



OIG

Office of Inspector General

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Office of Inspections

March 2018

Inspection of Embassy Managua, Nicaragua

BUREAU OF WESTERN HEMISPHERE AFFAIRS

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Bureau of Western Hemisphere Affairs

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What **OIG** Found

- Employees credited the Ambassador with providing a clear strategic vision of U.S. priorities in Nicaragua, focused on the prosperity, security, and governance pillars contained in the U.S. Strategy for Engagement in Central America.
- Embassy Managua section chiefs generally managed their sections well and used resources in support of the Integrated Country Strategy.
- Embassy information management operations needed improvement in the areas of information security and contingency planning and testing.
- The embassy lacked a written mechanism to measure the American Space's overall performance to ensure Department-funded public diplomacy programs were achieving objectives.
- Embassy Managua estimated that a solar power array contract would cost \$1.76 million in unanticipated costs over five years. An updated cost-benefit study was needed before proceeding with a possible second-phase expansion of the contract.
- Embassy sections met Department of State standards for crisis preparedness, but additional planning steps were warranted because of elevated risks of natural disasters such as earthquakes and hurricanes.
- Spotlight on Success: The embassy's commercial promotion activities and its initiative for regional coordination on export promotion generated noteworthy results.
- Spotlight on Success: The Consular Section developed an innovative training program for wardens that improved its ability to assist American citizen victims of crime.

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What **OIG** Inspected

OIG inspected the executive direction, program and policy implementation, management controls, and resource management operations of Embassy Managua.

What **OIG** Recommended

This report includes eight recommendations. **OIG** made seven recommendations to improve Embassy Managua's public diplomacy, general services, and information management operations. **OIG** made one recommendation to the Bureau of Overseas Buildings Operations regarding a cost-benefit analysis of Embassy Managua's solar power contract.

In its comments on the draft report, the Department concurred with all eight recommendations. **OIG** considers the recommendations resolved. The Department's response to each recommendation, and **OIG**'s reply, can be found in the Recommendations section of this report. The Department's formal written responses are reprinted in their entirety in Appendix B.

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CONTEXT

Nicaragua is a Central American country with a population of approximately six million. Following the end of colonial rule by Spain in 1821, Nicaragua became an independent republic in 1838. After independence, the country experienced frequent periods of armed conflict, rebellion, and dictatorships. Diplomatic relations with the United States have been severed or interrupted several times.

A civil war sparked by government corruption brought to power the Marxist Sandinista guerrillas in 1979, led by a junta that included Daniel Ortega Saavedra. After losing three successive presidential elections, Ortega won the presidency in 2006 and was reelected in 2011 and 2016. Since 2006, the Sandinista National Liberation Front government has grown increasingly authoritarian as Ortega consolidated control over political institutions. Human rights concerns include restrictions on citizens' right to vote and increased government harassment and intimidation of civil society groups. Transparency International ranked Nicaragua 145 out of 176 countries in its 2016 Corruption Perceptions Index. Nicaragua's macroeconomic policies have been mostly mainstream and market-based. It participates in the U.S.-Central America-Dominican Republic Free Trade Agreement.

U.S. diplomatic engagement in Nicaragua is guided by the U.S. Strategy for Engagement in Central America.¹ The Government of Nicaragua and the United States cooperate on law enforcement, counternarcotics, disaster preparedness, trade facilitation, and other matters of mutual national interest. However, the U.S. Government halted most bilateral and security assistance to Nicaragua in 2012, citing concerns about fiscal transparency.

Embassy Managua's FY 2015-2017 Integrated Country Strategy has three main goals:

- Expanding economic opportunity and prosperity.
- Achieving a secure and democratic future with social inclusion for all.
- Creating a public opinion environment that is supportive of U.S. policy initiatives.

Embassy Managua's authorized staffing levels included 86 U.S. direct-hire employees and 707 locally employed (LE) staff members. Other agencies represented in the mission include the Departments of Defense, Homeland Security, and Justice; the Peace Corps; and the U.S. Agency for International Development (USAID). U.S. bilateral development assistance to Nicaragua in FY 2016 was \$10 million, primarily through USAID-funded democracy and governance programs. Also in FY 2016, the Department awarded \$3.61 million in grants and cooperative agreements to

¹ The U.S. Strategy for Engagement in Central America is a multi-year U.S. government plan promoting institutional reforms and addressing developmental challenges. The Strategy aims to protect American citizens by addressing the security, governance, and economic drivers of illegal immigration and illicit trafficking, while increasing opportunities for U.S. and other businesses.

nongovernmental organizations for rule of law, democracy, and governance, and HIV/AIDS programs.

OIG evaluated the embassy's policy implementation, resource management, and management controls, consistent with Section 209 of the Foreign Service Act.² The companion classified inspection report discusses the mission's security program and issues affecting the safety of mission personnel and facilities, the information management program, and certain aspects of the advocacy and analysis program.

EXECUTIVE DIRECTION

OIG assessed embassy leadership on the basis of 91 interviews that included comments on the Ambassador's and the Deputy Chief of Mission's (DCM) performance, 224 questionnaires, and OIG's review of documents and activities during the course of the on-site portion of the inspection.

Tone at the Top and Standards of Conduct

The Ambassador arrived in Managua in September 2015, after serving as DCM in Embassy Mexico City, where she was selected as the 2013 Outstanding DCM of the Year. Immediately prior to her posting in Mexico, she served as the Deputy Executive Director of the Bureau of Consular Affairs in Washington. The DCM arrived in Managua in June 2017, after serving as Director of the Public Diplomacy Training Division of the Foreign Service Institute.

The Ambassador and the DCM exhibited the leadership principles contained in 3 Foreign Affairs Manual (FAM) 1214. Embassy employees consistently told OIG that the Ambassador and the DCM created a positive leadership climate, modeling behavior consistent with the leadership principles. They described the Ambassador as decisive, energetic, and willing to support section operations by personally engaging with the host country and attending section-sponsored events, such as public diplomacy programs and foreign assistance-related meetings. In addition, section and agency chiefs credited the Ambassador with providing a clear strategic vision of U.S. priorities in Nicaragua, consistent with 3 FAM 1214(3) guidelines.

The Ambassador modeled integrity and commitment to ethical values through her adherence to Department standards on representational events and gifts. For example, she regularly sought ethics advice from the Department when attending advocacy and fundraising events. In addition, the Ambassador exceeded the standards described in 2 FAM 964 by ensuring that all gifts, regardless of dollar value, were recorded in the embassy gift registry. Similarly, the Ambassador emphasized the importance of Equal Employment Opportunity and diversity principles. She promoted awareness of lesbian, gay, bisexual, and transgender human rights, designated three LE staff members as Equal Employment Opportunity liaisons, and used a town hall meeting to personally introduce the embassy's Equal Employment Opportunity counselor.

² See Appendix A.

Under her direction, the embassy issued written guidance in English and Spanish on how to recognize, avoid, and address sexual harassment.

Embassy Worked in Challenging Operating Environment

The Ambassador and Embassy Managua operated in a challenging environment because of the nature of the bilateral relationship, described further in the companion classified report to this inspection. For example, embassy staff were limited in their ability to meet freely with host country officials. Between March and mid-August 2017, the Ambassador's calendar reflected only five meetings with Nicaraguan Government officials. Despite this challenge, the Ambassador cultivated key contacts, consistent with 2 FAM 113c(7), and ensured that the DCM had access to Nicaraguan leadership. She actively participated in events outside the embassy. In reviewing her calendar from May through July 2017, OIG found that the Ambassador hosted or attended 60 events related to public diplomacy, development, trade promotion, and other mission priorities.

The challenging operating environment made it necessary for the Ambassador herself to liaise with officials in the host country government on routine matters, such as American citizen services and administrative issues. (Ordinarily, these types of issues would be handled by an American officer in the appropriate office in the mission.) To effectively liaise with the Nicaraguan Government, the Ambassador frequently interacted directly with relatively junior embassy staff below the level of section chief. The Ambassador acknowledged that these direct interactions could create a perception that the Front Office did not have full confidence in section leadership. To counter this perception, OIG advised the Ambassador to employ part of her remaining time at post to fully empower the DCM and section chiefs to prepare them for future leadership roles, as required in 3 FAM 1214b(8). In response, the Ambassador designated the DCM to chair the Emergency Action Committee and agreed to assign section chiefs the responsibility for reporting on meetings with Nicaraguan Government officials.

Leadership Initiative Was Positive but Time-Consuming

The Ambassador promoted the 10 leadership and management principles in 3 FAM 1214 through an initiative that involved all mission employees. American and LE staff were assigned to teams that worked together to present a specific principle each month at a town hall meeting. Employees told OIG that the initiative gave them a better understanding of how to apply the principles and brought U.S. direct-hire and LE staff together, but many employees also said it created some stress due to the additional work required to prepare presentations. OIG advised the Ambassador to conduct an after-action review of the initiative to determine how future leadership development initiatives might be improved.

Execution of Foreign Policy Goals and Objectives

The Ambassador pursued a policy agenda with three pillars—promoting prosperity, security, and good governance—in U.S. relations with Nicaragua, as contained in the U.S. Strategy for Engagement in Central America and the embassy's Integrated Country Strategy (ICS). After her arrival at post and consistent with leadership principles in 3 FAM 1214, the Ambassador led an

exercise to update the ICS. She developed a mission strategic statement incorporating the three ICS pillars. Three interagency working groups reflected the pillars in the mission strategic statement, and the work of these groups was reinforced by a strategy session chaired by the DCM to review progress and plan future initiatives.



Figure 1: Embassy Managua Mission Strategic Statement in Embassy Atrium

(Source: Embassy Managua)

The embassy focused its efforts on the prosperity pillar, specifically on increasing U.S. exports to Nicaragua. Nicaragua is a growing market and the Ambassador often participated in commercial promotion activities on behalf of U.S. firms. Washington officials interviewed by OIG praised the Ambassador's personal involvement to help U.S. firms, citing her participation in three web-based seminars for small- and medium-sized firms. As highlighted later in this report in a "Spotlight on Success," the Ambassador also assisted with the embassy's innovative commercial promotion efforts.

Adherence to Internal Controls

The Ambassador and the DCM prepared the FY 2017 Annual Chief of Mission Management Control Statement of Assurance in accordance with 2 FAM 022.7(1), which requires chiefs of mission to develop and maintain appropriate systems of management control for their organizations. At the Ambassador's direction, embassy sections filled out OIG inspection preparation questionnaires to supplement their statements of assurance and management control checklists starting in 2016. The Ambassador personally reviewed these materials as part of her management control assessment.

OIG also found that the Front Office was attending to management controls in other areas. For example, the Ambassador engaged with the board of the Binational Center,³ a Department-funded grant recipient, to address leadership and internal controls issues brought to her attention. In addition, the DCM carried out regular reviews of the Consul General's nonimmigrant visa adjudications, as required by 9 FAM 403.9-2(d) and 9 FAM 403.10-3(d), meeting 100 percent of the required standard in the period between July 1 and October 15, 2017.

Security and Emergency Planning

Embassy Managua met Department standards for emergency preparedness across sections. Embassy employees told OIG that the Ambassador and the DCM fully supported the Regional Security Officer's efforts to protect embassy staff, families, and facilities. The Ambassador was personally involved in maintaining safety and security for the mission, consistent with her responsibilities under 12 Foreign Affairs Handbook (FAH)-1 H-721a. For example, the Ambassador monitored participation by employees in weekly radio checks. During the first 9 months of 2017, the embassy held seven mandatory security drills, supplemented by a crisis management exercise and a mission-wide earthquake preparedness drill.

Embassy Prepared for Earthquake Contingencies but Could Do More

The embassy took appropriate, required actions to prepare for earthquakes, but the country's high seismic risk warranted consideration of additional steps to enhance preparedness for this specific risk. The embassy had assessed and mitigated seismic risks in the embassy housing pool, as required by 15 FAM 252.6f(3). The embassy also acquired mobile trailers equipped with emergency response materials to facilitate response to a natural disaster. The Bureau of Overseas Buildings Operations, however, rates Managua in the highest category for earthquake risk. Accordingly, OIG advised the embassy to review best practices employed by other missions at high risk of earthquake disaster. These practices include steps such as convening an emergency preparedness working group, hiring a dedicated emergency planning employee, and conducting regional training with neighboring embassies, to further improve its emergency preparedness posture.

Developing Future Foreign Service Leaders

The DCM oversaw the mission's First- and Second-Tour employee development program for 13 Department and USAID officers and specialists. Although he only arrived in June 2017, by the time of the inspection the DCM had already engaged in monthly discussions with First- and Second-Tour employees structured around a published article or theme, such as the leadership styles of different Secretaries of State. Employees stated that these mentoring sessions took place through informal discussions that were useful for their professional development, and that the DCM tailored the sessions in consultation with them, an approach recommended in

³ Founded in 1993, the Binational Center is an independent cultural and educational institution designed to build good relations between the United States and Nicaragua.

Department cable 2015 State 23542.⁴ The DCM also established a weekly office hour for First- and Second-Tour employees to meet with him one-on-one to discuss professional development.

POLICY AND PROGRAM IMPLEMENTATION

Advocacy and Analysis

Political and Economic Sections' Activities Supported Mission Goals

OIG reviewed the Political and Economic Sections' leadership and management, policy implementation, reporting, advocacy, and commercial promotion. OIG also reviewed Leahy vetting,⁵ grants management activities carried out by a unit within the Political Section, and export control and end-use monitoring activities.⁶ OIG found all met Department standards. The Political and Economic Sections fulfilled advocacy and reporting responsibilities in accordance with ICS objectives as well as Embassy Managua's mission strategic statement. Department offices and other agencies described embassy reporting as useful and the sections' support for program activities as helpful and strategic. For example, U.S. Government officials praised Embassy Managua's analysis and feedback on election observation and on policy issues for multilateral development bank lending. OIG reviewed 116 reporting cables from February through September 2017 and found them to be appropriately sourced, timely, and relevant to ICS goals.

Spotlight on Success: Successful Trade Promotion and Coordination

The embassy's commercial promotion activities and its initiative for regional coordination generated noteworthy results, with one Department official telling OIG the embassy modeled best practices in its commercial work. In the absence of a U.S. Commercial Service presence, Embassy Managua strategically focused its commercial promotion efforts on three industry sectors—construction, franchising of U.S. businesses, and hotel/restaurant equipment. The embassy also increased the number of commercial services it provided to U.S. businesses. These efforts directly contributed to \$19.4 million of U.S. exports to Nicaragua from January through October 2017, an improvement over 2016, when embassy efforts contributed to \$10.9 million in U.S. exports. In addition, regional interagency roundtables, initiated by the embassy in 2017, enabled better information-sharing and generated a common tool for multiple U.S. agencies to track commercial promotion activities across Central America.

⁴ Cable 2015 State 23542, "Mentoring for a Stronger Department of State," March 5, 2015.

⁵ The Leahy Amendment to the Foreign Assistance Act of 1961 prohibits the Department of State from furnishing assistance to foreign security forces if the Department receives credible information that such forces have committed gross violations of human rights. See 22 U.S.C. § 2378d.

⁶ The Bureau of International Narcotics and Law Enforcement Affairs requires that certain property purchased with foreign assistance funds be subject to end-use monitoring to ensure the assistance is being used for its intended purposes. In general, equipment valued at over \$2,500 or items designated as defense articles or dual-use items are subject to the end-use monitoring requirements of Section 484(b) of the Foreign Assistance Act of 1961 and Section 40A of the Arms Export Control Act. See 22 U.S.C. §§ 2291(c), 2785.

Leahy Vetting and Export Control Checks Conducted in Accordance with Department Requirements

The embassy conducted Leahy vetting and Blue Lantern export control checks⁷ according to Department standards. In the 300-day period ending September 2, 2017, the embassy vetted, through the Department's electronic Leahy vetting system, 405 individuals and units receiving training and assistance.

Foreign Assistance

Grants Management, End-Use Monitoring Adhered to Department Standards

The embassy carried out grants management and end-use monitoring responsibilities in accordance with Department standards. Members of the embassy's International Narcotics and Law Enforcement unit fulfilled grants officer representative duties to monitor seven Washington-issued grants to nongovernmental organizations for citizen security, drug demand reduction and rule of law activities. OIG reviewed files for seven grants, with a total award value of \$13.19 million,⁸ and found that grants officers and grants officer representatives properly conducted required monitoring and evaluation.

Due to Nicaragua's challenging operating environment, the embassy was unable to conduct all end-use monitoring checks for sensitive items donated to the host country. Such checks are required by Bureau of International and Narcotics Affairs Standard Operating Policy/Procedure for End Use Monitoring, Number 4570. However, the unit actively worked with its counterparts in the Nicaraguan Government to gain access to conduct the checks.

Public Diplomacy

OIG reviewed the Public Affairs Section's operations, including grants management, alumni engagement, English language programs, traditional and social media outreach, exchanges, educational advising, and the section's leadership and strategic planning. OIG determined that the section's activities aligned with ICS goals and that operations generally complied with Department standards and policies. However, OIG had concerns about the embassy's American Space,⁹ as discussed below.

⁷ Blue Lantern is a Department-managed end-use monitoring program established to implement the Arms Export Control Act and International Traffic in Arms Regulations. Blue Lantern verifies the legitimacy of export transactions covered by the United States Munitions List. In order to detect and deter illegal and unauthorized arms transfers, the Department may request embassy officers to conduct inquiries with foreign government and business representatives and make site visits. 22 U.S.C. § 2785.

⁸ Grants reviewed included multi-year awards.

⁹ American Spaces are Department-operated or -supported public diplomacy facilities that host programs and use digital tools to engage foreign audiences in support of U.S. foreign policy objectives. 10 FAM 381 et. al.

Embassy Did Not Plan or Assess American Space Performance

Embassy Managua lacked written strategic planning and evaluation mechanisms to ensure that the Department-funded American Space in Managua was achieving its performance objectives. The American Space received multiple Federal assistance awards to renovate its premises and carry out an array of public diplomacy programs. These awards totaled \$1.94 million since FY 2010, including approximately \$288,000 awarded through 14 grants in FY 2017. The Bureau of International Information Programs' Standards for American Spaces calls for an annual plan for resource development and programming, while 10 FAM 387.2d requires assessments of American Space performance. These requirements were not met, however, as staffing constraints prevented the Public Affairs Section from developing a strategic plan and creating mechanisms to evaluate the American Space. Without strategic planning and evaluation mechanisms, the embassy is unable to effectively assess the performance of the American Space.

Recommendation 1: Embassy Managua should implement strategic planning and evaluation mechanisms to assess the performance of its American Space. (Action: Embassy Managua)

Public Diplomacy Grants Managed According to Department Guidelines

OIG determined that the Public Affairs Section managed its grant files consistent with Department standards. OIG reviewed 24 of 111 grants from FY 2016 and FY 2017, ensuring a mix of dollar value, grant type, awardee, and funding office. The grants reviewed totaled \$984,026, or 66 percent of the total award value of \$1.5 million. During the inspection, the Public Affairs Section incorporated OIG suggestions to strengthen grants administration by revising its standard operating procedures to include updates to Department policy on competition and awards to individuals.¹⁰ In addition, because the embassy designated 5 additional grant officer representatives in the 2 years prior to this inspection—some of whom lacked experience managing grants—OIG also advised the Public Affairs Section to increase refresher training opportunities to enhance their familiarity with Department grants policies and procedures.

Consular Affairs

OIG reviewed implementation and oversight of consular operations, including consular leadership, U.S. citizen services, crisis preparedness, management controls, visa services and processing, and anti-fraud programs. OIG found that all programs complied with guidance in 7 FAM, 9 FAM, 7 FAH, applicable statutes, and other Department policies. In addition, the Consul General and staff improved operations by consolidating nonimmigrant and immigrant visa operations, filling vacancies in the American Citizen Services Unit, reorganizing and testing the warden system, training wardens, and addressing management controls deficiencies. OIG advised the Consular Section to strengthen its crisis preparedness efforts, training, and records management, as discussed below.

¹⁰ The Department's Federal Assistance Directive, updated and reissued in October 2017, contains guidance on open competition for selecting recipients and awards to individuals.

Overall Crisis Preparedness Satisfactory, But Additional Planning Would Improve Disaster Readiness

Nicaragua was ranked 14th out of 171 countries worldwide in disaster risk owing to five natural hazards.¹¹ OIG found that the Consular Section complied with crisis preparedness guidelines in 7 FAM 1810 and 7 FAM 1840. However, given the challenging operating environment and the embassy's limited official communication channels with the host country government, OIG advised the Consul General on additional planning that could improve disaster preparedness. OIG advised the embassy to complete the Consular Risk Assessment Tool, which would help identify and mitigate post-specific risks to U.S. citizens.¹² OIG also suggested that consular managers coordinate with their counterparts in other Central American countries on disaster preparedness and response planning given that, in the event of a significant disaster, they would likely need to call on each other for assistance. Finally, OIG suggested that the Consular Section assess how it would engage with the Government of Nicaragua during a natural disaster. In response to OIG's suggestions, the Consul General scheduled a section meeting to complete the Consular Risk Assessment Tool and told OIG she would look into the feasibility of the other two planning activities.

American Citizens Services Training Needed for Locally Employed Staff

The American Citizens Services Unit LE staff had not received the recommended training necessary to support services to Nicaragua's community of about 40,000 resident American citizens. This training is especially important because the LE staff members were relatively inexperienced, and none had more than 2 years' experience. Embassy Managua had sought training for the unit's LE supervisor, but the Foreign Service Institute (FSI) denied the request because the supervisor did not meet FSI's requirement that students have more than 2 years' experience in their consular position before attending its training. OIG advised the embassy to engage with the Bureau of Consular Affairs to seek waivers to the tenure requirements for regional and FSI-based training to expedite training for these employees.

Immigrant Visa Files Need to Be Retired

The Consular Section had not retired several thousand immigrant visa files, some of which were more than 20 years old. Previous consular managers did not process many of these cases to conclusion or did not properly dispose of closed files. Most inactive files could not be closed or disposed of except through time-intensive procedures beyond the capacity of existing staff. OIG advised Embassy Managua to consult with the Bureau of Consular Affairs to devise a plan for resolving and disposing of inactive immigrant visa files.

¹¹ United Nations University Institute for Environment and Human Security, World Risk Index, 2016. The five natural hazards are earthquakes, cyclones, floods, droughts, and sea-level rise.

¹² Post-specific risks for Embassy Managua include natural disasters, such as hurricanes and earthquakes, and limited official communications channels with the Government of Nicaragua.

Spotlight on Success: Warden Training on Assisting Victims of Crime

The embassy developed an innovative training program for its American citizen wardens, who volunteer to assist the embassy in helping U.S. residents and visitors in Nicaragua. After a series of violent crimes against American citizens, some in remote areas not immediately accessible to consular staff, the embassy engaged with the Bureau of Consular Affairs, Office of Overseas Citizens Services, to develop victims' assistance training for wardens. In April 2017, Consular Section employees and a Department victims' assistance expert trained 23 of Managua's 35 active wardens on the immediate and long-term effects of trauma, coping mechanisms, local and U.S.-based resources, and the availability and limits of embassy assistance. The training was put into action almost immediately when an American citizen was assaulted in a remote part of Nicaragua.

RESOURCE MANAGEMENT

OIG reviewed internal control systems in the human resources, financial management, general services, facilities management, information management, health unit, employee association, and Equal Employment Opportunity programs. At the time of the inspection, three of seven Human Resources LE staff positions were vacant and could not be filled because of the Department's hiring freeze.¹³ Human Resources Office employees told OIG these vacancies could cause them to curtail services such as training, job recruitment inquiries, and assisting hiring managers with drafting and classifying position descriptions. The Human Resources Office's capacity to deliver services will be further strained by the embassy's plan to hire an additional 219 local guards, as discussed below. Notwithstanding these pressures, OIG found that the Management Section generally implemented required processes and procedures in accordance with applicable laws and Department guidance, except as noted below.

Human Resources

Local Guard Force Work Schedule Did Not Comply with Local Labor Law

Embassy Managua's 60-hour per week work schedule for its local guard force did not comply with local labor law, which limits employees to a 48-hour work week. Further, the embassy's policy of assigning local guard force drivers to a 60-hour work week resulted in drivers routinely exceeding the 10-hour per day limit for drivers. As stated in Department guidance,¹⁴ embassies must limit driver shifts to 10 hours a day to reduce the risk of motor vehicle mishaps caused by driver fatigue. The embassy had been using a 60-hour schedule for the local guard force since at least 2008, despite concerns that the practice violated local labor law, because development of a solution required consultations between the embassy and the Department over a period of years. In October 2017, the Bureau of Human Resources approved the embassy's plan to comply with local labor law. The Ambassador informed OIG that the embassy immediately would begin

¹³ In April 2017, the Department extended its hiring freeze, initiated on January 23, 2017, that applied to most Department positions.

¹⁴ Motor Vehicle Safety Management Program for Overseas Posts, Section 7(f), November 2009.

revisions to the embassy's local compensation plan and seek approval to hire 219 additional local guard force employees, steps that would address the concern. As a result, OIG did not make a recommendation in this report.

Financial Management

Embassy Directly Paid Official Residence Expense Staff Salaries

The embassy directly paid official residence expenses staff salaries via electronic funds transfer. This practice violates 3 FAM 3257(a), which requires the principal representative or the household manager to pay the official residence staff. An August 2017, OIG report made two recommendations to the Department to address the payment of official residence staff.¹⁵ In response to OIG's recommendations, the Department reported that direct payments to official residence expenses staff—via post cashier, electronic funds transfers, and/or in cash directly from a post cashier—will be discontinued and the Department will update its policy guidance accordingly. As a result, OIG did not make a recommendation in this report.

Facilities Management

Embassy Did Not Conduct Required Health and Safety Inspections

OIG found that the embassy's Post Occupational Safety and Health Officer, who is responsible for day-to-day safety, occupational health, and environmental program management, did not perform the required annual inspection of all Embassy Managua office work areas and semi-annual inspections of increased-risk work areas and operations, as required by 15 FAM 962. Failure to follow these requirements increases the risk that workplace hazards will not be identified and mitigated.

Recommendation 2: Embassy Managua should perform required annual inspections of all office work areas and semi-annual inspections of increased risk work areas and operations. (Action: Embassy Managua)

Energy Savings Performance Contract Resulted in Higher U.S. Government Costs

In September 2014, the Department signed a 23-year Energy Savings Performance Contract (ESPC) with a large U.S. firm, with a total award value of \$35.9 million, to install a solar power array at the embassy. An ESPC is a partnership between a Federal agency and an energy service company, whereby the company conducts a comprehensive energy audit of Federal facilities and identifies improvements to save energy. In consultation with the Federal agency, the company designs and constructs a project that meets the agency's needs, arranges the necessary funding, and guarantees that the improvements will generate energy cost savings that

¹⁵ OIG, *Compliance Follow-up Review: Department of State Has Not Implemented Recommendations Pertaining to Official Residence Expense Staff Salaries* (ISP-C-17-32, August 2017). OIG originally brought this issue to the Department's attention in 2014. OIG, *Management Assistant Report: Direct Payment of Official Residence Expenses Staff Salaries* (ISP-I-14-11).

pay for the project over the term of the contract. The Department's ESPC contract with the U.S. firm included a second-phase option that, if exercised by 2019, would expand production to about 75 percent of Embassy Managua's electricity needs. Although the contract succeeded in delivering about half the embassy's electricity needs, a drop in local electricity prices resulted in unexpectedly high costs under the contract when compared with locally available resources, which called into question the prudence of further expansion of the contract.

OIG found that the ESPC cost projections prepared by Bureau of Overseas Buildings Operations did not accurately predict actual operating costs. Specifically, the analysis projected that electricity procured through the ESPC would save the U.S. Government \$4.78 million over a five-year period, from FY 2017 to FY 2021. However, Embassy Managua estimated that the contract instead would cost \$1.77 million in higher electricity costs over the same period because of the unexpected drop in locally procured electricity costs. As of October 2017, the Department had not exercised its option to expand ESPC-procured electricity to a second phase but was considering doing so, despite concerns expressed by Embassy Managua that the contract was not cost effective. As required by Title 48 of the Code of Federal Regulations, subsection 23.205(a),¹⁶ agencies should make maximum use of ESPC contract mechanisms to the extent that they are cost effective over the lifecycle of the contract. Without an updated cost-effectiveness study, the Bureau of Overseas Buildings Operations cannot make this determination and is at risk of wasting funds if it nonetheless proceeds with a second-phase ESPC expansion for Embassy Managua.

Recommendation 3: The Bureau of Overseas Buildings Operations, in coordination with the Bureau of Western Hemisphere Affairs, should conduct a cost-benefit analysis of Energy Savings Performance Contract SAQMMMA13F1607 prior to exercising contractual options for a second-phase expansion under the contract. (Action: OBO, in coordination with WHA)



Figure 2. Embassy Managua Solar Power Array (Source: OIG photo)

¹⁶ See also The National Energy Conservation Policy Act, 42 U.S.C. § 8287 (2007).

General Services Operations

Mission Drivers Lacked Armored Vehicle Training

Four chauffeurs who drove armored vehicles as part of their daily duties lacked armored vehicle training. This is inconsistent with Department guidelines at 12 FAM 389(b), which require supervisors to ensure that any chauffeur assigned to regularly drive an armored vehicle attends armored vehicle training. Such training is necessary because driving armored vehicles requires specialized skills to ensure effective and safe operation. Failure to provide armored vehicle training accordingly increases the risk of motor vehicle mishaps.

Recommendation 4: Embassy Managua should require that all drivers assigned to operate armored vehicles receive required training. (Action: Embassy Managua)

Smith Safety Driver Training Needed for All Embassy Drivers

OIG found that neither the Post Occupational Safety and Health Officer nor the General Services Officer verified that all chauffeurs and incidental drivers under Chief of Mission authority received Smith Safety driver training,¹⁷ as required by 14 FAM 432.4(c)(2) and the Department's Motor Vehicle Safety Management Program guidance. Although the embassy enforced these standards for the Department's LE staff drivers, it did not do so for drivers from other agencies in the mission. Failure to enforce these standards consistently increases the risks to drivers, passengers and the public, and damage to the U.S. Government property.

Recommendation 5: Embassy Managua should require that all chauffeurs and incidental drivers under Chief of Mission authority receive Smith Safety driver training. (Action: Embassy Managua)

American Employee Association

Embassy's Employee Association Required Management Attention

OIG found operational problems at the American Employee Association of Managua, Nicaragua, that required management attention. In 2016, an independent auditor reviewed the association's records and identified controls over cash receipts and inventory as weaknesses. At the time of the inspection, none of the auditor's recommendations had been implemented. While the Board of Directors took actions to stabilize operations, the association still lacked an adequate system of internal controls to protect its assets. For example, no one conducted monthly, random unannounced counts of cash and inventory, as required by 6 FAM 531(d), nor did the association ensure separation of duties to reduce the risk of misuse or loss of funds and assets. These practices are inconsistent with guidance in 6 FAM 554(a), which requires that a principal officer, or designee, attest in the annual commissary certification that an employee association has in place an adequate system of internal controls. OIG advised the embassy to

¹⁷ The Smith System training is a program designed to teach drivers to see and avoid driving hazards.

review the association's operations and take appropriate action to ensure internal controls exist to protect the association's assets. The Ambassador agreed to have the association's American officers play a greater role in overseeing operations.

Information Management

OIG reviewed the embassy's Information Management (IM) Section operations, including classified, unclassified, and dedicated internet computer operations; physical protection of IT resources; classified communications security; emergency communications preparedness; radio and telephone programs; and mail and pouch services. OIG found significant technical and operational weaknesses in the embassy's classified computer operation, which are discussed further in the companion classified report of this inspection. OIG advised IM employees to correct minor compliance issues, including unclassified network access management, configuration change controls, and communications security routine maintenance. Other IM operations met Department guidance and policies, except as noted below.

Information Systems Security Officers Did Not Perform Required Duties

The embassy's unclassified and classified Information Systems Security Officers (ISSO) did not use the Department's ISSO checklist, as required by 5 FAH-11 H-116, and thus did not perform all required information systems security duties. For example, they did not review and analyze information systems audit logs for inappropriate or unusual activity, as required by 12 FAM 613.4. As a result, OIG found multiple issues in the classified computer operation, discussed further in the companion classified report. OIG identified similar issues in a May 2017, Management Assistance Report,¹⁸ which highlighted widespread failures to perform ISSO duties. In a subsequent Department cable,¹⁹ the Bureau of Information Resource Management requested embassy management work with ISSOs to ensure performance of ISSO duties by prioritizing resources to ensure cyber security needs were met and documented. Here, Embassy Managua's deficiencies could have been prevented with regular performance of ISSO duties. Lack of time and access to automated monitoring tools led to non-performance of these duties, which placed at risk the security of the Department's computer systems.

Recommendation 6: Embassy Managua should require that Information Systems Security Officers perform information security duties in accordance with Department guidance. (Action: Embassy Managua)

Information Technology Contingency Planning Did Not Meet Department Standards

IM Section managers did not update or test the embassy's unclassified and classified IT contingency plans, as required by 12 FAH-10 H-232.3-1.b(1-3). In particular, Department guidelines require management to develop and test IT contingency plans annually for effectiveness and to determine the mission's readiness to execute them during unplanned

¹⁸ OIG, *Management Assistance Report: Non-Performance of Information Systems Security Officer Duties by Overseas Personnel* (ISP-17-24, May 2017)

¹⁹ Cable 2017 State 104970, "Documenting Information Systems Security Officer (ISSO) Duties," October 8, 2017.

system outages or disruptions. These issues should be addressed, as inadequate contingency planning and testing prevents IM Section managers from mitigating the risk of system and service disruptions.

Recommendation 7: Embassy Managua should update and test information technology contingency plans for unclassified and classified networks in accordance with Department standards. (Action: Embassy Managua)

Information Technology Contingency Plan Training Not Conducted

The embassy did not conduct initial and annual refresher IT contingency training for employees with IT contingency planning responsibilities. According to 12 FAH-10 H-232.2-1, management must ensure that employees receive such training based on their roles and responsibilities, as defined in the IT contingency plans themselves. IM Section managers did not conduct this training because they did not have current IT contingency plans that identified the employees who need such training. Failure to complete initial and annual refresher IT contingency plan training impedes the embassy's ability to respond to unplanned systems outages or disruptions.

Recommendation 8: Embassy Managua should implement a plan for conducting initial and annual refresher information technology contingency training for employees with information technology contingency planning responsibilities. (Action: Embassy Managua)

RECOMMENDATIONS

OIG provided a draft of this report to Department stakeholders for their review and comment on the findings and recommendations. OIG issued the following recommendations to the Bureau of Overseas Buildings Operations and Embassy Managua. The Department's complete responses can be found in Appendix B. The Department also provided technical comments that OIG incorporated, as appropriate, into this report.

Recommendation 1: Embassy Managua should implement strategic planning and evaluation mechanisms to assess the performance of its American Space. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of the American Space strategic planning and performance evaluation mechanisms.

Recommendation 2: Embassy Managua should perform required annual inspections of all office work areas and semi-annual inspections of increased risk work areas and operations. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of the required annual and semi-annual inspections of work areas.

Recommendation 3: The Bureau of Overseas Buildings Operations, in coordination with the Bureau of Western Hemisphere Affairs, should conduct a cost-benefit analysis of Energy Savings Performance Contract SAQMMMA13F1607 prior to exercising contractual options for a second-phase expansion under the contract. (Action: OBO, in coordination with WHA)

Management Response: In its February 21, 2018, response, the Bureau of Overseas Buildings Operations concurred with this recommendation.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of the cost-benefit analysis of the Energy Savings Performance Contract.

Recommendation 4: Embassy Managua should require that all drivers assigned to operate armored vehicles receive required training. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation that all drivers assigned to operate armored vehicles receive the required training.

Recommendation 5: Embassy Managua should require that all chauffeurs and incidental drivers under Chief of Mission authority receive Smith Safety driver training. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation. The estimated completion date for the training is April 2018.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of Smith Safety driver training for all chauffeurs and incidental drivers under Chief of Mission authority.

Recommendation 6: Embassy Managua should require that Information Systems Security Officers perform information security duties in accordance with Department guidance. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of information security duties performed in accordance with Department guidance.

Recommendation 7: Embassy Managua should update and test information technology contingency plans for unclassified and classified networks in accordance with Department standards. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation. The estimated completion date for the testing is March 1, 2018.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of the updated and tested information technology contingency plans for unclassified and classified networks.

Recommendation 8: Embassy Managua should implement a plan for conducting initial and annual refresher information technology contingency training for employees with information technology contingency planning responsibilities. (Action: Embassy Managua)

Management Response: In its February 13, 2018, response, Embassy Managua concurred with this recommendation. The estimated completion date for the training is March 31, 2018.

OIG's Reply: OIG considers the recommendation resolved. The recommendation can be closed when OIG receives and accepts documentation of the training plan for employees with information technology contingency planning responsibilities.

PRINCIPAL OFFICIALS

Title	Name	Arrival Date
Chief of Mission:		
Ambassador	Laura Dogu	9/2015
Deputy Chief of Mission	Chad Cummins	6/2017
Chiefs of Sections:		
Management	Charles Davis	8/2016
Consular	Carrie Muntean	8/2015
Political	Jack Doutrich	8/2016
Economic	William Muntean	8/2015
Public Affairs	Lisa Swenarski	8/2015
Regional Security	David Brown	8/2016
Other Agencies:		
Department of Defense	Darren Lynn	12/2015
U.S. Agency for International Development	Ted Gehr	6/2015
Department of Homeland Security	Michael Zackowski	2/2017
Drug Enforcement Administration	James Rodriguez	5/2017
Peace Corps	Howard Lyon	3/2014

Source: Embassy Managua

APPENDIX A: OBJECTIVES, SCOPE, AND METHODOLOGY

This inspection was conducted between September 5 and December 22, 2017, 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 of State and the Broadcasting Board of Governors.

Objectives 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, OIG uses a risk-based approach to prepare for each inspection; reviews pertinent records, circulates, and compiles the results of survey instruments, as appropriate; conducts interviews with Department and on-site personnel; observes daily operations; and reviews the substance of the report and its findings and recommendations with offices, individuals, and organizations affected by the review. OIG uses professional judgment, along with physical, documentary, testimonial, and analytical evidence collected or generated, to develop findings, conclusions, and actionable recommendations.

For this inspection, OIG conducted approximately 199 interviews, including 91 that included comments on Embassy leadership and performance, and reviewed 224 questionnaires.

APPENDIX B: MANAGEMENT RESPONSES



Embassy of the United States of America

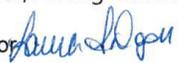
February 13, 2018

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THRU: Bureau of Western Hemisphere Affairs – Karin B. Sullivan, Deputy Executive Director

TO: OIG – Sandra Lewis, Assistant Inspector General for Inspections

CC: Bureau of Western Hemisphere Affairs (WHA) – Francisco Palmieri, Acting Assistant Secretary
Bureau of Overseas Buildings Operations – William Moser, Acting Director

FROM: Embassy Managua, Nicaragua – Laura F. Dogu, Ambassador 

SUBJECT: Response to Draft OIG Report – Inspection of Embassy Managua, Nicaragua/WHA

Embassy Managua/WHA has reviewed the draft OIG Inspection report. We provide the following comments in response to the recommendations provided by OIG:

Post suggested factual edits to the report that have not yet been incorporated. We are resubmitting them in the attached document titled, “Recommended Edits to the Draft OIG Inspection Report of Embassy Managua, Nicaragua.”

OIG Recommendation 1: Embassy Managua should implement strategic planning and evaluation mechanisms to assess the performance of its American Space.

Management Response: Post accepts the recommendation and notes that Post has already drafted the recommended strategic planning document with a list of benchmarks that we will evaluate over the next year. See suggested editorial edits via attachment.

OIG Recommendation 2: Embassy Managua should perform required annual inspections of all office work areas and semi-annual inspections of increased risk work areas and operations.

Management Response: Embassy Managua Facilities Management accepts the recommendation. A schedule for annual and semi-annual inspections, as required above, was put in place in late October 2017, and inspections of all office work areas and increased risk work areas/operations were performed in November-December 2017. The point of contact for this recommendation is Facilities Manager Douglas Teague.

OIG Recommendation 3: The Bureau of Overseas Buildings Operations, in coordination with the Bureau of Western Hemisphere Affairs, should conduct a cost-benefit analysis of Energy Savings Performance Contract SAQMMMA13F1607 prior to exercising contractual options for a second-phase expansion under the contract.

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Management Response: No action for Embassy Managua. This recommendation will be addressed by Bureau of Overseas Buildings Operations, in coordination with Bureau of Western Hemisphere Affairs.

OIG Recommendation 4: Embassy Managua should require that all drivers assigned to operate armored vehicles receive required training.

Management Response: Embassy Managua GSO accepts the recommendation. Three Motorpool drivers (two Chief of Mission drivers and one back-up) currently have the required training, while the Marine Security Guard Detachment drivers do not. Availability of training has presented a challenge for the Embassy in the past. However, Post was able to secure training spots for two drivers at the Bureau of Diplomatic Security's Training Center (DSTC) for a May 7-10, 2018 offering of this course. Additionally, DS/T/TPS advised post on February 12 that a forthcoming ALDAC will outline changes to the armored vehicle training program allowing certified trainers at Post to conduct required armored vehicle training. The point of contact for this recommendation is S/GSO Caitlin Piper.

OIG Recommendation 5: Embassy Managua should require that all chauffeurs and incidental drivers under Chief of Mission authority receive Smith Safety driver training.

Management Response: Embassy Managua GSO accepts the recommendation and has executed an aggressive action plan to comply with this requirement by April 2018. Since late October 2017, post has distributed specific Mission policies on the importance of compliance with this safety directive, implemented a Mission-wide training schedule for both LE Staff and U.S. Direct Hire incidental drivers, and is enforcing stringent repercussions (i.e. immediate loss of driving privileges) for non-compliance after the April 2018 deadline. The point of contact for this recommendation is A/GSO Donald Emerick.

OIG Recommendation 6: Embassy Managua should require that Information Systems Security Officers perform information security duties in accordance with Department guidance.

Management Response: Embassy Managua IMC accepts the recommendation and has executed an action plan to comply with this requirement. An ISSO SharePoint site and calendar has been established. ISSO's will meet on a weekly, monthly, and quarterly basis to complete ISSO tasks based on the latest ISSO checklist. They will log their results into the calendar located on the ISSO SharePoint site. They will hold each other accountable and report any issues due to staffing shortages, separation of duty, or workload to the IMO and RSO. The point of contact for this recommendation is IMO Jack Carollo.

OIG Recommendation 7: Embassy Managua should update and test information technology contingency plans for unclassified and classified networks in accordance with Department standards.

Management Response: Embassy Managua IMC accepts the recommendation and has executed an action plan to update and test the 2018 information technology contingency plans (ITCP) and bring them into compliance with Department standards by March 1, 2018. The point of contact for this recommendation is IMO Jack Carollo.

OIG Recommendation 8: Embassy Managua should implement a plan for conducting initial and annual refresher information technology contingency training for employees with information technology contingency planning responsibilities.

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Information Management Response: Embassy Managua IMC accepts the recommendation. A 2018 plan to conduct information technology contingency training is expected to be completed by the end of March 2018. The training plan will execute the 2018 information technology contingency plan (ITCP) by having responsible employees participate in a drill based on their responsibilities. The training is scheduled to occur at least twice per year, or to cover initial and refresher training for each responsible employee.

The overall point of contact for this memorandum is Management Counselor Charles W. Davis.

- Attachments: 1) Recommended Factual and Formatting Edits to Draft OIG Inspection Report of Embassy Managua, Nicaragua
- 2) Recommended Appendix C: FY 2017 Staffing and Funding by Agency

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United States Department of State
Washington, D.C. 20520

FEB 21 2018

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MEMORANDUM

TO: OIG/ISP – Ms. Sandy Lewis, Assistant Inspector General for Inspections
FROM: OBO/RM – Jürg E. Hochuli 
SUBJECT: Response to Draft OIG Report – Inspection of Embassy Managua

OBO has reviewed the draft OIG Inspection report. We provide the following response to the recommendation provided by OIG:

OIG Recommendation 3: The Bureau of Overseas Buildings Operations, in coordination with the Bureau of Western Hemisphere Affairs, should conduct a cost-benefit analysis of Energy Savings Performance Contract (ESPC) SAQMMMA13F1607 prior to exercising contractual options for a second-phase expansion under the contract. (Action: OBO, in coordination with WHA).

OBO Response: OBO accepts this recommendation. Once the Bureau of Western Hemisphere Affairs authorizes OBO to proceed with Phase Two of the Managua ESPC project, we will conduct a cost-benefit analysis. If WHA gives the approval to proceed, OBO and our contractor will perform an analysis for Phase 2 which will determine if we actually proceed with a Phase 2 ESPC.

The point of contact for this memorandum is Amy Gertsch.

APPENDIX C: FY 2017 STAFFING AND FUNDING BY AGENCY

Agency	U.S. Direct-hire Staff	U.S. Locally Employed Staff	Foreign National Staff	Total Staff ^a	Funding (\$)
Department of State					
Diplomatic & Consular Programs	24	2	16	42	1,635,560
International Cooperative Administrative Support Services	8	15	562	585	11,988,112
Public Diplomacy	3	1	12	16	1,078,118
Diplomatic Security	5	1	15	21	566,642
Marine Security Guard	8	0	4	12	162,342
Consular	5	4	11	20	499,762
International Narcotics and Law Enforcement Affairs	1	0	3	4	147,669
Subtotal	54	23	623	700	16,078,205
Department of Agriculture					
Foreign Agricultural Service	0	0	2	2	66,854
Subtotal	0	0	2	2	52,835
Department of Defense					
Defense Attaché Office	5	0	2	7	266,340
Office of Security Cooperation	10	1	5	16	130,375
Force Protection Detachment	1	0	1	2	103,398
Subtotal	16	1	8	25	500,113
Department of Justice					
Drug Enforcement Administration	5	0	1	6	262,895
Subtotal	5	0	1	6	262,895
Department of Homeland Security					
U.S. Immigration and Customs Enforcement	1	0	0	1	0
Subtotal	1	0	0	1	0
Peace Corps	3	0	48	51	2,941,529
USAID	7	2	25	34	15,800,000
Total	86	26	707	819	35,649,596

Source: Embassy Managua

ABBREVIATIONS

DCM	Deputy Chief of Mission
ESPC	Energy Savings Performance Contract
FAH	Foreign Affairs Handbook
FAM	Foreign Affairs Manual
ICS	Integrated Country Strategy
IM	Information Management
ISSO	Information Systems Security Officer
LE	Locally Employed
USAID	U.S. Agency for International Development

OIG INSPECTION TEAM MEMBERS

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Arne Baker, Deputy Team Leader
Steve Begin
Amy Bliss
Jill Derderian
Martha Fikru
Sergio Lagares
Charles Rowcliffe
Paul Sanders
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Colwell Whitney
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