOR GENERAL SHAW - OIG

FROM:

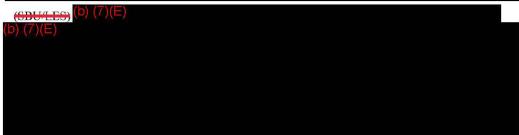
DS - Todd Brown, Acting

SUBJECT:

(3) (A)

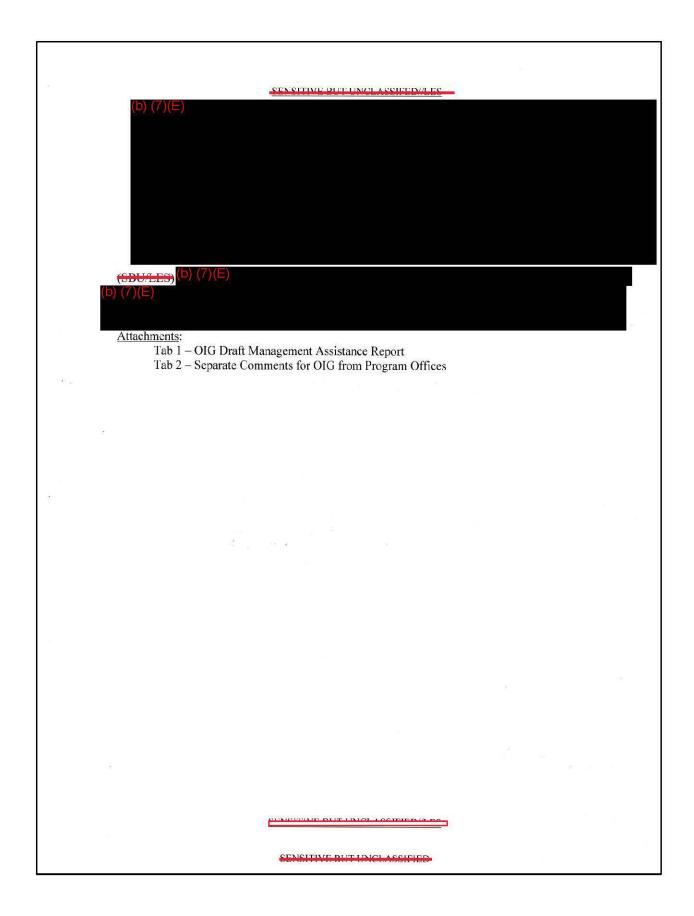
- (U) Below is the Bureau of Diplomatic Security's response to recommendation 14 of the subject report.
- (U) Recommendation #14: OIG recommends that the Bureau of Diplomatic Security develop an addendum to its January 2020 Overseas Vetting Guidelines, including instructions regarding how security certifications should be updated if key parts of the background investigation cannot be completed and how to proceed if security certifications lapse. The addendum should include instructions specific to updating security certifications for locally employed staff at missions in suspended operations status.
- (U) <u>DS Response (XX/XX/2020)</u>: The Bureau of Diplomatic Security does not concur with this recommendation; there is no need to address any specific situation like this in the Overseas Vetting Guidelines (OVG).





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Approved: DS – Todd Brown, Acting [MD]

Analyst: DS/MGT/PPD – Peggy Brown, (b) (6)

Cleared: DS/DSS – C. Matus, Acting (ok)

DS/EX – E. Dillenbeck (ok)
DS/EX/MGT – S. Haines (ok)
DS/MGT/PPD – M. Scherger (ok)
DS/MGT/PPD – L. Long (ok)
DS/SI – A. Gertsch (ok)
DS/ITP – G. Sherman (ok)
DS/IP – A. Ashraf-Miller (ok)

M: B. Peracchio (ok) M/SS: R. Brown (ok) GTM: Pending

(U) ABBREVIATIONS

GTM/OE Bureau of Global Talent Management, Office of Overseas

Employment

Department Department of State
FAM Foreign Affairs Manual

FAN Foreign Affairs Network

LE Locally Employed

OIG Office of Inspector General

RIF Reduction-in-Force

USDH U.S. Direct Hire

VAU Venezeula Affairs Unit

YAU Yemen Affairs Unit

(U) OIG AUDIT TEAM MEMBERS

Melinda Perez, Division Director Middle East Region Operations Office of Audits

Samantha Carter, Audit Manager Middle East Region Operations Office of Audits

Angelo Arpaia, Senior Auditor Middle East Region Operations Office of Audits

Areeba Hasan, Management Analyst Middle East Region Operations Office of Audits

Nina Lin, Senior Auditor Middle East Region Operations Office of Audits

Malea Martin, Management Analyst Middle East Region Operations Office of Audits



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