



Federal Election Commission
Office *of the* Inspector General

INVESTIGATIVE SUMMARY I22INV00010

DATE: June 13, 2022

Lost FEC Laptop Reported by an Agency Employee

The Federal Election Commission (FEC) Office of the Inspector General (OIG) initiated an inquiry on March 10, 2022, based on a referral from the Office of the Chief Information Officer (OCIO) that an agency employee with the Office of General Counsel (OGC) had lost her FEC laptop and may have failed to promptly report the loss in accordance with FEC policy.

The inquiry did not find that the employee violated FEC policy concerning the transportation and control of FEC information resources, as the policy's requirements for transporting devices and reporting stolen devices are vague and ambiguous. That policy (FEC Policy Number 58-4.3) provides that devices should not be left "unattended" and that personnel should report "stolen" devices "as soon as possible."

The inquiry determined that the employee's conduct did not violate that policy for three reasons. First, the policy's express language applies to "stolen" devices but does not reference missing or lost devices (as was the case here). As such, it is unclear that the policy applies to lost or missing devices that are not presumed stolen.

Second, assuming the policy applies to lost devices, it provides that personnel should report stolen devices "as soon as possible," as opposed to within a specific timeframe. The employee testified that she attempted to report the lost laptop the day she discovered it was missing but was unable to reach IT personnel that day. The employee successfully reported the missing laptop the following workweek, which agency IT personnel corroborated. Although it would certainly have been ideal for the employee to report the missing laptop sooner, the employee's conduct arguably satisfied the policy's reporting requirement.

Third, the prohibition against leaving devices unattended does not define the term "unattended." Although the employee stated she left the laptop with her niece while she purportedly sought emergency medical treatment, the policy does not provide that devices must be attended only by FEC personnel. A reader could reasonably interpret the policy to require that devices be attended by other (i.e., non-FEC) personnel.

During the inquiry, the employee made numerous conflicting and incomplete statements and refused to cooperate with OIG investigators. Among other things, she reported having lost the laptop during an emergency hospital visit. However, the laptop was subsequently recovered from a different location (a supermarket). Despite having been asked about her whereabouts the

day the laptop was lost, the employee did not disclose having visited the supermarket with the laptop until after the laptop was recovered at the supermarket.

In addition, the employee refused to cooperate with OIG investigators and made other conflicting statements about the timeline of events surrounding the loss and recovery of the laptop. She refused to provide relevant documentation and identifying/contact information of a key witness (her niece) despite investigators' requests. After refusing to attend a follow-up interview, the employee tendered her resignation from FEC employment.

The OIG developed one recommendation to the FEC Office of Chief Information Officer:

Update FEC Policy Number 58-4.3 to contemplate missing and lost computing devices (in addition to stolen devices), to clarify timelines in which FEC personnel should report missing, lost, and stolen devices, and to clarify the meaning of "unattended" for purposes of transporting devices.