



OIG HIGHLIGHTS

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What OIG Inspected

OIG inspected the U.S. Embassy in Kinshasa, Democratic Republic of the Congo, from October 13 to November 2, 2015.

What OIG Recommended

OIG made recommendations to U.S. Embassy Kinshasa to strengthen management control procedures in the areas of purchase card oversight, time and attendance accountability, separation of duties, IT deficiencies, and operations in the City of Goma.

OIG also made recommendations designed to bring public diplomacy in line with Department standards and to ensure that the embassy is capable of responding to emergencies.

~~SENSITIVE BUT UNCLASSIFIED~~

June 2016

OFFICE OF INSPECTIONS

Bureau of African Affairs

Inspection of Embassy Kinshasa, Democratic Republic of the Congo

What OIG Found

- Mission leadership has not consistently communicated clear expectations of behavior and conduct to mission employees.
- Embassy Kinshasa is effectively focused on the three priority goals of its Integrated Country Strategy: peace and security, democracy and governance, and economic development and growth.
- The Government of Democratic Republic of the Congo changed regulations governing international adoptions, preventing Americans from taking their adopted children home. Resolving this issue has become an unplanned embassy priority.
- The embassy is not adequately prepared to respond to a man-made crisis or a natural disaster in Democratic Republic of the Congo or in a neighboring country.
- Built in 1950, the chancery has outlived its usefulness. Security upgrades and haphazard additions make it inadequate for mission needs.
- The Congo-American Language Institute provides the embassy an effective means of promoting its Integrated Country Strategy goals to groups otherwise beyond the mission's reach.



OIG

Office of Inspector General

U.S. Department of State • Broadcasting Board of Governors

ISP-I-16-19A

Office of Inspections

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Inspection of Embassy Kinshasa, Democratic Republic of the Congo

BUREAU OF AFRICAN AFFAIRS

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CONTEXT

Democratic Republic of the Congo (DRC) has endured war, instability, and deprivation since gaining independence from Belgium in 1960. Surrounded by nine nations, home to a population of just under 80 million, and covering a landmass a quarter that of the United States, the DRC is central to achieving U.S. policy goals in the region. Prospects for peace, stability, and economic growth in Central Africa are linked to progress on those issues in the DRC.

The embassy's Integrated Country Strategy goals are democracy and governance, peace and security, and economic development and growth. According to the Department, progress in all three areas is tied to whether President Kabila steps down upon completion of his second term in 2016. If a proposed law passes that would allow him to stay in office past the current constitutional limit, it could provoke a constitutional crisis and political violence that would diminish peace prospects in eastern Congo and the region.

The Bureau of Overseas Buildings Operations (OBO) intends to build a new embassy compound but has established no construction start date. The U.S. Government and the DRC Government signed a conditional land transfer agreement for a building site. The embassy believes the DRC Government will turn over the site to the U.S. Government in 2016.

In September 2015, the embassy staffing roster had 634 employee positions, of which 143 were U.S. direct hires. Eligible family members filled 29 positions, and locally employed (LE) staff members filled the remaining 462. Three U.S. Government agencies, including a U.S. Agency for International Development (USAID) operation with a staff of 154 persons, have offices in the mission.

OIG also conducted an assessment of security, which is covered in an annex to this inspection report. The classified annex contains a comprehensive discussion of the security program and issues affecting the safety of mission personnel and facilities.

OIG reviewed the executive direction of the mission along with management operations and controls, consular and public diplomacy operations, analysis and advocacy work, and interagency coordination.

OIG reviewed the operations of the Financial Management, General Services, Human Resources, Facility Management and Information Management offices and determined they were performing in accordance with Department regulations and policies, with the exception of areas noted below.

EXECUTIVE DIRECTION

Tone at the Top and Standards of Conduct

OIG conducted 75 interviews with embassy personnel. In 36 of those interviews, staff members indicated that mission leadership does not consistently reinforce the importance of adherence to standards of conduct, integrity, and ethical behavior. Senior leaders and managers are responsible for setting the standard for integrity and workplace behavior by example and instruction.¹ OIG discussed with the Ambassador and the Deputy Chief of Mission (DCM) the need to reinforce to all staff members the importance of adherence to standards of conduct, integrity, and ethical behavior.

Post management is responsible for communicating, modeling, and enforcing the standards of employee responsibility and conduct for the Foreign Service. Language in 3 Foreign Affairs Manual (FAM) 4139.13 requires that supervisors, rating officers, or other officers with firsthand knowledge of any misconduct covered by the provisions of 3 FAM 4130 are obliged to bring the matter to the attention of appropriate agency officials. A DCM is responsible for the oversight of embassy daily operations, including management operations. The DCM became aware that two U.S. direct-hire embassy staff members were allegedly engaging in serious misconduct.² The DCM did not take action, apart from reissuing a management notice on Trafficking in Persons. Although these were allegations, the DCM had an obligation to address these misconduct issues directly with the staff members involved in order to clarify, confirm, or refute the allegations. According to 15 STATE 125440, Managing Employee Misconduct and Deficient Performance, not delaying communication with employees who break the rules or perform in a deficient manner helps prevent problems from worsening or becoming a "normal" part of the office environment. Failure to take action to prevent the possibility of future occurrences of serious misconduct places the Foreign Service and the United States at risk for embarrassment, discredit, and opprobrium. It also sends a signal to members of the embassy community that post management tolerates engaging in such conduct.

The embassy fired six LE staff members following a purchase card fraud scheme that took place from April 2014 through April 2015. However, mission leadership did not direct action to be taken against American supervisors whose lack of required oversight allowed the fraud. Accountability is one of the Department's six core values.³ The work requirements statements of all employees involved in the operation and oversight of the Government purchase card

¹ Decision Criteria for Tenure and Promotion in the Foreign Service, 3 FAH-1 Exhibit H-2321.B.

² Serious misconduct is that conduct, which, were it to become widely known, would embarrass, discredit, or subject to opprobrium the perpetrator, the Foreign Service, and the United States. See 3 FAM 4139.14 for further information and examples of such conduct.

³ The others are character, community, diversity, loyalty, and service. See Department of State 2015 Agency Financial Report p. 7.

program contained an element listing internal control responsibilities. Government Accountability Office, Standards for Internal Control in the Federal Government (GAO-14-704G, Principle 4) states that management should evaluate performance and hold individuals accountable for their performance of internal control responsibilities.⁴ Failure to do so undermines the “tone at the top” and diminishes the effectiveness of internal control in the organization. Inspectors discussed with mission leadership the importance of counseling employees, documenting counseling, and taking performance shortcomings into account in preparing their evaluations.

Management of Human Capital

Morale Affected by Difficult Conditions and Run-down Facilities

OIG surveys indicate low morale at Embassy Kinshasa. Some factors beyond embassy leadership’s control affect how employees feel about living and working in Kinshasa. These include inadequate mission facilities, high crime, poor urban infrastructure, and the high cost of living. In response to an embassy survey on morale, mission leadership directed that the Community Liaison Office carry out more activities for staff and dependent family members and continued efforts to reinvigorate the employee association.

Other factors affecting morale, however, are within the embassy’s control, such as the run-down and hazardous conditions in embassy workspaces. Routine maintenance of the chancery offices is substandard. Employees gave OIG numerous examples of poor routine maintenance in bathrooms, hallways, and offices, including areas frequented by visitors. OIG confirmed those examples by direct observation. Chancery bathrooms often went days without cleaning. Walls in both the chancery and Joint Administrative Office (JAO) building were dirty and in need of cleaning or paint. Maintenance workshops were dirty and cluttered with papers, automobile and machinery parts, and rubbish piled high against walls, presenting both health and fire hazards. Employees noted in the embassy-administered morale survey that the poorly maintained facilities affected morale and productivity.

New and Less-Experienced Employees Will Benefit from Training

Embassy Kinshasa has a high proportion of new and less-experienced employees. First- and Second-Tour (FAST) officers serve in 16 of the 53 Department positions in Embassy Kinshasa, but a formal FAST program does not exist. Of the remaining positions, six mid-level employees serve in positions graded above their personal rank. The Ambassador, the DCM, and other more experienced officers provide FAST officers some training and mentoring opportunities. Cable 2004 STATE 026345⁵ provides a specific template to assist in the development of the embassy

⁴ Standards for Internal Control in the Federal Government, Control Environment, Principle 5.

⁵ Mentoring and Professional Development of Entry-Level Foreign Service Employees, dated February, 2, 2004.

FAST program. Formalizing the program and including training objectives listed in the template would help strengthen it. The inspectors provided the front office Department guidance and suggestions for improving the training and mentoring of FAST officers.

In the year prior to the inspection, 25 new LE employees joined the embassy. GAO-14-704G Principle 4 outlines the attributes necessary for management to demonstrate a commitment to recruit, develop, and retain competent individuals. Competence is defined as the ability to carry out assigned responsibilities. It requires relevant knowledge, skills, and abilities, which are gained largely from professional experience, training, and certifications.

The Management Counselor is developing plans to bring French-speaking peer trainers, as well as Department and Foreign Service Institute trainers, to the embassy to provide training to LE staff members to develop, retain, and increase employee competence.

Management Controls

OIG found management control vulnerabilities in the following sections:

- Facilities Maintenance Section
- Financial Management Office
- General Service Operations
- Human Resources Section
- Information Management Office
- Regional Security Office

Specific vulnerabilities are described in detail in the relevant sections of this report and the classified annex, which make recommendations to correct the identified deficiencies.

All Department managers must establish cost-effective systems of management controls to ensure U.S. Government activities are managed effectively, efficiently, economically, and with integrity. Chiefs of Mission internal control responsibilities are described in 2 FAM 022.7. They include attesting with reasonable assurance that management control objectives were achieved. In 2014 and 2015, the Ambassador so attested, despite the existence of the vulnerabilities noted in this report.

Execution of Foreign Policy Goals and Objectives

Mission Focused on Integrated Country Strategy Goals

The front office effectively directs the mission's resources toward achieving its three Integrated Country Strategy priority goals. Political advocacy focuses on the upcoming provincial and national elections. While maintaining communication with DRC Government leaders, the Ambassador guides an effort to promote respect for the constitution, the need for free and fair presidential elections, and a peaceful transfer of power in 2016. The Ambassador and the DCM meet frequently with senior officials, leaders of local opposition groups, and other members of civil society. On the basis of a review of the Ambassador's and the DCM's calendars from

January 2015 to October 2015, OIG determined that both visited with more than 70 government and non-government officials, including the President, cabinet-level ministers, religious leaders, members of the diplomatic community, and leaders of various opposition groups.

The Ambassador coordinates work completed by USAID and the U.S. Centers for Disease Control and Prevention. He oversees contact with the United Nations Organization Stabilization Mission in the DRC, which has its headquarters in Goma, in the eastern Congo, where political violence and crime remain high.

The Ambassador and staff members from the Eastern Congo Unit regularly travel to Goma and other cities in the region to meet with local government officials, facilitate political reporting, and conduct public diplomacy events. The embassy recently sponsored visits by the Special Envoy for the Great Lakes and the Department Under Secretary for Civilian Security, Democracy, and Human Rights.

Washington-based Department and interagency consumers informed OIG of their satisfaction with reporting from Embassy Kinshasa. Readers found reporting relevant and useful. Some offices expressed a desire for more reporting from Goma but understood that security constraints limit travel to the area.

Security, Crisis Management, and Safety

Mission leadership did not exercise adequate oversight of security programs and policies, including those intended to protect classified information. OIG identified shortcomings and vulnerabilities in several areas. The classified annex to this report discusses them in detail.

Preparation for Emergencies Needs Improvement

Embassy Kinshasa is not fully prepared to respond to an emergency. In 2015, the embassy coordinated with other embassies in the region to address crisis planning. The embassy also hosted visits by Department and U.S. Department of Defense personnel on that same subject. However, the embassy's emergency action plan is inadequate. In addition, frequent staffing gaps and resource constraints diminish the embassy's readiness. The lack of adequate emergency planning, equipment, and training could hamper the mission's ability to respond to a crisis.

Embassy Kinshasa's emergency action plan is out of date, incomplete, and contains erroneous information, including names and contact information for officers in key positions who have departed. Guidance found in 12 FAH 6 H113.2 requires embassies to update their emergency action plan annually or more often, as circumstances dictate. The embassy last updated the plan in 2014.

Recommendation 1: Embassy Kinshasa should update its emergency action plan. (Action: Embassy Kinshasa)

The Consular Section has not devoted sufficient attention to assessing its readiness, as cited in 7 FAM 1800, which establishes the standards for embassies to prepare for emergencies. It is therefore unprepared to respond to an emergency or natural disaster or to support missions in

neighboring countries. Further, the Consular Section's role in an emergency has not been coordinated with the rest of the mission. The section lacks equipment, including laptop computers, which would allow staff to work away from the chancery. The section does not use the Consular Affairs voluntary Consular Crisis Preparedness Scorecard, which provides a road map for emergency planning and points to areas, such as equipment and training, where an embassy may be deficient.

Recommendation 2: Embassy Kinshasa, in coordination with the Bureau of Consular Affairs, should use Bureau of Consular Affairs, Office of Overseas Citizens Services scorecard standards to assess emergency preparedness readiness for the consular section. (Action: Embassy Kinshasa, in coordination with CA)

The Alternate Command Center is not equipped to respond properly in the event of an emergency. On the basis of its inspection of the Alternate Command Center, OIG found satellite telephone boxes with missing components, no logs indicating the radio and other communications equipment are regularly tested, an outdated Emergency Action Plan, no table space, and no maps or office supplies.

Department regulations 12 FAH-1 H-261 and 12 FAH-1 H-742 identify the components necessary for the Emergency Action Committee to operate at an Alternate Command Center. In the event of civil unrest or a natural disaster, the embassy might have difficulty communicating and coordinating with the Department.

Recommendation 3: Embassy Kinshasa, in coordination with the Bureau of Diplomatic Security and the Bureau of Overseas Buildings Operations, should equip its Alternate Command Center in accordance with requirements in the Foreign Affairs Handbook. (Action: Embassy Kinshasa, in coordination with DS and OBO)

POLICY AND PROGRAM IMPLEMENTATION

Interagency Cooperation

The Ambassador demonstrates the importance of interagency cooperation, evidenced in part by OIG observations of him at country team meetings. An OIG inspector attended a weekly reporting officer meeting that included input from staff members whose offices do not normally write Department cables, such as USAID and the Bureau of International Narcotics and Law Enforcement Affairs. The Special Envoy for the Great Lakes visited the embassy three times in 4 months and advised OIG of the Ambassador's strong communication and coordination skills. The senior U.S. military representative in Goma meets routinely with the Ambassador to discuss issues related to the United Nations Organization Stabilization Mission.

Advocacy and Analysis

Political and Economic Sections' Work Tracks with Embassy Priorities

The political and economic sections are fulfilling their advocacy and reporting duties in accordance with Department regulations. Officers engage with a diverse range of contacts as part of their policy advocacy efforts, which match Integrated Country Strategy priorities. They incorporate insights from contact work into their reporting. Department and other agency readers in Washington gave Embassy Kinshasa good marks on both reporting and advocacy. They welcomed the political section's efforts to report on local conditions and the political mood outside Kinshasa.

OIG reviewed 90 political reporting cables the embassy had sent over a 5-month period between January and July 2015. The cables were well sourced and timely, with frequent input from the front office and other embassy sections and agencies. A separate review of the 41 cables the Economic Section sent between November 2014 and October 2015 concluded that its reporting was also well sourced, reflected input from the front office and other embassy sections, and covered a range of general economic and sectoral issues, such as energy, mining, aviation, and labor. OIG discussed with the Economic Section ways to increase its analytical reporting including coverage of economic, environmental, science and technology, and health issues.

Economic Section Represents Interests of U.S. Government Agencies

In addition to policy advocacy and analysis, the Economic Section represents the interests of the Departments of Commerce, Energy, Labor, Transportation, and the Treasury, as well as the Office of the U.S. Trade Representative in the DRC. The section supported the 2013 establishment of an American Chamber of Commerce in Kinshasa, which now counts 45 U.S. companies as active members. Staff members respond to up to five direct commercial inquiries weekly.

No Major Problems in Embassy Handling of Nearly \$600,000 in Grants

Embassy Kinshasa has formal oversight of less than \$600,000 of the nearly \$140 million in FY 2014 funding with which the Department supports U.S. policy goals in the DRC. Department and embassy staff reported good collaboration in this process. The embassy has four warranted grants officers and six certified Grants Officer Representatives. OIG reviewed all seven FY 2015 and three of the six FY 2014 Ambassador's Special Self-Help grants files. OIG also reviewed 11 of 44 FY 2014 public affairs small grants files. Inspectors found minor omissions but no systemic deficiencies. OIG advised grants officers and Grants Officer Representatives of the need to maintain complete and accurate files.

Leahy Vetting Process

Leahy legislation prohibits U.S. Government-funded training of foreign law enforcement and security forces involved in human rights violations. The embassy's Leahy vetting process meets Department requirements. The Leahy coordinator and her back-up have the requisite

International Vetting and Security Tracking system training and work closely with relevant embassy sections. In 2014, the U.S. Government approved training for 1,096 Congolese candidates, disapproving 417. Also in 2014, the Bureau of International Narcotics and Law Enforcement Affairs suspended training activities for one law enforcement entity until the DRC Government investigates and holds accountable those responsible for human rights violations during a campaign to crack down on violent crime in Kinshasa.

End-Use Monitoring Procedures Still Under Development

Staffing shortages and a volatile security environment make it difficult for the International Narcotics Control and Law Enforcement Unit to meet end-use monitoring responsibilities related to equipment donations. The embassy and the DRC Government signed a Letter of Agreement on Security Sector Assistance in 2012. With one exception, temporary duty American staff members have worked in the unit since then. A full-time employee was scheduled to arrive in March 2016. The embassy filled an LE staff program assistant position in September 2014.

The unit has taken steps to establish a monitoring program that meets Department requirements. Approximately 98 percent of donated equipment is located in the eastern Congo, a region to which the Under Secretary for Management restricted official travel from October 2012 to April 2014 because of the presence of an armed resistance group. For its 2014 End-Use Monitoring Report, the unit compiled an inventory of items disbursed by the implementing partner with the largest program. The LE staff conducted an onsite inspection at several provinces in eastern Congo. For the 2015 report, unit staff asked all implementing partners for inventory lists and will conduct additional site visits. OIG advised unit staff on the importance of complying with end-use monitoring requirements and suggested ways in which other embassy staff members could assist the effort.

Public Diplomacy

The Public Affairs Section's programs and outreach are diverse and directly support the embassy's Integrated Country Strategy. The section employs strategic planning, makes substantive contributions to embassy reporting, and collaborates with other sections and agencies to advance mission priorities. Its digital outreach, although active, lacks a social media strategy and consistent coverage of the Ambassador's public activities. The section's Information Resource Center needs to conform with Department standards for American Spaces on signage and overall appearance. The section should also standardize its branding. A lack of documented internal procedures presents a vulnerability in terms of operational effectiveness and knowledge management.

The section lacks standard operating procedures such as a mission-wide media policy, as prescribed in the Public Diplomacy Toolkit. The section's 22 LE staff members have a median

length of service of 3.17 years, and the Public Affairs Officer will complete a 4-year tour of duty in 2016. According to GAO's Standards for Internal Control in the Federal Government,⁶ this transition calls for changes to the section's internal control system to maintain effectiveness. OIG discussed these issues with the Public Affairs Officer, who was developing program management checklists, work flow processes, and a training plan for the professional development of section staff.

External and Internal Branding Inconsistent

Nomenclature for the Public Affairs Section is inconsistent both within the embassy and in the public realm. OIG identified more than 13 variations in how the section refers to itself, which diminishes its ability to convey its functions to the public. Materials publicizing the section's popular English Language Program and American Corners do not consistently use the standard rectangular U.S. flag, as mandated by guidance on Highlighting State Department Programs, Assistance, Outreach, and Activities Overseas. In addition, branding for educational advising services (EducationUSA) does not conform with current guidance on labeling.⁷ OIG advised the Public Affairs Officer on the importance of standardizing the section's external and internal branding, including the use of the U.S. flag in conjunction with public programs.

English-Language Programs Extend Mission Outreach

The Public Affairs Section's English-teaching operations at the Congo-American Language Institute are intended to impart U.S. values, familiarize students with American culture and society, and foster skills that support entrepreneurship, civic participation, and conflict resolution, all of which echo Integrated Country Strategy priorities. The Public Affairs Officer has been integrating this stand-alone facility's events and curriculum into the mission's public diplomacy activities. The institute is a strategic asset for the mission, engaging key audiences in Kinshasa as well as population centers typically beyond the reach of embassy staff members.

Social Media Outreach Active But Lacks Strategic Direction

The section regularly uses Facebook and Twitter but lacks an overall strategy to specify desired outcomes or measure success, as directed by the Department's Social Media Hub and the Social Media Strategy Framework for Overseas Missions. The Ambassador has given 20 public speeches since his accreditation, but only 6 appear on the embassy's website. References to his remarks and participation in public events are not consistently featured on the embassy's social

⁶Principle 9.01 of the U.S. Government Accountability Office's *Standards of Internal Controls in the Federal Government* states that "[m]anagement should identify, analyze, and respond to significant changes that could impact the internal control system."

⁷The Public Diplomacy Toolkit states that "[c]onsistent use of the [EducationUSA] logo develops the brand's reliability in providing accurate, comprehensive, and current information on study in the United States and gives visibility to the Department's support for educational exchange."

media platforms. Social media content is discussed and coordinated ad hoc, but the section has not established a long-term plan to evaluate video production and online activity. As a result, contributors lack a systematic means of assessing the effectiveness of their content, and online audiences are not exposed to the full extent of the Ambassador's public engagement.

Recommendation 4: Embassy Kinshasa, in coordination with the Bureau of International Information Programs, should implement a social media strategy. (Action: Embassy Kinshasa, in coordination with IIP)

Lapses in Memoranda of Understanding for American Corners

At the time of the inspection, the embassy's Memoranda of Understanding with its two American Corner partner institutions had either lapsed (in 2014) or were not in the section's files. American Corners are platforms that provide information about the United States and serve as venues for public diplomacy events. The Bureau of International Information Programs has allocated \$450,000 to upgrade one of the corners to "Tier 1," the highest level of service and infrastructure for American Spaces. The Department's handbook on Managing American Spaces requires the annual renewal of these memoranda, which outline the institution's contributions to the American Corner and describe what the embassy will contribute to the partnership. Both documents are now valid and on file, but OIG underlined the importance of maintaining current documentation to mitigate the potential risk of expropriation, misuse of U.S. Government property, or harm to the embassy's public image.

Information Resource Center Needs Improved Appearance

The embassy's Information Resource Center has a poor layout and a disorganized appearance. Public areas and storage space are in some cases indistinguishable, and the book collection has outdated items, despite prior recommendations from the regional Information Resource Officer to address these issues. The Center lacks a clearly visible sign that depicts the name of the space, which is required by the Standards Matrix for Open Access U.S. Government-owned American Spaces.⁸ It also does not follow branding requirements for the embassy's educational advising services, per global guidance on "The New Face of EducationUSA." The Standards Matrix specifies that American Spaces be "attractive and welcoming" but the Center's current appearance limits its appeal to and impact on its thousands of visitors.

Recommendation 5: Embassy Kinshasa, in coordination with the Bureau of International Information Programs and the Bureau of Educational and Cultural Affairs, should bring the appearance of the Information Resource Center into conformity with Department standards. (Action: Embassy Kinshasa, in coordination with IIP and ECA)

⁸ The Matrix states that at a minimum, a U.S. flag and a clearly visible sign should depict the name of the space and its relationship with the embassy.

Consular Affairs

With the exception of emergency preparedness, Consular Section operations meet Bureau of Consular Affairs standards. OIG reviewed Kinshasa consular package data, congressional correspondence, post visa records, daily and monthly fee receipts, standard operating procedures, policy guidance, validation studies, and Regional Consular Officer trip reports and found no issues that warranted a recommendation. The size of the country, poor transportation infrastructure, attempted visa fraud, and difficulties working with Congolese authorities complicate consular work, including the provision of consular services outside the capital. Consular officers travel to the cities of Lubumbashi and Goma at least once each year.

Adoptions Become High-Priority Issue

In September 2013, the DRC Government stopped issuing exit permits for children adopted by foreign citizens. The decision has prevented approximately 400 children adopted by American citizens from legally leaving the country. President Obama, Secretary Kerry, and other senior U.S. Government officials have raised the issue with the DRC Government. Although the DRC Government has said it will resolve the issue, it has not changed exit permit procedures.

Several American parents have moved to Kinshasa to be with their adopted children. The Consul meets with them and, through CA, informs families in the United States of embassy actions taken to address the problem. Department and other U.S. Government agency officials have expressed their satisfaction with the embassy's work on this issue, as have the adoptive parents.

Dealing with the adoption problem occupies approximately 30 percent of the Consular Section American staff's time, 50 percent of the Consul's time, and 25 percent of LE staff members' time. It limits the Consul's ability to manage other required activities, including emergency preparedness. The Bureau of Consular Affairs authorized an additional LE staff position to help respond to congressional and private correspondence on this issue.

Attempted Visa Fraud Common

Attempted visa fraud is pervasive in the DRC, particularly in the diversity visa program, popularly known as the "visa lottery," and in applications for official visas in lieu of tourist and business (B-1/B-2) visas. Because of reciprocity, B-1/B-2 visas are costly and are valid for short periods. For that reason, applicants try to claim eligibility for diplomatic or official visas, which are free and of longer duration. As the number of visa applications has grown, the requirement to investigate fraud, particularly document fraud, has become more pressing and time consuming, demanding more consular assets. The section investigates applicants' attempts to falsify academic credentials to qualify for diversity visas, along with attempts to add a spouse or child to the application and other fraudulent claims. Preventing fraud is essential to preserving the integrity of the visa process and to ensuring that only those who are eligible to travel to the United States do so. As part of this effort, the Department approved a new Assistant Regional Security Officer–Investigations position to augment the embassy's capacity to investigate fraud and will fill the position in 2016 or early 2017.

MANAGEMENT CONTROLS

Lack of Purchase Card Reviews Facilitated Embezzlement

Between April 2014 and April 2015, six LE staff members in the procurement, accounting, and vouchering sections employed a fraud scheme using Government purchase cards to buy and resell goods. The employees used the credit card numbers of Government purchase cards that were not properly secured to purchase electronics from U.S. vendors. They sold the electronic items to Congolese citizens, including some LE staff members. The fraud was discovered in April 2015 when a vendor called a purchase cardholder not involved in the fraud to notify him of a suspicious transaction. The LE staff members who perpetrated the scheme were terminated for cause. Congolese National Police arrested two of the terminated employees. A joint investigation conducted by the Regional Security Office and OIG Office of Investigations determined that the scheme resulted in a \$360,000 loss to the U.S. Government.

When the fraud was discovered, the embassy undertook some corrective actions and issued a front-channel cable detailing the lapses in internal control that led to the fraud.

The failure of local employees and American supervisors to follow the required purchase card buying and reconciliation procedures allowed the perpetrators to continue making fraudulent purchases.⁹ Approving Officials have oversight and approval responsibility for purchase card use by the cardholders under their purview. The American supervisor serving as the Approving Official approved the cardholder statements for payment without reconciling the statements with the cardholder's buying log with the separate consolidated statement sent from Citibank directly to the Approving Official.

OIG's review of the statements for one of the cards used in the fraud scheme showed that in October 2014, 68 purchases with a single vendor were made with the card. In November and December 2014, 93 purchases were made each month with the same vendor. The vendor was the sole vendor on the monthly purchase card statements. In addition to the Approving Official's lapses, the Purchase Card Program Coordinator did not complete the annual purchase card program review for FY 2013 and FY 2014. The Department's Worldwide Purchase Card Program Manual mandates these reviews. After the fraud was discovered, the embassy resumed following the recommended purchase card reconciliation procedures and added an additional control: a monthly peer review of credit card invoices.

Monitoring quality is a component of a successful internal control system.¹⁰ Language in 2 FAM 023.2 requires that significant violations related to management controls should be reported to

⁹ Department of State, Smart Pay 2: Worldwide Purchase Card Program Manual, June 2011, pp. 88-95.

¹⁰ Standards for Internal Control in the Federal Government, GAO-14-704G, pp. 64-69.

the Management Control Officer through the Office of Management Control. In particular, the FAM requires the report to include all information about internal control violations, the causes, and statements from responsible employees. It should also include information about the administrative actions taken in respect to the employee responsible for the violations. However, the reporting cable the embassy sent describing the fraud did not include these elements. Instead, it focused on how the fraud was conducted, not the internal control lapses that allowed it to continue. Incomplete information about management control violations impedes the Secretary's ability to accurately report on the effectiveness of internal control operations in the Department, as required by the Federal Managers' Financial Integrity Act and Office of Management and Budget Circular A-123, as amended.

Recommendation 6: Embassy Kinshasa should report to the Management Control Officer the management control violations that created the vulnerabilities exploited by the perpetrators of the purchase card scheme. (Actions: Embassy Kinshasa)

Time and Attendance Procedures Create Additional Vulnerability

In files related to three separate pay periods, OIG found leave requests for the executive office, regional security office, economic section, and the management sections that were either not signed by a supervisor, lacked required documentation, or included claims for non-emergency and regular overtime not approved in advance. In one case, a leave request for 16 weeks of combined annual and sick leave was not signed by the supervisor. Despite the lack of an approved leave request, the employee took the leave and the timekeeper accounted for the leave per the unapproved request. Leave and premium compensation rules are described in 3 FAM 3000 and 4 FAH 3-520. In particular, they require supervisory approval. Supervisors were not providing adequate oversight of internal controls, leading to potential abuse of leave and overtime.

Recommendation 7: Embassy Kinshasa should review the time and attendance records from the 2015 leave year and correct all deficiencies. (Action: Embassy Kinshasa)

The embassy does not have policies that delineate time and attendance responsibilities for American and LE staff members. Guidance under 4 FAH 3-525.2 stipulates those responsibilities. Failure to observe regulations could lead to abuse of leave and overtime.

Recommendation 8: Embassy Kinshasa should delineate the time and attendance responsibilities of all employees. (Action Embassy Kinshasa)

Time and attendance procedures are further complicated by the fact that a single timekeeper manually enters data for more than 100 employees of USAID and the Congo-American Language Institute. Inspectors discussed with American staff members ways to improve data input.

Duties Not Appropriately Segregated

GAO's Standards for Internal Control in the Federal Government requires management to divide key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud.¹¹ Embassy management did not adequately consider internal control activities when assigning duties and developing operating procedures. Failure to segregate duties increases the possibility of legal violations and fraud.

The embassy does not separate duties to reduce the possibility of error, misuse, or fraud in the following areas:

- Receiving, storing, and issuing cell phones—the same employee receives, inventories, and issues cell phones, which are not kept in a controlled area.
- Time and attendance reporting—unit timekeepers do not enter data into the time and attendance system.
- Approving payment for goods and services—General Services Office (GSO) does not verify weights for shipping invoices.
- Filing claims for losses—the same person serves as claims assistance and claims investigating officer.

Recommendation 9: Embassy Kinshasa should implement standard operating procedures to maintain separation of duties among staff working in the management section. (Action: Embassy Kinshasa)

Records Management Needs Attention

Electronic files in the Economic, Political, and Public Affairs Sections are not organized. OIG encountered multiple employees who were using personal filing systems instead of a section library for official records. The records and documents in at least two file safes were arranged in a manner only known to the filers. Both examples could result in continuity being hampered or accidental loss of official records. Language in 5 FAM 414.8 requires that employees create, use, maintain, preserve, and dispose of Department records according to 5 FAM 400 and 5 FAH-4. Section chiefs in the three sections have not directed their staff members to do so.

Recommendation 10: Embassy Kinshasa should create, use, maintain, preserve, and dispose of electronic records in accordance with Department guidance. (Action: Embassy Kinshasa)

Operational Support for Employees in Goma Requires Attention and Improvement

LE staff members in Goma do not have basic resources and management support. An inspector observed an employee using her personal computer to conduct official business because the

¹¹ GAO's Standards for Internal Control in the Federal Government, GAO-14-704G, principle 10.03, pg. 47.

embassy had not issued her a computer. The Human Resources section has never visited Goma to brief employees about their rights and responsibilities. The radios in all three of the Government-owned armored vehicles did not work. When OIG visited Goma, the proprietor of the only garage capable of repairing armored vehicles complained that three embassy invoices were 5 months overdue for payment, which triggers penalties under the Prompt Payment Act. The embassy had not established standardized procurement procedures. As a result, all purchases have to be made from a small petty cash fund. GAO-14-704G states that effective operations produce the intended results from operational processes, although efficient operations do so in a manner that minimizes the waste of resources.¹² Operational conditions and a lack of established procedures for supporting work in Goma result in deficits in compliance, security, resource management, reporting, and communication. The Management Section is currently developing plans to remediate these deficiencies.

Recommendation 11: Embassy Kinshasa should designate an American officer in the management section to serve as the coordinator for management section operations in Goma. (Action: Embassy Kinshasa)

International Cooperative Administrative Support Services

The International Cooperative Administrative Support Services system (ICASS) provides management support for mission personnel and agencies under Chief of Mission authority. A council makes ICASS decisions. Since January 2010, the embassy approved 71 National Security Decision Directive 38 position requests, increasing the size of the mission by that number of American employees. In that same time period, the embassy received one U.S. direct-hire position to support ICASS operations. In 2015, the council approved 10 new LE staff positions and converted 1 LE staff driver and 1 U.S. information systems position to ICASS slots.

Outstanding Travel Advances

In September 2015, Embassy Kinshasa had 84 open travel advances, representing \$494,000. Embassy work to reduce the backlog through the end of October brought the total down to 47 open advances, lowering the outstanding amount to \$409,000. Travelers' responsibilities for filing travel claims are set forth in 4 FAH-3 H-460. Causes of the backlog include unrequested advances, failure to file travel vouchers, improper transaction reporting, and lack of follow-up on rejected vouchers. Filing vouchers late creates management control vulnerabilities and increases the possibility of fraudulent charges.

Recommendation 12: Embassy Kinshasa should collect outstanding travel advances from all travelers. (Action: Embassy Kinshasa)

¹² Federal Standards for Internal Control, principle OV2.19, page 13.

The embassy's cost of living survey was 27 months late at the time of the inspection. The survey submission deadlines are published in Department of State Standardized Regulations, Section 920. OIG found that a lack of attention to internal control caused the delay. Late submissions result in allowances that do not reflect current market conditions and contribute to poor morale.

Recommendation 13: Embassy Kinshasa should submit the Retail Price Schedule and Hotel and Restaurant Survey (STATE forms 2020, 2021, and 2026) to the Office of Allowances.
(Action: Embassy Kinshasa)

General Services

General Services Office Internal Communication Lacking

OIG found that poor internal communication in the GSO has impacted negatively section cohesiveness and morale, compromising GSO efforts to rebuild capacity in the wake of the purchase card fraud scheme described above. GAO 14-704G states that management should communicate quality information throughout the entity using established reporting lines. It states further that management should select appropriate methods to communicate internally, whether in writing or face-to-face. Failure to articulate clearly and adhere to established lines of communication result in employee missteps that compromise results and internal control. The inspectors advised GSO managers of the need to establish and respect clear lines of communication that encourage dialogue, promote a positive work environment, and enhance staff performance.

Procurement and Contracting Staffing Challenge

The procurement unit has been short-staffed since the April–June 2015 timeframe, when four of eight LE staff members were terminated for cause. Other embassies in the region have sent LE staff members to Kinshasa to assist and train, and the embassy is working to fill the vacant positions. Nevertheless, GSO management faces the immediate challenge of bringing unit productivity back to the full performance level.

Real Property

Status of New Embassy Compound

In February 2014, the embassy signed a Conditional Land Transfer Agreement with the DRC Government under which the embassy will acquire a 17-acre new embassy compound site. The embassy will take possession of the site once DRC Government offices are relocated to Department-provided trailers. The U.S. Congress has funded a "Site Mitigation Development Plan" to prepare the land. The embassy expects OBO to fund the design-build contract in FY 2018, but OBO has not confirmed project funds availability.

Office Facilities Inadequate to Meet Mission Needs

Built in 1950, the chancery has outlived its usefulness. Mission staffing growth, numerous security upgrades, and haphazard additions through the years have made it inadequate to meet mission needs. The embassy leases off-compound office space to accommodate growth. The JAO compound consists of multiple structures housing embassy sections and the Centers for Disease Control and Prevention. It requires constant attention. USAID is housed in a leased building near the chancery, and the Congo-American Language Institute is housed in another leased facility. Electrical power is unstable, and the chancery compound has operated solely on generator power since December 2013. OBO has funded a project to replace and upgrade the generators on the chancery and JAO compounds in 2016.

Housing

U.S. Government-owned residential properties require constant maintenance because of their age. These include the Ambassador's and the DCM's residences, the 12-unit Panorama apartment building discussed below, and five single-family residences. Responsible for maintaining the 96 leased properties, landlords are often unresponsive. Because of an unstable housing market, the embassy does not participate in OBO's Rental Benchmark Program and must obtain waivers for each lease.

Panorama Building Needs Work

The U.S. Government-owned Panorama apartment building requires major work. The embassy reported that no OBO funding to replace the leaking roof and construct exterior fire stairs was available. The embassy is concerned about the fire safety implications of substandard emergency egress from the building. The tile façade of the six-story, 12-unit building is disintegrating, exposing the concrete underlay to the elements. The Facilities Manager has initiated a rolling project to upgrade kitchens and baths with embassy funds and enclose kitchen balconies, which adds utility and storage space.



Tile Façade of Panorama Building

Source: OIG

Housing Records Incomplete

Only 52 of 96 short-term lease files contain Post Occupational Safety and Health Officer and Regional Security Office approvals. This violates 15 FAM 252.5, which requires that safety, health, and environmental hazards be identified and eliminated or controlled prior to occupancy and certifications be placed in the lease file. In addition, the Regional Security Office did not approve all housing acquisitions in accordance with 15 FAM 252.4. Failure to identify and eliminate hazards or security vulnerabilities could result in dangerous conditions that can cause injury or death.

Recommendation 14: Embassy Kinshasa should implement standard operating procedures to require the filing of Post Occupational Safety and Health and Regional Security Officer certifications before a property is acquired and approved for occupancy. (Action: Embassy Kinshasa)

JAO Compound Safety Hazards

Inspectors identified a serious safety hazard inside the JAO compound along the main pedestrian walkway. Two weeks later, the facilities office addressed the issue. Maintenance workshops were dirty and cluttered with papers, automobile and machinery parts, and rubbish

piled high against walls, presenting both health and fire hazards. Other issues are addressed in the annex to this report.

Vulnerabilities in Information Management

Management control vulnerabilities exist in cyber-security and telephone access controls. A lack of oversight and poor record keeping over a period of years has led to these deficiencies. A newly arrived Information Management Officer had identified additional deficiencies prior to OIG's arrival and begun correcting problems.

Cyber-Security Deficiencies

The computer security program is designed to protect against a loss of information from computer systems, but OIG found elements of the program were not being done, which can put Department information at risk of loss. Language in 12 FAM 613.4 charges the Information Systems Security Officer with implementing the information systems security program. Specifically, the officer is not reviewing computer security audit logs, updating or testing the IT Contingency Plan, or maintaining an effective system for controlling laptop accountability.

Recommendation 15: Embassy Kinshasa should implement standard operating procedures that require Information System Security Officers to perform required duties. (Action: Embassy Kinshasa)

A Regional Computer Security Officer conducted a "Computer Security Assessment" in 2015. The assessment identified more than 40 cyber-security deficiencies, several of which were also referenced in a 2013 report. The 2015 report details technical, administrative, and physical deficiencies, including the existence of unauthorized personal devices on the network, the lack of a local Information Technology Change Control Board, the failure to update and test the IT Contingency Plan, and the lack of an effective system for maintaining laptop accountability. Computer security deficiencies make Department information vulnerable to loss and abuse. At the time of the inspection, the deficiencies identified in the 2015 Computer Security Assessment had not been addressed.

Telephone Access Controls Exposed

A telecommunications intermediate distribution frame in the JAO primary building is accessible to unauthorized individuals. Department regulation 12 FAH-6 H-651.5-5 requires that intermediate distribution frames be placed in rooms with appropriate security. The embassy did not follow this guidance when installing the distribution frame. It is located in a high foot-traffic area of the expendable supplies section. LE staff members were using the space as a break and changing area. The exposed frame puts the embassy at risk for theft, destruction, and denial of service of its telecommunications systems.

Recommendation 16: Embassy Kinshasa should secure the telephone intermediate distribution frames. (Action: Embassy Kinshasa)

RECOMMENDATIONS

Recommendation 1: Embassy Kinshasa should update its emergency action plan. (Action: Embassy Kinshasa)

Recommendation 2: Embassy Kinshasa, in coordination with the Bureau of Consular Affairs, should use Bureau of Consular Affairs, Office of Overseas Citizens Services scorecard standards to assess emergency preparedness readiness for the consular section. (Action: Embassy Kinshasa, in coordination with CA)

Recommendation 3: Embassy Kinshasa, in coordination with the Bureau of Diplomatic Security and the Bureau of Overseas Buildings Operations, should equip its Alternate Command Center in accordance with requirements in the Foreign Affairs Handbook. (Action: Embassy Kinshasa, in coordination with DS and OBO)

Recommendation 4: Embassy Kinshasa, in coordination with the Bureau of International Information Programs, should implement a social media strategy. (Action: Embassy Kinshasa, in coordination with IIP)

Recommendation 5: Embassy Kinshasa, in coordination with the Bureau of International Information Programs and the Bureau of Educational and Cultural Affairs, should bring the appearance of the Information Resource Center into conformity with Department standards. (Action: Embassy Kinshasa, in coordination with IIP and ECA)

Recommendation 6: Embassy Kinshasa should report to the Management Control Officer the management control violations that created the vulnerabilities exploited by the perpetrators of the purchase card scheme. (Actions: Embassy Kinshasa)

Recommendation 7: Embassy Kinshasa should review the time and attendance records from the 2015 leave year and correct all deficiencies. (Action: Embassy Kinshasa)

Recommendation 8: Embassy Kinshasa should delineate the time and attendance responsibilities of all employees. (Action Embassy Kinshasa)

Recommendation 9: Embassy Kinshasa should implement standard operating procedures to maintain separation of duties among staff working in the management section. (Action: Embassy Kinshasa)

Recommendation 10: Embassy Kinshasa should create, use, maintain, preserve, and dispose of electronic records in accordance with Department guidance. (Action: Embassy Kinshasa)

Recommendation 11: Embassy Kinshasa should designate an American officer in the management section to serve as the coordinator for management section operations in Goma. (Action: Embassy Kinshasa)

Recommendation 12: Embassy Kinshasa should collect outstanding travel advances from all travelers. (Action: Embassy Kinshasa)

Recommendation 13: Embassy Kinshasa should submit the Retail Price Schedule and Hotel and Restaurant Survey (STATE forms 2020, 2021, and 2026) to the Office of Allowances. (Action: Embassy Kinshasa)

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Recommendation 15: Embassy Kinshasa should implement standard operating procedures that require Information System Security Officers to perform required duties. (Action: Embassy Kinshasa)

Recommendation 16: Embassy Kinshasa should secure the telephone intermediate distribution frames. (Action: Embassy Kinshasa)

PRINCIPAL OFFICIALS

Title	Name	Arrival Date
Chiefs of Mission:		
Ambassador	James Swan	9/13
Deputy Chief of Mission	Eric Madison	11/12
Chiefs of Sections:		
Management	Erin Butler	7/15
Consular	William Barry	9/14
Political	Perlita Muiriri	7/14
Economic	John Kelley	1/13
Public Affairs	Ellen Masi	7/12
Regional Security	Vacant	
Other Agencies:		
Defense Attaché Office	Colonel Allen Pepper	8/15
Centers for Disease Control	Kassim Sidibe	1/12
USAID	Diana Putman	8/11
U.S. Department of Defense Office of Security Cooperation	Major Kevin Toth	9/14

APPENDIX A: PURPOSE, SCOPE, AND METHODOLOGY

This inspection was conducted in accordance with the Quality Standards for Inspection and Evaluation, as issued in 2012 by the Council of the Inspectors General on Integrity and Efficiency, and the Inspector's Handbook, as issued by OIG for the Department and the Broadcasting Board of Governors.

Purpose and Scope

The Office of Inspections provides the Secretary of State, the Chairman of the Broadcasting Board of Governors, and Congress with systematic and independent evaluations of the operations of the Department and the Broadcasting Board of Governors. Inspections cover three broad areas, consistent with Section 209 of the Foreign Service Act of 1980:

- **Policy Implementation:** whether policy goals and objectives are being effectively achieved; whether U.S. interests are being accurately and effectively represented; and whether all elements of an office or mission are being adequately coordinated.
- **Resource Management:** whether resources are being used and managed with maximum efficiency, effectiveness, and economy and whether financial transactions and accounts are properly conducted, maintained, and reported.
- **Management Controls:** whether the administration of activities and operations meets the requirements of applicable laws and regulations; whether internal management controls have been instituted to ensure quality of performance and reduce the likelihood of mismanagement; whether instance of fraud, waste, or abuse exist; and whether adequate steps for detection, correction, and prevention have been taken.

Methodology

In conducting inspections, the inspectors review pertinent records; as appropriate, circulate, review, and compile the results of survey instruments; conduct on-site interviews; and review the substance of the report and its findings and recommendations with offices, individuals, organizations, and activities affected by this review.

For this inspection, the inspectors reviewed 58 personal questionnaires, 72 work and quality of life questionnaires, and 110 questionnaires from LE embassy staff members. In Washington, the inspectors conducted 60 interviews with Department and other U.S. Government officials engaged in work on the DRC. In Kinshasa, OIG conducted 116 interviews and observed more than 20 meetings. OIG carried out a physical inspection of four U.S. Government facilities that comprise the mission, along with the residences of the Ambassador, the DCM, and eight staff members.

APPENDIX B: RESOURCE MANAGEMENT

Table 1: FY 2015 Staffing and Funding, by Agency

Agency	U.S. Direct-Hire Staff	U.S. Local-Hire Staff	Foreign National Staff	Total Staff ¹	Total Funding FY 2015
Department of State					
Diplomatic and Consular Programs	34	4	8	46	\$2,925,300
International Cooperative Administrative Support Services	9	16	240	265	\$14,720,800
Public Diplomacy	3	0	14	17	\$1,536,900
English Teaching Programs ²	0	2	53	55	\$1,767,421
Machine Readable Visa ³	0	3	7	10	\$659,976
Diplomatic Security	6	0	12	18	\$857,238
Marine Security	13	0	0	13	\$170,500
Representation	0	0	0	0	\$40,600
Gift Funds	0	0	0	0	\$21,117
OBO	1	0	0	1	\$2,783,092
Department of Defense					
Defense Attaché Office	5	0	1	6	\$518,703
Office of Defense Cooperation	4	0	4	8	\$134,770
Foreign Area Officer ⁴	1	0	0	1	\$0
Department of Justice					
Drug Enforcement Administration ⁵	1	0	2	3	\$228,209
President's Emergency Plan for AIDS Relief ⁶	1	0	2	3	\$12,021
USAID ⁷	56	4	94	154	\$379,300,000
Centers for Disease Control and Prevention	9	0	25	34	\$1,634,915
Totals	143	29	462	634	\$407,311,562

¹ Authorized positions

² Includes 2 eligible family members, 50 part-time teachers, and 3 administrative staff paid out of self-generating funds. Part-time teachers work up to 1,040 hours per year.

³ Includes 3 eligible family members and 7 foreign service nationals paid out of machine readable visa funds. The 4 U.S. direct-hire positions are counted under diplomatic and consular programs.

⁴ Foreign Area Officer counted as a non-serviced agency.

⁵ Includes Department International Narcotics and Law Enforcement funds.

⁶ U.S. position is a personal services contract position.

⁷ USAID figures consist of \$367.3 million in program funds and \$12 million in operating expense funds.

ABBREVIATIONS

DCM	Deputy Chief of Mission
DRC	Democratic Republic of the Congo
FAM	Foreign Affairs Manual
FAST	First- and Second-Tour
GSO	General Services Office
ICASS	International Cooperative Administrative Support Services
JAO	Joint Administrative Office
LE	Locally employed
OBO	Bureau of Overseas Buildings Operations
USAID	U.S. Agency for International Development

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