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Description of document:	Council of Counsels to the Inspectors General (CCIG) meeting minutes, 2006-2014
Request date:	February 2014
Released date:	Various (see response letters)
Posted date:	19-January-2015
Source of document:	Council of the Inspectors General on Integrity and Efficiency 1717 H Street, NW, Suite 825 Washington, DC 20006 Fax: (202) 254-0162 Email: <u>FOIASTAFF@cigie.gov</u>
Note:	These minutes are assembled from records provided by several agencies, followed by the cover letters.
Note:	See following page for index of included records

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CCIG Meeting Minutes (2006-2014)

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TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG
	CCIG Vice-Chair Mark Bialek, EPA OIG
	CCIG Chair Jennifer Cron Helper, ITC OIG
SUBJECT:	Minutes of the CCIG Meeting on January 18, 2006

Next CCIG meeting will be:

Wednesday, February 15, 2006 Location To Be Determined

The CCIG meeting was held at the EPA East Building with Kathy Buller presiding.

<u>Updates</u>

Kathy Buller presented the following updates:

With respect to a January 11 email concerning Kalkines warning, Kathy informed that she had spoken to Noel Hillman, Chief of DOJ's Public Integrity Section, who reported that the new guidance will be a "best practices" memo rather than a mandatory practice directive.

CCIG has a new DOJ contact for criminal matters, Barbara Corprew,

<u>Speaker</u>

There was no speaker.

Committee Reports

There was no reporting by committees.

<u>New Business</u>

Several OIG were facing budget reductions, some in the 1-2% range.	

Al Larson (NRO OIG) reported that Paul McNulty from the Procurement Fraud Task Force has been nominated to be the Deputy Attorney General. Mr. McNulty indicated his focus on procurement fraud will continue. Richard Woodford (SEC OIG) reported that OIG's offices are moving to the new Headquarters building by Union Station. SEC OIG's FAX number has changed to (202) 772-9265. The other telephone and e-mail contact information remains unchanged.

provision applies to it, have they considered entering into an agreement with another IG to perform the work, or has any one contemplated contracting with an outside group, or can some sort of a peer review mechanism be used.

relating to having to reach a mandatory percentage of workers using Telework or have money withheld.

Mary Mitchelson (Education OIG) followed up on her email as to whether any non-1811s were called "Special Agents." One Agency called its security officers special agents

Frank Larocca (NASA OIG) asked whether any one would be interested in putting on a deadly force training for NASA.

Kathy also informed that OIG administrative staff will be contacted concerning the SSA/ECIE retreat and contributions toward an IIA to pay for fees.

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Kathy also asked if anyone had ideas for speakers for the CCIG meetings they should let her know.

TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG
	CCIG Vice-Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Jennifer Cron Helper, ITC OIG
SUBJECT:	Minutes of the CCIG Meeting on February 15, 2006

The next CCIG meeting will be held at 10:00 a.m., Wednesday, March 15, 2006 at the Environmental Protection Agency - (EPA OIG)1301 Constitution Avenue, N.W., Washington, D.C. (West Building), in Conference Room 3136.

The CCIG meeting was held at the ITC with Kathy Buller presiding.

Old Business

There was no old business.

Committee Reports

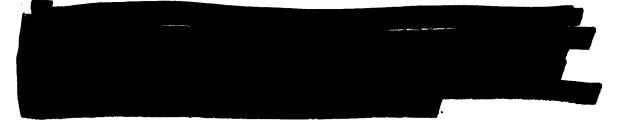
There were no committees reports.

New Business

 Kathy Buller, SSA, announced that the SSA IG, Pat O'Carroll had recently become the Chair of the PCIE/ECIE Investigative Committee and that he would like to establish a closer relationship with the CCIG. , asked if anyone had concerns over the directives contained in Executive Order (EO) 13342. EO 13342 requires each agency head to appoint a Chief FOIA Officer at the Assistant Secretary level to oversee the FOIA process within their respective agency. This Chief FOIA Officer would set the FOIA policy for the agency and appoint a FOIA Liaison Officer for each agency component who would serve in a supervisory capacity to oversee FOIA processing for the component.

Sandy Parnes, DoE, said that the hearing on Whistleblowers on national security issues seeking greater protection was held yesterday.

Omer Poirier, DoT, said that DoT was in the process of developing a policy on computer monitoring and was interested in what other OIGs had in place.



required to hire a privacy auditor under section 522 of the December, 2004 consolidated appropriations bill.

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Frank LaRocca, NASA, announced that the American Society of Access Professionals meeting in San Jose is Feb 26 to March 1. Website is: <u>http://www.accesspro.org/trainingconf2006/index.htm</u> and the agenda included a discussion of EO 13342. He also said that the American Bar Association's White Collar Crime Institute would be holding its annual conference in San Francisco on March 2-3. Reduced tuition is available for government employees upon request at ABA event. The ABA website is: <u>http://www.abanet.org/cle/programs/n06wcc1.html.</u>

Ric Doery, DHS, informed the group about an opinion from the 11th Circuit that was very favorable to IGs. Ric said that the opinion upheld the withholding of audit work papers in their entirety from disclosure under the discovery process under an exemption for deliberative process. The citation the case is 376 F3d 1270.

TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on March 15, 2006

Next CCIG meeting will be Wednesday, April 19, 2006, at 10:00 a.m. in Conference Room 3216, EPA West (the usual wood-panelled room). Steve Bunnell, Chief of the Criminal Division of the D.C. U.S. Attorney's Office, is bringing several of his managers in charge of the Federal Major Crimes Section, as well as the Fraud and Public Corruption Unit. They will address intake guidelines and procedures, recurring legal/investigative issues, etc.

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

<u>Old Business</u>



New Business

Frank LaRocca (NASA) said that Earl E. Devaney, Inspector General (Interior) is the new head of the Human Resources committee.

Martha Hirschfield (DOJ) asked about having union representatives at interviews.

Mark Bialek (EPA) asked if any agency had a Counsel with investigative functions, but still had a separate AIGI.

Mark remarked that OMB may address the SES pay issue for Inspectors General.

Jerry Hutton (CPB) asked who was attending the ADI (investigators) conference.

Tom Coogan (LSC) said that the IG Management Institute needed an instructor for the Editing Investigative Products course.

Tom asked how the OIG concept fits in under the Sarbanes Oxley act. Discussion ensued.



FDIC subcontract with L-Soft Corp. Please contact Larry if you need instructions on how to request access to the listserv. Access is limited to OIG attorneys providing legal services to their respective OIGs.

New Members

•CCIG welcomes the following new members:

Laura Canfield (HHS) Stacey Evans (FMC) Sadie Lowe (SBA)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where nonattribution was requested.

TO:	CCIG Members
TO:	CCIG Members

FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG

SUBJECT: Minutes of the CCIG Meeting held on April 19, 2006

The next CCIG meeting will be on Wednesday, May 17, 2006, at 10:00 a.m. The location will be announced in the future.

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

Speaker / Training

CCIG hosted the following speakers from the U.S. Department of Justice, Washington, DC AUSA office:

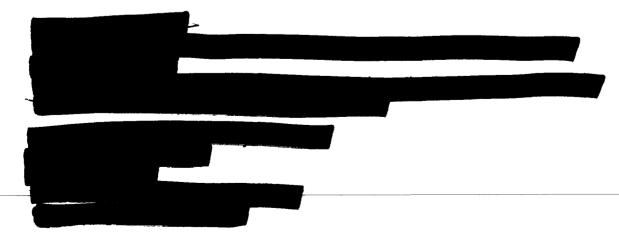
Stevan Bunnell, Chief, Criminal Division (phone#: -James Cooper, Deputy Chief, Criminal Division

Steven Durham, Deputy Fraud & Public Corruption Section

DOJ Phone Numbers:

Fraud & Public Corruption Duty Officer (phone#: 202/514-7544) DOJ Command Center (phone#: 202/514-5000)

They discussed their respective divisions, as well as criminal cases involving OIGs. Questions were asked about declinations and conflicts of interest.



New Business

Erich Hart (State) discussed the new FOIA requirements under E.O. 13392, "Improving Agency Disclosure of Information" (December 14, 2005). He asked how other OIGs were addressing the new requirements.

Jackie Becker (FRB OIG) asked how many OIG legal offices were hiring summer law clerks. FRB OIG Counsel's office would like to coordinate an OIG-wide legal intern orientation program. Those interested in participating should contact her via e-mail jackie.becker@frb.gov or telephone (202) 973-5045.

Helen also said that Mark Bialek is acting as Deputy Inspector General, as well as IG Counsel, while the office has an acting Inspector General. Please contact her for assistance.

For the stated that an unfair labor practice (ULP) was filed by the National Treasury's Employee's Union (NTEU) regarding notification in advance of the right to have an union representative present during OIG questioning and other matters.

Tom Coogan (LSC) stated that the attorney competencies will be sent to the HR committee,

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то:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on May 17, 2006
	be: nesday, June 21, 2006, at 10:00 a.m e to be announced.

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

Speaker / Training

Beth Richardson (NASA) informed the group of the following training opportunities: -FLETC Legal Advisor Conference will be held June 13-15 at the Crystal City Marriott <u>http://www.fletc.gov/legal/latc/agenda.pdf</u> -Use of force training: <u>http://www.performanceweb.org/CENTERS/LE/Events/L179/L179.htm</u>

Kathy Buller said the OGE conference will be in Orlando in March 2007.

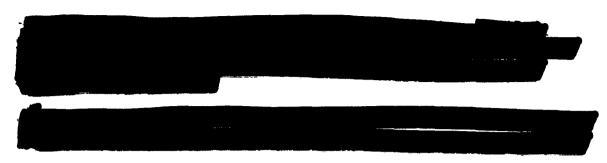
Jackie Becker mentioned the ABA Qui Tam meeting, June 14-16, 2006 in Washington, DC.

Committee Reports

Legislative

New Business

Larry introduced Rebecca Smith and Ulrika Swanson, FRB OIG's new legal interns.



Mark Bialek (EPA) provided information about a few items discussed at the IG retreat. He said:

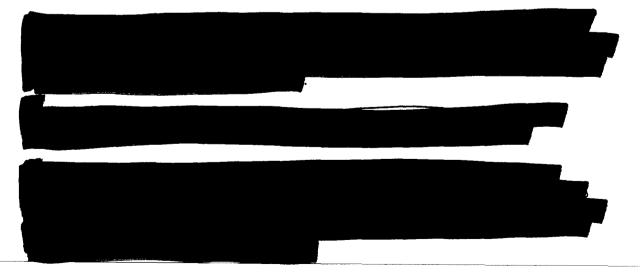
Mark said that OPM agreed to put IGs under executive schedule 3 for pay.

know if they have 1810s and/or 1811s reporting to them.

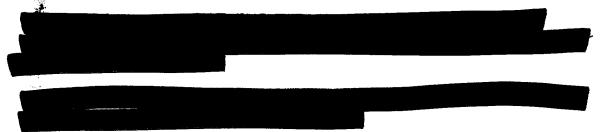
In addition, Helen stated she has not heard back from OLC regarding the Chemical Safety Board and appointments clause matter.

Patti Marshall (RRB) asked about alternative dispute resolution (ADR). She was provided with the name of a contact person.

Jay Mazunder (HHS) introduced Lisa Lockwood, Presidential Management Fellow.



Jackie Becker (FRB) said there would be a summer intern orientation meeting following the CCIG meeting.



New Members

CCIG welcomes the following new member:

Matt Ponzer (USPS)

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то:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on June 21,2006
Next CCIG meeting	g will be: Wednesday, July 19, 2006, at 10:00 a.m. International Trade Commission 500 E. Street SW (room to be announced) Washington, DC

The closest Metro station is L'enfant Plaza, on the Yellow. Green, Blue and Orange lines.

The CCIG meeting was held at the ITC Building with Kathy Buller presiding.

Kathy mentioned that she will be updating the CCIG roster. She will send out an email for updates.

Also, Kathy said that she spoke to the AIGIs group about the duty of law officers to intervene.

Speaker / Training

Frank LaRocca (NASA) mentioned the "Use of Force Conference in Law Enforcement" on July 6 - 7, 2006, in Arlington, VA. For more information, go to: http://www.performanceweb.org/CENTERS/LE/Events/L179/L179.htm

New Business

Ric Doery (DHS) asked about establishing an online communication system among interns and permanent OIG legal staff, such as paralegals and FOIA officers. asked about responding to FOIA request for closed hotline request.

Howard also asked about auditee access to OIG workpapers. Dialogue took place about how different OIGs respond to such requests.

New Members

CCIG welcomes the following new member: Kelly Tshibaka (Office of the Director of National Intelligence)

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- FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
- SUBJECT: Minutes of the CCIG Meeting held on July 19, 2006

Next CCIG meeting will be:

Wednesday, August 16, 2006, at 10:00 a.m. Department of Commerce Herbert C. Hoover Building 1401 Constitution Avenue, NW, Washington, DC 20230. Room 7713.

The closest Metro station is Federal Triangle, on the Blue and Orange lines.

- Please bring your Government ID card.

Directions:

FROM THE STREET LEVEL ENTRANCE

- Enter the Commerce building through the main public entrance on 14th Street (between Constitution Ave. and Pennsylvania Ave.)
- Show your Govt ID badge to the guards
- After you pass the guard desk, turn right into the corridor (towards the white gate)
- At the end of the corridor (at the white gate), turn left
- At the end of this corridor (at another white gate), take the elevator to the 7th floor
- As soon as you get off the elevators on the 7th floor, turn right and make another/immediate right at Corridor 8 (towards Room 7898C)
- Walk to the end of the corridor (Room 7989C will be on the left at the end) and turn right
- Room 7713 is in the middle of this corridor

FROM THE METRO ENTRANCE

- Metro stop: Federal Triangle (Blue and Orange lines)
- At the Federal Triangle stop, go up 2 sets of escalators (do not go up the 3rd set of escalators)
- After you go up the 2nd set of escalators, veer towards the right and go through the tunnel
- Walk through the courtyard towards the Ronald Reagan Building entrance
- Go through the double glass doors and show your Govt ID to the Reagan guards
- Once inside the Reagan building, go straight towards the Food Court
- In the Food Court, next to Subway, go through the Hoover/Commerce tunnel

- At the end of the tunnel, show your Govt ID to the Commerce guards
- After you pass the guard desk, turn left and you'll see a set of elevators off to the right take the elevator to the 7th floor
- When you get off the elevator on the 7th floor, walk down the corridor (Corridor 3) in the opposite direction of the snack bar
- At the end of the corridor, turn right at Corridor 8 (towards Room 7898C)
- Walk to the end of the corridor (Room 7989C will be on the left at the end) and turn right
- Room 7713 is in the middle of this corridor.

If you have any questions, please call Allison Lerner, Counsel to the Inspector General, at (202) 482-1577, or the Office of Counsel main line at (202) 482-5992.

The CCIG meeting was held at the ITC Building with Jennifer Cron-Hepler presiding. Beth Richardson took the minutes of the meeting.

Speaker

The meeting opened with a presentation from Bill Yurek of the Computer Crime and Intellectual Property Section, Criminal Division, Department of Justice, on computer search and seizure issues.

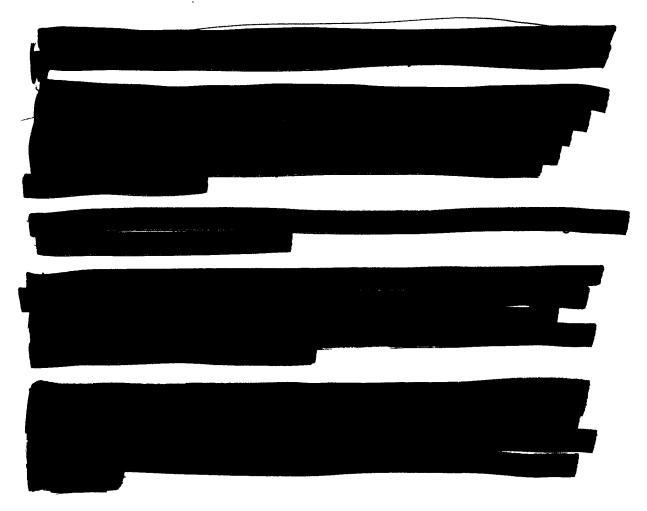
Jennifer began the business meeting with some announcements. Meetings for August, September, October and November will be held at the Department of Commerce. More information and <u>details will follow</u>. Jennifer thanked Sophia Kill for arranging the meeting space

Please forward to Kathy any more recent items you think should be included. Jennifer also mentioned the July 17, 2006, issue of CQ Weekly, which features an article on IGs, including a discussion of ECIE IGs. In addition, she passed around a flyer about a symposium on eDiscovery amendments to the Federal Rules of Civil Procedure to be held on July 26. (See Tony Ogden's July 13 message to CCIGNet.)

Training

Frank LaRocca (NASA) mentioned four upcoming training opportunities: EXCEL, EEOC's training conference the week of July 24 in Las Vegas, NV; Federal Dispute Resolution conference August 20-24 in San Antonio, TX (see http://www.fdrconferences.org/); American Bar Association annual meeting in early August in Honolulu, HI; and the Federal Bar Association convention August 24-26 in Las Vegas.

New Business



Ric Doery (DHS) came across a decision that addresses agencies' concerns about waiving privileges when providing documents to the OIG. The case is *Defenders of Wildlife v. Department of Interior*, 314 FSupp.2d 1 (D.DC 2004).



TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on September 20, 2006
Next CCIG meeting	g will be: Wednesday, October 18, 2006, at 10:00 a.m
	U.S. Department of Commerce (DOC) OIG 1401 Constitution Avenue NW, Washington, DC 20230 The meeting will be held in the OIG Conference Room - Room 7713.
ώξ.	- Please bring your Government ID card.
	The closest Metro station is Federal Triangle, on the Blue and Orange lines.

The CCIG meeting was held at the DOC OIG with Kathy Buller presiding.

<u>Speaker</u>

Debra Chiles, Acting Program Manager for the Office of Enterprise Human Resources Integration in OPM spoke on the electronic Official Personnel Folder (a/k/a e-OPF).

Tim Watkins (OPM) arranged for the speaker and said that he would email the slide presentation to all.

Old Business

Kathy Buller said that the PCIE decided not to proceed with the IG Institute for FY 2007. The next issue to address is what to do about training needs in 2007. A survey will be sent to IGs about reestablishing the IG Academy. The survey, however, was overtaken by events that occurred after the CCIG meeting.

Committee Reports

Training Beth Richardson (NASA) informed members about the upcoming International Association of Chiefs of Police conference, October 14-18, 2006 in Boston.

New Business

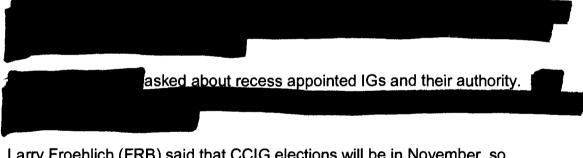
Allison Lerner (DOC) queried about other offices responses to the Coburn letter regarding earmarks. According to the discussion, it appears that most offices are responding to the letter.



Beth Richardson gave an update on OGE's electronic forms.

Dave Berry (NLRB) stated that they won a GAO opinion, which he will email on the listserv.

Liz Dean (Farm Credit) asked about the George Mason University contract for the IG Institute. Kathy Buller said that the contract ends on September 30, 2006.



Larry Froehlich (FRB) said that CCIG elections will be in November, so nominations are requested.

New Members

CCIG welcomes the following new members: Micheal Jones (USDA)

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TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on October 18, 2006

Next CCIG meeting will be:

Wednesday, November 15, 2006, at 10:00 a.m

U.S. Department of Commerce (DOC) OIG 1401 Constitution Avenue NW, Washington, DC 20230 The meeting will be held in the OIG Conference Room -Room 7713.

- Please bring your Government ID card.

The closest Metro station is Federal Triangle, on the Blue and Orange lines.

The CCIG meeting was held at the Commerce OIG with presiding.

Old Business

Kathy Buller stated that there will not be an IG Institute. She gave an update on status of the OIG training academies.

Investigative Academy – The MOU with GSA is still in existence. Offices should receive a letter from the academy with their assessment soon.

Auditing - IGATI is being resurrected with USDA supplementation.

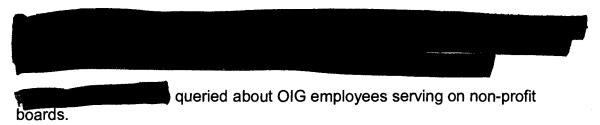
Management – FEI and other sources may provide management courses, but there will not be a separate management academy.

Committee Reports

Beth Richardson (NASA) mentioned that the Legal Advisors to Federal Law Enforcement Organizations training will be held in June 2007, at Crystal City, VA. The training will be eligible for CLE credit, but individuals will have to apply to their state bars. The training will not be pre-approved.

New Business

Mark Bialek (EPA) said the holiday luncheon is still in the planning stages. To date, the choices are Clyde's, Arias, or a luncheon cruise on the Potomac. CCIG members will be able to vote on their preference.



Tom Lehrich (DOT) announced that Calvin Scovel has been appointed as the new DOT Inspector General.

Tracy Bloom (FEC) asked about section 522 privacy audits.



Mary Anne Grodin (NRC) said that she spoke before the Interagency Ethics Counsel and mentioned there was a desire by employees to obtain follow-up information about allegations they submitted.

Mark Bialek informed the group that DHS appropriations for FY 2007, allow the FEMA Administrator discretion to set aside up to 1% of the amount funded for disasters to be used for procurement fraud reviews and prevention/detection activities. Any agency that gives disaster aid may receive some of these funds.

<u>Other</u>

Kathy Buller announced that she is looking for volunteers for the Awards Committee. Please contact her for more information. Larry Froehlich (FRB) stated that the Nomination Committee has provided the following slate of nominees for 2007:

Mark Bialek (EPA) - President

Mary Mitchelson (ED) – PCIE Vice-President

Mary Beth Sullivan – ECIE Vice-President

Elections will take place at the November meeting. Additional nominations, if any, will also be taken from the floor at that time.

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TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on November 15, 2006

The CCIG meeting was held at the Commerce OIG with Kathy Buller presiding at the last meeting of her term.

Elections

Larry Froehlich (FRB) conducted CCIG elections. The new officers for 2007 are:

Mark Bialek (EPA) - Chair

Mary Mitchelson (ED) - PCIE Vice-Chair

Mary Beth Sullivan – ECIE Vice-Chair

Old Business

Kathy Buller gave an update on the status of the OIG investigator training academy. She said that ideas are still being discussed.

Mark Bialek (EPA) spoke about the 2006 CCIG Holiday Luncheon. Subsequently he sent out an announcement announcing that the luncheon will be on Wednesday, December 13, 2006 at the District Chop House & Brewery, located at 509 7th Street, N.W., Washington, DC. The cost is \$30.

Committee Reports

Legislative - Larry Froehlich (FRB) announced that Phyllis Fong, the USDA Inspector General is the new Chair for the PCIE/ECIE legislative committee.

Training – Frank Larocca (NASA) announced two training opportunities: Internal Affairs Conference, 11/27-12/1/2006 – Las Vegas, NV, and Research Integrity Conference 12/1-3/2006.

New Business

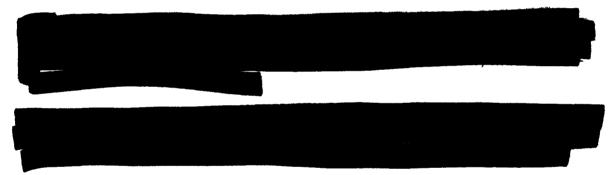
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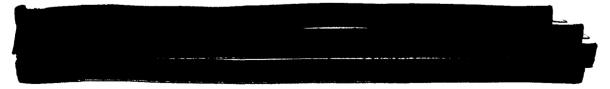
David Gray (USDA) said the CCIG awards committee met to determine award recipients.

Dave Cope (OPM) asked about the proposed MOU between OIGs and DOJ for emergency response assistance.



Larry Froehlich (FRB) stated that most agencies are not mentioning the OIG in "No Fear Act" training or notices, but the OIG is mentioned more in training than notices.

Mark Bialek asked if other OIGs conducted follow up work on OGE reviews, because the agency has not addressed issues.



Richard Woodford (SEC) announced he is a certified fraud examiner regent candidate.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where nonattribution was requested.

TO: CCIG Members

FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG SUBJECT: Minutes of the CCIG Meeting held on November 15, 2006

The CCIG meeting was held at the Commerce OIG with Kathy Buller presiding at the last meeting of her term.

Elections

Larry Froehlich (FRB) conducted CCIG elections. The new officers for 2007 are:

Mark Bialek (EPA) - Chair

Mary Mitchelson (ED) - PCIE Vice-Chair

Mary Beth Sullivan - ECIE Vice-Chair

Old Business

Kathy Buller gave an update on the status of the OIG investigator training academy. She said that Ideas are still being discussed.

Mark Bialek (EPA) spoke about the 2006 CCIG Holiday Luncheon. Subsequently he sent out an announcement announcing that the luncheon will be on Wednesday, December 13, 2006 at the District Chop House & Brewery, located at 509 7th Street, N.W., Washington, DC. The cost is \$30.

Committee Reports

Legislative - Larry Froehlich (FRB) announced that Phyllis Fong, the USDA Inspector General is the new Chair for the PCIE/ECIE legislative committee.

Training – Frank Larocca (NASA) announced two training opportunities: Internal Affairs Conference, 11/27-12/1/2006 – Las Vegas, NV, and Research Integrity Conference 12/1-3/2006.

New Business

Kathy Buller asked if any one had experience with a special agent who lost a weapon twice.

She also explained an 1140's solicitation, which is where people make others wrongly believe that they are part of SSA. SSA OIG recovered a \$4.4 million penalty in one of these cases.

Rod Fillinger (TIGTA) queried about requiring special agents to file OGE 450 ethics forms.

David Gray (USDA) said the CCIG awards committee met to determine award recipients.

Dave Cope (OPM) asked about the proposed MOU between OIGs and DOJ for emergency response assistance.

Jerry Hutton (CPB) talked about Absolute Software Company's tracer software. CPB OIG located a stolen CPB computer and found out much information about the person who bought the stolen computer through the software, which came installed on the Dell computer.

Pattl Marshall (RRB) asked about offices having different internal procedures for different types of employee. In particular, she queried whether any OIGs require special agents to keep travel receipts for less amounts than other OIG staff.

Larry Froehlich (FRB) stated that most agencies are not mentioning the OIG in "No Fear Act" training or notices, but the OIG is mentioned more in training than notices.

Mark Bialek asked if other OIGs conducted follow up work on OGE reviews, because the agency has not addressed issues.

Mary Mitchelson (ED) mentioned two items. First of all, based upon survey results, it appears that most OIGs do require information from the agency about final administrative action taken after an OIG investigation. Secondly, she raised the issue about an agency asserting privilege to keep documents from the OIG.

Richard Woodford (SEC) announced he is a certified fraud examiner regent candidate.

Omer Poirier (DOT) stated that the Absolute tracking software was not installed on all Dell computers, since it was not on DOT OIG missing laptops. Also he said to contact him for information about the new procurement fraud working group.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on October 18, 2006

Next CCIG meeting will be:

Wednesday, November 15, 2006, at 10:00 a.m

U.S. Department of Commerce (DOC) OIG 1401 Constitution Avenue NW, Washington, DC 20230 The meeting will be held in the OIG Conference Room -Room 7713.

- Please bring your Government ID card.

The closest Metro station is Federal Triangle, on the Blue and Orange lines.

The CCIG meeting was held at the Commerce OIG with presiding.

Old Business

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Kathy Buller stated that there will not be an IG Institute. She gave an update on status of the OIG training academies.

Investigative Academy – The MOU with GSA is still in existence. Offices should receive a letter from the academy with their assessment soon.

Auditing - IGATI is being resurrected with USDA supplementation.

Management – FEI and other sources may provide management courses, but there will not be a separate management academy.

Committee Reports

Beth Richardson (NASA) mentioned that the Legal Advisors to Federal Law Enforcement Organizations training will be held in June 2007, at Crystal City, VA. The training will be eligible for CLE credit, but individuals will have to apply to their state bars. The training will not be pre-approved.

New Business

Mark Blalek (EPA) said the holiday luncheon is still in the planning stages. To date, the choices are Clyde's, Arias, or a luncheon cruise on the Potomac. CCIG members will be able to vote on their preference.

David Hutner (DOL) asked about possible issues regarding the proposed MOU with DOJ. Some of the issues raised during discussion included the Federal Tort Claims Act, Bivens actions, costs, and substitution concerns.

Gladis Griffith (USPS) queried about OIG employees serving on non-profit boards.

Tom Lehrich (DOT) announced that Calvin Scovel has been appointed as the new DOT Inspector General.

Tracy Bloom (FEC) asked about section 522 privacy audits.

Mary Mitchelson (ED) stated that the general counsel's office was asserting privileges against the OIG and asked what other OIGS have done in similar circumstances.

Mary Anne Grodin (NRC) said that she spoke before the Interagency Ethics Counsel and mentioned there was a desire by employees to obtain follow-up information about allegations they submitted. Discussion followed. TIGTA has a provision in its routine uses which allow such disclosures.

Mark Bialek informed the group that DHS appropriations for FY 2007, allow the FEMA Administrator discretion to set aside up to 1% of the amount funded for disasters to be used for procurement fraud reviews and prevention/detection activities. Any agency that gives disaster aid may receive some of these funds.

<u>Other</u>

Kathy Buller announced that she is looking for volunteers for the Awards Committee. Please contact her for more information. Larry Froehlich (FRB) stated that the Nomination Committee has provided the following state of nominees for 2007:

Mark Bialek (EPA) - President

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Mary Mitchelson (ED) - PCIE Vice-President

Mary Beth Sullivan - ECIE Vice-President

Elections will take place at the November meeting. Additional nominations, if any, will also be taken from the floor at that time.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on September 20, 2006
Next CCIG meeting	g will be: Wednesday, October 18, 2006, at 10:00 a.m

U.S. Department of Commerce (DOC) OIG 1401 Constitution Avenue NW, Washington, DC 20230 The meeting will be held in the OIG Conference Room -Room 7713.

- Please bring your Government ID card.

The closest Metro station is Federal Triangle, on the Blue and Orange lines.

The CCIG meeting was held at the DOC OIG with Kathy Buller presiding.

Speaker

Debra Chiles, Acting Program Manager for the Office of Enterprise Human Resources Integration in OPM spoke on the electronic Official Personnel Folder (a/k/a e-OPF).

Tim Watkins (OPM) arranged for the speaker and said that he would email the slide presentation to all.

Old Business

Kathy Buller said that the PCIE decided not to proceed with the IG Institute for FY 2007. The next issue to address is what to do about training needs in 2007. A survey will be sent to IGs about reestablishing the IG Academy. The survey, however, was overtaken by events that occurred after the CCIG meeting.

Committee Reports

Training

Beth Richardson (NASA) informed members about the upcoming International Association of Chiefs of Police conference, October 14-18, 2006 in Boston.

New Business

Allison Lerner (DOC) queried about other offices responses to the Coburn letter regarding earmarks. According to the discussion, it appears that most offices are responding to the letter.

Also, Allison asked about responses to the WTOP FOIA and Waxman-Davis request. Based upon the lack of response, it seems that the two items were not widely distributed. Allison explained that the WTOP FOIA wanted five years of information about missing laptops. The Waxman-Davis request was for three years of information about losses of personal information.

Beth Richardson gave an update on OGE's electronic forms.

Dave Berry (NLRB) stated that they won a GAO opinion, which he will email on the listserv.

Liz Dean (Farm Credit) asked about the George Mason University contract for the IG Institute. Kathy Buller said that the contract ends on September 30, 2006.

Andrew Smith (DHS) queried about releasing AUSA's names when responding to FOIAs. Discussion ensued during which it appeared that most, but not all offices release the information.

Eric Hanger (EPA) asked about recess appointed IGs and their authority. He was informed that in the past, DHS had a recess appointed IG and there was no limitation on his authority.

Larry Froehlich (FRB) said that CCIG elections will be in November, so nominations are requested.

Mary Beth Sullivan (SEC) asked about subpoena enforcement.

New Members

CCIG welcomes the following new members: Micheal Jones (USDA)

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1. NEWS ROUND UP * FOST-SEPTEMBER 11TH VETERANS NOW GETTING HIRING PREFERENCE FOR FÉDERAL JOBS Interim rules are now in effect that give more military veterans hiring preferences for federal jobs. Under the rules, any honorably discharged Veteran who served more than 1<u>60 consecutive days on active duty</u>, any part of which occurred after the September 11, 2001 terrorist attacks, will receive veterans' preference when seeking a federal job.

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Sponsored by Rep. Pat Tiberi (R-Ohio), Congress approved the change earlier this year as part of the 2006 defense authorization bill. Tiberi says the issue was brought to his attention by reservists from Central Ohio who had served in the War on Terror, but were not aligible for the hiring preference.

Although the interim rules went into effect on June 9th, the Office of Personnel Management (OPM) says it will accept comments on them until August 8th. The rules were published in the June 9, 2006 Federal Register, Vol. 71, No. 111, pp. 33375-33376.



TO: CCIG Members

FROM:

CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Blalek, EPA OIG

SUBJECT: Minutes of the CCIG Meeting held on June 21,2006

Next CCIG meeting will be:

Wednesday, July 19, 2006, at 10:00 a.m. International Trade Commission 500 E. Street SW (room to be announced) Washington, DC

The closest Metro station is L'enfant Plaza, on the Yellow. Green, Blue and Orange lines.

The CCIG meeting was held at the ITC Building with Kathy Buller presiding.

Kathy mentioned that she will be updating the CCIG roster. She will send out an email for updates.

Also, Kathy said that she spoke to the AlGIs group about the duty of law officers to intervene. USDA prepared a matrix on Peace Officer status. Please contact Shane Bunn (USDA) for a copy at 202-720-9110.

Speaker / Training

Frank LaRocca (NASA) mentioned the "Use of Force Conference in Law Enforcement" on July 6 - 7, 2006, in Arlington, VA. For more information, go to: http://www.oerformanceweb.org/CENTERS/LE/Events/L179/L179.htm

New Business

Tom Lehrich (DOT) said that there are conflicts between OGE's Rules of Ethical Conduct and the independence rules for auditors in GAO's *Government Auditing Standards alk/a* the "*Yellow Book.*" He asked how other OIGs handled this issue. Discussion followed. Howard Sorensen (Education) said that they have written guidance on this issue.

Ric Doery (DHS) asked about establishing an online communication system among interns and permanent OIG legal staff, such as paralegals and FOIA officers.



Howard Sorensen (Education) asked about responding to FOIA request for closed hotline request. Discussion ensued about Glomar responses.

Howard also asked about auditee access to OIG workpapers. Dialogue took place about how different OIGs respond to such requests.

New Members

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CCIG welcomes the following new member: Kelly Tshibaka (Office of the Director of National Intelligence)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

TO: CCIG Members

FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Blalek, EPA OIG

SUBJECT: Minutes of the CCIG Meeting held on May 17, 2006

Next CCIG meeting will be: Wednesday, June 21, 2006, at 10:00 a.m Place to be announced.

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

Speaker / Training

Beth Richardson (NASA) Informed the group of the following training opportunities: -FLETC Legal Advisor Conference will be held June 13-15 at the Crystal City Marriott <u>http://www.fletc.gov/legal/iatc/agenda.pdf</u> -Use of force training: http://www.performanceweb.org/CENTERS/LE/Events/L179/L179.htm

Kathy Buller said the OGE conference will be in Orlando in March 2007.

Jackie Becker mentioned the ABA Qui Tam meeting, June 14-16, 2006 in Washington, DC.

Committee Reports

Legislative

- Larry Froehlich (FRB) reported that there has been no action recently on the proposed amendments to the IG Act (Cooper bill), and that it is looking increasingly unlikely that there will be action on it this year.

New Business

Larry introduced Rebecca Smith and Ulrika Swanson, FRB OIG's new legal interns.

Rod Fillinger (TIGTA) raised the issue of personnel authorities and OIG independence under E.O. 13392, "Improving Agency Disclosure of Information" (December 14, 2005). He is drafting a document for the PCIE legislative committee on the issue.

Gladis Griffith (USPS) asked how other OIG's ensure their authority to provide ethics advice to OIG personnel. Other OIGs advised that they obtained formal designations from their respective DAEO and alternate DAEOs.

Gladis introduced a new attorney to the USPS OIG team: Matt Ponzer.

Mark Blalek (EPA) provided information about a few items discussed at the IG retreat. He said:

-Clay Johnson (OMB) inquired why don't OIGs do proactive work. -Congressional staff do not appear to be reading OIG reports because they are too long and difficult.

Mark said that OPM agreed to put IGs under executive schedule 3 for pay.

Mark also said that EPA OIG is planning a flu pandemic exercise, which includes logistics and IT issues.

Helen Mollick (EPA) asked attorney/investigators to contact her. She wanted to know if they have 1810s and/or 1811s reporting to them. She also wants to know if they must report to an 1811 AIGI.

In addition, Helen stated she has not heard back from OLC regarding the Chemical Safety Board and appointments clause matter.

Patti Marshall (RRB) asked about alternative dispute resolution (ADR). She was provided with the name of a contact person.

Jay Mazunder (HHS) introduced Lisa Lockwood, Presidential Management Fellow.

Mary Slattery (NGA) asked about investigating bogus degrees. In addition, she raised concerns about concurring to agency proposals. It was suggested that the OIG not use the terms "agree" or "concur." Instead, the OIG can respond that it "does not object" or it has "no comment."

Cherry Tolliver (AG) queried if Paypal was a "financial institution" for a RFPA subpoena. She was advised that Paypal is not a financial institution.

Glenn Harris (SBA) said the OIG is trying to use computer matching to find duplicative payments to Hurricane Katrina victims. He is concerned, however, that the computer matching requirement that the Agency's privacy act officer sign

matching agreements potentially allows the agency to control OIG audits and raises an independence issue. On another issue, he asked who uses KPMG for financial statement audits and received some affirmative responses. Discussion followed regarding KPMG's use of a letter of engagement and whether this raises potential contractual concerns.

Jackie Becker (FRB) said there would be a summer intern orientation meeting following the CCIG meeting.

Tony Ogden (GPO) inquired how OIGs deal with GC's request to interview OIG witnesses in administrative cases, and whether OIG counsel is present during such interviews.

Eric Hanger (EPA) asked if other OIGs completed an A-76 comparison before contracting out their financial statement audit.

New Members

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CCIG welcomes the following new member:

Matt Ponzer (USPS)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where nonattribution was requested.

FROM:

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CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron-Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG

SUBJECT: Minutes of the CCIG Meeting held on March 15, 2006

Next CCIG meeting will be Wednesday, April 19, 2006, at 10:00 a.m. in Conference Room 3216, EPA West (the usual wood-panelled room). Stave Burnell, Chief of the Criminal Division of the D.C. U.S. Attorney's Office, is bringing several of his managers in charge of the Federal Major Crimes Section, as well as the Fraud and Public Corruption Unit. They will address intake guidelines and procedures, recurring legal/investigative issues, etc.

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

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Kathy Buller informed the group that Alice Fisher, Assistant Attorney General (DOJ) sent out a letter dated January 11, 2006, clarifying the May 6, 2005. DOJ 67E memo on Garrity and Kalkines warnings. Ms Fisher

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New Business

Frank LaRocca (NASA) said that Earl E. Devaney, Inspector General (Interior) is the new head of the Human Resources committee.

Martha Hirschfield (DOJ) asked about having union representatives at interviews.

Mark Bialek (EPA) asked if any agency had a Counsel with investigative functions, but still had a separate AIGI.

Tom Lehrich and Omer Poirier (DOT) responded that DOT OIG hired 6 former OSC attorneys for integrity investigations, who report to the deputy AIGI. According to Omer, the issue is when they should consult with the legal division. Mark said that Steve Bunnell (AUSA Chief, Criminal division) said that he would like more OIG fraud cases.

Mark remarked that OMB may address the SES pay issue for inspectors General.

Jerry Hutton (CPB) asked who was attending the ADI (investigators) conference.

Tom Coogan (LSC) said that the IG Management institute needed an instructor for the Editing Investigative Products course.

Tom stated that DOJ agreed to represent LSC OIG for discovery purposes only.

Tom asked how the OIG concept fits in under the Sarbanes Oxley act. Discussion ensued.

Larry Froehlich (FRB) said CCIGNet is a listserv administered through an FDIC subcontract with L-Soft Corp. Please contact Larry if you need instructions on how to request access to the listserv. Access is limited to OIG attorneys providing legal services to their respective OIGs.

Mary Beth Sullivan (SEC) queried how many OIGs have switched to the DOJ model warnings. Discussion followed.

New Members

CCIG welcomes the following new members:

Laura Canfield (HHS) Stacey Evans (FMC) Sadie Lowe (SBA)

The CCiG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

TO:	CCIG Members
FROM:	CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Jennifer Cron- Hepler, ITC OIG CCIG Vice-Chair Mark Bialek, EPA OIG
SUBJECT:	Minutes of the CCIG Meeting held on October 19, 2005

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Due to the Cyber Summit being held on November 15th and 16th, the next CCIG meeting will be held on November 30th at the Environmental Protection Agency - (EPA OIG) 1301 Constitution Avenue, N.W., Washington, D.C. (West Building), in Conference Room 3136. (Blue or Orange Metro stop to Federal Triangle)

The CCIG meeting was held at the EPA OIG with Kathy Buller presiding.

Old Business

Kathy Buller said she sent DOJ the CCIG responses on the revised Garrity and Kalkines warnings.

Committee Reports

Training:

Frank LaRocca (NASA) informed members about the CCIPS / OIG Cyber Summit which will be held on November 15-16, at the U.S. Department of Education Headquarters, in Washington, DC.

New Business

Kathy Buller announced that the CCIG holiday luncheon will be Wednesday, December 14, 2005 at the China Garden restaurant in Rosslyn, VA. See attached flier.

Also, Kathy asked if other OIGs received a request for a law enforcement employee to be assigned full time to Hurricane Katrina investigations. Gladis Griffith (USPS) raised the issue of an agency claiming a "privilege" to withhold documents from the OIG.

Dave Berry (NLRB) asked about contractor employees, who are not U.S. citizens, access to agency property. He was directed to Homeland Security Presidential Directive/Hspd-12 - Subject: Policy for a Common Identification Standard for Federal Employees and Contractors (August 27, 2004). Subsequent to the meeting, Antigone Potamianos supplied the following name of a contact at GSA who is available to answer questions concerning the directive.

Jack L. Finley GSA Smart Card HSPD-12 PMO 202-208-4917

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Antigone Potamianos (GSA) announced that Kathy Tighe will leave her position as GSA Counsel to become Deputy Inspector General at the U.S. Department of Agriculture.

Kelly Andrews (SEC) said she sent out an email and is again asking attendees to contact her about the processes small OIGs use to review regulations, etc.

Mary Mitchelson (ED) requested input from other OIGs about how their agencies conduct self assessment of each component under the SES appraisal system in accordance with 5 CFR 430.404.

Deirdre MacNeil (AG) mentioned that they received a request from the Office of Special Counsel for files and identities of anonymous (?) hotline complainants.

Jerry Hutton (OPM) announced that he was retiring at the end of this month, from Federal Service after 39 years, the last 14 at OPM OIG. However, he will remain in the OIG community as the part-time CPB OIG counsel (formerly Sandy Keith's position).

Maryann Grodin (NRC) asked CCIG members to email her or Kathy Buller, the names of nominees for the following awards: training, publications, leadership and lifetime achievement.

Mark Bialek (EPA) asked if other OIGs require attestation from the client that an attorney represents the client, when an attorney requests documents or asks the OIG questions.

Mark also mentioned that Skillsoft is used by 37 OIGs for 6,000 employees.

TO: CCIG Members FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Mark Bialek, EPA OIG CCIG Vice-Chair Jannifer Cron Helper, ITC OIG SUBJECT: Minutes of the CCIG Meeting on February 15, 2008

The next CCIG meeting will be held at 10:00 a.m., Wednesday, March 15, 2006 at the Environmental Protection Agency - (EPA O(G)1301 Constitution Avenue, N.W., Washington, D.C. (West Building), in Conference Room 3136.

The CCIG meeting was held at the ITC with Kathy Buller presiding.

Old Business

There was no old business.

Committee Reports

There were no committees reports.

New Business

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Kathy Buller, SSA, announced that the SSA IG, Pat O'Carroll had recently become the Chair of the PCIE/ECIE Investigative Committee and that he would like to establish a closer relationship with the CCIG. Kathy said that Mr. O'Carroll asked that the CCIG look into the duty of a law enforcement officer to intervene in light of Good Samaritan laws. Kathy suggested that the CCIG form a work group similar to the one that analyzed the Homeland Security Act for the PCIE a few years ago. She asked for volunteers to participate on the work group and Anne MacArthur, HHS, volunteered. Kathy asked that anyone else interested in participating on the work group contact Anne. Bryan Saddler, HUD, asked if anyone had concerns over the directives contained in Executive Order (EO) 13342. EO 13342 requires each agency head to appoint a Chief FOIA Officer at the Assistant Secretary level to oversee the FOIA process within their respective agency. This Chief FOIA Officer would set the FOIA policy for the agency and appoint a FOIA Liaison Officer for each agency component who would serve in a supervisory capacity to oversee FOIA processing for the component. Bryan said that the HUD IG has independent FOIA authority by regulation and that they are concerned that this EO would interfere with the independence of their IG. In that regard, HUD IG is concerned that the un-defined "supervisory" authority of the FOIA Liaison Officer could impact on-going audit and Investigative work. Bryan asked whether any other IG with independent FOIA authority shared his concerns.

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Sandy Parnes, DoE, said that the hearing on Whistleblowers on national security issues seeking greater protection was held yesterday.

Omer Pointer, DoT, said that DoT was in the process of developing a policy on computer monitoring and was interested in what other OIGs had in place.

David Hutner, DoL, asked what other OIGs were doing in so far as complying with legislation such as 42 U.S.C. Section 10607 that required law enforcement entities to provide certain services to victims. David said that the Executive Office of United States Attorneys has an automated process and that other federal agencies could participate in It. Frank LaRocca, NASA, said that his OIG had a policy and would be willing to share it with the group.

Glenn Harris, SBA, asked how many OIGs had determined whether they were required to hire a privacy auditor under section 522 of the December, 2004 consolidated appropriations bill. The issue is whether the section applies to all agencies or only those agencies that were specifically funded by the portion of the bill containing section 522. In an informal poll, six OIGs stated they had determined that they were not subject to that section; five advised that a final determination had not been made; and no OIGs which were not funded by the relevant portion advised that they had concluded they were subject to the requirement. Liz Dean of FCA advised that an OMB representative had stated that OMB may issue some clarification of the privacy contractor requirements. Frank LaRocca, NASA, announced that the American Society of Access Professionals meeting in San Jose is Feb 26 to March 1. Website is: <u>http://www.accesspro.org/trainingconf2006/index.htm</u> and the agenda included a discussion of EO 13342. He also said that the American Bar Association's White Collar Crime Institute would be holding its annual conference in San Francisco on March 2-3. Reduced tuition is available for government employees upon request at ABA event. The ABA website is: <u>http://www.abanet.org/cle/programs/n06wcc1.html.</u>

Ric Doery, DHS, informed the group about an opinion from the 11th Circuit that was very favorable to IGs. Ric said that the opinion upheld the withholding of audit work papers in their entirety from disclosure under the discovery process under an exemption for deliberative process. The citation the case is 376 F3d 1270.

TO:

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CCIG Members

FROM: CCIG Chair Kathy Buller, SSA OIG CCIG Vice-Chair Mark Bialek, EPA OIG CCIG Chair Jennifer Cron Helper, ITC OIG SUBJECT: Minutes of the CCIG Meeting on January 18, 2005

Next CCIG meeting will be:

Wednesday, Fabruary 15, 2006 Location To Be Determined

The CCIG meeting was held at the EPA East Building with Kathy Buller presiding.

Updates

Kathy Buller presented the following updates:

With respect to a January 11 email concerning Kalkines warning, Kathy informed that she had spoken to Noel Hillman, Chief of DOJ's Public Integrity Section, who reported that the new guidance will be a "best practices" memo rather than a mandatory practice directive.

CCIG has a new DOJ contact for criminal matters, Barbara Corprew, 202-816-0440.

Speaker

There was no speaker.

Committee Reports

There was no reporting by committees.

New Business

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Mark Bialek (EPA OIG) questioned whether any other IG were being forced to negotiate over budget reductions with OMB and whether they were engaging in the negotiations on their own or whether their agency was representing OIG interests to OMB.

Several OIG were facing budget reductions, some in the 1-2% range. SSA, RRB, NASA, and OPM indicated that they were involved in the negotiation with OPM but that paperwork was filed by their agencies.

Al Larson (NRO OIG) reported that Paul McNulty from the Procurement Fraud Task Force has been nominated to be the Deputy Attorney General. Mr. McNulty indicated his focus on procurement fraud will continue. Richard Woodford (SEC OIG) reported that OIG's offices are moving to the new Headquarters building by Union Station. SEC OIG's FAX number has changed to (202) 772-9265. The other telephone and e-mail contact information remains unchanged.

Patti Marshall (RRB OIG) asked a question concerning Section 522 of the Transportation et al appropriation. She asked whether, if an IG has decided the provision applies to it, have they considered entering into an agreement with another IG to perform the work, or has any one contemplated contracting with an outside group, or can some sort of a peer review mechanism be used. No one at the meeting had contemplated the questions presented.

Helen Mollick (EPA OIG) informed the group that EPA OIG had submitted its response to CSB's challenge to the OLC regarding whether the assignment of OIG duties for the CSB to EPA's IG violated the Appointment Clause. OLC is permitting CSB to reply to EPA OIG's response.

Tony Ogden (GPO OIG) questioned whether any other office had budget issues raised relating to having to reach a mandatory percentage of workers using Telework or have money withheld. Frank Larocca, NASA OIG, indicated that access to \$5 million of the budget was being denied until the Agency had a telework plan, but no one had heard of a requirement that the Telework plan be implemented and that a percentage of the work force telecommute or lose access to budget money.

Mary Mitchelson (Education OIG) followed up on her email as to whether any non-1811s were called "Special Agents." One Agency called its security officers special agents

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Frank Larocca (NASA OIG) asked whether any one would be interested in putting on a deadly force training for NASA.

Ric Doery (DHS OIG) reported an issue he had encountered with the LA USAO (and received similar info from special agents about Detroit, Chicago, and the Western District of MA) concerning Kalkines/Garrity. Ric explained the AUSA's position that statements made under the Civiletti warnings (as opposed to the Wray memo suggestions) were presumptively "tainted" because they were given under compulsion. The USAO said that DHS would have to present a case as to why it was not tainted to the AUSA assigned to the case who would make a determination about whether to proceed with the case, re-interview witnesses, and/or reassign the case to a different AUSA who had not previously been involved. USPS has had to defend statements for the same reason. The AUSA gave Ric an outline setting forth her office's policy on this and Ric will share it with CCIG if the AUSA says it can be shared. (Still waiting to hear.)

Omer G. Poirier (DOT OIG) added his view that AUSA's will have a problem with statements given under the Civiletti warnings if new best practices are not followed.

Kathy Buller (SSA OIG) closed discussion on this topic; to be reopened when the guidance from Noel Hillman is received.

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Kathy also informed that OIG administrative staff will be contacted concerning the SSA/ECIE retreat and contributions toward an IIA to pay for fees.

Kathy also asked if anyone had ideas for speakers for the CCIG meetings they should let her know.

Nancy Bimbaum (DISA, phone # 703/607-6310) stated she is revising their investigations manual and would appreciate recently revised sections from other OIG investigative manuals.

Sprightley Ryan (Smithsonian) said that the Smithsonian sold the office building where the OIG is currently located. They are proposing to move the OIG office to Hemdon, Landover or Crystal City. She asked if this is compliance with Section 6 of the *Inspector General Act*, as amended, which requires agencies to provide office space at central and field office locations.

Tom Coogan (LSC) explained that LSC is not a Federal employer, it is a designated Federal entity under the *Inspector General Act*, as amended and is a District of Columbia non-profit corporation. He asked about law enforcement authority and was directed to Jeff Fogle at DOJ. He also asked if any one had challenged their Inspector General being evaluated by the board of directors. Furthermore, he asked if any other OIGs were directed to speak with only one board member, not the entire board of directors.

In addition, Tom had two announcements. First of all, LSC is advertising for a midlevel counsel position. Secondly, he is creating a group to look at preparing core competencies for OIG attorneys. He will send out an email over CCIG to solicit group members.

New Members

CCIG welcomes the following new member: Kathy McClure (USPS OIG)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Part in second second second

April 2008

Audit Committee News

Next Meeting: Tuesday, May 20, 2008 at 2 pm Potomac Center Plaza, 550 12th Street, SW, Room 8070

Survey for Peer Review Schedule

On March 24, the FAEC Audit Committee sent a survey to its members asking them to provide certain information on the size and nature of its audit organization. This information will be used to develop the 2009-2010 peer review schedule. Please respond to the survey by Tuesday, April 8 so that we may develop the schedule as quickly as possible. Questions may be directed to Richard Woodford at (202) 693-5170 or woodford.richard@oig.dol.gov.

2008 FAEC Annual Conference

REMINDER! The Federal Audit Executive Council's (FAEC) 2008 Annual Conference will be held Wednesday, June 4 through Friday, June 6 at the Williamsburg Lodge, in Williamsburg, VA. This year's conference will focus on fraud and human capital issues. The conference is open to GS-15s and above. Rooms will be held at the government per diem rate of \$89 a night until April 17. Anyone registering after that date may not be guaranteed a room on the premises. Individuals interested in attending should contact Margaret Begg at peggy.begg@tigta.treas.gov.

New Websites on Audit Training

The FAEC's Inspector General Community Auditor Training Team (IGCATs) has developed two new websites (one publicly accessible and the other restricted to members) to assist Federal audit organizations in meeting their training requirements. The public website contains Statements of Requirements and Statements of Work that may be used to contract for training on introductory and intermediate auditing, the auditor-in-charge role, fraud, and TeamMate. The site also devotes an area where OIGs can post seating availability in OIG-sponsored classes and other partnering opportunities. The restricted website contains feedback on specific courses and instructors.

For access to the public website, go to <u>www.ignet.gov</u> and click on *Specialized Training* and *Inspector General Community Auditor Training Team Information*. The restricted website is accessible at <u>www.ignet.gov/pcieecie</u> using a user id and password, which should be available from your PCIE/ECIE coordinator.

For this website to be successful, we need your participation. If you have suggestions, comments, or information to share, please contact Mike Beard at <u>dbeard@hudoig.gov</u> or (202) 402-8116 or Karen Scott at <u>kscott@nsf.gov</u> or (703) 292-7966.

We wish to extend a special thanks to the IGCATs for their time and effort to develop these websites.

If you have any questions, please contact Kim Geier at (202) 245-7020.

Principal

Representatives John, P. Higgins, Ur 1G/ED, Chairman Phyllis Fong IG/USDA Gregory Friedman IG/DOE

Gordon Heddel HG/DOL Claude M. Kloklightner IG/DOD Patrick O Carroll IG/SSA (aq hoc)

Jon T. Rymer

Dennis Schindel Acting IG/Treasury

ECIE Representative Sheldon Bernstein IG/NEH

Edward Kelley

<u>FAEC</u> <u>Representative</u>: Mary Ugone DIGA/DOD

Highlights:

 Survey for Peer Review Schedule

• 2008 FAEC Annual Conference

 New Websites on Audit Training

TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on January 22, 2009
Next CCIG mee	ting will be held on:
	Wednesday, February 18, 2009, at 10:00 a.m.
	Location: To Be Determined

The January 22, 2009 CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street NE, Washington, D.C., with Mary Beth Sullivan, (SEC) presiding.

Guest Speakers

Al Larsen (NRO) introduced our guest speakers, Steve Linick and Jim Graham from the US Department of Justice. Mr. Linick has been serving as Executive Director of the National Procurement Fraud Task Force, as well as Acting Deputy Chief of the Fraud Section of the DoJ Criminal Division. Mr. Graham is a Senior Trial Attorney in the Fraud Section, and will be active in the implementation of the contractor self-reporting requirements that were made part of the Federal Acquisition Regulation (FAR) in December 2008, and which were the subject of the guest presentation. Mr. Linick noted

(b)(5)	
(b)(5)	
(b)(5)	Thereafter, Congress

quickly enacted legislation to eliminate those exemptions and require that the FAR be amended to require contractor reporting of fraud.

The new rule became effective in December 2008 and requires timely disclosure to agency OIGs whenever the contractor has credible evidence of a violation of federal criminal law involving fraud, conflict of interest, bribery or gratuity provisions of Title 18, or the civil False Claims Act. See,

http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o= 09000064807a4e16

The rule provides for suspension or debarment for

--knowing failure

--by a principal

--to timely disclose

--credible evidence of the above violations.

There is also a requirement for disclosure of significant overpayments, but such disclosure is required to go to contracting officers, not OIGs.

In addition, the FAR amendments require a contractor Code of Business Ethics and Conduct, which among other things requires "full cooperation." The latter is not limited to matters disclosed, but rather is part of the company's internal controls and applies to all activity. The rule does not require waiver of privileges or 5th Amendment rights. The cooperation requirement does not have a specific consequence under the FAR, but rather

(b)(5)

In addition to the obligation of contractors to report to OIGs, OIGs also have an obligation to report to DoJ about the disclosures that they receive (b)(5)

(b)(5)

The PowerPoint slides that Messrs. Linick and Graham used for their presentation are attached to these minutes, as well as a DOJ memo to Inspectors General and NPFTF members regarding the new rule.

New Member

The CCIG welcomes new member Jennifer Kovachich of NLRB.

Committee and Working Group Reports

(Listed below are committees and working groups for which news was reported)

IG Council (formerly PCIE) News:

Mark Bialek (EPA) reported on the first meeting of the IG Council, which was created by the IG Act Reform legislation in the last Congress. Phyllis Fong, Agriculture IG, chaired the group and the meeting. Carl Clinefelter, IG of the Farm Credit Administration, is Vice Chair. Committee chairs will be the same as those last year for the PCIE, except that Tony Ogden (CCIG alum and IG of the Government Printing Office) will chair the Legislation Committee that Ms. Fong chaired last year.

The IG Council is drafting an IG Charter and a Five Year Plan. They took comments at the meeting, and will be working to finalize these documents. There was also much discussion at the IG Council meeting of a budget and funding. They hope to reach agreement on a preliminary funding mechanism. Until then, the working plan is to assess each OIG 0.24% of its budget for a contribution to the IG Council. They will hold monthly meetings of the IG Council.

Summer Legal Intern Working Group:

No CCIG member has yet stepped forward to coordinate this effort for this coming summer. Please contact Jackie Becker (FRB) if you would like to volunteer.

Legislation Committee:

Mike Ching (USDA) reported that much legislative activity is already underway in the new Congress (see attached Legislation Status Chart), including:

House Resolution. 40, requiring each standing committee or subcommittee to hold hearing on the topic of waste, fraud, abuse or mismanagement in Government programs which that committee may authorize. According to Mike, a prior version contained monetary thressholds that were removed.

H.R. 478, the Federal Agency Performance Review and Efficiency Act, which Mike describes as "the old (Tom) Davis Amendment to H.R. 928 resurrected". The Legislation committee will be circulating this bill for comment, and OIGs may want to review and update their previous comments to H.R. 928.

Economic stimulus bill; this is an appropriations bill, as yet without a number, that has IG-specific provisions and was sent out for comment last week; it is on a very fast track.

S.1—the Senate counterpart to the House economic stimulus bill (which is quite lengthy), is just a placeholder bill for now, and will likely import most of the House language eventually.^{(b)(5)}

(b)(5)

S. 49 Public Corruption Improvements Act, includes appropriation of \$25 million for OIGs and DOJ.

S. 216, Government Credit Card Abuse Prevention Act of 2009, is a rebirth of prior legislation on this topic.

H.R. 113, earmarks funded programs for IGs of government corporations.

H.R. 384 TARP Reform and Accountability Act of 2009, already modifying the TARP legislation. Provides, among other things, that if TARP IG terminates, the Treasury IG takes over the responsibilities.

Audit Committee

Chris Gieseler (FDIC) reported that the Council Audit Committee will be meeting the following Tuesday.

Human Resources Committee

Bruce Delaplaine (Interior) reported on training offered by OPM regarding SES appraisal systems for OIGs. He also reported that the Committee's next meeting is scheduled for early February.

Inspections and Evaluations Committee

Ann MacArthur (HHS) reported that this committee is reorganizing itself for the new year.

Investigations Committee:

Jonathan Lasher (SSA) reported that the committee was addressing implementation of the Emmitt Till legislation. Also, the committee will be making recommendations to the IG Council regarding training for OIG Investigations staffs.

Training Committee:

Mary Beth Sullivan (SEC) reported on the following training opportunities: Government Contracts Year in Review, Feb. 17-20, Omni Shoreham Hotel, Washington, DC, <u>http://west.thomson.com/about/conferences/government-contracts.aspx</u>; and ABA White Collar Crime Institute, March 4-6, San Francisco, CA, http://www.abanet.org/cle/programs/n09wcc1.html

CCIGweb Working Group:

Alberto Rivera-Fournier (GPO) reported that the committee had done testing on the site, and were making several changes in conjunction with the site developer. After that process is complete, the site will be available to CCIG members. Each CCIG member will receive an e-mail containing a username and password.

New Business

(b)(5)

Mark Bialek (EPA) discussed an Executive Order halting in-process regulations, and offered to talk to other members trying to interpret that order. He also mentioned a new Executive Order regarding implementation of FOIA, and noted that it is posted on the WhiteHouse.gov website.

Sandy Parnes (Energy) noted an Executive Order with new rules for incoming Executive Branch employees. He also noted that the FOIA order described by Mark has as a working assumption that documents should be publicly disclosed. He suggested that if a stimulus bill is enacted, there should be a report on it at a CCIG meeting.

Andrea Bernardo (SIGIR) added that new FOIA guidelines should be presented at a CCIG meeting.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

* * *

то:	CCIG Members	
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG	
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,	
	SBA OIG	
SUBJECT:	Minutes of the CCIG Meeting held on March 18, 2009	
Next CCIG mee	ting will be held on:	
	Wednesday, April 15, 2009, at 10:00 a.m.	
	Location: National Labor Relations Board, 14th and L Streets	
	Board Room (further directions will be sent separately)	

The March 18, 2009 CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street NE, Washington, D.C., with Mary Beth Sullivan, (SEC) presiding.

Guest Speakers

Mary Beth Sullivan (SEC) introduced the guest speakers from the Congressional Research Service (CRS): Vanessa Burrows, Research Attorney, and Curtis Copeland, American Government Specialist. Mr. Copeland began the presentation by explaining the responsibilities and authorities of the CRS. The organization began in 1914, but has evolved through several names and various responsibilities over the years. By contrast to the US Government Accountability Office, which performs audits and issues reports that may take six months or more, the CRS has a much quicker turnaround, usually a matter of days. A CRS review is normally less document-oriented than a GAO review. The purpose is to get the answer to the question posed, not to compile a book to support it. GAO will normally provide conclusions and recommendations in its reports, while CRS will not include either conclusions nor recommendations.

CRS reports are confidential, meaning that they can be released only by Members of Congress, although on occasion there is legislation to make them public and they also may be released in a reciprocal relationship. In addition, many CRS reports are either released by Members or leaked by someone with access, and are therefore available on a number of websites, e.g., Open CRS (<u>www.opencrs.com</u>), the University of Northern Texas (<u>http://digital.library.unt.edu/govdocs/crs/</u>), and Wikileaks (http://wikileaks.org/wiki/CRS_reports_by_date). The speakers also made a distinction between CRS reports and confidential memoranda. CRS reports are posted to CRS's website, while the distribution of confidential memoranda is more targeted and more limited. The CRS staff also do directed writings for Member of Congress (i.e., create a memo that the Member requests to support a specific predetermined conclusion), but no CRS logo is placed on these memos. The directed writings are a small part of CRS's work (less than 1%). . The organization is part of the Legislative branch, and has about 660 employees, including about 350 analysts. There are numerous subject-area divisions within the CRS organization. Access to the CRS website is limited; Congressional Members, staff and the GAO have access.

Ms. Burrows addressed several specific issues related to OIGs:

1. Paperwork Reduction Act. She noted that an amendment to S. 383 sought to exempt the Special IG for Troubled Asset Relief Program (SIGTARP) from the Paperwork Reduction Act. The amendment was ruled out of order, but Chairman Barney Frank, among others, expressed interest in bringing the provision back as stand-alone legislation.

(b)(5)

2. HR 885 would make IGs at several enumerated DFEs into Presidential appointment/ Senate confirmation (Establishment) IG positions. A question has been posed to CRS to examine whether all DFE IGs should be Presidentially appointed. [Editor's Note: Ms. Burrows testified at a hearing on the roles and responsibilities of Inspectors General within financial regulatory agencies on March 25, 2009, and her testimony is attached to these minutes.]

3. Implementation of IG Reform Act. A number of issues have arisen regarding implementing the changes to the IG Act contained in the Reform Act enacted in the last Congress. (b)(5)

(b)(5)

4. Financial Oversight/ SIGTARP. (b)(5)

Even given the confidentiality requirements for CRS reports, Ms. Burrows and Mr. Copeland said CRS staff would welcome input from OIGs on issues of interest to IGs. (b)(5)

New Member

The CCIG welcomes a "new old" member, Marta Erceg, who has moved from Postal to Department of Education.

Committee and Working Group Reports

CIGIE (Council of the Inspectors General on Integrity and Efficiency)

David Gray (USDA) reported on the CIGIE meeting held the previous day. The guest speaker at the CIGIE meeting was Philip Shively, the FDIC's Chief of Risk analysis, who reported on current economic trends and prospects for recovery. CIGIE Chair Phyllis Fong gave an update on Recovery Act activities by OIGs. She testified at a March 5 Congressional hearing, and her testimony was distributed to the community. Senators are asking how IGs will quickly staff the responsibilities assigned to them under the Recovery Act. Sen. McCaskill suggested suspending for two years the Single Audit Act requirements so that state and local auditors could focus on Recovery Act activities. State and local representatives apparently were not supportive.

David Gray further reported that there is to be a new Subcommittee on Oversight of Government Contracting, with Sen. McCaskill as Chair. Sen. McCaskill has asked Ms. Fong and the GAO for suggestions on implementing the Recovery Act responsibilities, and as well as shaping her future legislative agenda in this area. In connection with the Strategic Goals that CIGIE adopted for itself, Ms. Fong had solicited and received suggestions for potential joint projects, which the CIGIE then discussed at its last meeting. Ms. Fong will consult with the CIGIE Audit, Inspection and Investigations committees regarding such projects and will present a narrow list of topics at the April CIGIE meeting. The CIGIE annual training conference will be May 11-14 in Lancaster, PA. POGO (the Project On Government Oversight) is doing a study on peer reviews of OIG Investigations staffs. The CICIE Integrity Committee will next meet on April 7. USDA and Interior OIGs are developing reporting templates for Recovery Act activities. Mark Jones, Acting CIGIE Executive Director is working on CIGIE staffing plans, position descriptions, etc. and would welcome volunteers to assist him. On or about April 1 the CIGIE will be soliciting nominations for committee chairs, with the election to occur in early May.

Legislation Committee:

David Gray reported that the CIGIE Legislation Committee met March 12, and received an update on the Recovery Act. Legislation called the Federal Agency Performance Review and Efficiency Act (H.R. 478) would require annual OIG review of all agency programs. Similar legislation had been introduced in the previous Congress (H.R. 928).

(b)(5)

Audit Committee

Mary Beth Sullivan (SEC) reported that the Audit Committee will meet during the week of March 23.

Human Resources Committee

Bruce Delaplaine (Interior) reported that Earl Devaney was now serving as chair of the Recovery Act Accountability and Transparency Board, and no longer serving as IG for Interior, nor as chair of the CIGIE HR committee. Mary Kendall, Interior Deputy IG is serving as Acting IG at Interior.

Inspections and Evaluations Committee

No report. Inspection and Evaluation Training is scheduled for June 16-17.

Investigations Committee:

Jonathan Lasher (SSA) expanded on the previous information about the POGO report on peer reviews for OIG Investigative staffs. Jon said that the POGO review is a follow-up to its previous report on lack of independence at OIGs. The INV Committee is making progress on investigator credentials and expects all orders to be filled by mid-March. There will be an AIGI conference April 14-16 in Cape May, NJ. The Committee continues to discuss the best framework for providing training to OIG investigators.

Training Committee:

No report.

Summer Legal Intern Working Group:

Sadie Lowe (SBA) will head the summer intern program this year. A number of CCIG members have volunteered to participate, but additional help is welcomed. Sadie will call a planning meeting for those who have volunteered to help. [Editor's note: the first planning committee meeting was held on March 24.]

CCIGweb Working Group:

Alberto Rivera-Fournier (GPO) reported that the web developers (at GPO) are reviewing the requested/suggested changes to the layout and functions of the website and will report on whether the changes are feasible. He hopes to be able to report that information next month.

Working Group on Shared Counsel for IGs Without Counsel

Liz Dean (FCA) will head a working group addressing how IG counsel can provide legal services to OIGs that do not have their own counsel, and the issues that doing so will present.

Recovery Act Task Force

OIGs receiving responsibilities and money under the Recovery Act are working on common issues via a task force that will be headed by Howard Sorensen (ED) and Mark Bialek (EPA). They have 6 volunteers at this point, and would welcome more participants. They will be preparing a response to OMB on new guidance, (b)(5)

(b)(5)

New Business

Mary Beth Sullivan (SEC) presented the results of the survey of the CCIG membership on meeting and speaker topics. The topics garnering the most interest were 1) legislative initiatives affecting the IG Community, 2) FOIA exemptions commonly used by OIGs, 3) appropriations and budget issues, 4) computer crimes and investigations, 5) relationship with US Attorney offices, and 6) role of IG attorneys in assisting DOJ. The CCIG officers will try to arrange speakers or panels to present these issues at future CCIG meetings.

Mary Beth also introduced legal interns from her office, Allan Grukan and Brad Fishman.

David Gray noted that there will be a hearing by the House Oversight and Governmental Reform committee on "Who are the Watchdogs", at which Earl Devaney will be testifying. He also noted that the just-enacted Omnibus Appropriations Act requires posting OIG reports on specific websites within one day of release, apparently overriding (as the more recent Congressional pronouncement) the provisions of the IG Reform Act (requiring posting of reports within three days). Other provisions of the Appropriations Act include 1) requiring that persons who have requested information in the past automatically receive information on new postings to the website and 2) extending anonymity to all parties reporting fraud, waste and abuse (not limited to agency employees) and 3) not providing an exception to anonymity for disclosure as necessary in the course of investigation. Again, this language conflicts with the provisions on these topics in existing legislation.

Howard Sorensen (Ed) introduced Marta Erceg, as new Counsel to the IG at the Department of Education.

(b)(5)

Allison Lerner (Commerce) said they will be announcing for two new attorney positions in the near future.

(b)(5)

Omer Poirier (DOT) said that DOT/ OIG did a webcast on Fraud to all DOT employees. The webcast was done by the head of investigation and included comments by the Secretary and the Inspector General and was then posted to the DOT and OIG websites.

(b)(5)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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то:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on April 15, 2009
Next CCIG mee	ting will be held on:
	Wednesday, May 20, 2009, at 10:00 a.m.
	Location: Securities & Exchange Commission (SEC)
	100 F Street NE, Washington DC, Room 5000

The April 15, 2009 CCIG meeting was held at the National Labor Relations Board, 1099 14th Street N.W., Washington DC, with Alan Larsen (NRO) and Glenn Harris (SBA) presiding.

Guest Speaker

Al Larsen introduced the guest speaker, Ms. Melanie Pustay, Director of the Office of Information Policy at the US Department of Justice. In that role, she manages the Department's obligations related to FOIA. Ms. Pustay's PowerPoint presentation from the meeting is attached to these minutes. The slides focus on President Obama's FOIA memorandum which he issued at the beginning of his administration, and AG Holder's FOIA Guidelines.

(b)(5)

(b)(5)

Ms. Pustay invited IG counsel to call the Office of Information Policy with any questions. She had to leave for her next engagement, but discussion continued among the CCIG members.

New Member

The CCIG welcomes Rae Oliver, Postal Service OIG, who was introduced by Gene Wiley.

Committee and Working Group Reports

Legislation Committee:

Glenn Harris reported that the Legislation Committee of the CIGIE had met the previous day. The Senate Committee on Homeland Security and Government Affairs was having a hearing on April 21, focusing on the white paper prepared by the Legislation Committee of the National Procurement Fraud Task Force. IGs Tony Ogden (GPO), Rick Skinner (DHS) and Brian Miller (GSA) would be testifying.

Glenn Harris has received a variety of comments and suggestions in response to his request for matters that could be addressed in an anticipated bill to make Technical Amendments to the IG Reform Act. Glenn will be organizing them and intends to present them to the CCIG and then to the CIGIE Legislation Committee.

Audit Committee

No Report.

Human Resources Committee

[note—I believe Bruce reported, but I didn't write that in my notes. Please confirm] Bruce Delaplaine (Interior) reported that, after not meeting for the past several months, the CIGIE HR Committee was meeting this month. They have made no decisions yet on what vehicle or entity will be used to provide training in the various OIG disciplines.

Inspections and Evaluations Committee

The initial Inspection and Evaluation Training Conference, "Fostering our Evaluation Community", will be held June 16-17 at the FDIC. [help me—again I failed to note who reported for the I&E committee].

Investigations Committee:

Mona Mafi (SSA) reported that the committee is continuing to work on training options and the Undercover Review Committee guidelines. (b)(5) (b)(5)

Training Committee:

Frank Mazurek (NASA) reported on a training opportunity related to the role of in-house counsel in internal corporate investigations and another addressing lobbyists.

Summer Legal Intern Working Group:

Sadie Lowe (SBA) reported that the group was outlining plans for the program and events that will be offered this summer. They are looking for speakers who have previously worked on Capitol Hill and are now in OIGs.

CCIGweb Working Group:

Al Larsen reported that the web developers at GPO have reported back to the working group that some of the modifications that CCIG has requested are not feasible, and the totality of changes would be too costly, so there may have to be tradeoffs and choices. The working group would meet again with the developers to hear the specifics and try to reach agreement on any such choices, and then drive this project to closure and launch by the beginning of summer.

Working Group on Shared Counsel for IGs Without Counsel

Liz Dean (FCA) who is heading this working group was not at the meeting, but has circulated for vetting three documents that the group has produced: 1) a process memo explaining the IG Reform Act provisions related to obtaining legal counsel, 2) frequently asked questions, and 3) a model MOU between IGs to provide counsel services from one office to another. Note: subsequent to the CCIG meeting, this working group finalized these products and has forwarded them to CIGIE for posting on IGNET.

Recovery Act Task Force

Howard Sorensen (ED) reported that this working group was having a conference call every two weeks to talk about the various issues presented by the Recovery Act provisions applicable to OIGs. OMB has issued its next set of guidance. It addresses appropriate expenditures for IGs using recovery funds.^{(b)(5)}

(b)(5)

New Business

Bruce Delaplaine (DOI) reported that Interior OIG will be hiring a contractor for FOIA work. If anyone has used a contractor for that function, please contact Bruce.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on May 20, 2009
Next CCIG mee	ting will be held on:
	Wednesday, June 17, 2009, at 10:00 a.m.
	Location: Small Business Administration (SBA)
	409 Third Street, SW, Washington DC

The May 20, 2009 CCIG meeting was held at the Securities and Exchange Commission, 100 F Street, NE, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Panel

Al Larsen introduced the guest panel of CCIG insiders: Brian Dettelbach of the Department of Transportation OIG, and David Gray and Paul Feeney of the Department of Agriculture OIG. Through prepared remarks and a question and answer session, they addressed the role that IG counsel can play in the federal legislative process, including how welcome our participation is by Congressional Members and staff, how to get a place at the table, and how to enhance effectiveness.

CCIG members should be aware that the CIGIE website posts legislative status reports that are updated weekly.

New Members

The CCIG welcomes Joaquin Ferrao, IG Counsel and Deputy IG for Peace Corps, and also welcomes back former member Osvaldo (Luis) Gratacos, now IG Counsel at International Monetary Fund.

Committee and Working Group Reports

Legislation Committee:

Alberto Rivera-Fournier (GPO) reported that GPO IG Tony Ogden was elected Chair of the CIGIE Legislation Committee. The committee will be meeting with Congressional staff to present IG-wide positions on (b)(5)

(b)(5)	The Legislation Committee is
the process of gathering responses	to two recent surveys sent to federal IGs. (b)(5)
(b)(5)	

(b)(5) It is necessary to notify IGNet at HHS.gov to get someone

from an OIG onto the CIGIE notification lists for liaison and IGs, However, the request must come from the OIG liaison for that office; a person can't just must make a request directly on his or her own behalf.

Glenn Harris (SBA) noted that he has been receiving and compiling suggested technical amendments to the IG Reform Act.

Audit Committee

No report, but Jon Rymer, FDIC, has been elected chair of the CIGIE Audit Committee..

Professional Development (formerly Human Resources) Committee

Bruce Delaplaine (Interior) reported that Mary Kendall, Acting IG at Interior, has been elected Chair, replacing Earl Devaney. There will be training for new OIG supervisors. (b)(5)

(b)(5) CIGIE will establish a "Professional Development Committee", replacing the HR Committee. (b)(5) (b)(5)

CIGIE has approved a

proposed training plan, but they are still working on training academies and their roles. They had discussed an umbrella organization over the three existing academies. Note: The director of the IG Academy, Angela Hrdlicka, will be the speaker at the June CCIG meeting.

Inspections and Evaluations Committee

No report.

Investigations Committee:

Richard Moore, IG for the Tennessee Valley authority was elected Chair of the CIGIE Investigations Committee.

Training Committee:

Frank LaRocca (NASA) reported on a CLE sponsored by the Federal Bar Association on Conflicts of Interest, Gifts and Lobbyists, May 29 at the Library of Congress.

Summer Legal Intern Working Group:

Sadie Lowe (SBA) reported that the first event will be the June 10 Kickoff at the SBA. The Supreme Court tour will follow the June 17th CCIG meeting. The Working Group is still looking for help on the legislative/ OIG panel in July.

CCIGweb Working Group:

Alberto Rivera- Fournier reported that the website developers are almost done with the web page project, and intended to put it on the server for testing that week. They will be sending out user names and passwords to CCIG members. They may do a demonstration at the June or July CCIG meeting.

Working Group on Shared Counsel for IGs Without Counsel

Liz Dean (FCA) and Cynthia Hogue (FTC) have completed their project and the resulting materials are now posted on IGNet, for reference by OIGs who need legal counsel, but do not have their own. CCIG thanks Liz and Cynthia for their work for the benefit of the wider IG community.

Recovery Act Task Force

Howard Sorensen (ED) reported that this working group was no longer having regular meetings, as they have dealt with most of the initial questions that arose with the passage of the Recovery Act.

CIGIE

David Gray reported information from the CIGIE retreat. OMB will not provide any funding for CIGIE this year. So, CIGIE will be paying for its operations for the remainder of the fiscal year with an assessment of .24% (that is a fraction of one per cent) of each OIG's budget for the 4th quarter. ^{(b)(5)}

(b)(5)

New Business

Mary Beth Sullivan (SEC) reported that at the AIGI (Investigations) conference held on April 14 to 16, a survey was taken as to whether the INV training should remain at FLETC. The majority view was that the primary training should remain at FLETC, with additional training in the DC area and elsewhere.

Al Larsen (NRO) noted that CCIG was holding one of its occasional social outings, a happy hour at Elephant and Castle, 12th and Penn NW, at 5 pm on Thursday June 11. Also, he noted that there will be no CCIG meeting in August.

Omer Poirier noted a tentative plan to have a CCIG summer intern outing at a Washington Nationals game in July, with all CCIG members being invited to attend.

David Gray (USDA) noted that the Federal Audit Executive Council would be meeting in Williamsburg the following week. Also, the Senate would be marking up a bill regarding part-time re-employment of retired federal annuitants, and would be taking up a provision to require periodic reporting of abuse in the use of government charge cards. Sen. McCaskill's new subcommittee on procurement intends to meet approximately every 6 weeks, and they are amenable to receiving suggestions for topics that the subcommittee should address.

Lenye Adams (Commerce) said that Teresa (Terry) Schlee was acting Counsel to the IG at Commerce.

(b)(5)

(b)(5)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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то:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chair Alan Larsen, NRO OIG
	CCIG Vice-Chair Glenn Harris, SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on June 17, 2009
Next CCIG meetin	g will be held on:
	Wednesday, July 15, 2009, at 10:00 a.m.
	Location: U.S. Securities and Exchange Commission
	100 F Street, N.E.
	Washington, D.C.

The June 17, 2009 CCIG meeting was held at the Small Business Administration (SBA), 409 Third Street, SW, Washington, DC, with Mary Beth Sullivan (SEC) presiding.

CCIG Website Presentation

Alberto Rivera-Fournier (GPO) and Jeff Ertman of GPO's Creative and Digital Media Services Group presented the new CCIG website. GPO has been working on the website for about a year and expects to be ready to launch the website in approximately two weeks. The goal is for the website to serve as a fully functional tool and central depository of information and resources for CCIG members.

Mr. Rivera-Fournier and Mr. Ertman provided a tour of the website, starting with the home page where upcoming events, meeting minutes, and training materials are available on the right panel.

On the left panel, a link to the library is provided. Although not yet fully populated, the library will serve as a central repository for resource materials. Library resources are searchable by date, title, document type, topic, etc. Members can upload new materials to the library by clicking on the corresponding link and completing the required fields to label the new resource (name, topic, etc). The goal is for any valuable resource to be included in the library.

The website is currently designed to allow members to add new topics to the topic list in the library but Omer Poirier (DOT) suggested that new topics be screened before being added to the topic list.

Mr. Rivera-Fournier and Mr. Ertman explained that an email will be sent to current CCIG members with instructions on how to gain access to the website. New CCIG members can request to register and will be granted access upon verification of membership.

Mr. Rivera-Fournier and Mr. Ertman continued the tour of the website, showing additional links on the left panel, including links to the CCIGNet archives, the directory

where you can search for members, the calendar, and contact information. There is also a link that will allow members to edit their profiles.

Al Larsen and Mary Beth Sullivan thanked Mr. Rivera-Fournier and Mr. Ertman for their work. Glenn Harris thanked Alberto Rivera Fournier, Mary Beth Sullivan, Larry Froehlich (FRB), Jerry Lawson (AID), and Jason Derr (FRB) who have worked on the CCIG website.

Guest Speaker

Tom Lehrich (DOT) introduced Angela Hrdlicka, Director of the Inspector General Criminal Investigator Academy. Ms. Hrdlicka is a graduate of Duke University who began her career with the U.S. Secret Service and currently is a special agent for the Department of the Interior. She has been detailed to the Academy since 2006. Ms. Hrdlicka can be reached at (b)(6) (912) 267-3801 (office) and (b)(6) See also <u>http://www.ignet.gov/igcia/index.htm</u>. Ms. Hrdlicka's PowerPoint presentation is attached to these minutes.

Ms. Hrdlicka thanked CCIG for the opportunity to speak and praised CCIG for being the most cohesive group in the IG community. Ms. Hrdlicka shared the mission of the Academy, which is to "train those who protect our nation's taxpayers from fraud, waste and abuse." Ms. Hrdlicka also shared the Academy's goals, which is to "develop and deliver quality, timely and cost-effective training to enable our partners to accomplish their missions" and to "provide on-site representation and liaison to FLETC [Federal Law Enforcement Training Center] on behalf of the OIG community."

Ms. Hrdlicka explained that the Academy is primarily based in Glynco, Georgia at FLETC, which serves 2,500 to 3,500 students per day at the Glynco facility each year, with 75 to 150 IG personnel in training each day. The Academy currently has a staff of three but expects to bring on two new program managers soon. The Academy also has a Permanent Curriculum Review Committee of twelve individuals, plus various CCIG members.

Ms. Hrdlicka discussed the Academy Facilitator program, which brings in experienced IG personnel to mentor and assist students, as well as assist Academy staff. The Academy funds the facilitators' travel expenses.

Courses at the Academy are taught by subject matter experts from various IG offices, including AIGIs, legal counsels, and 1811s, in addition to instructional support from several DOJ entities, OGE, FLETC, contractors and other federal law enforcement. Agencies whose employees train at FLETC are required to donate instructors. Currently, there are OIG instructors detailed to FLETC from HHS, DCIS, VA, and DOJ. Ms. Hrdlicka encouraged CCIG members to consider the possibility of detailing attorneys to FLETC as instructors on behalf of the IG community. OIG agencies are partially reimbursed for detailing instructors to FLETC (\$90,500/yr in FY09)

Ms. Hrdlicka explained that the Academy also does regional training outside of Glynco. This year, the IG Academy conducted training programs in seven cities, including, Charleston, SC, Shepherdstown, WV, San Diego, CA, Arlington, VA, Chicago, IL, and Seattle, WA.

(b)(5)

Ms. Hrdlicka discussed opportunities for CCIG members to contribute to the IG Academy's training programs, including serving as guest instructors, participating in the Academy's curriculum development conferences, writing or revising lesson plans, policy writing, and the permanent detail (3-5 yrs) instructor opportunity to FLETC.

Ms. Hrdlicka took questions regarding where in the DC area training is provided (Shepherdstown and Arlington) and whether training is just for agents or also for attorneys (some attorney trainings are provided). (b)(5)

(b)(5)	
(b)(5)	Ms. Hrdlicka further explained that the Academy trains personnel from
state and	l local IG offices as well as military IG offices. (b)(5)
(b)(5)	

Upon completion of the question and answer session, Mary Beth Sullivan thanked Tom Lehrich for his assistance in arranging for Ms. Hrdlicka's presentation. Ms. Sullivan also announced that Mr. Lehrich (DOT) is leaving the IG community to serve as Assistant Chief Counsel for General Law for the TSA at DHS.

New Member and Interns

The CCIG welcomes new members Travis Farris (SBA) and Joel Weiss (GPO), and new legal interns/clerks Rachel Aksman (GPO), Bill Holahan (USDA), Kristina Katz (SEC), and April Elliott (SEC).

<u>CIGIE, Committee and Working Group Reports</u> (Only those committees and working groups for which news was reported are listed below)

CIGIE News:

Mary Beth Sullivan (SEC) reported on the June 16, 2009 CIGIE meeting. Vivek Kundra, Federal Chief Information Officer, spoke at the meeting. Mr. Kundra, whose office is within OMB, discussed data.gov, a website recently launched to provide the public with access to information from federal agencies. Mr. Kundra discussed the website's potential to assist IG's and specifically mentioned the "IT Dashboard," another tool that may be of assistance to IGs that will be launched on June 30th. The IT Dashboard will allow IG's and others to compare IT spending and contracts among agencies.

Ms. Sullivan said that CIGIE also approved amendments to the IG Charter addressing contingencies if the Chair or Vice Chair cannot continue to serve as well as several other (b)(5)

b)(5)	the audit training program
and changes to the American University (AU) pro programs for new and experienced managers at a	

Audit Committee:

Chris Gieseler (FDIC) reported that at last month's Audit Committee meeting, one of the issues discussed at the meeting was S. 941, which would amend FISMA by requiring that GAO draft standards for conducting FISMA reviews in collaboration with "the Inspectors General" and OMB. A subcommittee in the Audit Committee structure will continue to monitor the bill's progress

Professional Development Committee:

Bruce Delaplaine (DOI) reported that the AU program is undergoing changes. The program will now offer separate two-week programs for new and experienced managers. The programs usually have a week off in between the two weeks of class. The costs of the program have been reduced. Mr. Delaplaine said he is happy to discuss the program with anyone who is interested.

Legislation Committee:

Training Committee:

Frank LaRocca (NASA) discussed two training opportunities coming up this summer, an EEOC training in New Orleans on July 17-30, and an ABA conference in Chicago on July 30-Aug. 4. Additional information is available at http://www.eeotraining.eeoc.gov/viewpage.aspx?ID=544ba025-e786-4a3d-bf9f-cabf5938f895 and http://www.eeotraining.eeoc.gov/viewpage.aspx?ID=544ba025-e786-4a3d-bf9f-cabf5938f895 and http://www.abanet.org/annual/pdfs/CLE_Programs.pdf.

Summer Legal Intern Committee:

Sadie Lowe (SBA) reported that the summer legal intern program is under way, with a Supreme Court tour on June 17 and a FOIA Brown Bag Lunch on June 18. A Capitol Hill tour and panel discussion is planned for June 29. Ms. Lowe is also working to coordinate an outing to the July 24th Nationals v. Padres baseball game with interns and CCIG members.

New Business

(b)(5)

Glenn Harris (SBA) thanked Tom Lehrich who is leaving the IG community for a position at TSA for all his contributions to the CCIG and the IG community.

Al Larsen (NRO) asked whether there had been any follow-up from Congressman Issa regarding his April 16, 2009 request for information on open IG recommendations, and none was indicated.

(b)(5)

(b)(5)			
(b)(5)			

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on July 15, 2009
	Next CCIG meeting will be held on:
	Wednesday, September 16, 2009, at 10:00 a.m.
	Location: Securities & Exchange Commission (SEC)
	100 F Street NE, Washington DC

The July 15, 2009 CCIG meeting was held at the Securities & Exchange Commission, 100F Street NW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Mary Beth Sullivan introduced the guest speaker, Mr. Michael Granston, from the Commercial Litigation Branch (Commercial Lit) of the Civil Division of the Department of Justice. He addressed recent amendments to the civil False Claims Act, most of which became effective May 20, 2009. His PowerPoint presentation from the meeting is attached to these minutes.

(b)(5)	He noted that
here have been \$22 billion in	recoveries under the FCA since the 1986 amendments to
he act, and he thanked the O	Gs for playing a large role in that success. He asked that
	mind for civil fraud referrals, rather than only sending
them to US Attorneys Office	(b)(5)
	We can also refer subpoena

enforcement matters to his shop.

The attached PowerPoint slides are relatively self-contained, so we will not repeat them in narrative in these minutes. Mr. Granston addressed eight major changes to the FCA in the recent legislation:

- 1. Eliminating "presentment" requirement
- 2. Eliminating requirement that money or property falsely requested "belong" to the US
- 3. Eliminate intent requirement under Allison Engine holding
- 4. Conspiracy provision also applies to reverse false claims

- 5. Expand reverse false claim provision in other ways
- 6. Government's complaint will relate back to relator's complaint for Statute of Limitations purposes
- 7. Modifies provisions related to Civil Investigative Demands
- 8. Relator's complaint can be served on state or local govt. entity if action brought under both FCA and state statute

Mr. Granston noted that there are additional amendments to the FCA being proposed in the current session of Congress. He also noted that, while the recent amendments authorize the AG to delegate authority to issue CIDs, (b)(5)

(b)(5)	
(b)(5)	He noted that Tony West, the new AAG for Civil Division,
would be spea	king to the CIGIE at the July 28 meeting. Michael can be reached at
(b)(6)	or 202-305-0632.

New Member

CCIG welcomes new members Adam Kaplan (SBA) and Rene Rocque (DHS).

Committee and Working Group Reports

Audit Committee

The committee was to meet on July 21.

Legislation Committee:

Mike Ching (USDA) reported that S. 976 would waive the requirements of the Paperwork Reduction Act for IGs in conducting surveys.

HR 1507 and S. 372 would revise the Whistleblower Protection Act, and are intended by sponsors to strengthen protections for whistleblowers.

Amendments are proposed to the Computer Matching Act to provide relief for OIGs, and (b)(5)

The Defense Authorization bill has a provision regarding reemployment of retired annuitants, and also addresses subpoena powers for the DOD IG

Glenn Harris (SBA) is working with Tony Ogden, Chair of the Legislation Committee on an effort to examine various statutes that have been introduced giving certain OIGs testimonial subpoena power and (b)(5)

(b)(5)		55
(b)(5)	Glenn is also heading a look at technical amendments to the IG Act.	

Mike noted that the legislative status chart is updated weekly on the CIGIE web page (under Legislation Committee).

Professional Development Committee

Bruce Delaplaine reported that the committee is finalizing training available through the Gettysburg and American University programs

Training Committee:

Frank Larocca (NASA) reported on several upcoming training opportunities, which he circulated on the CCIG list serv after the meeting: EEOC EXCEL Conference in August ABA Annual Meeting, July 30-Aug. 4 Federal Dispute Resolution Conference Federal Bar Association Annual Meeting, Sept. 10-12.

CCIGweb Working Group:

The website will be up and running before the September CCIG meeting. Editor's note: please see the August 18 e-mail on the CCIGNET list serv from Alberto Rivera-Fournier (GPO) announcing that the web site is "live", and including instructions on how to access it.

Summer Legal Intern Working Group:

Sadie Lowe (SBA) reported that there was to be a July 27 Pentagon Tour for the interns. The final event would be the closing session on July 30 at USDA, with addresses to the group by USDA IG and CIGIE Chair Phyllis Fong, and USDA Deputy IG Kathy Tighe, as well as a panel of attorneys from the private and public sectors regarding employment opportunities.

Inspections and Evaluations Committee

Antigone Potamianos (HHS) reported that the initial Inspection and Evaluation Training Conference, "Fostering our Evaluation Community", held June 16-17 at the FDIC, had approximately 200 participants from 40 OIGs.^{(b)(5)}

(b)(5)

Investigations Committee:

No report.

New Business

Earl Baker (NASA) who is based at the Jet Propulsion Laboratory in California noted that the CCIGNet e-mail discussion forum is very helpful to IG counsel in the field and thanked all the members of the CCIG who regularly contribute to and participate in the CCIGNet for their assistance and support.

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* * *

TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on September 16, 2009
	Next CCIG meeting will be held on:
	Wednesday, October 21, 2009, at 10:00 a.m.
2	Location: Securities & Exchange Commission (SEC)

100 F Street NE, Washington DC

The September 16, 2009 CCIG meeting was held at the Securities & Exchange Commission, 100F Street NW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Opening Discussion

Mary Beth Sullivan introduced Alberto Rivera-Fournier, Counsel to the IG at the Government Printing Office. The GPO has been developing the website for the CCIG (<u>www.ccig.gov</u>), led by a CCIG working group. With the site up and running, Alberto gave an overview of its functions and solicited comments from the members about their experiences with it so far. In response to his question, many of those present said they had gone to the site and used it. Alberto then gave a brief "live" demonstration, taking the group through various functions while he was logged on to the site. He made the following points using that demo:

--members can update their own "profile" information

--anyone who has an item for the Calendar can send it to Joel Weiss at GPO or to the CCIG Chair (Mary Beth) who will then post it

--searching the "Library": can do it by topic or by words within text

--rather than sending documents to all of our CCIG colleagues as an e-mail attachment (as has been the primary method heretofore), a member can add the document to the Library and just send a short note as an e-mail informing people of the newly uploaded document.. Everyone who has user access is a "publisher", with document uploading capability.

--The system may not be capable of a full-text search on a pdf document, so any document to be used as a template should be posted in Word format. Alberto said he would check into this issue and send the answer to that along with other advice in a "Helpful Hints" note in the near future.

--The drop-down topic list is intended to present the majority of frequently-used topics without having so many that it becomes overly cumbersome. However, if someone believes that list or the "links" list lacks a needed category, send the suggestion for the addition to a "Power User", who at this point are Alberto, Mary Beth Sullivan and Glenn Harris (SBA).

CCIG Membership Criteria

Al Larsen noted that CCIG receives requests on an on-going basis to add people to the CCIG list serv, and now, to allow Website access. The officers have fielded a large number of such requests recently, and thought it would be useful to reiterate the criteria that the CCIG applies for membership (which essentially consists of the above accesses and meeting attendance). Al further explained that the officers did not think it appropriate that they should serve as some sort of adjudicative body, hearing pleadings on why one person or another should be "admitted". Rather, we intend to continue to apply the "bright line" test that CCIG has employed since its beginning. Simply stated, one has to be in a job in which one of the primary day-to-day functions is to provide legal advice to the Inspector General.

In applying that criterion to any specific situation, the test is what the person does, not what the position title is. So, it would include a person whose title (position) is something other than counsel, but whose primary day-to-day function is to provide legal advice to the OIG. They may have a position title as something like special advisor, but their main function in the office is to provide legal advice. Another acceptable circumstance is where one might not say their sole day-to-day function is providing legal advice, but they are the primary provider of legal advice to the OIG. For example, an IG may be serving as her own counsel, when she has no counsel. While, as IG, that is her primary role, she is also the primary (only, actually) person in the office providing legal advice. Conversely, a person who is in fact a lawyer, but who doesn't have as a primary function the provision of legal advice to the IG, would not qualify. For example, the chief of audit or the Deputy IG is a lawyer, but only on rare occasions would he get involved in providing legal advice (for example in response to an infrequent question). Other people in the office had that responsibility. (And there is no "sentimental exception", for someone who once was a CCIG member, and is now doing something else but would like to "stay in touch").

The above standard is not new; it's the one CCIG has applied from its inception. We will continue to apply it to any new requests.

New Members

CCIG welcomes new members Charles Kandt, Counsel to the IG for the Tennessee Valley Authority (in Knoxville), Diana Merelman, attorney in the OIG at HHS, and Kathleen O'Reilly, attorney in the OIG at the FCC.

Committee and Working Group Reports

CIGIE Meeting

David Gray (USDA) reported on the Sept. 15 meeting of the CIGIE. Shawn Henry, of the FBI's Cyber Crimes section addressed the IGs on cyber threats and how to mitigate them.

The ongoing contact person at FBI on this is Mary Jo Irvin ^{(b)(6)} the Field Office supervisor for cyber attacks.

Stuart Bowen, the Special IG for Iraq Reconstruction, reported to CIGIE on unique challenges facing SIGIR. He reports to both the Secretary of State and the Secretary of Defense. He must present quarterly reports to Congress in addition to Semiannual Reports. They have to create a unique infrastructure, for example using Schedule A authorities, detailees and annuitants.

Mark Jones, Acting Executive Director for CIGIE announced a CIGIE contract with GSA for budget and accounting functions. It establishes a revolving fund that will be used to receive CIGIE funds and pay its expenses. At this point, about 50% of FY10 payments (from CIGIE "assessments") have been paid by IG offices. (b)(5)

The next edition of the Journal of Public Inquiry should be out shortly. There will be a CIGIE awards ceremony (Oct. 20) in the Mellon Auditorium (1301 Constitution Ave. NW) The CIGIE Integrity Committee will meet on Sept. 23.

Discussions have begun on how Presidential Rank Awards will be processed by CIGIE. As a result of the IG Reform Act of 2008, the IGs are now to recommend nominees to CIGIE, rather than to the head of their agency as was done in the past, and CIGIE will vet and recommend Awards to OPM.

Audit Committee

Chris Gieseler was not present but sent a note stating that DOJ's Office of Legal Counsel has ruled that under the terms of the Federal Housing Finance Regulatory Reform Act, which created the Federal Housing Agency, Ed Kelly who was IG of the now-abolished Federal Housing Finance Board, could not automatically serve as IG or exercise the powers of that office for the new entity. The Sept. 8, 2009 OLC opinion is available in the "Library" of the CCIG Website.

Legislation Committee:

Alberto Rivera-Fournier reported the results of an IG-wide survey on testimonial subpoena authority. (b)(5)

(b)(5)

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Two bills, HR 3393 and S 1508 would impose a compliance audit requirement on OIGs (regarding improper payments). This is modified from an earlier version that imposed a full-blown audit requirement to more of a pro forma check list report. (b)(5)

A bill providing for Technical Amendments to the IG Act has been circulated to the IGs for their comment (by Sept. 30), for presentation to the Congressional Committees.

(b)(5)

Professional Development Committee

Mary Beth Sullivan reported on the CIGIE Professional Development Committee meeting, where consultant Chris St. John described his efforts to develop a communitywide view of the new training structure for OIG professionals. To date, he has interviewed over 60 IGs and staff, and interviews are continuing. The Professional Development Committee has agreed that there will be a single "institute" overseeing the various "academies". CIGIE will be announcing a vacancy notice for the position of CIGIE Training Director. On Nov. 3 there will be a pilot program for IGs and Deputy IGs at the Gettysburg program (with costs to be paid by the individual OIGs).

Training Committee:

No report.

Inspections and Evaluations Committee

Antigone Potamianos (HHS) reported that the Inspection and Evaluation peer review process is still in development.

Investigations Committee:

Charles Kandt is IG Counsel for the Tennessee Valley Authority, and Richard Moore, the TVA IG, has recently become chair of the CIGIE Investigations Committee. Mr. Kandt noted that Mr. Moore was an AUSA for nearly 20 years and that he has a long standing interest in investigations. The Committee would be meeting on September 29.

New Business

Mona Malfi (SSA) noted that SSA OIG has been compiling survey results regarding OIG hotlines and will eventually present those results to CIGIE.

Mary Beth Sullivan introduced two legal interns at SEC OIG: Stephanie Bignon, and Guillaume Briant.

She also noted that the CCIG annual holiday luncheon will be held on Monday Dec. 14 at Clydes' Gallery Place (the location of last year's luncheon). For those who can't wait that long, CCIG is considering some sort of Fall event, such as a Happy Hour.

(b)(5)

Antigone Potamianos (HHS) introduced Diana Merriman, attorney in HHS OIG.

Dean Manis (Commerce) reported that Wade Green Jr. is the new Counsel to the IG at Commerce. Also, Commerce OIG has hired law clerks for the first time, and is interested in hearing from others who have done this previously.

(b)(5)

Kirt	t West (SIGIR) noted several issues of possible interest to me	mbers. ^{(b)(b)}	
(b)(5)			
/L-V/EY	11 77	· · 11 1 · · · · · · · ·	1

(b)(5) Also, Kirt called attention to 18 USC 3287 (including the 2008 amendments in PL 110-417, sec. 855), tolling the statute of limitations on all frauds or attempted fraud against the US when the US is "at war or Congress has enacted a specific authorization for the use of the Armed Forces".

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TO:CCIG MembersFROM:CCIG Chair Mary Beth Sullivan, SEC OIG
CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
SBA OIGSUBJECT:Minutes of the CCIG Meeting held on October 21, 2009

Next CCIG meeting will be held on: Wednesday, November 18, 2009, at 10:00 a.m. Location: Small Business Administration (SBA) 409 Third Street, SW, Washington DC

The October 21, 2009 CCIG meeting was held at the Securities & Exchange Commission, 100F Street NW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Mary Beth Sullivan introduced the Inspector General of the SEC, Mr. David Kotz, who spoke about the SEC OIG investigation into the matters involving Bernard Madoff. Mr. Kotz described the challenges in conducting that investigation and gave an overview of its outcome.

New Members

CCIG welcomes new members Jim Braga, new Deputy Counsel to the IG at the CIA, Nick Coates (DOT), and Leann Harrier, USPS.

Committee and Working Group Reports

CIGIE Meeting

The CIGIE conducted its awards ceremony at Mellon Auditorium and therefore did not have an October meeting.

Audit Committee

No report.

Legislation Committee:

Mike Ching (USDA) reported that Rep. Conyers had introduced two bills of interest:
 H.R. 3827, providing for DOJ IG review of actions by DOJ lawyers, and H.R. 3828,
 providing power to all IGs to subpoen former agency employees and contractor
 employees, but not grantees. It would require consultation with and approval by DOJ.

The Defense Authorization Act, with subpoena power and authority to hire retired annuitants, discussed at previous meetings, is still in Conference Committee.

(b)(5)

He also noted that Sen. McCaskill had introduced S.1490 that would provide whistleblower protection for non-federal employees who report misuse of federal funds. (b)(5)

Professional Development Committee

Bruce Delaplaine (Interior) reported that the Gettysburg program would be conducting a pilot program, for IGs only, on Nov. 3-4, 2009.

The Gettysburg Program and the American University Program both continue to garner sign-ups and support. CIGIE wants to go forward with a job announcement for the training coordinator, and they want to add an "1811" category position for Investigations training. The committee is discussing^{(b)(5)}

Training Committee:

Frank Mazurek (NASA) reported that there will be training on the topic of Civil and Administrative Remedies at FDIC.

Inspections and Evaluations Committee

No report.

Investigations Committee:

No report, although Mary Beth Sullivan noted that the Committee had met.

CCIG Awards Committee

Jackie Becker (FRB) and Maryann Grodin (NRC will chair the committee to receive nominations and decide upon awards to CCIG members for their service to CCIG and the IG community. The awards will be announced and presented at the annual luncheon, on Monday December 14. They were seeking volunteers to serve on this committee. [Editor's note: subsequent to the October meeting, they did solicit and receive volunteers, and are now about their work. Any CCIG member who wishes to nominate someone for an award should contact Jackie or Maryann by Friday Nov. 6.]

Whistleblower/Hotline Survey Project

Jonathan Lasher (SSA) announced that he and others who have been working on a survey of OIGs regarding their practices and experience with whistleblowers who use the OIG hotlines have drafted a report. They are now discussing next steps for review and dissemination.

New Business

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Mary Beth Sullivan announced that the annual CCIG Holiday Luncheon will be held at Clydes' at Gallery Place on Monday December 14. Those attending must respond in advance (e-mail to (b)(6) but pay, with a check at the door.

Glenn Harris (SBA) discussed the work CCIG is doing to integrate training for IG lawyers into the overall training and professional development approach that the CIGIE is putting together for OIG staffs. There has been a systematic approach to training for auditors, investigators, and other disciplines, but not for attorneys. Glenn has met with Chris St. John, FLETC representatives, and a number of CCIG members. They don't want to duplicate courses available elsewhere, but do want to fill gaps by offering our own courses, taught by experts in various subject areas. We want to turn this into a coordinated proposal to CIGIE via Chris St. John to be made part of the overall CIGIE approach. [editor's note: subsequent to the meeting, Glenn has circulated a written proposal for comment by the CCIG members. Please respond to him ASAP with any comments.]

Al Larsen (NRO) asked Mary Beth to thank Mr. Kotz on behalf of the CCIG for addressing the group and for being so open. In accordance with CCIG rules and practice, his remarks will remain confidential.

Dean Manis (Commerce) thanked other IG counsel for helping Commerce OIG get its intern program underway. He noted they will be hiring a paralegal, so if anyone is aware of a good candidate, please let him know.

(b)(5)

(b)(5)

(b)(5)

She also introduced a new USPS

OIG attorney, Leann Harrier.

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(b)(5)

(b)(5)

(b)(5)

DoD legal intern Elizabeth Tyson introduced herself to the group.

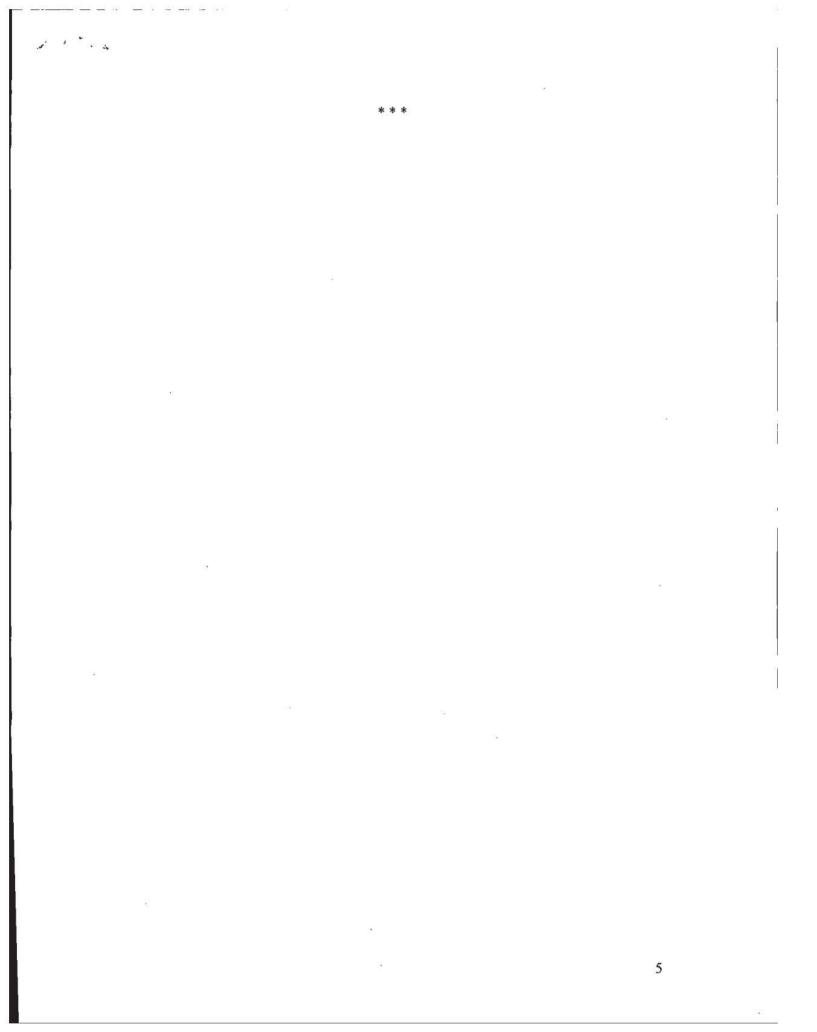
(b)(5)

Omer also introduced a new attorney at DOT OIG, Nick Coates.

(b)(5)

(b)(5)

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on November 19, 2009

Next CCIG meeting will be held on:

Wednesday, January 20, 2010, at 10:00 a.m. Location: Securities & Exchange Commission (SEC), 100 F Street NE, Washington, D.C

The November 19, 2009 CCIG meeting was held at the Small Business Administration, 409 Third Street, SW, Washington, D.C., with Mary Beth Sullivan, (SEC) presiding.

Guest Panel

Glenn Harris (SBA) introduced a panel of CCIG members who spoke about working with US Attorney Offices and Main DOJ: Rob DeConti (HHS), Lisa Goldfluss (USAID), Dan Ellenbogen (USPS) and Omer Poirier (DOT).

Lisa was an AUSA in the Civil Division of the U.S. Attorney's Office for the District of Columbia for many years before joining the OIG community. Lisa observed (b)(5)

Dan has worked with a number of AUSAs, largely on employment disputes, during his career at the U.S. Postal OIG. He began by noting (b)(5)

the the state of t

Rob DeConti heads a unit at HHS OIG responsible for working with DOJ to prosecute false claims actions. Rob noted that (b)(5)

(b)(5)

Omer was a criminal AUSA in the District of Hawaii for about a decade. He thinks (b)(5)

(b)(5)

2

There ensued discussion between the panel members and the CCIG audience, and among the panelists. Additional points included Rob's observation (b)(5)

81.5 11

(b)(5)

Election of Officers

Larry Froelich (FRB) delivered the report of the Nominating Committee and conducted the election of CCIG officers for calendar year 2010. The Nominating Committee consisted of past Chairs of the CCIG. The current officers were all completing their first years in those offices. CCIG practice has been to allow officers to serve two years. All three officers had indicated their willingness to do so, if elected. Practice has also been to elect one Vice Chair from among PAS OIGs and one Vice Chair from among non-PAS OIGs. The Nominating Committee presented a slate of the current officers for re-election to their respective posts. Larry opened the floor for additional nominations. There were none. Larry then conducted the election, noting that each OIG present received one vote. The results were the election of Mary Beth Sullivan (SEC) as Chair, Glenn Harris (SBA) Vice Chair (PAS OIGs) and Al Larsen (NRO) Vice Chair (non-PAS OIGs).

CIGIE Meeting

Mark Bialek (EPA) reported on the November meeting of CIGIE. The focus of that meeting was implementation of the Council's strategic plan. ^{(b)(5)}

(b)(5)

Another element of CIGIE's strategic plan is training and professional development. This effort is headed by Mary Kendall (Interior OIG). They are trying to fill vacancies in the training structure. In addition, the CIGIE is looking at the larger issue of funding of Council operations, and trying to staff up with help from OMB. Finally, Mark related that CICIE will be revising standards for the inspection and evaluation function.

Committee Reports

Legislation Committee:

(b)(5)

Audit Committee

Chris Gieseler (FDIC) reported that the Audit Committee met in September. He noted that OMB has released bulletins governing the appropriations process and FISMA compliance process.

Inspections and Evaluations Committee No report.

Investigations Committee:

Charles Kandt (TVA) reported that the last INV Committee meeting was in September, and that the minutes from it are on the CCIG website. Bill Hammel has taken over as chair of the AIGI group. (b)(5)

(b)(5)

Training:

Frank LaRocca (NASA) reported on several upcoming [now past] CLEs and training opportunities, which he then circulated by e-mail to the CCIG list after the meeting.

Professional Development Committee

Bruce Delaplaine (Interior) noted that the CIGIE Professional Development Committee had not met since the last CCIG meeting.

4

New Business

Mary Beth Sullivan noted the upcoming holiday luncheon, and requested that reservations be sent to Christina Marinos at SBA.

Al Larsen (NRO) reported that OGE has allocated 15 slots for IG counsel for the OGE conference in May. At OGE's request, CCIG was submitting a proposal for a presentation at the conference from a panel of IG counsel. The CCIG officers will report to members when they have more information from OGE. In the meantime, Al advised that those interested in attending the conference should attempt to secure slots from their agency's allocation.

Glenn Harris reported that the CCIG training proposal for the CIGIE Professional Development Committee would be going to Mary Kendall shortly. He thanked everyone for the considerable input he received for the proposal. He hoped to be able to report back to CCIG at the January meeting. Glenn also sought suggestions for specific topics for GAO to cover in a presentation they will be making to CCIG at one of our upcoming meetings.

(b)(5)

Mark also reported that the White House has announced the intention to nominate Art Elkins, former IG counsel at NSF, as EPA IG.

Gladis Griffith (USPS) reported a recent decision from the Western District of PA, <u>US v.</u> <u>Ruben Mitchell</u>, finding unconstitutional under the 4th Amendment for DOJ to automatically collect DNA samples from criminal defendants. She sent a follow-up note to the CCIG list serv about the decision.

Frank LaRocca announced that Paul Martin has been nominated as NASA IG.

Osvaldo (Luis) Gratacos (Ex-Im) noted that they would be giving a presentation on fraud.

(b)(5)

Brian Baker (HUD) introduced Coleen Kane as a new attorney in the OIG.

Alan Belkin (GAO) reported that GAO now has a small IG shop.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris, SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on January 20, 2010
	Next CCIG meeting will be held on: Wednesday, February 17, 2010, at 10:00 a.m. Location: Small Business Administration (SBA) 409 Third Street, SW, Washington DC

The January 20, 2010 CCIG meeting was held at the Securities & Exchange Commission, 100F Street NW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Glenn Harris (SBA) introduced Jennifer Dure from Department of Interior OIG who discussed the legal basis for and prosecution of cases based on Honest Services Fraud. Her presentation materials are posted on the CCIG website under "training". She explained that before honest services fraud was written into statute, it was a basis for prosecution by virtue of interpretation of mail and wire fraud statutes. The Supreme Court in <u>McNally v. US</u> rejected application of the honest services fraud theory under those other statutes. In response, Congress passed a statute in 1988, codified as 18 USC 1346, to be used in conjunction with mail or wire fraud statutes. It does so by expanding the definition of "scheme or artifice".

Jennifer noted that the honest services fraud statute often overlaps with other potential statutory bases for prosecution, but is sometimes when facts don't support an element of another statute, they will satisfy the honest services fraud requirements. For example, compared to bribery, honest services fraud can be based on a stream of value rather than a specific quid pro quo. Or, 18 USC 208 would not apply where a government official steered benefit to parents or in-laws, but honest serves would. Similarly, unlike 208, honest services fraud can be based on an <u>implicit</u> understanding of future employment. And, unlike 205, it does not require the federal employee to be and "agent". She cited <u>US v. Czubinski</u> as a good case for determining what <u>is</u> required for honest services fraud.

The question of whether the honest services fraud statute is unconstitutionally broad is before the US Supreme Court in several cases (including that of former Enron CEO Jeff Skilling). Jennifer observed that if it were struck down, Congress could pass a new statute, attempting to address any Constitutional defects found by the Court, or Congress could broaden the other statutes, like 208 to get at practices somewhat differently. She noted that the Winter 2008/2009 edition of the Journal of Public Inquiry has an article by Earl Devaney on Honest Services Fraud.

New Members

CCIG welcomes new member Adam Kaplan (SBA).

Committee and Working Group Reports

CIGIE Meeting

Rick Reback (DHS) reported that the CIGIE held its monthly meeting the day before the CCIG meeting, on January 19. CIGIE discussed its various cross-cutting projects. The Recovery Act best practices results will be posted to the CIGIE website.

CIGIE addressed its own staffing at the meeting. Two positions are currently set to be GS-15 positions, but CIGIE wants to classify them as SES positions. As for funding of CIGIE, last year, the 15 largest OIGs contributed a set amount (\$394,000) and others contributed lesser amounts. ((b)(5)

(b)(5)

The IG Reform Act amended section 6 of the IG Act to provide for comments from an IG who concludes that the budget submitted by his or her agency "would substantially inhibit the [IG] from performing the duties of the office." (b)(5)

The IG is considered a "head of agency" for certain purposes; specifically, for this reason, Presidential Rank awards from the IG ranks will be nominated via a CIGIE process.

CIGIE has decided that its annual conference will be either May 3 or 10 and will be "within driving distance" of DC.

(b)(5)

(b)(5)

CIGIE Hotline Project

Glenn Harris (SBA) noted that this particular project is a great opportunity to provide value to CIGIE (not all of them present that opportunity for us). Rick Reback will send out an e-mail to the entire CCIG notifying members about the kick-off meeting. [note—Rick sent out that note just after the Jan. CCIG meeting—contact Rick or Melinda if interested in participating]

Audit Committee

The committee will next meet January 26.

Legislation Committee:

Alberto Rivera-Fournier (SBA) was pleased to announce there were no new surveys from the Legislation committee this month! (b)(5)

Alternatively, Sen. McCaskill is contemplating a comprehensive IG Act bill that might also provide a viable vehicle.

S. 732, the Whistleblower Protection Enhancement bill still contains an ombudsman provision, ^{(b)(5)}

Alberto noted that the Legislation Committee regularly puts out a newsletter on its activities, and said he will send that newsletter to the CCIG list serv as a matter of course in the future.

Professional Development Committee

Bruce Delaplaine (Interior) reported that Mary Kendall, chair of the Committee has stated that attorney training would be part of the Academy programs. Glenn Harris noted that CCIG representatives would be meeting with her in the near future to discuss details about the substance of programs that would be offered as well as how to put on those programs and fund them. Mary Beth Sullivan, Al Larsen and Glenn have already had a more generalized discussion of this topic with Phyllis Fong and Carl Clinefelter (CIGIE Chair and Vice Chair, respectively).

Training Committee:

Frank Larocca (NASA) reported on the following training opportunities: --American Society of Access Professionals, Feb. 7-10 in New Orleans --ABA White Collar Crime Institute, Feb. 24-26 in Miami

Inspections and Evaluations Committee

No report, (b)(5)

Investigations Committee:

The committee will next meet in February.

New Business

Glenn Harris introduced a new attorney in his office, Adam Kaplan. Glenn also explained (b)(5)

(b)(5)

Kirt West (SIGIR) noted that they have hired three new attorneys, who are, in turn, detailed to DOJ to pursue fraud prosecutions solely related to CIGIR cases.

(b)(5)

Omer Poirier noted that DOT OIG has revised its website and that you may want to check it out if you are thinking of redesigning your website. Also, they have recently completed and posted an audit of the Suspension and Debarment process which may be of interest to those considering such an audit.

(b)(5)

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris, SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on February 17, 2010
	Next CCIG meeting will be held on: Wednesday, March 17, 2010, at 10:00 a.m. Location: Small Business Administration (SBA) 409 Third Street, SW, Washington DC

The February 17, 2010 CCIG meeting was held at the Small Business Administration, 409 Third Street, SW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Glenn Harris (SBA) introduced Ms. Julia Matta, of the Budget and Appropriations Group of the US Government Accountability Office. She explained that, given her experience prior to joining the GAO, she understands the challenges of Executive Branch agencies that have to work with and under GAO's decisions and "Redbook" (Principles of Federal Appropriation Law). She said that most of GAO's analysis of, and decisions regarding, appropriation law can be understood as resting on three elements: 1) purpose; 2) amount; and 3) time. Their interpretation of those three elements comes from the Constitution, statutes, court decisions and Comptroller General decisions.

Congress holds the "power of the purse", and GAO works for Congress (i.e. it is part of the Legislative Branch). Title 31 of the US code contains the authorities for the GAO. Among the authorities is the specific provision for executive agency general counsel and IGs to request an opinion from GAO regarding actions they anticipate taking. If GAO gives an opinion, the executive official is entitled to rely on it, and it is binding on the government. GAO's external website has the procedures for requesting an opinion, but basically it requires sending a letter setting out 1) the question posed, 2) the facts, and 3) any legal arguments the requester wants GAO to consider. GAO may further develop facts before issuing a decision, and it may ask agency counsel for their views. Ms. Matta (b)(5)

Ms. Matta then described various reference resources she thought could be useful to CCIG counsel. She noted that GAO's external website has links for the full GAO Redbook and for Comptroller General decisions. An agency official can ask an informal question by submitting it via the website. They fielded about 500 informal questions last year. The answers are usually in the form of directing attention to a GAO decision in the subject area being raised by the question, that would probably be helpful in analyzing it, or, conversely, informing the questioner that GAO has not addressed that issue yet, so it

DOCUMENT 1

TO:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on November 19, 2008
Next CCIG mee	ting will be held on:
	Wednesday, January 21, 2009, at 10:00 a.m.
	Location: To be Announced
****	******

The CCIG Annual Holiday Luncheon will take place on Tuesday, December 16, 2008, at Clyde's of Gallery Place, 707 7th Street, NW, Washington, DC, from 11:30 a.m. to 2:00 p.m. Invitations have been sent out. Please invite all CCIG alumni.

The November 19, 2008 CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street NE, Washington, D.C., with Mark Bialek (EPA) presiding.

Guest Speaker

David Gray (USDA) introduced our guest speaker, Holly Idelson, Democratic Counsel, Senate Committee on Homeland Security and Governmental Affairs.

Ms. Idelson began her presentation by providing her experience with the Committee. She joined the Committee about seven years ago as an all purpose counsel. After September 11, 2001, she focused primarily on homeland security issues. Approximately two years ago, Ms. Idelson took over the Inspector General (IG) portfolio from a departing staff member.

(b) (5)			
(b) (5)			

Ms. Idelson then took a number of questions from the group that dealt with issues such as the Presidential signing statement, the funding of the new IG Council, DFE IG compensation, the website posting requirement for IG reports, the applicability of the legislation to Legislative Branch IGs, and the provision requiring notice before the removal of an IG. Ms. Idelson mentioned that Peg Gustafson, Legislative Counsel to Senate McCaskill (peg_gustafson@mccaskill.senate.gov, 202-224-6154) was more involved in the website provision and would be a good person to contact with questions about that provision.

New Member

The CCIG welcomes new member Mark Baker (HUD).

Committee and Working Group Reports

(Listed below are committees and working groups for which news was reported)

PCIE News:

Mark Bialek (EPA) reported on the last PCIE meeting, which he attended. Clay Johnson, Deputy Director of Management OMB, thanked Greg Friedman, Vice Chair of the PCIE, and the Council for their work and presented Mr. Friedman with a letter signed by the President.

In addition, the election results for the new IG Council Chair were tallied on the morning of the CCIG meeting, and Phyllis Fong, USDA, was elected Chair.

Summer Legal Intern Working Group:

Larry Froehlich (FRB) reported that the search for a new leader for the summer legal intern program continues. Larry said the program is well-established and the structure is in place. All that is needed is for someone to step forward and take the lead. Anyone

who is interested should contact Jackie Becker (FRB) at jackie.becker@frb.gov, or 202-973-5045.

Investigations Committee:

Jonathan Lasher (SSA) reported that the Committee will meet next month on December 18, 2008. He mentioned that a group of AIGIs will be going next week (on November 24, 2008) to the Center for Missing and Exploited Children in Alexandria, Virginia, for a full-day training program. (b) (5)

Legislation Committee:

David Gray (USDA) reported that Steve Linick, Acting Deputy Chief of the Fraud Section of DOJ's Criminal Division, has been nominated as Inspector General of the Federal Housing Finance Agency. Dave added that Neil Barofsky has been nominated as the Special Inspector General for the Financial Bailout Program, (b) (5)

In other news, Dave reported that Senator Lieberman remains the Chair of the Senate Committee on Homeland Security and Governmental Affairs, (b) (5)

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the working group has met with the website developers and are trying to work through some technical issues.

Training Committee:

Beth Richardson (NASA) reported on the CCIG legal forum that took place on Thursday, November 13, 2008. She said the presentations of the speakers, including representatives from OGE, FLETC and DOJ, were well received and quite informative. Anyone who

needs speaker biographies for CLE credit should contact Frank LaRocca, at flarocca@nasa.gov.

Awards Committee:

Glenn Harris (SBA) announced that the CCIG 2008 awards committee is deliberating and will be meeting on November 20, 2008. The awards will be announced at the Holiday Lunch on December 16, 2008. Glenn thanked the other Committee members, which includes Omer Poirier (DOT). Al Larsen (NRO), Gladis Griffith (USPS), and Shane Bunn (USDA), for volunteering.

SAUSA Working Group:

(b) (5) **New Business** (b) (5)

Mary Beth Sullivan (SEC) mentioned that she will be sending an additional email concerning the Holiday Lunch menu selections and prices. She also said she has been making changes to the CCIG Directory and Roster and will soon circulate the (hopefully) final versions.

Jerry Hutton (CPB) informed the CCIG members that he had recently attended the fall meeting of the Association of Inspectors General in Long Beach, California. He said the group, which is primarily comprised of state IGs, is a helpful organization and he recommends their training. Information is available at http://www.inspectorsgeneral.org/mc/page.do.

David Gray (USDA) mentioned that Deirdre MacNeil is leaving USDA OIG and moving to FEMA's Office of General Counsel, and that anyone in the group was welcome to attend her farewell on Friday, November 21, 2008, at 10:00 a.m. Best of luck to Deirdre.

(b) (5)

Anne MacArthur (HHS) mentioned that HHS OIG (which has a large legal staff) has detailed attorneys to DOJ's Criminal Division and that they also now have reverse SAUSAs (AUSA's working as IG counsel), and discussion followed. Anne suggested that Glenn Harris contact Greg Demske in her office, 202-205-0568, about these programs.

(b) (5)

Elections

Larry Froehlich (FRB) announced that the nominating committee had met and proposed the following candidates for CCIG Office for 2009: Chair: Mary Beth Sullivan (SEC); Vice-Chair (Establishment IGs): Glenn Harris (SBA); and Vice-Chair (Non-Establishment IGs): Al Larsen (NRO). As there were no nominations from the floor, the slate was elected unanimously by acclamation. Congratulations!

* * * HAPPY THANKSGIVING TO ALL!

* * *

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TO: **CCIG Members**

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on November 14, 2007

Next CCIG meeting will be held on: January 16, 2008, at 10:00 a.m. Location to be announced.

REMINDER

The annual CCIG holiday party will be held on Wednesday, December 12, 2007, from 11:30 a.m. to 2:00 p.m., at Tony Cheng's Seafood Restaurant, 619 H Street, N.W. Washington, D.C. (see attached invitation). Please join us and forward the invitation to former CCIG members. RSVP to Mary Mitchelson, mary.mitchelson@ed.gov, by December 5th.

The November 14th CCIG meeting was held at the U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C. (Room 6000), with Mark Bialek (EPA) presiding.

Speaker

Glenn Harris (SBA) made a presentation concerning the SBA OIG's management challenge program. The Reports Consolidation Act of 2000, 18 U.S.C. § 3516(d), requires each agency inspector general to report on the most serious management and performance challenges facing the agency and briefly assess the agency's progress in addressing those challenges. (b) (5)

(b) (5)

5



PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:

Mark Bialek (EPA) reported that Dina Cohen, Director, DOD Computer/Electronic Accommodations Program (CAP), spoke at the November 13th PCIE meeting. CAP's mission is to provide assistive technology and accommodations to ensure people with disabilities have equal access to the information environment and opportunities in the DOD and throughout the Federal government. Any OIGs requiring this type of assistance may contact CAP's office at (703) 693-5160.

(b) (5)

The DOD OIG is accepting articles for the Journal of Public Inquiry until January 2008. Richard Skinner, DHS IG, reported that 33 OIG personnel assisted firefighters in California under new statutory authority. The Inspections and Evaluation Committee, chaired by Daniel Levinson, HHS IG, will meet on November 15th, and the next PCIE meeting is scheduled for December 11th.

Audit Committee:

Mary Mitchelson (Ed) provided the attached Audit Committee news and mentioned the Congressional hearing on the single audit sampling project that was held on October 25th.

Human Resources Committee:

Bruce Delaplaine (DOI) reported that he attended the leadership training in Gettysburg, PA, in which DOI OIG and USPS OIG staff participated, and found it helpful. Anyone with guestions about the training may call Bruce at (202) 208-5726.

Investigations Committee:

(b) (5)

Legislation Committee:

(b) (5)

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the configuration of the servers for the CCIG website should be completed by January 2008, and a prototype website is expected to be available for testing in or about February 2008.

FOIA Committee:

The DOJ FOIA training organized by Amy Berks (DOT) will take place at the FDIC on November 15th.

New Business

Mark Bialek (EPA) mentioned that the EPA Deputy Administrator has recently been designated as the audit resolution final decision maker. Mark also reported that the confirmation hearing of Todd Zinser for Commerce IG was held (b) (5) In addition, Mark mentioned that Howard Krongard, State IG, was testifying today before the House Committee on Government Oversight and Reform, see http://oversight.house.gov/story.asp?ID=1620 for additional information.

Glenn Harris (SBA) reported that the CCIG awards committee is still taking award nominations. Please provide any additional nominations to Glenn, glenn.harris@sba.gov, by the November 16th.

Mary Mitchelson (Ed) mentioned that she will be sending out the CCIG roster and directory for revisions over the next couple of months.

Kathy Buller (SSA) and Bruce Delaplaine (DOI) (b) (5)

Alan Larsen (NRO) mentioned that the Private Sector Outreach Committee of the National Procurement Fraud Task Force has prepared a PowerPoint presentation that may be useful in dealing with contractors and is available on the Task Force's website, http://www.usdoj.gov/criminal/npft.

Sandy Parnes (DOE) (b) (5)

Larry Froehlich (FRB) reported that the annual banking agencies symposium on emerging issues in banking was held on November 13th at the FDIC.

John Simms (NARA) (b) (5)

Judy Leader (LOC) (b) (5)

Alberto Rivera-Fournier (GPO) (b) (5)

Jerry Lawson (SBA) introduced Joe Hanson, a new intern in his office.

DOCUMENT 2

Nominations and Election

Larry Froehlich (FRB) reported that the current slate of officers had been nominated to serve again in 2008. No additional nominations were offered, and the group unanimously elected the following slate to serve in 2008: Mark Bialek, Chair; Mary Mitchelson, Vice Chair – PCIE, and Mary Beth Sullivan, Vice Chair – ECIE.

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TO: CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on October 17, 2007

Next CCIG meeting will be held on:

Wednesday, November 14, 2007, at 10:00 a.m. Location: U.S. Securities & Exchange Commission 100 F Street, NE Washington, DC Guest Speaker: David Leviss, House Committee on **Oversight & Government Reform**

The October 17th CCIG meeting was held at the U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C. (Room 3000), with Mark Bialek (EPA) presiding.

Guest Speaker

Mary Mitchelson (Ed) introduced the guest speaker, Michael Granston, Deputy Director, Civil Fraud Section, U.S. Department of Justice (see attached biography).

(b) (5)

(b) (5)

Mr. Granston closed his presentation by taking questions and said OIG attorneys should feel free to refer matters to him at (202) 305-(b) (5) or to other attorneys in his office.

New Members

The CCIG welcomes the following new members and meeting participants:

Jen Ashworth (DHS), Mark Boyll (DOD), Alberto Rivera-Fournier (GPO), Melina Holliday (HUD), Matt Glover (LSC), Tom Hester (LSC), John Simms (NARA), and Roy Fredrikson (NGA).

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:

Mark Bialek (EPA) reported that speakers at the last PCIE meeting included: Rolf Mowatt-Larssen, Director of Intelligence and Counterintelligence, Department of Energy, on nuclear terrorism threats; and Daniel Levinson, HHS IG, on HHS OIG's structure and operations. (b) (5)

Audit Committee:

Mary Mitchelson (Ed) reported that a hearing on single audits is scheduled for October 25, 2007, before the Subcommittee on Federal Financial Management, Government Information, Federal Services and International Security of the Senate Homeland Security and Governmental Affairs Committee. Information on

the hearing is available at http://hsgac.senate.gov/index.cfm?Fuseaction=Hearings.Detail&HearingID=496.

Legislation Committee:

David Gray (USDA) reported that the Cooper bill, H.R. 928, passed the House by a margin of 404 to11. The House initiated five amendments, all of which were adopted. These included an amendment offered by Rep. Tom Davis (Section 11) that would mandate that IGs conduct annual performance reviews of all agency programs. (b) (5)

David also reported that the Senate Committee on Homeland Security and Governmental Affairs requested a list of PCIE/ECIE activities and cost estimates, and this information was provided to both the House and Senate oversight committees on October 12th.

CCIGweb Working Group:

Mary Beth Sullivan (SEC) reported that the working group met with the GPO web developers on October 11, regarding proposed changes to the website design. The next step in the process will be beta testing of a prototype website. Anyone interested in participating in the beta testing who has not already volunteered should contact Mary Beth, sullivanmb@sec.gov, Larry Froehlich, larry.froehlich@frb.gov, Jerry Lawson, jerry.lawson@sba.gov, or Alberto Rivera-Fournier, ariverafournier@gpo.gov.

Training:

Frank Mazurek (NASA) mentioned two upcoming training events: (1) the 6th Annual Grant Fraud Investigations Workshop at the National Science Foundation on November 7, 2007, see attached flyer; and (2) the Workers' Compensation in the Federal Workplace Conference in Chicago on November 6-8, 2007, see http://www.fedwcconference.com.

FOIA Committee:

Amy Berks (DOT) reported on the successful FOIA discussion group meeting held at DOT on October 2, 2007. The meeting was attended by both OIG attorneys and FOIA professional staff, who shared their views on a variety of FOIA issues. (b) (5)

(b) (5)

FLETC Committee:

Ric Doery (DHS) reported (b) (5)

New Business

Mark Bialek (EPA) asked whether (b) (5)

Jennifer Cron-Hepler (ITC) inquired as to whether (b) (5)

Gladis Griffith (USPS) asked whether (b) (5)

Ruby Len (DOE) asked (b) (5)

Ric Doery (DHS) inquired whether (b) (5)

Laurie Tarantowicz (LSC) reported that an LSC IG is expected to be selected in the near future.

Epin Christensen (Smithsonian) mentioned (b) (5)

Lisa Goldfluss (AID) inquired about (b) (5)

Upcoming Events

Social gathering at RFD, 810 7th Street, N.W., Washington, D.C., at 5:00 p.m. on November 1st.

Annual CCIG Holiday Luncheon at Tony Cheng's Seafood Restaurant, 619 H Street, N.W., Washington, D.C. on December 12th (more details to follow).

* * *

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TO:CCIG MembersFROM:CCIG Chair Mark Bialek, EPA OIG
CCIG Vice-Chair Mary Beth Sullivan, SEC OIGSUBJECT:Minutes of the CCIG Meeting held on October 15, 2008Next CCIG meeting will be held on:
Wednesday, November 19, 2008, at 10:00 a.m.
Location: U.S. Securities & Exchange Commission,
100 F Street, N.E., Washington, D.C.The CCIG Annual Holiday Luncheon will take place on Tuesday, December 16,
u

2008, at Clyde's of Gallery Place, 707 7th Street, NW, Washington, DC, from 11:30
 a.m. to 2:00 p.m. More details to follow. Please invite all CCIG alumni.

The October 15th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 6000, 100 F Street NE, Washington, D.C., with Mark Bialek (EPA) presiding.

Inspector General Reform Act

Due to the President's signing of the Inspector General Reform Act of 2008 (Act) on October 14, 2008, we began the meeting by having David Gray (USDA) provide a summary of the new law. The President's Statement on the singing of the Act is attached to the minutes.

David Gray provided the highlights of the new Act, as follows:

- There is no provision on grounds for removal of Inspectors General (IGs), nor any term limits. There is a requirement that the appointing/removing authority notify Congress 30 days in advance of the transfer or removal of an IG.
- There is a provision requiring that PAS IGs appoint separate counsel or use counsel from another IG. DFE IGs must have their own counsel, use another IG's counsel, or obtain legal advice from the legal staff of the new IG Council.
- Each IG must certify the budget amount requested for training needs and its contribution to the new IG Counsel. IG funding must be included as a separate line item in the agency's budget submission to OMB. An IG

DOCUMENT 4

budget cut must be reflected in the budget submission to Congress. Also, if an IG believes the budget amount would impede the performance or his or he mission, the IG's comments must be included in the budget submission to Congress.

- There will be one IG Council, and the PCIE and ECIE will not longer exist. This change will take effect within 180 days from October 14th, or upon notice that the new Counsel is operational. The Deputy Director of OMB will serve as the Executive Chairperson of the Council, and the Chairperson of the Council will be elected form the ranks of the PAS or DFE IGs or the IGs at CIA or Office of Director of National Intelligence.. The Chairperson, among other things, can appoint committees, is responsible for the Council's budget and staff; and is authorized to enter into contracts.
- The Integrity Committee (IC) is now authorized by statute and has a number of reporting obligations. For example, within 30 days after the IC sends a report to the Executive Chairperson of the IG Council, it must submit a summary of the report and its recommendations to the House and Senate oversight committees.
- As far as funding for the OIG Council is concerned, the Executive Chairman may authorize use of interagency funding. The statute authorizes an appropriation for the IG community, but does not make any appropriations. (b) (5)

IGATI and criminal investigator academy funds will be transferred to the new Council.

- There is a prohibition on cash award or bonuses for IGs.
- The pay of PAS IGs is increased from Level 4 of the Executive Schedule to Level 3 plus 3%. The pay of DFE IGs must be no less than the average total compensation, including bonuses, for the entity's senior level executives. There is a 25% cap, however, on a DFE IG pay increase based upon the DFE pay rate over the past three years. Career employees who are appointed as an IG will not suffer a reduction in pay; nor will any incumbent IG suffer a loss in pay as a result of the Act.
- DFE IGs must now meet the same qualification requirements as PAS IGs.
- The IGs will stand in the place of the agency head for all SES provisions, voluntary separations/buyouts, early outs, re-employing annuitants, and waiving mandatory separation for law enforcement officers. The IG

The

DOCUMENT 4

Council takes the place of the agency heads for recommending Presidential Rank Awards.

- IG subpoena power is clarified as extending to data in any medium (electronically stored information, as well as tangible things).
- DFEs are now added to the list of entities covered by the Program Fraud Civil Remedies Act (PFCRA), which means DFE IGs may investigate claims under PFCRA once the DFEs have PFCRA regulations in place.
- DFE IGs may now apply to the Attorney General for statutory law enforcement authority.
- Inspection and evaluation reports must be included in the IGs' Semiannual Reports to Congress.
- The provision in the Consolidated Appropriations Act on IG websites is repealed. IG reports (or portions of such reports) must be posted to the IG's website within three calendar days from the date of public availability and provides for posting summaries of reports.
- The Davis Amendment to H.R. 928 that would have required IGs to conduct an annual review of all agency programs is not part of the enacted legislation.

David Gray also mentioned that there is an IG Act Implementation Committee that is cochaired by IGs Earl Devaney and Phyllis Fong. The Committee is developing a proposed charter for the New IG Council and is presenting its recommendations. Mark Bialek (EPA) thanked David and his staff, as well as many other CCIG members, for all their work on and contributions to the legislation.

CCIG Panel on the Role of Inspector General Counsel

(b) (5)	

DOCUMENT 4



Committee and Working Group Reports

(Listed below are committees and working groups for which news was reported)

PCIE News:

Mark Bialek (EPA) reported that at the most recent PCIE meeting, Clay Johnson of OMB spoke on transition issues and Robert Tobias reported on the American University executive leadership program.

Summer Legal Intern Working Group:

Jackie Becker (FRB) announced that she will be turning over the leadership of the summer intern program to a new volunteer. Anyone who is interested should contact Jackie (jackie.becker@frb.gov), or Larry Froehlich (larry.froehlich@frb.gov). Thanks to Jackie for her great leadership of the intern program.

Investigations Committee:

Jonathan Lasher (SSA) reported that he has been named to succeed Kathy Buller as Counsel to the SSA Inspector General. Jon reported that, at the last investigation committee meeting, Angela Hrdlicka, Executive Director of the Inspector General Criminal Investigator Academy, provided an update on staffing and funding.

DOCUMENT 4

Inspections and Evaluations Committee:

Abbie Cummings (HHS) reported that a survey on the external review function for evaluations has been posted on the IGnet website.

CCIGweb Working Group:

Mary Beth Sullivan (SEC) reported that the working group members have reviewed a prototype of the website and plan to meet with the website developers to make some adjustments to the website.

Training Committee:

Frank LaRocca (NASA) mentioned that the FLETC legal advisors conference was held in September and there was an excellent IG panel presentation by Maryann Grodin (NRC), Rick Reback (DHS), and Cedric Campbell (NASA). Frank also informed the group that he is working on scheduling an IG legal forum for sometime in early November. Anyone who would be willing to host the event (the room will need to accommodate at least 100 attendees) should contact Frank (<u>flarocca@nasa.gov</u>).

SAUSA Working Group:

Glenn Harris (SBA) provided Mark Bialek (EPA) (b) (5)

Legislation Committee (Other than the IG Act news):

David Gray (USDA) (b) (5)

New Business

Mary Beth Sullivan (SEC) asked whether (b) (5)

John Simms (NARA) inquired about (b) (5)

Jennifer Cron-Hepler (ITC) announced that this will be her last CCIG meeting as she has accepted a position in the ethics community. Best of luck to Jennifer, who will be missed.

DOCUMENT 4

Jina Moon (DOE) (b) (5)

Teresa Schlee (DOC) asked (b) (5)

Final Notes

Mark Bialek (EPA) stated that CCIG election will be held at the November meeting and requested volunteers to serve on this year's committee for the Holiday Luncheon awards. Anyone who would like to serve on the awards committee should contact Glenn Harris (glenn.harris@sba.gov).

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то:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on Sept. 24, 2008
Next CCIG mee	ting will be held on:
	Wednesday, October 15, 2008, at 10:00 a.m.
	Location: U.S. Securities & Exchange Commission,
	100 F Street, N.E., Washington, D.C.

The September 24th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street NE, Washington, D.C., with Mark Bialek (EPA) presiding. The meeting followed a Library of Congress tour organized by Judy Leader (LOC). Many thanks to Judy for organizing the tour and arranging for our guest speaker.

Guest Speaker

The guest speaker was Pamela Barnes Craig from the Law Library of the Library of Congress (LOC), who provided a very informative and interesting legal research PowerPoint presentation specifically tailored to meet the needs of IG attorneys. Ms. Barnes' PowerPoint presentation is attached to these minutes. Ms. Barnes may be contacted at Paba@loc,gov, or 202-707-3804. You may also email your questions to askalibrarian@loc.gov.

Ms. Barnes provided the group with a number of useful websites for performing legislation/statutory, administrative/regulatory, judiciary and miscellaneous research. She also provided a number of practical tips for effectively using these websites.

The legislation/statutory websites mentioned included: LOC's Thomas legislative information website, <u>http://thomas.loc.gov</u> (which includes a roll call vote page); the U.S. Code on the House's website, <u>http://uscode.house.gov</u> (which contains code section updates that have not yet been integrated into the U.S. Code); A Century of Lawmaking For a New Nation website, <u>http://memory.loc.gov/ammem/amlaw</u> (which contains a wealth of historical information); and the Guide to the Law on Line website, <u>http://www.loc.gov/law/help/guide.html</u> (which contains many useful links, including links to materials for each state). She also mentioned CIS Index, which is privately owned by LexisNexis, for researching legislative history. Ms. Barnes said that anyone can use Congressional LexisNexis for free at any of the LOC's three buildings. In addition Ms. Barnes mentioned that the LOC has free legal research classes each month (usually on a Thursday). Anyone who is interested in attending may sign up on LOC's website.

For administrative/regulatory research materials, Ms. Barnes discussed using GPO Access, <u>http://www.gpoaccess.gov</u> (which includes a new section on Congressional Committee Prints, as well as information for locating federal depository library). For accessing the Code of Federal Regulations on GPO access, Ms. Barnes suggested using the "browse" feature, rather than the "quick search" feature. She also mentioned that GPO Access contains an annotated version of the Constitution.

Judiciary research websites include the U.S. Courts website, <u>http://www.uscourts.gov</u> (which includes court rules under the topic "federal rule making"); the Supreme Court website, <u>http://www.supremecourtus.gov</u> (which gives the author of the opinion under "J" with "PC" denoting "per curium" opinions, and also contains oral argument transcripts and briefs); and the Federal Judicial Center website, <u>http://www.fjc.gov</u> (which contains a biographical directory of federal judges and a chart of judges salaries, among other information).

Miscellaneous websites that may be useful include: the U.S. Department of Labor "elaw" website, <u>http://www.dol.gov/elaws</u> (which contains separate sections for employers and employees and summarizes the major labor laws); the Merit Systems Protection Board website, <u>http://www.mspb.gov</u>; the Equal Employment Opportunity Commission website, <u>http://www.eeoc.gov</u>; the Find Law website, <u>http://www.findlaw.com</u> (which has a good criminal law section and includes an Employees Rights Center and International Resources); the Cornell University Law School Legal Information Institute website, <u>http://www.law.cornell.edu.</u>; the Department of Justice's FOIA website, <u>http://www.usdoj.gov/oip</u>; the Office of Government Ethics website; <u>http://www.usoge.gov</u>; the US. Senate website, <u>http://www.senate.gov</u> (which includes a virtual reference desk that contains an excellent glossary and a biographical directory of the U.S. Congress under "Art and History"; the U.S. House website, <u>http://www.house.gov</u> (which includes a page on the Clerk of the House); and the Hein Online website, <u>http://heinonline.org/HOL/Welcome</u> (which includes Federal Register and treaty information).

OGE Conference

Tom Lehrich (DOT) reported on the 16th National Government Ethics Conference that was held on September 16 through 19, 2008, in Orlando, Florida, and was attended by many CCIG members. The conference's theme was "Transition," and the presentations were intended to create a comprehensive understanding of the issues ethics officials face during a time of transition. Tom and Alan Larsen (NRO) presented a panel session on the topic of how ethics officers can best make referrals to the IG. The IG was well attended, with about 300 people in attendance. The PowerPoint presentation from this presentation entitled, "The Role of Ethics in an Inspector General Investigation," is available on the Interagency Ethics Council website at http://www.iecjournal.org/iec/files/ig_oge2008.ppt.

In addition, Robert Cusick, the Director of the U.S. Office of Government Ethics gave a keynote address that emphasized the importance of tapping into the IG community in

connection with the transition. A former CCIG member, Richard Woodford, made a presentation on ethical lapses focusing on problems with former Inspectors General. Mark Bialek (EPA) mentioned that next year's ethics conference is planned for March 2009 in Denver.

Committee and Working Group Reports

(Listed below are committees and working groups for which news was reported)

Audit Committee:

Chris Gieseler (FDIC) reported that the audit committee met last week and he will distribute the minutes to the group when he receives them.

Legislation Committee:

(b) (5)

SAUSA Working Group:

Mark Bialek (EPA) reported that Glenn Harris' working group plans to have a final draft of the SAUSA proposal in the near future.

DOCUMENT 5

New Business

Mark Bialek (EPA) mentioned that staff from his office met yesterday with the Executive Director of the IG Criminal Investigator Academy, Angela Hrdlicka. ^{(b) (5)}

David Hutner (DOL) asked (b) (5)

Ron Wise (TVA) announced that this may be his last CCIG meeting, as he has been occupying four titles as of late. He expects to pass on his counsel duties to Charles Kant, a former AUSA. Best of luck to Ron.

Final Notes

Mark Bialek mentioned that we will send out a notice about the October meeting, which may include another CCIG panel presentation. Also, it is time to start planning the annual CCIG holiday luncheon. Anyone with ideas for a location that is handicap accessible should email their suggestions to Mark (<u>bialek.mark@epa.gov</u>) or Mary Beth Sullivan (<u>sullivanmb@sec.gov</u>).

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то:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Mitchelson, Education OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on September 19, 2007

Next CCIG meeting will be held on: Wednesday, October 17, 2007, at 10:00 a.m. Location to be announced

The September 19th CCIG meeting was held at the U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C. (Room 4000), with Mark Bialek (EPA) presiding.

Preliminary Matters

Mark Bialek (EPA) welcomed the group back from summer vacations. Mark reported that the PCIE and ECIE held a joint meeting at the FDIC on September 11, 2007. The meeting included a facilitated discussion about the future of the PCIE and ECIE.

Mark mentioned that Rep. Henry Waxman, Chairman of the House Committee on Oversight and Government Reform, sent a letter on September 18, 2007, to State Department Inspector General Howard Krongard requesting his assistance with an investigation of his conduct as Inspector General (*see <u>http://oversight.house.gov/documents/20070918105806.pdf</u> for a copy of the letter). The Committee has made document requests and asked that certain staff be made available for transcribed interviews. The Committee plans to hold a hearing on the allegations raised in the letter on October 16, 2007, and has invited Inspector General Krongard to testify.*

Mark also mentioned the following Inspector General nominations: Todd Zinser, Deputy Inspector General at the Department of Transportation, has been nominated to be the Department of Commerce Inspector General. Andy Cochran has been nominated for the EPA Inspector General position. Cochran was previously an audit manager at the Department of Commerce Office of Inspector General and a consultant at Gage International. A confirmation hearing has been scheduled for October 15, 2007.

Counsel's Office Presentation

Frank LaRocca (NASA) provided an overview of NASA OIG's Office of Counsel. Frank's presentation was the kick-off for counsel's office presentations that will take place at meetings when there is no outside quest speaker.

Frank has been Counsel to the NASA Inspector General since 1980, beginning as a one-person shop. NASA's Office of Counsel now includes five attorneys and two administrative employees. NASA's Office of Counsel uses both a regional structure and divisions based on subject matter expertise.

The office is geographically structured as follows: Frank LaRocca, Counsel, Beth Richardson, Associate Counsel, Eastern Region, Frank Mazurek, Attorney/Adviser, and Jan Campbell, Headquarters Administrative Assistant, are located in Washington, D.C. Cedric Campbell, Associate Counsel, Central Region, is located at the Johnson Space Center, Houston, Texas. Earl Baker, Associate Counsel, Western Region, and Doreen Robinson, Western Region Program Assistant, are located at the Jet Propulsion Laboratory in Pasadena. California. The staff communicate by weekly teleconferences and the office has an annual retreat.

The office's subject matter expertise is as follows:

Beth Richardson:	Contract formation/Fiscal and appropriations law
Cedric Campbell:	Personnel relations
Earl Baker:	Contracts and technical issues
Frank Mazurek:	Generalist

NASA's Office of Legal Counsel provides a full range of legal services, consisting of (1) an ethics program, including training and OGE Form 450 reviews; (2) a FOIA/Privacy Act program, including responsibility for appeals; (3) a legal and regulatory review program (handled by Beth Richardson); (4) litigation and advocacy, including handling MSPB and EEO cases; (5) an active legal training program, including training for agents and legal staff professional development; and (6) special projects, such as a whistleblower protection initiative, acquisition integrity support, and a government property project.

Frank's presentation concluded with some group discussion and questions and answers. Thanks to Frank for his excellent kick-off presentation.

Future Speakers

(b) (5)

(b) (5)

New Members

The CCIG welcomes the following new members:

Mona Mafi (GSA), Christopher Jackson (GSA), Epin Christensen (Smithsonian), and Rob Neill (USPS),

Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

(b) (5)

Legislation Committee:

(b) (5)

Human Resources Committee:

Bruce Delaplaine (DOI) circulated a newsletter that was distributed at the PCIE/ECIE meeting, attached. The Human Resources Committee has selected the American University Institute for the Study of Public Policy to provide leadership training for the IG community. The offered training includes a program being held in Arlington, Virginia, on October 19-26, 2007, with 23 students from 11 IG offices. In addition, a two-day training seminar will be held from October 31-November 1, 2007, for senior leadership teams from DOI OIG and USPS OIG. The Federal Executive Institute (FEI) will also run its PCIE/ECIE Leadership Course in Charlottesville, VA, from November 26-December 7, 2007.

CCIGweb Working Group:

Larry Froehlich (FRB) circulated for the group's review and comment a recommended website design that is nearly completed. Larry reported that the site is not yet reading for beta testing, but that additional volunteers will be needed for the beta testing. Anyone interested in volunteering should email Larry at larry.froehlich@frb.gov.

(b) (5)

FOIA Committee:

Amy Berks (DOT) discussed the proposed planning meeting and DOJ training on FOIA. DOT OIG has offered to host the planning meeting, which will take place at the Department of Transportation Conference Center on October 2, 2007, at 10:00 a.m. Amy requested that each office limit its attendees to two persons (they do not have to be attorneys). Amy is coordinating with DOJ on a date for the training session and hopes to have a confirmed date by next week.

New Business

Jennifer Cron-Hepler (ITC) mentioned a Government Auditing Overview training course she attended that was sponsored by the USDA Graduate School, see http://grad.usda.gov/course_details.php?cid=AUDT7005G. Jennifer said the course provided an excellent one-day summary of the audit process.

Patti Marshall (RRB) asked (b) (5)

(b) (5)

Mary Mitchelson (Ed) asked (b) (5)

Omer Poirier (DOT) mentioned the successful social event he hosted in August and offered to do so again in the future. Mark Bialek (EPA) thanked Omer for hosting and said another social event will be planed for the fall. Kathy Buller (SSA) mentioned selecting a planner for the CCIG holiday lunch.

Mark Bialek (EPA) discussed (b) (5)

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TO:	CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on July 18, 2007

Next CCIG meeting will be held on: Wednesday, September 19, 2007, at 10:00 a.m. Location to be announced

The July 18th CCIG meeting was held at the U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C. (Room 5000), with Mark Bialek (EPA) presiding.

Guest Speakers

Gene Wiley (USPS) introduced the guest speakers: Ted Daveys, Computer Specialist, and Vivian Mittleman, Attorney, from the USPS OIG. They provided an overview of the USPS OIG's electronic subpoena application, which is part of the Performance and Results Information System (PARIS). The subpoena application is used by agents to create subpoenas, by managers to review and approve subpoenas, and by OIG attorneys to provide legal review.

According to Vivian, USPS OIG (b) (5)

Future Speakers

There will be no meeting in August. Beginning in September, we will begin having particular OIGs provide an overview of their offices. Frank LaRocca (NASA) has agreed to make the presentation for September. Mark Bialek (EPA) suggested that we discuss future outside speakers at the September meeting.

(b) (5)

Summer Interns

The CCIG welcomes the following new member: Debbie Shaw (SSA).

The CCIG also welcomes all the OIG legal summer interns, including those who attended the July meeting: Jason Derr (FRB), Christopher Porter (FRB), Laura Schwalbe (FRB), Anita Bhatia (SBA), Rachel Magnus (Interior), and Lauren Perotti (USDA).

PCIE News

Mark Bialek (EPA) reported that the last PCIE meeting was held on Tuesday, July 10, 2007. The speakers included: (1) Ron Ross from the National Institute of Standards and Technology (NIST) regarding shared interests in electronic data security and transmission, and (2) Angela Hrdlicka, the Executive Director of the Inspector General Training Academy, who provided an update of events since October 2006. It was also reported at the PCIE meeting that the PCIE award nominations have been distributed to the committee chairs and recommendations are due by July 31, 2007.

Mark further mentioned that there was a reference at the meeting to the new IG of the Postal Regulatory Commission (PRC), Jack Callendar. Gene Wiley (USPS) said this new IG was created by a provision of the Postal Accountability Enhancement Act (Section 605 of Public Law 109-435), which amended Section 8G(a)(2) of the IG Act to add the PRC IG to the list of Designated Federal Entity (DFE) IGs.

Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

(b) (5)

Inspections and Evaluation Committee:

Mark Bialek (EPA) mentioned that a new chair of the PCIE Inspections and Evaluation Committee should be appointed shortly.

Legislation Committee:

Jill Sayre (USDA) reported that the Senate Committee on Homeland Security and Governmental Affairs held a hearing on IG independence on July 11, 2007.

The testimony is available on the Committee's website at http://www.senate.gov/~govtaff/index.cfm?Fuseaction=Hearings.Detail&HearingID=463, and was previously circulated on the CCIGnet.

(b) (5)

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the CCIG working group continues to work with the GPO developers on the CCIGweb design. (b) (5)

The working group plans to circulate though the CCIGnet a revised draft of the website design for review.

Training Committee:

Frank LaRocca (NASA) reported on the following training events that were mentioned in last month's minutes: (1) the 22nd Annual Federal Dispute Resolution Conference, San Francisco, California, July 29-Agusut 2, 2007, www.fdrconferences.org; (2) EXCEL (EEOC) annual training, Denver, Colorado, August 13-16, 2007. www.eeotraining.eeoc.gov/profile/web/index.cfm?PKwebID=0x7993728; and (3) FLETC Police Advisor Legal Training, Glynco, Georgia, August 20-24, 2007, www.fletc.gov/training/programs/legal-division/police-legal-advisor-trainingprogram-platp.

Summer Intern Program Committee:

Jackie Becker (FRB) reported that the FOIA brown bag lunch program hosted by Vivian Mittleman (USPS) and presented by Ken Chason (NSF) was a success. The remaining scheduled OIG summer intern events include (1) a Capitol tour and panel discussion by OIG attorneys who were formerly legislative staffers on July 20, 2007, at 10:00 a.m., and (2) a "Send-off" presentation entitled, "Perspectives on Public and Private Sector Employment," on July 24, 2007, at 1:30 p.m., at NASA Headquarters.

New Business

Mark Bialek (EPA) mentioned the OIG attorney core competencies that were previously developed by Mary Mitchelson (Education) and her group. The core competencies are attached and may be used by IG counsel offices as they deem appropriate. (b) (5)

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(0)	1.51	

Omer Poirier (DOT) offered to host a CCIG social event during the first week of August, and the group expressed interest in having such an event.

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TO:	CCI	G Members
FROM:	CCIG Chair Mark Bialek, EPA OIG	
	CCI	G Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on July 16, 2008	
UPCOMING EV	ENTS:	No Meeting in August
		In September, in lieu of our regular meeting, we are planning a meeting, tour and lunch at the Library of
		Congress from 10:00 a.m. to 1:00 p.m. on September 24,
		2008 – More details to follow.
		The next CCIG social event is tentatively scheduled for Thursday, August 7 th .

The July 16th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street NE, Washington, D.C. with Mark Bialek (EPA) presiding.

Welcome and Introduction of Panel Members

Mark Bialek (EPA) welcomed the group and introduced the CCIG members who were providing a panel presentation on transitions in the administration and their effects on Inspectors General (IGs), both during and after presidential elections. The panel included: Tom Lehrich (DOT), Larry Froehlich (FRB), Frank LaRocca (NASA), Jim O'Sullivan (DOI), and Mark Bialek (EPA).

Transition Panel Presentation

Tom Lehrich (DOT) served as the panel moderator and introduced the topic of transitions. Tom explained that the panel would be broken into two general themes: (1) general administration transition issues and (2) transitions topics specific to IGs. Tom also mentioned two distinct transitions that occur during the election process, the first being in the days after the election, and the second when the newly-elected president takes office. ^(b)(5)

The panel members then discussed the following specific transition topics:

- Larry Froehlich (FRB) provided a brief history of transitions, with a focus on the events transpiring after the election of Ronald Reagan. Larry described his experiences at his OIG when President Reagan fired all the IGs. ^{(b) (5)}
- Frank LaRocca (NASA) discussed the importance of preparing and using transition books to educate the transition team (who are not government employees) and the

DOCUMENT 8

new administration when they arrive. (b) (5)

- Jim O'Sullivan (DOI) discussed transitions from an ethics perspective and, in particular, the restrictions on seeking employment and post-employment activity. Jim distributed a handout containing the relevant criminal statutes and administrative regulations, which is being attached to the minutes. ^{(b) (5)}
- Mark Bialek (EPA) discussed transition procedures and mentioned a memorandum of understanding (MOU) that was entered into between the outgoing Bush Administration and the incoming Clinton Administration. The document is designed to ensure a smooth transition during changes in the administration and provides some comfort that smooth transitions are important to new administrations. The MOU, which is attached to the minutes, contains restrictions on what information can be shared and describes procedures for sharing information

Tom Lehrich (DOT) ^{(b) (5)}
 (b) (5)

Presentation on the Standardized Credentials Project

(b) (5)

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New Members and Summer Interns

The CCIG welcomes new member Joe Duncan (FEC) and summer legal interns George "Tripp" Adams (FRB) and Lily Samet (FRB).

PCIE, Committee, and Working Group Reports

(Listed below are committees and working groups for which news was reported)

PCIE and Other News:

Mark Bialek (EPA) reported that there was a PCIE meeting last week. Mark mentioned that Robert Shea from OMB spoke (b) (5)

Mark also said that

IGs Earl Devaney and Phyllis Fong provided a transition organizational chart.

(b) (5)

Regarding the upcoming OGE conference, Mark reported that he has been able to accommodate all CCIG members who requested slots for the conference (last year there were 35 CCIG attendees). If there are any changes in who is going to the conference, please let Mark know (bialek.mark@epa.gov).

PFCRA & SAUSA Projects:

Glenn Harris (SBA) (b) (5)

(b) (5)

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(b) (5)		

Audit Committee:

Chris Gieseler (FDIC) reported that the audit committee met on July 15th, which was the first meeting under Jon Rymer, FDIC IG. At the meeting, they discussed three things to focus on this year: (1) training, (2) working with GAO, and (3) the differences in accounting and auditing standards. According to Chris, the Chairs of the Federal Audit Executive Council provided a report and indicated that Volumes One and Two of the GAO Financial Audit Manual, which governs both federal and contract auditors, will be available next month. Chris also reported that GAO will issue its manual on IT security reviews for public comment and that OMB has made changes to Circular A-50. Additionally, the peer review schedule and guides are in place for years 2009-2010.

Investigations Committee:

Mona Mafi (SSA) reported that there will be a presentation at the next quarterly AIGI meeting on the model policy for application of the Law Enforcement Safety Officers Act (LEOSA), which exempts qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. The model policy is attached to the minutes.

Legislation Committee:





CCIG Web Working Group:

Larry Froehlich (FRB) reported that about 15% of the library archives have been uploaded. Larry requested that the working group members meet briefly after the main meeting concluded.

Summer Legal Intern Program

Larry Froehlich (FRB) announced that there will be a session on Wednesday, July 23rd, on "Career Perspectives" taking place at NASA. Interns who are interested in attending should send an email to Frank Mazurek (NASA) at <u>frank.mazurek-1@nasa.gov</u>. The last program event will be a tour of the Supreme Court on July 30th, and interested interns should contact Jackie Becker (FRB) at jackie.becker@frb.gov, if they have not already done so.

FLETC Training Committee

Larry Froehlich (FRB) reported that he, Maryann Grodin (NRC), and Jackie Becker (FRB) have prepared a component for the revised FLETC legal refresher course for investigators. Larry, Jackie and Liz Dean (FCA), will give a pilot presentation on Thursday, July 31st. Andrea Bernardo (SIGIR), Gladis Griffith (USPS) and Jina Moon (DOE) may join them as instructors in future sessions.

New Business

(b) (5)

Glenn Harris (SBA) mentioned that he is attending the upcoming National Procurement Fraud Conference. If anyone else is attending the conference and would be interested in having a CCIG dinner, please contact Glenn at glenn.harris@sba.gov.

DOCUMENT 8

(b) (5)		
(b) (5)		

Rod Fillinger (TIGTA) mentioned that his office is hiring a new attorney (GS-11 level). If anyone knows any previous OIG interns or others who might be interested, please contact Rod at <u>roderick.fillinger@tigta.treas.gov</u>.

* * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

* * *

TO: CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on June 20, 2007

Next CCIG meeting will be held on:

Wednesday, July 18, 2007, at 10:00 a.m. Location: U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C., Room 5000

The June 20th CCIG meeting was held at the U.S. Securities & Exchange Commission, 100 F Street, NE., Washington, D.C. (Room 5000), with Mark Bialek (EPA) presiding.

Guest Speaker

Mary Beth Sullivan (SEC) introduced the guest speaker: Steve Linick, Director of the National Procurement Fraud Task Force. Mr. Linick was an Assistant United States Attorney in Los Angeles and the Eastern District of Virginia. While in the Eastern District of Virginia, he worked on the procurement fraud working group. In 2006, Deputy Attorney General Paul McNulty asked Mr. Linick to direct and create a National Procurement Fraud Task Force. Mr. Linick is currently the Director of the Task Force and is on detail as a Deputy Chief in the Fraud Section of the Criminal Division of the Department of Justice.

Mr. Linick provided an overview of the formation and work of the Task Force, which includes representatives from the Criminal, Civil, Antitrust and National Security Divisions of the Department of Justice, the U.S. Attorney's Offices, the IGs, the FBI, and defense-related agencies. The Task Force has several subcommittees, which include: (1) the Private Sector Committee headed by Eric Feldman, NRO IG, and Eric Thorson, SBA IG; (2) the Legislative Committee headed by Brian Miller, GSA IG, and Richard Skinner, DHS IG; (3) the International Committee headed by Ken Kaiser, Assistant Director, FBI, (4) the Intelligence Committee headed by Edward Maguire, DNI IG; (5) the Training Committee headed by Dave Williams, USPS IG; (6) the Grant Fraud Committee headed by Glenn Fine, DOJ IG, and (7) the Information Sharing Committee headed by Brian Miller, GSA IG.

According to Mr. Linick, the Task Force recently had a successful course for prosecutors at the National Advocacy Center. (b) (5)

DOCUMENT 9

(b) (5)

(b) (5)

. Additional information about the Task Force may be obtained from its website, <u>www.usdoj.gov/criminal/npftf</u>.

Future Speakers

Scheduled for the July meeting is a presentation by USPS OIG on their electronic subpoena processing system. (b) (5)

New Members and Interns

The CCIG welcomes the following new members: Norman Zamboni, USPS, and Ron Cummings, USPS.

The CCIG also welcomes all the OIG legal summer interns, including those who came to the June meeting: Joe M. Marshall, USPS, Darong Park, USPS, Jason Derr, FRB, and Duncan Roberts, USDA.

PCIE News

Mark Bialek (EPA) reported that the last PCIE meeting was held on Tuesday, June 12th. Clay Johnson, Deputy Director for Management, OMB, made opening remarks. Other speakers included Dr. Kenneth Gold, Director of the Government Affairs Institute of Georgetown University; David Pomerantz, Director, Surveys and Investigations Staff, House Committee on Appropriations; and Richard Moore, TVA Inspector General.

<u>Committee and Working Group Reports</u> (Only those committees and working groups for which news was reported are listed below)

Investigations Committee:

(b) (5)

Legislative Committee:

Michael Jones (USDA OIG) reported that the Government Management, Organization, and Procurement Subcommittee of the House Oversight and Government Reform Committee was holding a hearing on June 20, 2007, at 2:00 p.m., on the independence and accountability of federal inspectors general. Scheduled to speak on the first panel were Clay Johnson, Deputy Director for

DOCUMENT 9

Management, OMB; Phyllis K. Fong, USDA Inspector General and PCIE Legislation Committee Chair; and Christine C. Boesz, NSF Inspector General and ECIE Vice Chair. The second scheduled panel included Eleanor J. Hill, former DOD IG; Kenneth M. Mead, former DOT IG; Nikki L. Tinsley, former EPA IG; Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance Issues, GAO, and Vanessa Burrows, Legislative Attorney, CRS. Information on the hearing is available at

http://governmentmanagment.oversight.house.gov/story.asp?ID=1360.

Training Committee:

Frank LaRocca (NASA) reported on the following upcoming training events: (1) the Association of Government Accountant's Professional Development Conference, Nashville, Tennessee, June 24-27, 2007,

<u>www.agacgfm.org/pdc2007/hold.htm</u>; (2) the 22nd Annual Federal Dispute Resolution Conference, San Francisco, California, July 29-Agusut 2, 2007, <u>www.fdrconferences.org</u>; (3) EXCEL (EEOC) annual training, Denver, Colorado, August 13-16, 2007,

<u>www.eeotraining.eeoc.gov/profile/web/index.cfm?PKwebID=0x7993728;</u> and (4) FLETC Police Advisor Legal Training, Glynco, Georgia, August 20-24, 2007, <u>www.fletc.gov/training/programs/legal-division/police-legal-advisor-training-program-platp</u>.

FOIA Committee:

Amy Berks (DOT) reported that she had heard back from DOJ regarding a possible four-hour FOIA training program. She is proposing a planning meeting in September and the training in October. The training will be open to all OIG staff who handle FOIA issues. Amy will send out an email shortly soliciting interest in the training program. (b) (5)

FLETC Committee:

(b) (5)

Summer Intern Program Committee:

Jackie Becker (FRB) reported that the OIG Summer Legal Intern Program began on June 13, 2007, with a "kick-off" program. The interns have also toured the Supreme Court. A FOIA brown bag lunch initially scheduled for June 21, 2007, has been postponed to a date to be determined.

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New Business

Mark Bialek (EPA) (b) (5)

Mary Mitchelson (Education) introduced Suzanne Lu, an auditor from the Education OIG's New York office who is shadowing her. (b) (5)

Jennifer Cron-Hepler (ITC) asked (b) (5)

Kathy Buller (SSA) inquired (b) (5)

Mary Beth Sullivan (SEC) thanked everyone who provided responses to her email asking various questions and agreed to circulate a summary of the responses received. (The summary is attached to these minutes.)

Patricia Marshall (RRB) asked (b) (5)

Olivia Gifford (USAID) mentioned that there is still an attorney position open in the USAID OIG.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

- TO: CCIG Members
- FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
- SUBJECT: Minutes of the CCIG Meeting held on June 18, 2008

Next CCIG meeting will be held on: July 16, 2008 at 10:00am. Location: U.S. Securities & Exchange Commission, 100 F Street, NE, Washington, D.C. 20549 (adjacent to Union Station)

The June 18th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), Conference Room 5000, 100 F Street, NE, Washington, D.C. with Mark Bialek (EPA) presiding.

Welcome and Introduction

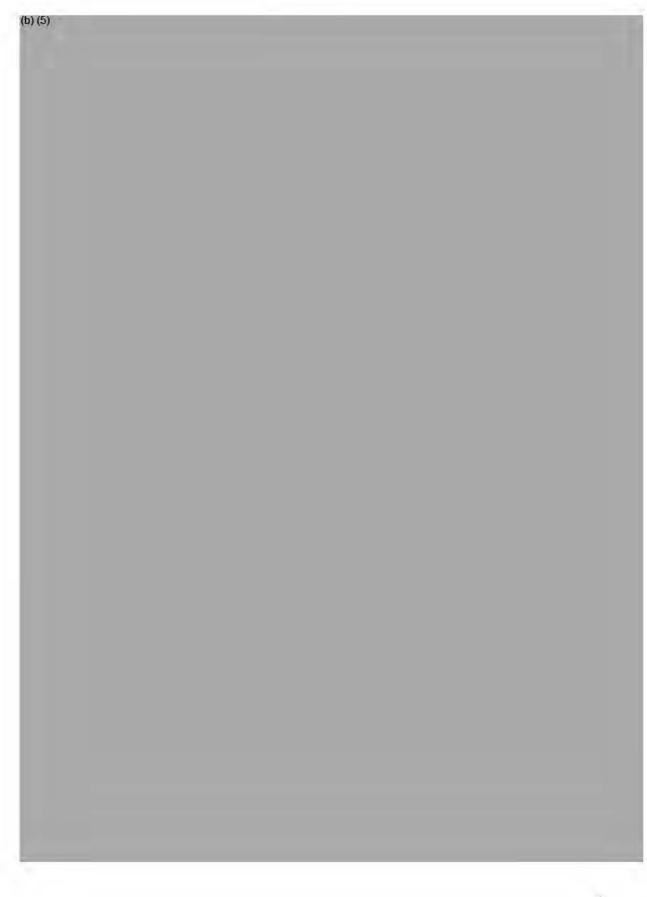
Mark Bialek (EPA) welcomed the group and Mary Beth Sullivan (SEC) introduced the speaker, Jeanette Plante, Director, Office of Records Management Policy, Department of Justice.

Guest Speaker Presentation

Jeanette Plante made a presentation to the group entitled, "Records Management: Electronic Discovery and the Role of the Inspector General." Her biography and PowerPoint slides are attached to these minutes. Ms. Plante encouraged and answered questions during the presentation.

(b) (5)

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Summer Legal Interns

The CCIG welcomes all the OIG summer legal interns, including the following interns who attended the June meeting: Christina Bergeron (SEC), Kate Beukenkamp (SEC), David Damast (DOT), Jason Froehlich (DOT), Tim Harbeck (GPO), Salpy Kabaklian (USDA), Sashka Mannion (GSA), and Brittany Mossman (SIGIR).

OGE Ethics Conference

Mark Bialek (EPA) announced that the 16th National Government Ethics Conference will be held September 17-19 in Orlando. The theme is "Transition," and includes the following five tracks: (1) Entering the Government; (2) While serving in government; (3) Leaving the Government; (4) Timeless topics; and (5) How to reach them whether they are coming, going or staying. Mark encouraged the CCIG members to obtain slots from their agency's DAEO if available. The registration period is now open, see <u>http://www.usoge.gov/pages/conference/conference.html</u>, and Mark will send out an email next week about the CCIG slots for the conference. In addition, three panels comprised of CCIG members will be making a presentation at the conference, and the presenters will receive slots. The proposed topics for the CCIG presentations are: (1) The role of ethics in IG investigations; (2) Challenges for contingency planners and ethics officials; and (3) Lessons learned from ethical lapses.

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:



Audit Committee:

Chris Gieseler (FDIC) reported that the next Audit Committee meeting will take place on July 15, and he will provide a report at the July 16 CCIG meeting. Chris will now be providing the Audit Committee reports rather than Mary Mitchelson (Ed) because the FDIC IG Jon Rymer has replaced the Education IG, John Higgins (who is retiring) as Chair of the Audit Committee.

Human Resources Committee:

Bruce Delaplaine (DOI) reported that the next Session A of the American University Leadership Course will be held November 7, and the next Session B training (for which Session A is a prerequisite) will be held on October 27. Bruce said that attendees have praised the program. The next Gettysburg leadership training is scheduled for Sept 10-12. See <u>www.ignet.gov/pande/pd1.html</u> for additional information.

Training Committee:

Frank LaRocca (NASA) reported on the upcoming training events: (1) the 16th National Government Ethics Conference in Orlando on Sept. 17-19 mentioned above; (2) the Federal Dispute Resolution Conference also in Orlando on August 4-7, see http://www.fdrconferences.com/conference.php; (3) the annual EEOC Excel training program in Chicago on August 18-21, see http://www.eeotraining.eeoc.gov/profile/web/index.cfm?PKwebID=0x79919e0; (4)

4

DOCUMENT 10

FLETC law enforcement officer training in Potomac, MD on September 3-4 (they are looking for a 2-hour CCIG panel on the topic of information and privacy; and (5) the National Procurement and Grant Fraud Conference in Richmond on Sept 9-11 (the registration deadline is July 1).

Legislation Committee:



CCIGweb Working Group:

Larry Froehlich (FRB) reported that there will be a meeting next week at GPO regarding procedures for uploading the CCIG archives. Larry requested assistance with quality assurance of the database, and said a test demo should be available at the end of the summer.

Credentials Task Force:

(b) (5)

FLETC Training Committee:

Larry Froehlich (FRB) is working with Maryann Grodin (NRC) and Jackie Becker (FRB) on a FLETC legal refresher training for investigators. The training will be a

5

6

3-hour course that will cover a variety of topics; the first module should be completed by the end of July.

Summer Legal Intern Program:

Jackie Becker (FRB) reported on the summer legal intern kick-off event last week and thanked everyone for their work. Tomorrow, there will be a FOIA brown bag lunch with Ken Chasen (NSF) and Jennifer Ashworth (DHS). Jackie said there are over thirty interns this summer. Additional events planned for July include: a legal panel and Capitol Hill tour, a presentation on private and public sector employment to be held at NASA OIG, and a Supreme Court visit.

SAUSA Project:

Sadie Lowe (SBA) reported that Glenn Harris (SBA) hopes to have a draft white paper for the SAUSA project ready shortly.

New Business

Amy Thompson (SSA) reported that she is the Acting Counsel given Kathy Buller's departure and that her office is in the process of selecting a counsel.

(b) (5)

Closing Matters

Mark Bialek (EPA) asked the group to email topics for future CCIG panel presentations to Mark (<u>bialek.mark@epa.gov</u>), Mary Mitchelson (<u>mary.mitchelson@ed.gov</u>), or Mary Beth Sullivan (<u>sullivanmb@sec.gov</u>). Mark also said that it will be announced at the July meeting whether we will meet in August and whether we will move the date of the September meeting due to a conflict with the OGE conference.

Judy Leader (LOC) offered to arrange a tour of the Library of Congress as a CCIG field trip.

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- **CCIG Members** TO:
- FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
- SUBJECT: Minutes of the CCIG Meeting held on May 21, 2008

Next CCIG meeting will be held on:

June 18, 2008, at 10:00 a.m.

Location: U.S. Securities & Exchange Commission, 100 F Street, NE, Washington, D.C. 20549 (adjacent to Union Station)

The May 21st CCIG meeting was held at the U.S. Small Business Administration (SBA), Eisenhower Conference Room, 409 Third Street, S.W., Washington, D.C. with Mark Bialek (EPA) presiding.

Welcome and Introduction

Glenn Harris (SBA) welcomed the group and Mark Bialek introduced the CCIG members who were providing a panel presentation on the relationships between Inspector General (IG) lawyers and agency General Counsels (GCs). The panel included: Rick Reback (DHS), Gladis Griffith (USPS), Larry Froehlich (FRB), Mark Bialek (EPA), Tom Lehrich (DOT), Glenn Harris (SBA), and Sandy Parnes (DOE).

CCIG Panel Presentation

Larry Froehlich (FRB) served as the panel moderator and provided an introduction to the topic of relationships between IG lawyers and agency GCs. Larry pointed out that the relationships vary from agency to agency and that the panel would focus on some of the more common areas. (b) (5)

The panel members then discussed the following specific topics:

 Tom Lehrich (DOT) provided a presentation on (1) what the existing relationship was between IG counsel and the agency GC when he arrived at the DOT OIG counsel office; (2) whether that relationship changed after he arrived and how it changed; and (3) how his office effected those

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- Rick Reback (DHS) discussed the recently-issued DHS policy on cooperating with the IG (which was previously distributed to the CCIG). (b) (5)
- Mark Bialek (EPA) discussed the issue of IG lawyers handling various types of litigation. (b) (5)

- Glenn Harris (SBA) addressed the IG lawyer/GC attorney relationship as it pertains to FOIA issues. (b) (5)
- Gladis Griffith (USPS) discussed the overlap of the roles of IG lawyers and agency GC in the ethics area. (b) (5)
- Sandy Parnes (DOE) concluded the panel presentations by providing . some general observations. (b) (5)

New Members and Summer Interns

The CCIG welcomes the following new members: Ron Wise (TVA), Mike Marsh (Denali Commission). The CCIG also welcomes the following summer legal interns: Monica Corry (DHS), Meagan Mihalko (USPS), "Tripp" Adams (FRB), and Lily Samet (FRB).

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE/ECIE News:

Mark Bialek (EPA) reported that there were no recent PCIE or ECIE meetings due to the IG retreat. Mark mentioned a panel discussion at the retreat by Mike McCarthy of the House Committee on Oversight and Government Reform Committee staff and Peggy Gustafson, Legislative Counsel to Senator Claire McCaskill, on the new IG legislation. (b) (5)

In addition, Robert Meunier, EPA Debarring Official, made a presentation similar to the one he made at the April 16th CCIG meeting concerning the IBM suspension case. Brian Miller, GSA OIG, also made a presentation.

Audit Committee:

The Audit Committee newsletter containing accomplishments for Fiscal Year 2007-2008 is attached to the minutes.

Legislation Committee:

(b) (5)

Training:

Frank LaRocca (NASA) reported that procurement fraud training will take place from June 4-6, 2008, at the National Advocacy Center in Columbia, South Carolina, see

http://www.usdoj.gov/usao/eousa/ole/ole course calendar/descript.html#C00425

There was also discussions of the possibility of having a training session for new CCIG lawyers in the fall.

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the FRB's summer legal interns will be tasked to populate the CCIG website with relevant materials.

Summer Legal Intern Program Committee

Larry Froehlich (FRB) requested that anyone who is having summer legal interns should contact Jackie Becker (FRB), jackie.becker@frb.gov, 202-973-5045, if you have not already done so.

New Business

Ric Doery (DHS) asked whether (b) (5)

Howard Sorensen (Ed) (b) (5)

Lisa Goldfluss (AID) discussed (b) (5)

Ric Fiore (DOD) mentioned (b) (5)

Mary Beth Sullivan (SEC) asked (b) (5)

DOCUMENT 11

Glenn Harris (SBA) (b) (5)

Alberto Rivera-Fournier (GPO) mentioned that his office is hiring a new AIGI (grade 15) and a new SAC (grade 14). He also mentioned that his office is changing its formats for reports of investigations and would be interested in reviewing formats anyone would be willing to share.

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TO:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Mitchelson, Education OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on May 16, 2007

Next CCIG meeting will be held on:

Wednesday, June 20, 2007, at 10:00 a.m. Location: U.S. Securities & Exchange Commission, 100 F Street, N.E., Washington, D.C., Room 5000.

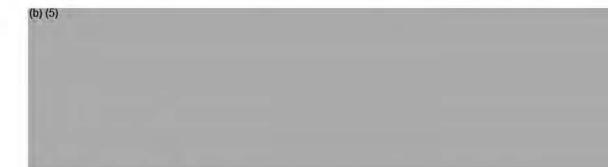
The May 16th CCIG meeting was held at the Department of Education OIG, 500 12th Street, SW, Washington, DC (Room 8071), with Mark Bialek (EPA) presiding.

Guest Speakers

Mary Mitchelson (Education) introduced the guest speakers: Ted Hirt, Assistant Director, Federal Programs Branch, Civil Division, U.S. Department of Justice, (202) 514-4785, and Coleman Bird, Senior Trial Counsel, Commercial Litigation Branch, Department of Justice, (202) 307-0453. The speakers each gave presentations on various aspects of the new civil rules regarding electronic discovery that went into effect on December 1, 2006.

(b) (5)

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Future Speakers

We have scheduled speakers on the National Procurement Fraud Task Force for June. (b) (5)

Anyone with other suggestions for speakers should e-mail them to Mark Bialek (bialek.mark@epa.gov); Mary Mitchelson (mary.mitchelson@ed.gov), or Mary Beth Sullivan (sullivanmb@sec.gov).

New Members

The CCIG welcomes the following new members: Brian Bressman (SEC), Olivia Gifford (USAID), and Mary Mason (DOT).

IG Retreat

Mark Bialek (EPA) reported that he and a few other CCIG members attended the IG retreat in Gettysburg, PA. The retreat included a panel discussion of the relationship between Inspectors General and the agency head and what the phrase, "under the general supervision," means.

Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

Legislation Committee:

Cherry Tolliver (USDA) reported (b) (5)

Jennifer Cron-Hepler (ITC) mentioned (b) (5)

Information Technology Committee:

Jennifer Cron-Hepler (ITC) reported that a PCIE IT Learning Forum took place on May 8, 2007. According to Jennifer, the following three presentations were quite good and may be of interest at future CCIG meetings: (1) Emerging peer to peer (P2P) threat by Tiversa, Inc.; (2) Incident response and US-CERT capabilities by US-CERT; and (3) Current intrusion sets affecting U.S. government systems by Department of State, Bureau of Diplomatic Security, Cyber Threat Analysis Division.

Training Committee:

Frank Mazuerk (NASA) reported on two upcoming training events: (1) the Conflict of Interest and Ethics Violation Summit at the SEC on May 30, 2007 (flyer and agenda attached); and (2) Navigating the Revolving Door: A CLE Presentation on the Ethical Issues Facing Lawyers on June 13, 2007, at 6:00 p.m. at the Georgetown Law Center.

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the CCIGweb working group met on May 15, 2007, with the GPO web design team. The design team is working on a website design that will include a document library, a calendar function and a directory function. Larry suggested having a contest for a CCIG web logo. Anyone with ideas for such a logo should e-mail them to Mary Beth Sullivan (SEC), <u>sullivanmb@sec.gov</u> by Wednesday May 30, 2007.

Summer Intern Program Committee:

Jackie Becker (FRB) reported that the CCIG summer intern program committee has met and is planning five events for summer interns, including (1) a kick-off presentation, a (2) FOIA brown bag lunch, (3) a Supreme Court visit, (4) a panel presentation by legislative staff who became IG counsels, including a Capitol Hill tour and possible legislative research training at the Library of Congress, and (5) a send-off presentation on perspectives on public and private sector careers. Jackie said the dates and times for these events will be provided in the near future. Anyone who has interns who would like to participate in the program and has not already done so should e-mail Jackie (jackie.becker@frb.gov) with the number of interns and provide their names, law schools and contact information. Mark Bialek (EPA) encouraged CCIG Counsel to bring their summer interns to the CCIG meetings.

New Committees

Mark Bialek (EPA) mentioned two new Committees one on FOIA and one on FLETC training on legal issues. Omer Poirier (DOT) reported that Amy Berks

(DOT) has contacted DOJ to provide FOIA training and anticipates that this training will take place in the fall. DOJ's new FOIA guide is out in hard copy and available on line (<u>http://www.usdoj.gov/oip/foia_guide07.htm</u>). The new version of the FOIA guide does not contain a Privacy Act overview, as did previous versions of the guide. Richard Reback (DHS) mentioned that Ric Doery (DHS) and the FLETC committee had met and addressed a number of the legal issues raised by FLETC.

New Business

Mark Bialek (EPA) (b) (5)

Richard Reback (DHS) (b) (5)

Jennifer Cron-Hepler (ITC) reported that a meeting on the investigative peer review process, including changes to the peer review guide, will be held for ECIE OIGs at NSF OIG (4201 Wilson Blvd, Arlington, VA) on May 21, 2007 at 10:00 a.m.

Teresa Schlee (DOC) expressed (b) (5)

Lisa Goldfluss (USAID) mentioned that her office is still looking to hire additional attorneys.

Larry Froehlich (FRB) reported that Barry Snyder, the FRB IG, has retired and Elizabeth Coleman is the new IG. Christine Boesz, the NSF IG, has replaced Mr. Snyder as the Vice Chair of the ECIE.

Antigone Potamianos (GSA) mentioned that GSA IG Brian Miller is the Vice Chair of the National Procurement Fraud Task Force and heads the Task Force's legislative committee. The committee plans on issuing a white paper in the beginning of June, and anyone with suggestions should e-mail Antigone at <u>antigone.potamianos@gsa.gov</u>.

Tom Lehrich (DOT) mentioned that he will be going to the IG Academy for two days next month and will report back to the group. He also encouraged counsel to have their law student interns participate in the summer intern program, which provides a good community experience.

DOCUMENT 12

Howard Sorensen (Education) would (b) (5)

CCIG Social Event

Anyone with preferences for a location and date for a CCIG social event should e-mail Mark Bialek, <u>bialek.mark@epa.gov</u>. Mark suggested May 24th, May 31st, June 7th and June 14th as possible dates.

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DOCUMENT 13

TO:	CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on April 18, 2007

Next CCIG meeting will be held on: Wednesday, May 16, 2007, at 10:00 a.m. Location to be announced.

The April 18th CCIG meeting was held at the Securities & Exchange Commission, 100 F Street, NE, Washington, DC (Room 6000), with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Mary Beth introduced the guest speaker, William A. Yurek, a Senior Counsel in the Computer Crime and Intellectual Property Section (CCIPS) of the U.S. Department of Justice and a Special Assistant U.S. Attorney in the District of Columbia. He was previously a Senior Counsel in the SEC's Division of Enforcement and a Special Agent in the U.S. Air Force Office of Special Investigations. (Mr. Yurek's biography and card are attached to the minutes.)

Mr. Yurek's presentation focused on the following three topics: (1) Third party consent to searches under *Georgia v. Randolph*, 547 U.S. 103 (2006), and its progeny, including *U.S. v. Crosbie*, 2006 U.S. Dist. LEXIS 43,185 (S.D. Ala. June 9, 2006), *U.S. v. Hudspeth*, 459 F.3d 922 (8th Cir. 2006), and *U.S. v. Henderson*, 2006 U.S. Dist. LEXIS 88,404 (N. D. III. Nov. 29, 2006; (2) Reasonable expectation of privacy in office after administrative action under *U.S. v. Venkataram*, 2007 U.S. Dist. LEXIS 852 (S.D.N.Y. Jan. 5, 2007), which relied on *Shaul v. Cherry Valley-Springfield Central School District*; 363 F.3d 177 (2d. Cir. 2004); and (3) Defining "exceeding authority" and "without authority" under 18 U.S.C. § 1030(a), and, in particular, whether bad motive equates to a lack of authority, *see Int'l Airport Centers, L.L.C. v. Citrin*, 440 F.3d 418 (7th Cir. 2006); *Forge Industrial Staffing, Inc., v. De La Fuente*, 2006 U.S. Dist. LEXIS 75,286 (N.D. III. Oct. 16, 2006); *Nilfisk-Advance, Inc. v. Mitchell*, 2006 U.S. Dist. LEXIS 21,993 (W.D. Ark. Mar. 28, 2006); and *Lockheed Martin Corp. v. Speed*, 2006 U.S. Dist. LEXIS 53,108 (M.D. Fla. Aug. 1, 2006).

Mr. Yurek also mentioned (b) (5)

DOCUMENT 13

(b) (5)

Mr. Yurek's e-mail is

william.yurek@us.doj.gov.

Future Speakers

We have planned the following speakers for the next two months: May – DOJ/Civil Division attorneys on the new electronic discovery rules June – GSA IG Brian Miller on the National Procurement Fraud Task Force

Anyone with other suggestions for speakers should e-mail them to Mark Bialek (<u>bialek.mark@epa.gov</u>); Mary Mitchelson (<u>mary.mitchelson@ed.gov</u>), or Mary Beth Sullivan (<u>sullivanmb@sec.gov</u>).

<u>Committee and Working Group Reports</u> (Only those committees and working groups for which news was reported are listed below)

Association of Directors of Investigations (AIGI):

Mary Beth Sullivan (SEC) reported that the AIGI met in Arlington, Virginia, on April 10, 2007, in lieu of the annual conference. Topics presented included the revisions to the peer review guide (comments on the draft guide are due on April 27th); adding computer forensic questions to the peer review process; an IG Academy update; and an overview of the National Procurement Fraud Task Force. Jennifer Cron-Hepler (ITC) mentioned that the IG Academy plans to offer training on interviewing for auditors. Omer Poirier (DOT) said he has been attending the National Procurement Fraud Task Force meetings, and that its focus is on amending the FAR and setting up regional task forces. Omer also mentioned that a task force intranet is being hosted by the Law Enforcement Officers' database.

Legislation Committee:

(b) (5)

Human Resources Committee:

Bruce Delaplaine (DOI) reported that the effort continues to identify an institute to provide leadership training. (b) (5)

Training Committee:

Mary Beth Sullivan (SEC) reported that HHS OIG is sponsoring a Conflict of Interest & Ethics Violation Summit on May 30, 2007, at the SEC. Frank LaRocca (NASA) reported that a use of force summit being sponsored by the Performance Institute will be held in Arlington Virginia on April 30 - May 1, 2007 (see <u>http://www.performanceweb.org/CENTERS/LE/Events/L229/L229.html</u> for additional information). Frank also mentioned that FLETC will not be hosting the legal advisors to law enforcement training that was scheduled for June 2007 in Crystal City, Virginia, but it hopes to offer this program in 2008.

Summer Intern Program Committee:

Jackie Becker (FRB) is looking for volunteers to work on the summer intern program committee and suggested that the committee meet after the May CCIG meeting. Jackie plans to send out an e-mail to the CCIG members next week inquiring as to how many plan to have interns. Jackie added that the FRB OIG has a number of resumes of first and second year law students that she would be happy to share with other counsel offices. Mary Beth Sullivan (SEC) inquired as to whether OIGs hire their interns independently or go though their agency human resource offices.

Investigation Committee:



Alan Larsen (now State, formerly NRO) announced that he is now IG Counsel at the State Department. Erich Hart is the newly appointed Deputy Counsel.

Vivian Mittleman (USPS) introduced Debra Herzog, who was attending her first CCIG meeting.

DOCUMENT 13

(b) (5)

Omer Poirier (DOT) provided some additional information on the National Procurement Fraud Task Force and its various committees, including the training and legislative committees. Omer offered to obtain information on the contract and grant fraud training classes; he may be contacted at <u>omer.poirier@oig.dot.gov</u>.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

* * *

TO: CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on April 16, 2008

Next CCIG meeting will be held on: May 21, 2008, at 10:00 a.m. Location to be determined

The April 16th CCIG meeting was held at the U.S. Small Business Administration (SBA), Eisenhower Conference Room, 409 Third Street, SW, with Mark Bialek, Environmental Protection Agency (EPA) presiding.

Guest Speaker

Mark Bialek introduced the guest speaker, Robert F. Meunier, EPA Debarring Official. Mr. Meunier served as a member of the Interagency Task Force on Suspension and Debarment, co-authored the Presidential Executive Orders that authorized the creation of a uniform and reciprocal government-wide Federal debarment system, co-authored the Office of Management and Budget (OMB) agency-wide guidance and Non-procurement Suspension and Debarment Common Rules in 1988 and 2003, has chaired the OMB Interagency Suspension and Debarment Committee since 1988, and was a contributing author to the American Bar Association's *Practitioner's Guide to Suspension and Debarment*, 1st, 2nd, and 3rd editions. Mr. Meunier related some of his experiences in his many years in the field, particularly with EPA's recent pre-indictment suspension of IBM.

Visitor and Summer Interns

The CCIG welcomes Presidential Management Fellow, Amanda Dohrman, who will be spending several months with SSA OIG. Any OIG that would like its summer interns to participate in the CCIG summer legal intern program should contact Jackie Becker (FRB) at jackie.becker@frb.gov. Jackie also is having a meeting to organize the program the week of April 21st, so please let her know if you want to help with that effort.

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:

Mark Bialek reported that there was no PCIE meeting in April due to the upcoming PCIE/ECIE Conference April 28 - May 1 in Newport News, VA.

DOCUMENT 14

Audit Committee:

Mary Mitchelson (ED) noted that the annual conference of the Federal Audit Executive Council is coming up. It is scheduled for June 4-6 in Williamsburg, VA. The Audit Committee newsletter for March 2008 is attached.

Human Relations Committee:

Bruce Delaplaine (Interior) distributed information on the OIG Leadership Course at American University. (Copy attached.) Another session will begin soon.

Investigations Committee:

Debbie Shaw (SSA) indicated that, at its last meeting, the Investigations Committee resolved the issue of who is entitled to retired law enforcement credentials. She will determine what the resolution is and let the CCIG know.

Training:

Frank LaRocca (NASA) reported on the following training events: 1) Federal Disputes Resolution Conference will be in August; 2) American Bar Association conference will be in August; 3) Office of Government Ethics (OGE) conference will be in September. Bruce Delaplaine added that the National Procurement Fraud Conference will be September 9-11 in Richmond, VA, and that the FLETC Legal Advisors meeting also will be held in September.

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the CCIGweb working group – Larry, Jerry Lawson (SBA), Mary Beth Sullivan (SEC), and Alberto Rivera-Fournier (GPO) – met with GPO and received templates for uploading CCIG files. The group will begin populating the site with data, and the site will soon be ready for testing by volunteers.

FLETC Committee:

Jackie Becker reported that she and Maryann Grodin (NRC) are traveling to FLETC on April 24th to participate in the legal training curriculum review. In addition, the group is still working on the additional questions from FLETC.

New Business

Mark Bialek noted that he expects OGE soon to ask whether OIG speakers would like to give any presentations at its conference in September. He encouraged CCIG members to send him topics or ideas for panels that we would like to present to the ethics community.

Mark Bialek (b) (5)

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Glenn Harris (SBA) (b) (5)

Rick Reback (DHS) announced that the DHS Secretary recently issued a memorandum to all employees encouraging cooperation with the OIG. (Copy attached.)

Howard Sorensen (ED) asked to (b) (5)

Judy Leader (Library of Congress) asked (b) (5)

Andrea Bernardo (SIGIR) asked (b) (5)

Omer Poirier (DOT) asked (b) (5)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where nonattribution was requested.

* * *

Attachments

DOCUMENT 14

exercises will be carried out using problems presented by the group members. (One Day)

<u>Coaching Session B</u>: A coaching session of 1.5 hours will be scheduled for each student within 30 days prior to Session B, and a second session of 1.5 hours will be scheduled within 90 to 120 days after.

Session C: Courses included in Session C are as follows:

<u>Leadership Development: Transforming From</u> <u>Managing to Leading</u> – The student revisits the different mix of leadership skills required at different levels of responsibility. The course highlights the leadership skills necessary to work across an organization and outside an organization. (One Day)

<u>Leader as Team Builder and Facilitator</u> – Students will facilitate the group through a real-time, teambuilding exercise. Each facilitation team will address the essential elements of building a team charter, including defining the purpose, clarifying the roles, addressing the norms/procedures, and improving the relationships. (One Day)

Leading in the Context of Constitutional Government
 In the third session, students consider issues related to the separation of powers between the branches of government. (One Day)

<u>Leading Organizational Change for Results</u> – Students are provided useful concepts and practical tools to enable participants to lead a successful organizational change effort. (Two Days)

<u>Coaching Session C</u>: Each student will conduct a 360-degree evaluation, and the student's assigned executive coach will interpret the results in a 2-hour meeting.



Certificates and Graduate Credits: At the conclusion of each session, students will receive a certificate indicating which session/s they have completed. Students who complete all three sessions will receive a certificate indicating they have completed the entire program and will be eligible for up to 9 credit hours toward a master's degree in public administration from the Key Executive MPA Program at American University.

Registration, Payment, Cost: Contact Sophie Idilbi, Academic Advisor, at 202-885-6256 or si8400a@american.edu to register for the program.

For more information and to review the schedule of classes, please visit www.ignet.gov/pande/pd/ldrdev.html



PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY

HUMAN RESOURCES COMMITTEE





OIG Leadership Course

AMERICAN UNIVERSITY

American University EST F-201 Leadership Course

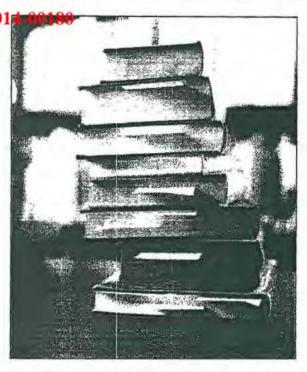
To strengthen leadership and enhance succession-planning efforts in the Inspector General community, the Human Resources Committee is pleased to announce the Key Executive Leadership Certificate Program for Inspector General employees at the GS-13 through SES level, delivered by faculty from American University. The total program includes three sessions with each session building on material presented in the previous one. After taking Session A, a student may enroll in any subsequently scheduled Session B. Similarly, after taking Sessions A and B, a student may enroll in any subsequently scheduled Session C.

Session A: Courses included in Session A are as follows:

Leadership Development: Transforming from Managing to Leading – Students focus on their personal approaches to leadership, develop an awareness of the advantages and disadvantages that accompany them, identify personal values, and understand how those values drive both a leader's and follower's behavior. (Three Days)

<u>Leader as Team Builder and Facilitator</u> – Students are challenged to provide a context for exploring the role of the leader as a team builder, including providing experiential learning activities to build the team and to use tools that can be applied in the workplace. (Two Days)

<u>Ethics for Public Managers</u> – The course is designed to approach ethics in an applied and practical manner and to focus on the various processes by which students can achieve ethical decision-making and enhance integrity in organizations. (One Day)



Leading in the Context of Constitutional Government - The goal of this course is to give OIG leaders a better appreciation for the constitutional context in which public sector enterprises, including the Offices of Inspector General, function. (One Day)

<u>Executive Problem Solving: Action Learning</u> – This Action Learning course offers new approaches to executive problem solving. The Action Learning framework is a modern application of proven classical methods of questioning and reflection and provides a very adaptable structure for exploring creative approaches to a variety of problems. (One Day)

<u>Coaching Session A</u>: Each student will conduct a 360-degree evaluation and be assigned an Executive Coach to interpret the results in a 2-hour meeting. A second coaching session of 1.5 hours will be scheduled within 90 to 120 days after Session A.

Session B: Courses included in Session B are as follows:

Leadership Development: Transforming from Managing to Leading – Students focus on creating commitment to individual and organizational goals through an understanding of what creates commitment and how a leader's behavior encourages or inhibits it. (Two Days)

<u>Ethics for Public Managers</u> – The second day in this series focuses on ethics in the context of the public service, particularly the role of OIG leaders in modeling and promoting ethics and integrity in their organizations. (One Day)

<u>Leading in the Context of Constitutional Government</u> – In the second session students examine the constitutional context of the relationship between the government and its citizens, the structure of the federal courts, and the role the courts play in making public policy. (One Day)

<u>Executive Problem Solving: Action Learning</u> – In the second session, students further explore Action Learning techniques and principles. More complex</u>



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DOCUMENT 14

Secretary

U.S. Department of Homeland Security Washington, DC 20528



April 8, 2008

MEMORANDUM FROM THE SECRETARY

TO: All DHS Employees

SUBJECT: Cooperation With the Office of Inspector General

The Office of Inspector General (OIG) of the Department of Homeland Security serves an important role in helping the Department prevent and detect fraud, waste, mismanagement, and abuse. The OIG does so by conducting independent and objective audits, investigations, and inspections, thereby improving the economy, effectiveness, and efficiency of our programs and activities. The OIG needs information from Department offices to conduct its work effectively.

This memorandum is a reminder that I expect all DHS employees to cooperate fully with the OIG in its valuable endeavors, and should provide prompt access to requested materials and information. These expectations for DHS employees also extend to requests from any contractor hired by the OIG, such as the firm hired by the OIG to audit the Department's financial statements. This cooperation includes:

- Promptly providing materials responsive to a request and other relevant information (even if not specifically requested);
- · Honoring OIG requests for interviews with program officials in a timely manner;
- Respecting employees' rights to speak directly and confidentially with the OIG in accordance with legal requirements;
- Refraining from inappropriate activity that might inhibit or chill an employee or contractor's communication or cooperation with the OIG.

Production of requested materials should be prompt, and the vast majority of such materials may be produced to the OIG directly and immediately upon request. DHS employees should advise the OIG when requested materials contain classified national security information, privacy-protected materials, attorney-client or deliberative (pre-decisional and draft) communications, and other sensitive information, or materials from agencies outside the Department. If there is any question about the status of certain materials or how to handle them, employees should consult with their supervisors or the Office of the General Counsel to ensure that documents are properly identified, marked and treated, and that records obtained from outside the Department are properly coordinated with the other agency, but doing so should not unduly delay delivery to the OIG. The production of these materials to the OIG does not waive our ability to assert privileges or other protections in any forum.

DHS employees are not to conceal information or obstruct audits, inspections, investigations, or other OIG inquiries. Doing so is against Department directives and can lead to serious consequences.

The OIG has important obligations in the conduct of its audits, investigations, and inspections, and will:

- · Honor requests for confidentiality to the extent permitted by law;
- Coordinate with agency managers and supervisors to avoid disrupting ongoing work;
- Respect sensitive materials that are segregated (and be watchful for documents that have not been segregated), so that Department privileges and other obligations are not compromised (thus allowing the Department to assert applicable claims prior to any production outside the Department); and
- · Comport with all other responsibilities under the DHS Management Directive.

If you have any questions regarding your obligations regarding the OIG or the OIG's authorities, you should consult with your supervisor or the Office of the General Counsel.

TO:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Mitchelson, Education OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on March 21, 2007

Next CCIG meeting will be held on: Wednesday, April 18, 2007, at 10:00 a.m. Location to be announced.

The March 21st CCIG meeting was held at the Securities & Exchange Commission, 100 F Street, NE, Washington, DC (Room 6000), with Mark Bialek (EPA) presiding.

Guest Speakers

Our scheduled guest speakers for the March meeting from the DOJ's Procurement Fraud Task Force were unable to attend due to scheduling conflicts, and we hope to reschedule them for the June meeting. Upcoming guest speakers include representatives from DOJ's Computer Crimes and Intellectual Property Section (CCIPS) for April and DOJ's Civil Division on the new electronic discovery rules for May. Speakers from DOJ's Civil Division on terrorism litigation have also been suggested (possibly for July). Anyone with other suggestions should e-mail them to Mark Bialek (bialek.mark@epa.gov); Mary Mitchelson (mary.mitchelson@ed.gov), or Mary Beth Sullivan (sullivanmb@sec.gov).

OGE Conference

Mark Bialek (EPA) reported on OGE's 15th National Government Ethics Conference that was held in Orlando on March 14-16, 2007. Keynote speakers at the conference included Linda Coombs, OMB Controller, and DOI Secretary Dirk Kempthorne. Also, the two IG panels who presented at the conference were well-received.

Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

Inspection and Evaluation Committee:

Carolyn Croak (DOC) (b) (5)

Legislation Committee:

David Gray (USDA) reported that the next meeting of the Legislation Committee is scheduled for Tuesday, March 27, 2007. (b) (5)

Chris Gieseler (FDIC) inquired (b) (5)

David Gray further (b) (5)

The USDA IG is sponsoring the PCIE/ECIE annual conference in Gettysburg, PA, on April 16-18, 2007. Invited speakers include Representative Cooper, Comptroller General David Walker, DOI Secretary Dirk Kempthorne, DOE Secretary Samuel Bodman, and Secretary of Agriculture Mike Johanns.

Human Resources Committee:

Bruce Delaplaine (DOI) reported that a subcommittee has been formed to provide leadership training for the IG community (from GS-13 up to SES levels). Three universities and two institutes (located in either the D.C. area or Charlottesville, VA) have been invited to make presentations to the subcommittee to host this training, and the subcommittee will make a recommendation to the PCIE.

Training Committee:

Beth Richardson (NASA) reported that the National Suspension and Debarment training sponsored by FLETC will take place next Tuesday through Thursday, March 27-29, 2007, in Houston and that there are still openings.

DOCUMENT 15

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the group (Larry, Jerry Lawson (SBA), Tony Ogden (GPO), and Mary Beth Sullivan (SEC), had met with the IGnet coordinator, Tina Fuchs of HHS OIG, to explore housing a CCIG website with IGnet. While Fuchs expressed an interest in working with the CCIG on this proposal, IGnet was unable to accommodate the CCIG's needs, primarily due to security issues. Larry then recommended, on behalf of the working group, that the CCIG authorize Tony to proceed with a request for development of a CCIG website by GPO's Creative Design and Digital Media groups. There was a consensus that Tony should proceed.

New Business

Rod Fillinger (TIGTA) asked a question about (b) (5)

Larry Froehlich (FRB) asked whether any offices were hiring summer interns this year and whether the various offices would like to see a summer intern program again, like the one last year. A number of Counsels responded in the affirmative, and there was a consensus to run the program again. Anyone who is interested in volunteering to work on the summer intern program (for law students) should e-mail Jackie Becker (jackie.becker@frb.gov). Tracy Bloom (FEC) agreed to look into the possibility of coordinating with DOJ's summer intern program.

Sandy Parnes (DOE) reported that representatives of the DOE and DHS OIGs testified at Rep. Edolphus Towns's hearing on financial management. Sandy also mentioned that the House has passed September 11th legislation and that several provisions may impact IGs.

Bruce Delaplaine (DOI) mentioned that the last PCIE meeting included discussions of pending legislation, the IG retreat, the awards ceremony, and various committee reports. There was also a presentation by the Center for Missing and Exploited Children on Missing Children's Day, which is scheduled for May 25, 2007, and discussion of a related authorization of administrative leave.

Patti Marshall (RRB) raised an issue (b) (5)

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Carolyn Croak (DOC) (b) (5)

Howard Sorenson (ED) (b) (5)

Amy Berks (DOT) (b) (5)

Ric Doery (DHS) reported that he has been in contact with a FLETC legal instructor, who has provided a list of legal questions that have arisen in the context of criminal investigator training. Anyone interested in participating in a working group to review these questions should contact Ric at (202) 254-4209, or <u>ric.doery@dhs.gov</u>.

Ginny Grebasch (GSA) inquired (b) (5)

Uldric Fiore (DOD) advised the group of a recent 9th Circuit FOIA summary judgment opinion, *Norbert MacLean v. Dep't of the Army, et. al,* Case No. 05-CV-1519 (S.D. Cal., Mar. 6, 2007), attached, involving responses by more than one subcomponent and Glomar responses.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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DOCUMENT 16

- TO: CCIG Members
- FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
- SUBJECT: Minutes of the CCIG Meeting held on March 19, 2008

Next CCIG meeting will be held on:

April 16, 2008, at 10:00 a.m.

Note New Location: Small Business Administration, Eisenhower Conference Room, Second Floor, 409 Third Street, SW, on top of the Federal Center SW Metro (see red star on attached map).

The March 19th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), 100 F Street, N.E., Washington, D.C. (Room 6000), with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Mary Beth Sullivan (SEC) introduced the guest speaker, Jason Baron, Director of Litigation, Office of General Counsel, National Archives and Records Administration (NARA), who provided a briefing on the erecords and ediscovery nexus. Mr. Baron's biography and presentation slides are attached to these minutes.

(b) (5)

) (5)			

New Members and Summer Interns

The CCIG welcomes new member William Malloy (GSA). Anyone who is having summer legal interns in their offices and would like to participate in the CCIG summer legal intern program should contact Jackie Becker at jackie.becker@frb.gov.

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:

Mary Beth Sullivan (SEC) reported that the last PCIE meeting was on March 11, 2008. Agenda items included (1) Jeff Rosen, General Counsel and Senior Policy Advisor, Office of Management and Budget, providing an overview of the Administration's policy on earmarks and a recent Executive Order on earmarks and its impact on Congress and federal agencies; and (2) Seth Wheeler, Senior Advisor to the Under Secretary for Domestic Finance, Department of Treasury, discussing the Treasury Department's perspectives on the housing markets and an update of the HOPE NOW Alliance's efforts to help at-risk homeowners in their primary residences.

Audit Committee:

The Audit Committee newsletter for March 2008 is attached to the minutes.

Legislation Committee:

Michael Ching (USDA) (b) (5)

(b) (5)

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(b) (5)

Investigations Committee:

Kathy Buller (SSA) (b) (5)

Training:

Frank Mazurek (NASA) reported on the following training events: (1) The Interagency Suspension and Debarment Conference will be held on March 25, 2008, in Charleston, South Carolina. (2) The NRO Procurement Fraud Conference will be held in Redondo Beach, California on March 25-26, 2008. (3) The DOD Procurement Fraud working group annual meeting will take place the first week in April 2008 in Daytona Beach, Florida.

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the CCIGweb working group, Larry, Jerry Lawson (SBA), Mary Beth Sullivan (SEC), and Alberto Rivera-Fournier (GPO), will be going to GPO next week for a full-scale demonstration of the website. Shortly thereafter, the group will begin populating the site with data and the site will soon be ready for testing by volunteers.

FLETC Committee:

Ric Doery (DHS) reported on the receipt of additional questions from FLETC. Whoever would like to be on the committee to answer these questions should contact Ric, <u>ric.doery@dhs.gov</u>, and he will set up an organizational meeting.

Ric also reported that there will be a meeting at FLETC in Glynco, Georgia, to discuss the IG training curriculum.

New Business

Mary Beth Sullivan (SEC) inquired (b) (5)

Larry Froehlich (FRB) mentioned that he attended the American Bar Association's White Collar Crime Annual Institute on March 5-7, 2008, along with some other CCIG members. He said it was a great conference with excellent speakers. Topics discussed included internal investigations by outside counsel, waiver of the corporate attorney-client privilege and corporate monitors.

Alan Larsen (NRO) mentioned that the NRO conference at Redondo Beach, listed under the training events, is an ethics and business compliance conference. He explained that a contract clause requires self-reporting by contractors and said they have invited contractors to come in and share best industry practices.

Patti Marshall (RRB) asked (b) (5)

Ric Doery (DHS) inquired (b) (5)

Chris Gieseler (FDIC) mentioned that he attended the Society of Access Professionals Conference, which provided an overview of the Open Government Act. ^{(b) (5)}

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TO: CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on February 21, 2007

Next CCIG meeting will be held on:

Wednesday, March 21, 2007, at 10:00 a.m. Location to be announced Speakers: DOJ Procurement Task Force

The February 21st CCIG meeting was held at the Environmental Protection Agency OIG (EPA West), 1301 Constitution Avenue NW, Washington, DC (Room 3136), with Mark Bialek (EPA) presiding.

Guest Speaker

Mark introduced the guest speaker, Mr. Ric Cusick, Director of the Office of Government Ethics (OGE). Mr. Cusick was confirmed by the Senate in May 2006. He discussed his observations from his first months on the job and identified two of his emphases: 1) developing ethical guidance for government contractors, perhaps through legislation, and 2) ensuring that a strong ethical commitment is reflected in leadership throughout government. He noted OGE's upcoming conference in Orlando March 13-16, and expressed the hope that the IG community would be represented. He said that he likes to work with IGs, regularly attends the PCIE/ECIE meetings, and encouraged OIGs to consult with his office.

Future Speakers

We have planned the speakers for our next several CCIG meetings as follows: March – DOJ procurement fraud task force;

April – DOJ/CCIPS on recent developments in computer crimes;

May - DOJ/Civil Division attorneys on the new electronic discovery rules.

New Members

The CCIG welcomes the following new members:

Frank Mazurek (NASA) Chris Martinez (DOI)

OGE Conference

Mark noted that several CCIG folks will be presenting at the upcoming OGE conference. Henry Shelley (DOD), Beth Richardson (NASA), and Richard Woodford (DOL) will conduct a session titled "Best Practices for Agency Ethics Officials and the IG: Working Together for the Common Good." They would appreciate hearing about your examples of good working relationships between OIGs and DAEOs. Jerry Lawson (SBA) and Tom Lehrich (DOT) will present on "Working with the OIG," providing an introduction to OIGs and information about how to work with the OIG to put together a case of criminal conflict of interest. Mark Bialek is arranging for OIG folks to have dinner together during one evening of the conference.

February PCIE Meeting

Mark reported that the GSA IG made a presentation on the National Procurement Task Force, the State Department IG discussed his job, and the Comptroller General has suggested another workshop on IG/GAO relationships.

Committee Reports (only those PCIE committees for which news was reported are listed below)

Legislation Committee: Adopted a new mission statement and action plan, which will be on the IGNet. (b) (5)

Information Technology Committee: Focusing on FISMA now.

Training Committee: The OGE upcoming conference, see above. Also, Jerry Lawson (SBA) highly recommended a FLETC course on interagency suspension and debarment coming up in Houston. Check the FLETC website for details.

CCIGNET website proposal

Larry Froehlich (FRB) and Tony Ogden (GPO) discussed a proposal to have GPO design and maintain a website for CCIG, with GPO/OIG offering to pay for the costs for the first year. (b) (5)

CCIG representatives also will meet with the HHS staff that maintains the IGNet to obtain a proposal from them. Jerry Lawson (SBA) and Mary Beth Sullivan (SEC) are working on this project with Larry and Tony.

New Business

Larry Froehlich (FRB) announced that his office is in the midst of one month of telecommuting, as an emergency preparedness exercise.

Alan Larsen (NRO) said that he and Antigone Potamianos (GSA) are serving on the legislation committee of the National Procurement Task Force. They would like to hear of any legislative or regulatory ideas/proposals to eliminate impediments or enhance authority for preventing or prosecuting procurement fraud.

Jerry Hutton (CPB) askec^{(b) (5)}

Chris Gieseler (FDIC) said an amendment to FOIA is to be introduced in Congress in March.

Pat Bowers (Special IG for Iraq) asked for information on forensic auditing.

Abbie Cummings (HHS) discussed a proposal to amend the Paperwork Reduction Act.

Gene Wiley (USPS) reported (b) (5)

Lisa Goldfluss (AID) asked(b) (5)

David Hutner (DOL) asked (b) (5)

Howard Sorensen (Ed) asked (b) (5)

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DOCUMENT 18

TO: CCIG Members

FROM: CCIG Chair Mark Bialek, EPA OIG CCIG Vice-Chair Mary Mitchelson, Education OIG CCIG Vice-Chair Mary Beth Sullivan, SEC OIG

SUBJECT: Minutes of the CCIG Meeting held on February 20, 2008

Next CCIG meeting will be held on:

March 19, 2008, at 10:00 a.m. Location: U.S. Securities & Exchange Commission 100 F Street, NE Washington, DC 20549

The February 20th CCIG meeting was held at the U.S. Securities & Exchange Commission (SEC), 100 F Street, N.E., Washington, D.C. (Room 6000), with Mark Bialek (EPA) presiding.

Future Meeting Locations, Guest Speaker, and Events

Anyone who is willing to host future meetings (beginning in April 2008), or who has suggestions for future guest speakers, should contact Mark Bialek (EPA), <u>bialek.mark@epa.gov</u>, Mary Mitchelson (Ed), <u>mary.mitchelson@ed.gov</u>, or Mary Beth Sullivan (SEC), <u>sullivanmb@sec.gov</u>.

Jina Moon (DOE), <u>jina.moon@hq.doe.gov</u>, has organized a lunch for newer CCIG members for Thursday, February 28, 2008. Anyone interested in a spring golf outing should email Sandy Parnes (DOE), <u>sanford.parnes@hq.doe.gov</u>.

Guest Speaker

Mary Beth Sullivan (SEC) introduced the guest speaker, Paul Michael Brown, Senior Trial Attorney, Constitutional Torts Staff, Torts Branch, Civil Division, U.S. Department of Justice (DOJ). Mr. Brown's biography and presentation outline are attached to these minutes. Mr. Brown may be contacted at (202) 616-4167, or <u>Paul.Brown@usdoj.gov</u>, for advice on a prospective basis. In addition, 15 monographs concerning personal liability litigation are available on CDs.

Mr. Brown provided an overview of personal liability litigation and the role of the Constitutional Torts staff. (b) (5)

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New Members and Intern

The CCIG welcomes new members John Vergelli (FEC) and Kelly Tshibaka (ODNI), and new legal intern Lauren Hong (SEC).

PCIE, Committee and Working Group Reports (Only those committees and working groups for which news was reported are listed below)

PCIE News:

Mark Bialek (EPA) reported on the most recent PCIE meeting, which took place on February 12, 2008. The first guest speaker was Professor Robert Tobias, Director of the American University Institute for Study of Public Policy, who discussed programs designed to increase leadership capacity and assist Inspectors General in keeping desired employees. There was also discussion of administration transition issues in general, and Clay Johnson, Deputy Director for Management, OMB, indicated the White House will encourage a detailed and elaborate set of transition instructions. Mark mentioned that he had recently reviewed a December 2000 memorandum of understanding and policy statement regarding administration transition issues. These documents are attached to the minutes.

Audit Committee:

The Audit Committee newsletter for February 2008 is attached to the minutes.

Investigations Committee:

Kathy Buller (SSA) reported that the revised peer review guide has been issued, see <u>http://www.ignet.gov/pande/inv1.html</u>. ^{(b) (5)}

Legislation Committee:

Mark Bialek (EPA) reported that the Legislation Committee met after the PCIE meeting (b) (5)

Michael Ching (USDA) (b) (5)

CCIGweb Working Group:

Larry Froehlich (FRB) reported that the GPO design team is completing internal testing and expect a test site to be available beginning March 14, 2008. After the site is populated with the various databases, beta testing will begin this spring.

Training:

Frank LaRocca (NASA) reported on the following training events: (1) The Government Contracts Year in Review Conference will be held on February 26-29, 2008, at the Omni Shoreham Hotel, Washington, D.C. Information is available at http://west.thomson.com/conferences/government-

contracts/GovtYIRInvitation2007.pdf. (2) The American Bar Association White Collar Crime Annual Institute will be held on March 5-7, 2008, in Key Biscayne, Florida. Information is available at

http://www.abanet.org/cle/programs/n08wcc1.html. (3) The Interagency Suspension and Debarment 25th Anniversary Conference will be held in March. (4) The DOD Procurement Fraud working group annual meeting will take place the first week in April. (5) The 16th National Government Ethics Conference will be held September 16-29, 2008, at the Rosen Centre Hotel in Orlando, Florida,

New Business

Jennifer Cron-Hepler (ITC) thanked DOD IG for the invitation to the fiscal law course. (b) (5)

Gene Wiley (USPS) asked (b) (5)

Tom Lehrich (DOT) asked anyone who is interested in discussing the type of program the IG community should present at the next OGE conference to contact him by phone, (202) 366-8751, or email, thomas.k.lehrich@oig.dot.gov.

Mary Beth Sullivan (SEC), on behalf of Cynthia Hogue (FTC), (b) (5)

Chris Gieseler (FDIC) (b) (5)

Andrea Bernardo (SIGIR) inquired (b) (5)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where nonattribution was requested.

* * *

10:	CCIG Members
FROM:	CCIG Chair Mark Bialek, EPA OIG
	CCIG Vice-Chair Mary Mitchelson, Education OIG
	CCIG Vice-Chair Mary Beth Sullivan, SEC OIG
SUBJECT:	Minutes of the CCIG Meeting held on January 17, 2007

Next CCIG meeting will be held on: Wednesday, February 21, 2007, at 10:00 a.m. Location to be announced.

The January 17th CCIG meeting was held at the Department of Commerce OIG, 1402 Constitution Avenue NW, Washington, DC (Room 7713), with Mark Bialek (EPA) presiding. Mark began by welcoming everyone to the first meeting of the new year.

New Members

The CCIG welcomes the following new members:

Bruce Delaplaine (DOI) Ken Chason (NSF) Lisa Goldfluss (USAID)

All three new members have DOJ experience and can be contacted for assistance or contacts (Bruce for criminal matters, Ken for information and privacy issues, and Lisa for civil matters, e.g., FOIA, Privacy Act, APA).

OGE Conference and News

Mark Bialek (EPA) reported that all CCIG members who requested slots for the upcoming OGE's 2007 Annual Ethics Conference in Orlando, Florida, on March 13-16, 2007, have received them.

Mark also reported the following news from OGE: Robert Cusick is the new OGE Director; he came from private practice where he specialized in corporate ethics work. Marilyn Glynn has returned to the General Counsel position.

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PCIE News

Mark Bialek (EPA) reported that the PCIE met last Tuesday, January 9th. Robert Shea, Associate Director, OMB, made a presentation on the Program Assessment Rating Tool (PART). Richard Skinner, DHS IG, made a presentation on his office. (b) (5)

In other PCIE news, the PCIE/ECIE joint retreat will be held in Gettysburg, PA, on April 16-18, 2007. The consolidated IG report is expected to go to the printer in February and will be published soon thereafter.

Committee Reports (Note the new format that tracks PCIE committees, councils and working groups.)

Audit Committee:

Mary Mitchelson (Education) reported that the audit committee met yesterday, January 16th. (b) (5)

(b) (5)

A revised GAO Yellow Book will be posted on the Internet at the end of January, (b) (5)

Legislation Committee:

David Gray (USDA) (b) (5)



Information Technology Committee:

Ric Fiore (DOD) reported that this is a new committee and it will have its first meeting next month. IT security is an important issue at this time.

Chief Acquisition Officer (CAO) Council:

Frank LaRocca (NASA) reported that in November 2006, the Small Business Procurement Scorecard was distributed to monitor small business goal achievement. (See press release at http://www.sba.gov/idc/groups/public/documents/sba homepage/news 06-61.pdf.) Also, information on a Proposed Best Practices Guide for Contractor Performance Data Collection and Use was published in the Federal Register on November 16, 2006. (See 71 FR 66,782.)

Chief Information Officer (CIO) Council:

Mark Bialek (EPA) mentioned an OMB memo that was issued on January 11, 2007, regarding personal identity verification credentials. Tony Ogden (GPO) has circulated a link to this memo on the CCIGnet. (See www.whitehouse.gov/omb/memoranda/fy2007/m07-06.pdf.)

Misconduct in Research Working Group:

Ken Chason (NSF) (b) (5)

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(b) (5)

Training Committee:

Frank LaRocca (NASA) reported on the following training opportunities:

The American Bar Association (ABA) Annual White Collar Crime National Institute will be held in San Diego, California on March 1-2, 2007. (Information is available at <u>www.abanet.org/cle/programs/n07wcc1.html</u>.) DOD's annual Procurement Fraud Working Group Seminar is scheduled to take place on February 27-March1, 2007, in Daytona Beach, Florida.

The training committee is working with FLETC on the Legal Advisors to Law Enforcement Training that is scheduled for June 2007 in Crystal City, Virginia (dates to be determined). The training will include a one-day bus trip to Quantico for shoot/don't shoot scenarios.

An additional training opportunity is the American Society of Access Professionals' Western Regional Training Conference (FOIA/PA issues) on March 4-7, 2007, in Las Vegas Nevada. (Information is available at www.accesspro.org/trainingconf2007/programsessions.htm.)

CCIGNET Proposal

Jerry Lawson (SBA) ^{(b) (5)}

New Business

Mary Beth Sullivan (SEC) reported that Richard Woodford, Associate Counsel, SEC OIG, has been elected as a Regent for the Association of Certified Fraud Examiners.

Larry Froehlich (FRB) reported on the ongoing efforts for a CCIG website. The working group (Larry Froehlich, Jerry Lawson, Tony Ogden and Mary Beth Sullivan) met with GPO IT personnel regarding setting up a secure website.

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DOCUMENT 19

However, this option will require funding. (b) (5)

Christian Gieseler (FDIC) mentioned that the FDIC may have a slot he can use for the OGE conference, which would free up another slot. Mark Bialek (EPA) asked that anyone who no longer needs a slot from the CCIG because they can get one from their agency let him know. Tracy Bloom (FEC) inquired as to how one could find out about attending the OGE pre-conference. Mark suggested that she contact Teresa Weakley at OGE, (202) 482-9283,

Ric Fiore (DOD) mentioned two upcoming hearings: a Senate Armed Services Committee hearing on interagency contracting on January 17th, and a House Armed Services Committee hearing on Iraq contracting on January 18th. (A report on the House Committee hearing is available at www.govexec.com/story_page.cfm?articleid=35898&dcn=e_gvet.)

Tom Lehrich (DOT) (b) (5)

Jerry Lawson (SBA)(b) (5)

Luis Gratacos (USAID) announced that this was his last CCIG meeting as he has accepted a position in the private sector. Anyone who is interested in his position at USAID OIG should contact Lisa Goldfluss. Best of luck to Luis!

Gladis Griffith (USPS) suggested that a reminder e-mail be sent before each CCIG meeting containing the meeting location. Mark Bialek (EPA) agreed to send out a reminder on the Monday before each meeting.

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of jackie.becker@FRB.GOV</ccignet@peach.ease.lsoft.com>	
Sent:	Tuesday, January 08, 2013 11:01 AM	
To:	CCIGNET@PEACH.EASE.LSOFT.COM	
Subject:	January 16th 2013 CCIG MeetingNew Location and Entrance Procedures	

Colleagues:

Happy New Year! I hope that you and your families had a wonderful holiday and some restful time off. I am very honored to take over as the new chair of the CCIG and hope to continue making the CCIG experience a useful and meaningful one for all of our members. First and foremost, I would like to announce our new meeting location. I have been able to obtain space for our meetings at the Federal Reserve Board's International Square Offices, which are located at 1850 K Street N.W. Our next meeting will be held on January 16, 2013 at 10:00 a.m.

Security/Entrance Procedures:

Registering to enter the building the first time is a little tricky but once in the system, subsequent meetings should be much easier.

All visitors must provide their full name, social security number, and date of birth in order to be granted access to the building. Once your information is entered into the system, you will not need to provide the information for subsequent CCIG meetings. To provide this information, please call or email:

Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov)

Please plan to arrive by 9:45 a.m. to allow time for processing at the security desk.

Directions:

The Federal Reserve Board OIG is located at 1850 K Street NW, directly above the Farragut West Metro Station (take the 18th Street exit). Come up the escalator and enter the building between the Pret a Manger and the Starbucks. Once in the lobby, enter the double doors marked "1850 K Street" (past the fountain, on the right) and take the elevator to the third floor. You will need to present a photo ID and pass through a metal detector at the security desk on the third floor. We will have a representative available at the security desk to escort you to the conference room.

Look forward to seeing you at the meeting!

Jackie Becker, Chair Ken Chason, Vice Chair

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Rick Reback, Vice Chair

Jacqueline M. Becker | Associate Inspector General for Legal Services and Counsel to the Inspector General Office of Inspector General Board of Governors of the Federat Reserve System | Consumer Financial Protection Bureau 202-973-5045 | (b) (c) | f: 202-973-5044 | <u>Jackle.becker@frb.gov</u> OIG Hotline: 800-827-3340 | <u>olahotline@frb.gov</u>

www.federalreserve.gov/oig

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TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on January 16, 2013

The Next CCIG meeting will be held at 10:00 a.m., February 20, 2013, at the Federal Reserve Board.

The January 16, 2013 CCIG meeting was held at the Federal Reserve Board, 1850 K Street, N.W., Washington, DC. Jackie Becker (CCIG Chair/FRB CFPB) presided.

Ms. Becker launched the meeting by welcoming the group and introducing Mr. Chason (NSF) as the Vice-Chair.

Ms. Becker then noted those who were recognized at the annual CCIG Awards Ceremony in December, 2012:

Lifetime Achievement Award – Mark Bialek

Significant Contribution for the 50 State Survey on Commuter Liability

- Gregory Miller
- George Penn
- Cedric Campbell
- Christina Aizcorbe
- Stephen Begg
- Kathy Gallo
- Gladis Griffith
- Glenn Harris

Jeanette McMillian (IC OIG) then discussed <u>Presidential Policy Directive 19</u> (PPD 19), which was passed by the President on October 19, 2012. Ms. McMillian highlighted the following information on PPD 19:

- Extends whistleblower protections to Intelligence Community employees and federal employees with security clearances.
- Requires certain OIG's to determine whether personnel actions were taken as a reprisal for whistleblower activities.
- Allows employees alleging a reprisal who have exhausted other review processes set forth in PPD 19 to request an external review by a three-member Inspector General panel chaired by the Inspector General of the Intelligence Community.

The Intelligence Community Office of Inspector General is hosting an informational session on January 31 at the Liberty Crossing facility. Please contact Ms. McMillian (jeanejm@dni.gov) if interested in attending.

Ken Chason (NSF) discussed (b) (5)

(b) (5)	
Next, Mr. Chason announced (b) (5)	
Ms. Becker announced (b) (5)	
Committee Reports/New Legislation	
<u>General CIGIE Updates</u> . Mr. Chason reported ^(b) (5)	

<u>CIGIE Audit Committee</u>. The Audit Committee met on December 6, 2012, and discussed the following items of interest:

- U.S. OPM has designated auditors as a Mission Critical Occupation (b) (5)
- Improper payments—GAO is doing a review of OIG Improper Payments Elimination and Recovery Act (IPERA) reports. (b) (5)
- (b) (5)
 (b) (5)
 (b) (5)
- Audit Peer Review Guide Update was approved by CIGIE.

The next meeting of the Audit Committee is scheduled for January 29, 2013.

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Bruce Delaplaine (Interior) reported ^{(b) (5)}

The next meeting will be February 21, 2013.

CIGIE Inspections and Evaluations Committee. The Committee reported (b) (5)

There will be a meeting of the I & E Committee and its roundtable in late February or early March.

<u>CIGIE Legislation Committee</u>. Jason Derr (FRB CFPB) discussed the whistleblower provisions of the National Defense Authorization Act for Fiscal Year 2013 (NDAA). He reported that Section 828 of the NDAA, which becomes effective 180 days after enactment, amends title 41 of the United States Code (Public Contracts) to establish a four-year pilot program to enhance the protections against reprisal for employees of government contractors and subcontractors or grant recipients who have disclosed fraud, waste, or abuse in federal contracts or grants. Beyond this general rule, section 828 establishes particular procedural rules and authorities for IGs and agency heads, and requires agency heads to inform contractors, subcontractors, and grantees of the enhanced protections included in the act. Section 827 of the NDAA sets forth a similar, permanent whistleblower protection provision for the Department of Defense and NASA under Title 10, United States Code section 2409.

CIGIE Information Technology Committee. Nothing to report.

IG Attorney Training

Frank LaRocca reported on the following events:

Government Contractor Year in Review, Omni Shoreham, Washington, DC – February 19-22 http://store.westlaw.com/about/conferences/government-contracts.aspx

ABA White Collar Crime Institute, Las Vegas, NV – March 6-8 http://www.americanbar.org/calendar/2013/03/white_collar_crime2013.html?sc_jid=121214K&l ist=185103&sc_cid=13DCB012&sc_sid=01750183

ABA Federal Procurement Institute, Annapolis, MD – March 14-15 <u>http://www.americanbar.org/content/dam/aba/marketing/plc/FPI13.authcheckdam.pdf</u>

CIGIE IG Authorities Course - March 6 (tentative, location in Washington, DC -- TBD).

Other Announcements/Questions Presented

* * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Gieseler, Christian A.

From:

Sent: To: Subject: No title defined <CCIGNET@PEACH.EASE.LSOFT.COM> on behalf of jackie.becker@FRB.GOV Tuesday, February 19, 2013 9:37 AM CCIGNET@PEACH.EASE.LSOFT.COM Reminder- CCIG meeting tomorrow--please RSVP to Caitlin Romano

REMINDER

Colleagues:

The next CCIG meeting will be held on February 20, 2013, at 10:00 a.m., at the Federal Reserve Boards' International Square Offices, which are located at 1850 K Street N.W. Our guest speaker for this meeting will be Melanie Pustay, Director, DOJ Office of Information Policy, who will be speaking about the impact of the *Milner* decision.

Security/Entrance Procedures:

All visitors must RSVP. If you did not attend January's meeting, you must also provide your full name, social social security number, and date of birth in order to be granted access to the building. To RSVP and/or provide this information, please call or email:

Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov)

Please plan to arrive by 9:45 a.m. to allow time for processing at the security desk.

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I have attached the meeting minutes from our January meeting below. Look forward to seeing you at the February meeting!

Jacqueline M. Becker | Associate Inspector General for Legal Services and Counsel to the Inspector General Office of Inspector General Board of Government of the Enderal Researce System | Consumer Einspecial Protection Pursey

Board of Governors of the Federal Reserve System | Consumer Financial Protection Bureau 202-973-5045 | (b) (b) | f: 202-973-5044 | jackie.becker@frb.gov OIG Hotline: 800-827-3340 | <u>pighotline@frb.gov</u>

www.federalreserve.gov/oig

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TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on February 20, 2013

The Next CCIG meeting will be held at 10:00 a.m., March 21, 2013, at the Federal Reserve Board's Eccles Building, 20th and C Streets N.W. Washington, D.C..

The February 20, 2013 CCIG meeting was held at the Federal Reserve Board, 1850 K Street, N.W., Washington, DC. Jackie Becker (CCIG Chair/FRB CFPB) presided.

Ms. Becker launched the meeting by welcoming the group and introducing Sean O'Neill, Department of Justice, Office of Information Policy.

Mr. O'Neill gave an overview of the Supreme Court's ruling in *Milner v. Department of the Navy* and described how the decision has affected the use of FOIA exemption (b)(2):

- A resident of Puget Sound requested maps and data detailing ammunition safety information stored on the island by the Department of the Navy. The Department of the Navy withheld this information under the "high (b)(2)" definition of Exemption (b)(2) that would allow for the withholding of information that if released would risk circumvention of the law.
- The Supreme Court rejected this "high (b)(2)" interpretation, and instead looked to the plain meaning of the term "personnel rules and practices" and found that Exemption (b)(2) encompassed only records relating to issues of employee relations and human resources.

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(b) (5)

Committee Reports/New Legislation

General CIGIE Updates.

Jackie Becker reported that representatives from the Project on Government Oversight (POGO) and the Government Accountability Project (GAP) spoke on the Whistleblower Ombudsman provision of the Whistleblower Protection Enhancement Act of 2012.

CIGIE Audit Committee. Chris Gieseler (FDIC) reported that the Audit Committee met on January 29, 2013, (b) (5)

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Bruce Delaplaine (Interior) reported ^{(b) (5)}

The next meeting will be February 21, 2013.

CIGIE Inspections and Evaluations Committee. Nothing to report.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that the Committee met on February 19, 2013, and discussed a ^(b) (5) (b) (5)

The next meeting will be March 19, 2013.

CIGIE Information Technology Committee. Nothing to report.

PFCRA Working Group. Glenn Harris (SBA) reported t^{(b) (5)}

(b) (5)

IG Attorney Training

ABA White Collar Crime Institute, March 6-8, Las Vegas:

http://www.americanbar.org/calendar/2013/03/white_collar_crime2013.html?sc_jid=121214K&l_ist=185103&sc_cid=13DCB012&sc_sid=01750183

GAO Appropriations Forum, March 7 - GAO Auditorium, Washington, DC

ABA Federal Procurement Institute, March 14-15, Annapolis, MD:

http://www.americanbar.org/content/dam/aba/marketing/plc/FPI13.authcheckdam.pdf

Ombudsman Conference, April 19-24, Miami, FL:

http://www.ombudsassociation.org/Agenda-at-a-Glance%2C%202013

International Association of Chiefs of Police Legal Officers Meeting, April 29 – May 3, Orlando, FL:

http://www.theiacp.org/Conferences/tabid/1045/Default.aspx?utm_source=IACP+Membership& utm_campaign=a5e57eba3b-IACPInfo316&utm_medium=email

Other Announcements/Questions Presented

* * *

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Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent:	Wednesday, March 20, 2013 6:39 AM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	Reminder March CCIG Meetingis on Thursday March 21NOT TODAY & Update in speakers
Attachments:	Visitor Entrance Map.pdf

Colleagues:

Our speakers for the March 21, 2013 CCIG meeting will be Holly Idelson, and Peter Tyler, Majority Staff of the Senate Homeland Security and Governmental Affairs Committee (HSGAC). In addition, Mr. Brian Downey, of the Minority Staff HSGAC will also be joining us.

If you are interested in attending the March meeting, please R.S.V.P. to Caitlin Romano as soon as possible. See entrance and RSVP procedures below.

Please arrive early!!! Look forward to seeing you there.

Thanks so much!

Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

From: Jackie Becker Sent: Monday, March 11, 2013 11:18 AM To: 'CCIGNET@PEACH.EASE.LSOFT.COM' Subject: March CCIG Meeting--Thursday, March 21, 2013 10:00--please note time, location, and logistics

Colleagues:

The next CCIG meeting will be held on <u>Thursday March 21, 2013, at 10:00 a.m., at the Federal</u> <u>Reserve Boards' Eccles Building</u>, which is located at 20th and Constitution Ave, N.W. We will be sending out information on our guest speaker shortly.

Security/Entrance Procedures:

All visitors must RSVP. If you have not attended a previous meeting at the Federal Reserve, you must also provide your full name, social security number, and date of birth in order to be granted access to the building. The visitor registration system only saves your information if you have physically checked into a meeting. If you have provided your information in the past and did not actually attend a meeting, you will need to provide your information again. To RSVP and/or provide this information, please call or email:

Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov)

NOTE: The March meeting is being held in the Board Room. Due to the secure nature of the room, all food and drinks are prohibited. Please limit the amount of items you bring to the meeting to facilitate a quick screening process at the Visitor Center.

Please plan to arrive by 9:30 a.m. to allow time for processing at the security desk.

Directions:

The visitors' entrance to the Eccles Building is on 20th Street NW, between C Street and Constitution Avenue. The attached map shows the entrance (outlined in red), as well as the nearest Metro stations.

Have a great day!!

Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

Jacqueline M. Becker | Associate Inspector General for Legal Services and Counsel to the Inspector General Office of Inspector General Board of Governors of the Federal Reserve System | Consumer Financial Protection Bureau 202-973-5045 | (b) (6) | f: 202-973-5044 | jackie.becker@frb.gov OIG Hotline: 800-827-3340 | oighotline@frb.gov www.federalreserve.gov/oig

Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent:	Monday, March 11, 2013 11:18 AM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	March CCIG MeetingThursday, March 21, 2013 10:00please note time, location, and logistics
Attachments:	February 2013 Minutes.docx; Visitor Entrance Map.pdf

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Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov)

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Have a great day!!

Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

Jacqueline M. Becker | Associate Inspector General for Legal Services and Counsel to the Inspector General Office of Inspector General Board of Governors of the Federal Reserve System | Consumer Financial Protection Bureau 202-973-5045 | ^(b) ⁽⁶⁾ | f: 202-973-5044 | <u>jackie.becker@frb.gov</u> OIG Hotline: 800-827-3340 | <u>oighotline@frb.gov</u> www.federalreserve.gov/oig

Please Note: Replies to this message will go to the entire CCIGNet mailing list. To send a message only to the person who sent this message, please make sure that only THAT person's email address is showing in the "TO:" portion of the header on your reply.

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TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on March 21, 2013

The Next CCIG meeting will be held at 10:00 a.m., April 17, 2013, at the Federal Reserve Board, 1850 K Street N.W. Washington, D.C..

The March 21, 2013 CCIG meeting was held in the Boardroom at the Federal Reserve Board, 20th Street and Constitution Ave. N.W., Washington, DC. Jackie Becker (CCIG Chair/FRB CFPB) presided.

Ms. Becker launched the meeting by welcoming the group and introducing Holly Idelson, Senior Counsel, Senate Committee on Homeland Security and Governmental Affairs, Brian Downey, Investigator, Senate Committee on Homeland Security and Governmental Affairs, and Peter Tyler, Professional Staff, Senate Committee on Homeland Security and Governmental Affairs.

(b) (5)

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Committee Reports/New Legislation

General CIGIE Updates.

Ken Chason (NSF) reported that Charles Rosen (ATF) spoke to the group about the Presidential memorandum on firearms.

CIGIE Audit Committee. Nothing to report.

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Bruce Delaplaine (Interior) reported ^{(b) (5)}

CIGIE Inspections and Evaluations Committee. Nothing to report.

CIGIE Legislation Committee. Adam Kaplan (SBA) reported that (b) (5)

(b) (5)

CIGIE Information Technology Committee. Nothing to report.

<u>PFCRA Working Group</u>. Glenn Harris (SBA) reported that the group will be next meeting at the end of April or early May. Mr. Harris reported that ^(b) ⁽⁵⁾

<u>FOIA Working Group</u>. Christina Aizcorbe (SBA) reported that the group is currently seeking nominations for a chairperson.

<u>Employment/Labor Law Working Group</u>. Jina Hwang (FRB/CFPB) announced that the group held its inaugural meeting in February, and that group will continue to hold bi-monthly meetings. Anyone interested should feel free to contact Ms. Hwang.

IG Attorney Training

Ombudsman Conference, April 19-24, Miami, FL:

http://www.ombudsassociation.org/Agenda-at-a-Glance%2C%202013

International Association of Chiefs of Police Legal Officers Meeting, April 29 – May 3, Orlando, FL:

http://www.theiacp.org/Conferences/tabid/1045/Default.aspx?utm_source=IACP+Membership& utm_campaign=a5e57eba3b-IACPInfo316&utm_medium=email

Other Announcements/Questions Presented

* * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent:	Thursday, April 11, 2013 7:39 AM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	CCIG Meeting April 17, 2013- 10:00 a.m. 1850 K Street N.W.

Colleagues:

The next CCIG meeting will be held on Wednesday, April 17, 2013, at 10:00 a.m., at the Federal Reserve Boards' International Square Office, which is located at 1850 K Street N.W. Our guest speaker will be Allison Stanton, Director of E-Discovery, FOIA and Records, Department of Justice Civil Division.

Security/Entrance Procedures:

All visitors must RSVP in advance. If you have not attended a previous meeting at the Federal Reserve, you must also provide your full name, social security number, and date of birth in order to be granted access to the building. The visitor registration system only saves your information if you have physically checked into a meeting. If you have provided your information in the past and did not actually attend a meeting, you will need to provide your information again. To RSVP and/or provide this information, please call or email:

Caitlin Romano-OIG Paralegal (202-785-6048, <u>caitlin.v.romano@frb.gov</u> <<u>mailto:caitlin.v.romano@frb.gov</u>>)

Please plan to arrive by 9:30 a.m. to allow time for processing at the security desk.

Directions:

The Federal Reserve Board OIG is located at 1850 K Street NW, directly above the Farragut West Metro Station (take the 18th Street exit). Come up the escalator and enter the building between the Pret a Manger and the Starbucks. Once in the lobby, enter the double doors marked "1850 K Street" (past the fountain, on the right) and take the elevator to the third floor. You will need to present a photo ID and pass through a metal detector at the security desk on the third floor. We will have a representative available at the security desk to escort you to the conference room.

Have a great day!!

Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

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www.federalreserve.gov/oig

DOCUMENT 28

TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on April 17, 2013

The Next CCIG meeting will be held at 10:00 a.m., May 15, 2013, at the Federal Reserve Board, 1850 K Street N.W. Washington, D.C..

The April 17, 2013 CCIG meeting was held at the Federal Reserve Board, 1850 K Street N.W., Washington, DC. Ken Chason (CCIG Vice Chair/NSF) presided.

Mr. Chason launched the meeting by welcoming the group and introducing Allison Stanton, Director of E-Discovery, FOIA and Records, Office of the Assistant Attorney General, Department of Justice – Civil Division.

Ms_Stanton gave an overview of e-discovery^{(b) (5)} (b) (5)

FOIA REQUEST F-2014-00180

DOCUMENT 28

(b) (5)

Committee Reports/New Legislation

<u>General CIGIE Updates</u>. Ken Chason (NSF) reported ^{(b) (5)}

CIGIE Audit Committee. Nothing to report.

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Nothing to report.

CIGIE Inspections and Evaluations Committee. Nothing to report.

CIGIE Legislation Committee. Nothing to report.

CIGIE Information Technology Committee. Nothing to report.

<u>PFCRA Working Group</u>. Glenn Harris (SBA) reported (b) (5)

FOIA Working Group. Christina Aizcorbe (SBA) reported that the group is currently seeking nominations for a chairperson.

IG Attorney Training

Ombudsman Conference, April 19-24, Miami, FL:

http://www.ombudsassociation.org/Agenda-at-a-Glance%2C%202013

International Association of Chiefs of Police Legal Officers Meeting, April 29 – May 3, Orlando, FL:

http://www.theiacp.org/Conferences/tabid/1045/Default.aspx?utm_source=IACP+Membership& utm_campaign=a5e57eba3b-IACPInfo316&utm_medium=email

DOCUMENT 28

Other Announcements/Questions Presented

* * *

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Presentation 34 Pages, (b)(5)

April 17, 2013

Allison C. Stanton Director of E-Discovery, FOIA, and Records Civil Division U.S. Department of Justice

Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker</ccignet@peach.ease.lsoft.com>
	<jackie.becker@frb.gov></jackie.becker@frb.gov>
Sent:	Monday, May 13, 2013 2:57 PM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	ReminderCCIG meeting Wednesday May 15, 2013 at 10:00 a.m. Don't forget to RSVP.

Colleagues:

The next CCIG meeting will be held on Wednesday, May 15, 2013, at 10:00 a.m., at the Federal Reserve Boards' International Square Office, which is located at 1850 K Street N.W. The meeting will be a roundtable discussion of any issues of interest to the community. Please email any items you would like to be added to the agenda <u>jackie.becker@frb.gov</u>.

Security/Entrance Procedures:

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Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov <mailto:caitlin.v.romano@frb.gov>)

Please plan to arrive by 9:30 a.m. to allow time for processing at the security desk.

Directions:

The Federal Reserve Board OIG is located at 1850 K Street NW, directly above the Farragut West Metro Station (take the 18th Street exit). Come up the escalator and enter the building between the Pret a Manger and the Starbucks. Once in the lobby, enter the double doors marked "1850 K Street" (past the fountain, on the right) and take the elevator to the third floor. You will need to present a photo ID and pass through a metal detector at the security desk on the third floor. We will have a representative available at the security desk to escort you to the conference room.

Have a great day!!

Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

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TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on May 15, 2013 and June 19, 2013

The Next CCIG meeting will be held at 10:00 a.m., July 24, 2013, at the Federal Reserve Board, 1850 K Street N.W. Washington, D.C..

The May and June CCIG meetings were held at the Federal Reserve Board, 1850 K Street N.W., Washington, DC. Jackie Becker (CCIG Chair/FRB, CFPB) presided.

Ms. Becker launched the meetings by welcoming the group and noting that because there are no scheduled guest speakers for May and June, the meetings will be a forum for all members to raise any topics of interest.

During both meetings, the group discussed several matters of mutual concern that were requested to not be for attribution.

Committee Reports/New Legislation

<u>General CIGIE Updates</u>. Jackie Becker (FRB/CFPB) reported that Walter Shaub, Director of OGE, gave a presentation to the group.^{(b) (5)}

CIGIE Audit Committee. Nothing to report.

CIGIE Investigations Committee. The Committee is working (b) (5)

CIGIE Professional Development Committee. Nothing to report.

CIGIE Inspections and Evaluations Committee. Nothing to report.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) noted the following legislation: (b) (5)

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(b) (5)

CIGIE Information Technology Committee. Nothing to report.

<u>PFCRA Working Group</u>. Glenn Harris (SBA) reported (b) (5)

FOIA Working Group. Nothing to report.

Other Announcements/Questions Presented

* * *

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Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker</ccignet@peach.ease.lsoft.com>
	<jackie.becker@frb.gov></jackie.becker@frb.gov>
Sent:	Sunday, June 16, 2013 6:49 PM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	June 19, 2013 CCIG MeetingDon't forget to RSVP

Colleagues:

The next CCIG meeting will be held on Wednesday, June19, 2013, at 10:00 a.m., at the Federal Reserve Boards' International Square Office, which is located at 1850 K Street N.W. The meeting will be a roundtable discussion of issues of interest to the community. Please email any items you would like to be added to the agenda.

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Jackie Becker, CCIG Chair Ken Chason, CCIG Vice Chair

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TO: CCIG Members

FROM: CCIG Chair Jackie Becker, FRB CFPB OIG CCIG Vice-Chair Ken Chason, NSF OIG

SUBJECT: Minutes of the CCIG Meeting held on July 24, 2013

The Next CCIG meeting will be held at 10:00 a.m., September 18, 2013, at the Federal Reserve Board, 1850 K Street N.W. Washington, D.C..

The July CCIG meeting was held at the Federal Reserve Board, 1850 K Street N.W., Washington, DC. Ken Chason (CCIG Vice chair/NSF) presided.

Mr. Chason launched the meetings by welcoming the group and introducing guest speaker Jason Baron, Director of Litigation, Office of the General Counsel, National Archives and Records Administration.

Mr. Baron then gave an overview of the President's memorandum on Managing Government Records and best practices for managing digital records:

 President Obama's Memorandum on Managing Government Records and Managing Government Records Directive create a records management framework for digital records and requires agencies to eliminate paper and use electronic recordkeeping.

(b) (5)

* * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent: To: Subject: Attachments:	Monday, September 16, 2013 10:23 AM CCIGNET@PEACH.EASE.LSOFT.COM Next CCIG Meeting September18, 2013-10:00 a.m. Don't forget to RSVP 7-2013 Minutes.docx; The Archivist's Directive and the End of the Decade Digital Challenge.pdf

Colleagues:

The next CCIG meeting will be held on Wednesday, September 18, 2013, at 10:00 a.m., at the Federal Reserve Boards' International Square Office, which is located at 1850 K Street N.W. Nancy Eyl (DHS) will give a presentation on the New Media for OIGs report. Nancy provided this presentation at the last CIGIE meeting and it was very well received.

After the meeting, the Labor and Employment Law work group will be having a brownbag roundtable discussion on labor law issues and recent relevant case law. Please email Jina Hwang at <u>jina.hwang@frb.gov</u> if you are interesting in attending. We will be placing lunch orders at Potbelly's.

Security/Entrance Procedures:

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Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent:	Tuesday, November 12, 2013 12:32 PM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	CCIG Meeting- November 20, 2013 Don't forget to RSVP

Colleagues:

The next CCIG meeting will be held on Wednesday, November 20, 2013, at 10:00 a.m., at the Federal Reserve Board's International Square Office, which is located at 1850 K Street N.W. Joe Vallowe, Deputy Assistant Inspector General for Investigations for the Department of Veterans Affairs OIG will give a presentation on recent Supreme Court cases regarding the Fourth Amendment.

In addition, please feel free to join the Labor and Employment Law Workgroup for a brief Lunch and Learn after the meeting. We will discuss recent changes in MSPB case law related to Douglas Factor number 6 - consistency of the penalty with those imposed on other employees with the same or similar offenses (i.e., comparators), MSPB's requirements for what is to be included in the Agency File when an appeal is filed; and recent changes to the MSPB regulations. Alisa Reff, Adam Kaplan, and Venetia Bell will be leading the discussion. We will be ordering lunch from Potbelly's. Please contact Jina Hwang directly (jina.hwang@frb.gov) by Wednesday, November 13, if you will be attending the Lunch and Learn.

Security/Entrance Procedures:

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FOIA REQUEST F-2014-00180

DOCUMENT 34

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Gieseler, Christian A.

From:	No title defined <ccignet@peach.ease.lsoft.com> on behalf of Jackie Becker <jackie.becker@frb.gov></jackie.becker@frb.gov></ccignet@peach.ease.lsoft.com>
Sent:	Monday, February 17, 2014 7:02 PM
To:	CCIGNET@PEACH.EASE.LSOFT.COM
Subject:	CCIG Meeting this WednesdayNew LocationLimited Space.
Importance:	High

Colleagues:

The next CCIG meeting will be held on Wednesday, February 19, 2014, at 10:00 a.m., at the Federal Reserve Martin Building, which is located on C Street N.W., between 20th and 21st Streets. Anthony Teelucksingh, Senior Counsel, Computer Crime and Intellectual Property Section, United States Department of Justice, will give a presentation on investigating e-mails.

After the meeting, the CCIG Labor & Employment Working Group will be meeting for a discussion of the EEOC's proposed MD-110 Directive and comments which OIGs or their respective agencies submitted. If you are interested in attending and ordering a lunch, please contact co-chairs Jina Hwang (jina.hwang@frb.gov) or Adam Kaplan (adam.kaplan@sba.gov).

**Please Note: Because of the change in location for this month's meeting, space is limited to 60 people. Please RSVP as soon as possible to ensure you are able to attend. Because of the importance of the information access issues that will be discussed after the presentation, offices may want to ensure that each OIG Counsels Office is represented at the meeting by one member.

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Caitlin Romano-OIG Paralegal (202-785-6048, caitlin.v.romano@frb.gov)

Please plan to arrive by 9:30 a.m. to allow time for processing at the security desk.

Directions:

The Federal Reserve Board Martin Building is located on C Street N.W., between 20th and 21st Streets. Please enter through the main entrance, and you will be directed to the security desk. You will need to present a photo ID and pass through a metal detector at the security desk. We will have a representative available at the security desk to escort you to the conference room.

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has no basis to give an informal answer. Another resource is a Glossary of Federal Budget Terms, created by the Strategic Issues Budget Team. This is also linked on the website. It includes appendices that provide an overview of the budget process.

Another resource she believes is particularly useful is GAO's annual Appropriation Law Forum. (This year's is March 11 in the auditorium of the Capitol Visitors Center.) It will be "the year in review", with developments in the field. It is not intended as an introduction for those new to the field. For the first time, GAO is inviting OIG counsel to this annual event. The website posts material from previous years, and includes discussions of many topics that she knows are the subject of many of the questions they get. Another training program that GAO provides is its Principles of Appropriation Law class. It's a 2 ½ day program given about 25 times per year, taught by the GAO lawyers who write the opinions. Classes usually fill up.

5)

Ms. Matta can be reached via e-mail at $^{(b)(6)}$ or by phone at 202-512-4923.

Committee and Working Group Reports

CIGIE Meeting

Mary Beth Sullivan reported that CIGIE had several featured speakers at its February meeting. James Fries, director of FinCEN encouraged IGs to take advantage of the FinCEN capabilities, in support of law enforcement. Mike Wood, director of

Recovery.gov, and Danny Wuerful, OMB comptroller both spoke as well. Mr. Wuerful,

(b)(5)

Cross-cutting project progress: the Recovery Act project was supposed to go on the CIGIE website as of February 17;^{(b)(5)}

Training: CIGIE approved the American University schedule, which is to be on the CIGIE website.

The Journal of Public Inquiry is looking for articles, and interested parties should contact the DoD IG.

The annual IG conference will probably be in Lancaster, PA in May.

Audit Committee

Chris Gieseler (FDIC) reported that the focus of the Committee's meeting was the Executive Order to reduce improper payments.

Legislation Committee:

Alberto Rivera-Fournier (GPO) noted that the scheduled meeting of the Committee was cancelled due to the snow closures. The next meeting will be March 9. The Committee (b)(5)

Mike Ching (USDA) noted that the 2008/2009 appropriation language, regarding required timing for IGs to post reports on their websites, and which was inconsistent with IG Act timing obligations, has been dropped from this year's appropriation bills—so that inconsistency no longer exists.

Professional Development Committee

Bruce Delaplaine (Interior) referred to the information reported from the full CIGIE meeting, as the update on the Committee's work.

Training Opportunities:

Beth Richardson (NASA) reported on the following training opportunities: --the GAO Appropriations Law Forum, mentioned by Ms. Matta, on March 11 --ABA Federal Procurement Institute, March 4 and 5 in Annapolis --the DoD Procurement Fraud Working Group, in Daytona on March 22-24

Inspections and Evaluations Committee

No report.

Investigations Committee:

Charles Kandt (TVA) reported that the Committee was meeting the following week at the Dept. of Education.^{(b)(5)}

(b)(5)

New Business

Mary Beth Sullivan reported on the meeting of CCIG officers Al Larsen, Glenn Harris and herself with CIGIE Chair Phyllis Fong (USDA IG) and Vice Chair Carl Clinefelter (Farm Credit Administration IG) in January. As we did at the beginning of the previous calendar year, we met to inform each other of goals and projects for the coming year, and especially to discuss areas of mutual interest where one group could assist the other. (b)(5)

(b)(5) We discussed the CCIG training proposal, and how that fits into overall CIGIE and IG Community training and professional development, and the balance between greater ultimate CIGIE resources to support the IG counsel training, and the limited resources available to CIGIE at this time. Phyllis and Carl fully supported the CCIG training proposal, both the substance of the subject areas we have in mind, and the gradual ramping up, and doing more with less to begin with approach that we are taking.

Glenn Harris further elaborated on the training proposal. CCIG has submitted the proposal to Mary Kendall (Interior OIG) who chairs the CIGIE Professional Development Committee). Glenn met with Mary to discuss the proposal, and she invited him to the meeting of the CIGIE Professional Development Committee in February, at which he made a presentation. The Committee is still working on its overall proposal, and has not yet presented its report to the full CIGIE. The Committee has asked CCIG to proceed to launch several of the courses we have proposed. They want to show some tangible progress, and think the CCIG piece could help them do that. They think our launching several courses would demonstrate the value of our overall proposal, and enhance the likelihood that CIGIE would act favorably on it as we move forward. Glenn will be [since, has] soliciting the CCIG members for assistance in fleshing out, and presenting, several courses. Preliminary suggestions for the two initial courses are, one on IG authorities and one as an introductory, overview of IG offices. But, we are being clear that we need the IG Academy for logistical and administrative support, and eventually, funding support as well. The CIGIE Professional Development Committee is

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suggesting that some of the IG counsel courses would have value to non-attorney OIG staff as well, and hope that we would make them available to the wider group.

Al Larsen (NRO) noted that CCIG members chosen in the lottery for one of the 15 setaside slots for the OGE conference in May have been so notified, and that others are on a wait list in order of lottery selection. We will keep those on the wait list informed if initial selectees withdraw or if OGE makes more slots available, and likewise, we ask that anyone who can't go inform us so we can move to the next person on the wait list.

(b)(5)

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on March 17, 2010
*	Next CCIG meeting will be held on:
	Wednesday, April 21, 2010, at 10:00 a.m.
	Location: Small Business Administration (SBA)
	409 Third Street, SW, Washington DC

The March 17, 2010 CCIG meeting was held at the Small Business Administration, 409 Third Street, SW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speakers

Al Larsen (NRO) introduced guest speakers Melinda Golub and Pamela Langer, Senior Counsel in the Advice Branch of the HHS OIG Office of Counsel. They addressed a number of recent reviews that their OIG did regarding conflicts of interest, and the approach taken by the office to tie the work together into a broad cohesive body of work. Links to relevant HHS OIG reports are included in the text below.

First, they noted that, crucial to undertaking all the work in this area was that conflict of interest was a high priority for their Inspector General. It's been on their Top 10 Management challenges for the past 3 or 4 years. There was also high Congressional interest in this subject (^{(b)(5)})

(b)(5) The IG made a speech this past January which reviewed the office's work and how it included looking at conflict of interest issue in health care and health research. (Conflicts of Interest: Trust but Verify: Remarks of Inspector General Daniel R. Levinson)

Among the initial undertakings was to ensure that the OIG was above reproach in its own compliance including ensuring that confidential (OGE 450) and public financial disclosure forms (SF 278) were timely filed and an IG determination that all OIG employees should take annual ethics training, among other initiatives. Later, the OIG ethics program focused on contractor employees and student volunteer interns who work side-by-side in OIG offices with Federal employees. Additional agreements incorporating non-disclosure and conflict of interest provisions have been drafted and special training modules are anticipated in the near future. OIG supervisors have been briefed about special considerations in dealing with contractor employees who work in their components.

Strong impetus for greater OIG attention to COI came from news stories revealing public "scandals" around 2003—NIH doctors getting large sums on the side doing work for drug companies. In 2004, there were five congressional hearings. In 2005, the OIG issued a report on outside activities of high level officials at NIH. (Outside Activities of Senior-Level NIH Employees). In 2006, the HHS DAEO issued revised supplemental Standards of Ethics conduct to increase monitoring of employees' outside activities. Now, there is a 16 page form to request approval to participate in outside activities, covering information such as nature and duration of the activity, how many hours per year it will require, etc. In 2006, the OIG also issued a report regarding outside activities of FDA officials as well, but there were no "scandals" there.

Meanwhile, Congressional staffers were conducting their own investigation of NIH employees who were also on the payroll of pharmaceutical companies. The OIG reviewed how NIH was identifying and referring conflicts of interest of its employees and issued a report in 2008, (National Institutes of Health's Handling of Allegations Concerning Conflict of Interest and Ethics Violations). Later, attention turned to another public health service agency in HHS, with the January 2010 release of the report, CDC's Ethics Program for Special Government Employees on Federal Advisory Committees.

(b)(5)	2
(b)(5)	and the Office of Investigations established a Special
Investigatio	ns Unit (SIU) in OI Headquarters in 2004 to undertake investig

Investigations Unit (SIU) in OI Headquarters in 2004 to undertake investigations of allegations of criminal ethics violations and other internal investigations. The SIU became a branch in 2007.

Looking beyond the HHS ethics program issues, Pam and Melinda mentioned other OIG work dealing with conflicts of interest in HHS programs. The various OIG reports identified several other serious categories of weakness. With regard to FDA oversight of financial information about clinical investigators carrying out clinical trials where the data is used in the new drug approval process, if there were a conflict of interest, it would not be reported to FDA until after the clinical trials are finished. And even then, the information disclosed is very incomplete.(The Food and Drug Administration's Oversight of Clinical Investigators' Financial Information) With regard to NIH's handling of reports of conflicts regarding PIs on NIH grants, OIG found (in its January 2008 report, National Institutes of Health: Conflicts of Interest in Extramural Research) that NIH could not even provide an accurate account of the number of conflict of interest reports its had received. In a follow-up report released in November, 2009, OIG found vulnerabilities in how grantees oversee conflicts of interests of their PIs(How Grantees Manage Financial Conflicts of Interest in Research Funded by the National Institutes of Health).

Committee and Working Group Reports

CIGIE Meeting

Mary Beth Sullivan reported that the March CIGIE meeting had been cancelled, as there had been a meeting between GAO and the IGs the prior week.

Survey of CCIG Meeting Topics

Glenn Harris (SBA) noted that the CCIG officers were asking that members complete a survey aimed at identifying topics of interest for presentations at upcoming CCIG meetings. He handed out hard copies of the survey, and asked people either to hand them back in at the conclusion of the meeting, or to complete and forward the electronic version that he had sent out to the CCIG e-mail list.

OGE Conference

Al Larsen noted that Friday March 19 was the final day to register for the May OGE conference using the CCIG set-aside slots. He had previously notified the CCIG members who had received one of those slots. He also asked that if anyone who had received one was not going to be able to go to notify him so we could pass it on to the next person on the waiting list. After the deadline passed, OGE was going to compare actual registrations to the slots they allocated to agencies, and there may be some additional slots available. If CCIG receives any additional slots, we will move down the waiting list in the order drawn in the "lottery". [Note: OGE was ultimately able to offer slots to all CCIG members who requested one, and we thanked them for working with us to make that happen.]

Al also noted that OGE has once again scheduled a segment to be presented by CCIG representatives. This year the topic will be conflicts of interest, presented by Frank LaRocca (NASA), John Simms (NARA) and Tom Carter (TIGTA).

Audit Committee

No report.

Legislation Committee:

testimonial subpoena authority.) said the committee met last week with DOJ regarding . ^{(b)(5)}
(b)(5)	
(b)(5)	Also,
	erns document" putting on record the problems they think nonial subpoena authority. Glenn Harris noted that CIGIE
(b)(5)	At this point, it is e is some version of testimonial subpoena authority that
	could be satisfactory. Glenn believes that at this point the
(b)(5)	

(b)(5)

Alberto then addressed Paperwork Reduction Act legislation. He said Mark Bialek (b)(5)

(b)(5)

Professional Development Committee

Bruce Delaplaine (Interior) announced there would be procurement and grant fraud training in September, focused on Recovery Act issues. It will be aimed primarily at AUSAs, but IG counsel might take advantage of it. Omer Poirier suggested trying to persuade the sponsors to record the proceedings so it would be available to all CCIG members. Bruce noted that the Gettysburg program (aka Lincoln Leadership) has openings for the April and September sessions. He will send an e-mail to the CCIG members regarding American University leadership training.

Glenn Harris noted that, regarding the CCIG training proposal that we have presented to CIGIE, Glenn has asked for volunteers to put together and present the two courses we have identified as the initial offerings. Liz Dean (Farm Credit Administration) has agreed to chair the new attorneys course. We need a chair for the IG authorities course. We also need more help for both courses. Please contact Glenn if you are interested in assisting with this effort.

Training Opportunities:

Frank LaRocca (NASA) reported on the following training opportunities: --the DoD Procurement Fraud Working Group, in Daytona on March 23-25 --FLETC/ IG Academy Special Agent Periodic Refresher Training Program, Nashville, TN, March 23-25

--Human Resources and EEO in the Federal Workplace, April 12-14, in New York City http://www.fedhrconferences.com/register.html

-- the annual Office of Government Ethics conference in Chicago May 12-14

Inspections and Evaluations Committee

No report.

Investigations Committee:

Charles Kandt (TVA) reported that the CIGIE Investigations committee, chaired by Richard Moore, TVA IG met on Feb. 23.

--The committee approved guidelines for undercover operations, and will post the guidelines on the CIGIE website.

(b)(5)

New Business

(b)(5)

Omer Poirier said that he had attended a recent ABA White Collar Crime conference, where DOJ discovery responsibilities were addressed. (b)(5)

(b)(5)	
(b)(5)	He also mentioned that there was going to be a Congressional hearing the
next day	on suspension and debarment issues.

Joanna Howard (USDA) announced that, with Kathy Tighe's confirmation as Education IG, David Gray was going to be Acting Deputy IG at UASDA for the next three months, and Christy Slamowitz was going to be Acting Counsel.

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TO: CCIG Members

FROM: CCIG Chair Mary Beth Sullivan, SEC OIG CCIG Vice-Chair Glenn Harris, SBA OIG CCIG Vice-Chair Alan Larsen, NRO OIG

SUBJECT: Minutes of the CCIG Meeting held on April 21, 2010

Next CCIG meeting will be held on: May 19, 2010, at 10:00 a.m. at the Small Business Administration, 409 Third St. SW, Washington, D.C.

The April 21, 2010 meeting was held at the U.S. Securities & Exchange Commission, 100 F St., N.E., Washington, D.C. (Room 4000), with Mary Beth Sullivan (SEC) presiding.

Guest Speaker

Mary Beth Sullivan (SEC) introduced the guest speaker, Andrew D. Goldsmith, National Criminal Discovery Coordinator, U.S. Department of Justice (DOJ), and requested that the speaker's PowerPoint, which was printed for distribution to the meeting attendees, be kept within the government. Mr. Goldsmith reiterated the request that the PowerPoint be kept in the government and directed attendees to note at the top of the presentation handout that any FOIA requests for the document should be directed to him at DOJ.

(b)(5)	
(b)(5)	Mr. Goldsmith may be contacted at
(b)(6)	

CIGIE News:

The CIGIE meeting was held on Tuesday, April 20, 2010. SEC Inspector General H. David Kotz was the guest speaker and provided a presentation similar to the one he made at the October 21, 2009 CCIG meeting.

<u>Committee Reports</u> (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

Chris Gieseler (FDIC) was unable to attend the meeting, but submitted a report that the Audit Committee met on March 23, 2010. They discussed various topics of interest to the CCIG, including implementation and developments regarding Executive Order 13250 (Nov. 2009) regarding improper payments by federal agencies. (b)(5)

(b)(5)

(b)(5) OMB issued Memo M-10-13 on March 22, 2010, which transmitted further guidance to OMB Circular A-123, Appendix C. Mention was also made of the March 10 presidential memo regarding payment recapture audits. (b)(5)

Finally, OMB has issued updated guidance on the Recovery Act; see M-10-14 (March 22).

(b)(5)

Inspections and Evaluations Committee:

Diana Merelman (HHS) reported that a committee survey obtained responses from 63 of 69 OIGs, and that the survey results should be available in the near future.

Training:

Frank LaRocca (NASA) reported that the Office of Government Ethics conference will be held in Chicago on May 11-14, 2010.

Sadie Lowe (SBA) noted that Glenn Harris is forming two teams to develop
CIGIE training courses for IG attorneys. Anyone who is interested in
volunteering should e-mail Glenn at (b)(6)

Investigations:

(b)(5)

Summer Legal Intern Committee:

Sadie Lowe (SBA) thanked all who have volunteered to serve on the summer legal intern committee. If you know anyone with Hill experience who is now an IG attorney, please send his or her name to Sadie at (b)(6)

New Business:

(b)(5)

Mona Mafi (EPA) announced that she has moved from SSA OIG to EPA OIG.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chairs Alan Larsen, NRO OIG and Glenn Harris,
	SBA OIG
SUBJECT:	Minutes of the CCIG Meeting held on May 19, 2010
	Next CCIG meeting will be held on:
	Wednesday, June 16, 2010, at 10:00 a.m.
	Location: Small Business Administration (SBA)
	409 Third Street, SW, Washington DC

The May 19, 2010 CCIG meeting was held at the Small Business Administration, 409 Third Street, SW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Guest Speakers

Al Larsen (NRO) introduced guest speakers Kirt West (SIGIR) and Rod Fillinger (TIGTA) to address the subject of working relationships between IG counsel and IG investigators. There were also numerous observations from other CCIG members commenting on various points addressed by the speakers.

Committee and Working Group Reports

CIGIE Meeting

Mary Beth Sullivan reported that CIGIE held its annual conference in Lancaster PA, which included presentations on the following areas of interest:

(1) Tony Ogden (GPO IG) and Peg Gustafson (SBA IG) gave a presentation on pending legislative initiatives. Topics included an IG Act technical amendments bill, and various legislation to give certain OIGs testimonial subpoena authority.
 (b)(5)

(2) Jeffrey Zients (OMB) discussed draft guidance from OMB on inherently governmental functions, among other topics.

(3) A panel of congressional staffers also gave a presentation. One of the staffers (b)(5)

(4) There was a panel to discuss suspension and debarment. (b)(5)

(b)(5)

Glenn Harris noted that Richard

Moore (TVA IG) is putting together a working group to address suspension and debarment matters.]

OGE Conference

Al Larsen noted that there were over 30 CCIG members at the OGE conference in Chicago the preceding week. We were able to get a slot for everyone who requested one. Al spoke to Ric Cusik, head of OGE, as well as Dale Christopher, OGE Deputy Director and chair of the conference, both of whom who thanked the CCIG for its interest and involvement. Frank LaRocca (NASA), John Simms (NARA) and Tom Carter (TIGTA) presented a session at the conference on conflicts of interest.

Legislation Committee

(b)(5)

Glenn Harris reported (SBA IG Peg Gustafson is the Co-Chair of the CIGIE Legislation Committee). The committee's most recent newsletter is posted on the CIGIE website. Among the committee's priorities at this point are:

In other legislative developments, Glenn reported that Senators McCaskill and Grassley have proposed legislation that would require OIGs to publish peer review results in their semiannual reports. In addition, there has been significant progress toward passage of improper payments legislation.

Professional Development Committee

Glenn Harris reported on the attorney training piece of the overall CIGIE professional development effort. The CCIG is working on developing our two initial courses. Liz Dean (Farm Credit) is heading the work on the New IG Attorney course, and Wade Green (Commerce) is heading the work on the IG Authorities course. We can use additional help; so if CCIG members are interested, they should contact Glenn. We hope to have the courses developed by June and ready to put on by Fall 2010.

Training Opportunities

Frank LaRocca (NASA) reported on the following training opportunities: --FLETC training in Lakewood, Colorado, on July 6-9 --a follow on FLETC legal course in August

Investigations Committee

The committee will next meet the third week of June.

Summer Legal Intern Program

Sadie Lowe of SBA is heading the CCIG summer intern program. The kick-off session will be June 8. Sadie is sending out a notice about that event, and urged attorneys to inform their interns of the summer program. The committee is still planning some of the program events.

New Business

(b)(5)

Mary Beth also noted that the officers had discussed having another of the periodic CCIG happy hour gatherings. There was interest in doing so, and the event is planned for June 8, the same day as the summer intern kickoff event.

Glenn Harris introduced SBA OIG's summer intern Kristin Kafka.

Adam Kaplan (SBA) attended the 9th annual Procurement Fraud Advisors course at the JAG School in Charlottesville, which was attended mostly by investigators and military lawyers. The program included a substantive discussion of fraud indicators, as well as fraud by small and disadvantaged contractors. (b)(5)

(b)(5)

Jerry Hutton (CPB) stated that he had attended the meeting of the Association of Inspectors General in Indianapolis the prior week. While the organization has been comprised of mostly state and local IGs in the past, there is a growing Federal IG participation. (b)(5) (b)(5) Gladis Griffith (USPS) introduced Brian Carin who is presently an intern, and who will be a part-time employee in the Fall.

(b)(5)

Ric Doery also asked that, if anyone has a position description for a FOIA specialist, up to GS 13, to please send it to him.

Howard Sorensen (Ed) asked if any IGs have delegated oath authority to anyone other than 1811 category employees. Several CCIG members said they have.. He also mentioned that his office has researched the issue of dual compensation of rehired annuitants. The authority for hiring the annuitants runs through 2014. OMB has said that the compensation authority runs for the same period. (So, for example, an agency could not hire someone one month before the appointment authority expires, and provide the dual compensation into the future.)

(b)(5)

(b)(5)

Nancy Eyle (SIGIR) mentioned that on May 26, the ABA Section on Administrative and Regulatory Law was holding a brown bag lunch session, at which Kirt West (SIGIR), Al Larsen (NRO) and Gladis Griffith (USPA) would be the presenters on the topic of the authorities and roles of the diverse federal IGs.

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CCIG Members

FROM: CCIG Chair Mary Beth Sullivan, SEC OIG CCIG Vice-Chair Glenn Harris, SBA OIG CCIG Vice-Chair Alan Larsen, NRO OIG

SUBJECT: Minutes of the CCIG Meeting held on June 16, 2010

Next CCIG meeting will be held on:

July 21, 2010, at 10:00 a.m., at the Securities and Exchange Commission, 100 F St. N.E., Washington, D.C.

The June 16, 2010 CCIG meeting was held at the Small Business Administration, 409 Third St. S.W., Washington, D.C. (Eisenhower Conference Room), with Mary Beth Sullivan (SEC) presiding.

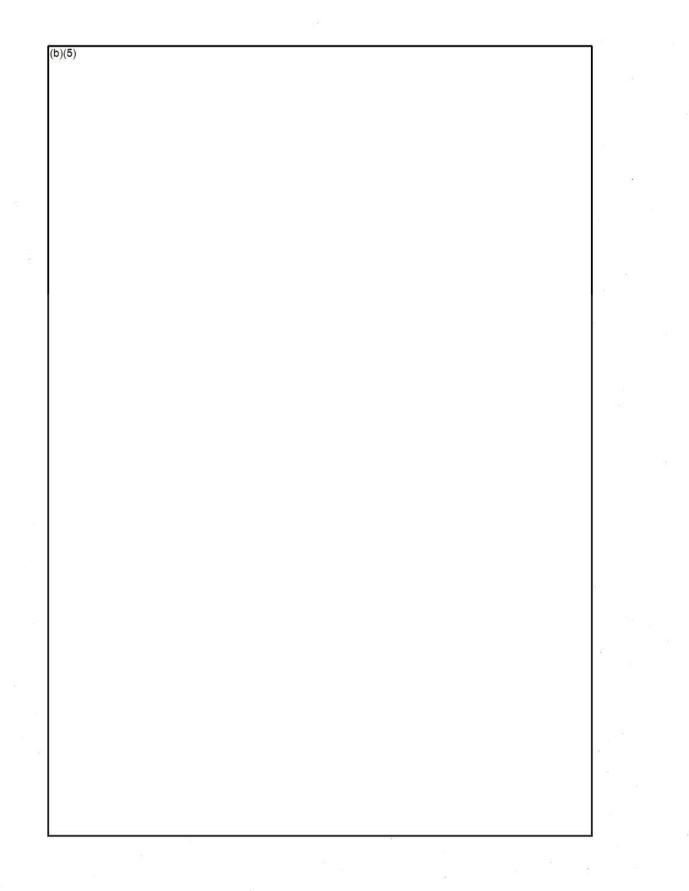
Panel Presentation

Mary Beth Sullivan (SEC) thanked Glenn Harris (SBA) for participating on and assisting in putting together the panel, which was led by Richard Reback, Counsel to the Inspector General at the Department of Homeland Security, and also included Omer Poirier, Counsel to the Inspector General at the Department of Transportation, and David Wonnenberg (DOT). The panel discussion focused on Congressional requests, building and maintaining relationships with Congressional staff, and how to successfully balance dual reporting requirements. Mr. Reback provided a handout containing information relevant to Congressional requests for information, which is attached to these minutes.

(b)(5)

TO:

¹ Memorandum for Oliver B. Revell, Congressional Requests for Information From Inspectors General Concerning Open Criminal Investigations, 1989 OLC CEXIS 7; 13 Op. O.L.C. 93 (March 24, 1989), attached.



CIGIE News:

Mary Beth Sullivan (SEC) reported that the most recent CIGIE meeting was held on Tuesday, June 15, 2010. The guest speakers were Rick Mertens, Adrienne Erbach and Dan LaPlaca from the budget side of the Office of Management and Budget (OMB). The CIGIE leadership had recently provided training to OMB's budget examiners and, as a follow-up, these speakers came to the CIGIE meeting to discuss the budget process specifically as it relates to the IGs and the Inspector General Reform Act. The speakers

(b)(5)

(b)(5)

There was also extensive discussion at the CIGIE meeting of an IG-related amendment (SA 4072) to the financial reform legislation (S. 3217) currently moving through Congress that was sponsored by Senators Grassley and McCaskill. In particular, it was (b)(5)

<u>Committee Reports:</u> (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

Chris Gieseler (FDIC) was unable to attend the meeting, but submitted a report concerning legislation that would change FISMA reviews into GAGAS audits. According to Mr. Gieseler (b)(5)

to Ivil. Ofescier,	(0)(3)	
(b)(5)		

Investigations Committee:

Charles Kandt (TVA) reported that the Investigations Committee has not met since the last CCIG meeting. The next scheduled meeting is June 29, 2010, at the Department of Education. ^{(b)(5)}

(b)(5)

Training:

Frank LaRocca (NASA) reported on the following training and presentation opportunities:

- FLETC refresher training is scheduled for July 7-9 in Lakewood, CO; additional instructors, particularly seasoned CCIG attorneys, are being sought from the CCIG community. Anyone who is interested in teaching at future sessions should contact Jackie Becker (FRB) at (b)(6) (also, it would be advisable to observe a session before actually instructing).
- The National Contract Management Association World Congress is scheduled for July 18-22 in Ft. Lauderdale, FL, see <u>http://www.ncmahq.org/Events/WC10Detail.cfm?itemnumber=4291&navItemNu</u> <u>mber=4039</u>.
- The ABA annual meeting is scheduled for August 5-7 in San Francisco, CA, http://www.eshow2000.com/abaexpo/splash.html.
- Presentation proposals have been requested for the HR & EEO in the Federal Workplace Conference scheduled for April 4 - 5, 2011, in Washington, D.C.
 Proposals should be submitted by June 30, 2010.
- The Office of Government Ethics is interested in CCIG participation in their fall 2010 training. Please contract Frank LaRocca at (b)(6) for more information.

Glenn Harris (SBA) reported that the CCIG lawyer training programs are progressing and he anticipates that the programs will be up and running by September.

Legislation:

Alberto Rivera-Fournier (GPO) reported that the Legislation Committee met last week, and that the Legislation Committee Newsletter would be sent out later today (June 16, 2010). He mentioned that in addition to the peer review provision of the Grassley/McCaskill Amendment, this Amendment also provides that IGs of DFEs that report to a board or commission could be removed only upon written concurrence of twothirds of the board or commission. It further would create a Council of Inspectors General on Financial Oversight.

Mr. Rivera-Fournier stated that a letter had been sent to Congress regarding the results of the Legislations Committee's recent survey regarding the Transparency in Government Act (H.R. 4983). The letter expressed the IG community's concern that Act's requirements that IGs review agency awards data every six months for an initial three-year period, and annually thereafter, would strain their already limited resources, and that the strict review requirement is inconsistent with the standard, risk-based approach to audit planning common in the IG community.

Mr. Rivera-Fournier also reported that the Protecting Cyberspace as a National Asset Act (S 3480), introduced by Senator Lieberman, would require agencies to notify their IGs within 24 hours of an information security breach. The bill would effectively end FISMA evaluations by IGs. Instead, agency Information Security Offices would be required to continuously monitor and protect federal networks and to conduct annual "operational evaluations" of agency information infrastructure. IGs would be required to assess the adequacy and effectiveness of the information security program at least every two years.

(b)(5)

Summer Intern Committee:

Sadie Lowe (SBA) reported that last week's Summer Legal Intern Kick-Off event was well attended, and that positive feedback was received about the event, along with the FOIA brown bag lunch event and the Supreme Court tour. Upcoming events include a tour of the U.S. Treasury, U.S. Capitol, and a panel of CCIG members with Congressional experience.

New Business:

Jacqueline Becker (FRB) invited all CCIG members to attend a reception to honor Larry Froehlich, a founding member of the CCIG, for his 34 years of federal service. The reception will be held on June 30, 2010, from 2:00-4:00 p.m. at the Federal Reserve Board. Guests should RSVP to Ms. Becker at (b)(6) as soon as possible, and must supply their date of birth and social security number for security purposes. Mary Beth Sullivan (SEC) stated that anyone wishing to contribute to the reception should contact Ms. Becker.

Glenn Harris (SBA) mentioned that any changes to subscribers to the CCIG list serve should be sent to Chris Gieseler at (b)(6) and to please copy Christina Marinos at (b)(6) so she can make the corresponding roster changes. Mr. Harris reminded the group that, in order to be a member of the CCIG, an attorney must be providing legal advice to the OIG, although this person may be in an acting position.

(b)(5)

Alberto Rivera-Fournier (GPO) announced that he is working on a presentation regarding whistleblower laws for the July CCIG meeting. He is planning to provide an overview of the pertinent laws and may obtain a speaker from the Office of Special Counsel, as well as a private sector attorney. In addition, Mr. Rivera-Fournier requested that anyone who has experience regarding the discovery of IG documents in MSPB cases contact him.

Jackie Becker (FRB) announced that the FRB OIG is the first DFE OIG to obtain a grant of law enforcement authority under the IG Reform Act and that she would be happy to share her Office's experiences with anyone who is interested.

New and Departing Members and Sumer Legal Interns

The CCIG welcomes new members J. Cameron Therber (FEC) and Amy Longfellow (USDA), and summer legal interns Jonathan Hart (SEC), Mary ("Kate") MacInnes (DOT), Roger Ling (DOT), Aron Schnur (DOT), John Ryan (SIGIR), Albert Williams (NASA), and Mary Moore (GPO)

In addition, Kirt West (SIGIR) announced his departure from the CCIG to become a senior investigator at CIA OIG, and we wish him well in his new position.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chair Glenn Harris, SBA OIG
	CCIG Vice-Chair Alan Larsen, NRO OIG
SUBJECT:	Minutes of the CCIG Meeting held on July 21, 2010
Next CCIG mee	ting will be held on:
	September 15, 2010 at the SEC OIG. Please note: There will be
	no CCIG meeting in August.

The July 21, 2010 CCIG meeting was held at the Securities and Exchange Commission, 100 F Street N.E., Washington DC, with Mary Beth Sullivan (SEC) presiding.

(b)(5)

Panel Presentation

Mary Beth Sullivan introduced CCIG member Alberto Rivera-Fournier (GPO) who moderated a panel presentation on federal whistleblower protection. Alberto introduced two guest speakers: Shirine Moazed, Chief, Washington Field Office, Office of Special Counsel (OSC), and Debra Katz, a partner at Katz, Marshall and Banks, who represents whistleblowers.

(b)(5)

While noting that the law may be evolving, Ms. Moazed addressed the present jurisdiction and processes of the Office of Special Counsel. She provided an outline of

existing law in this area which is posted on the CCIG website library. She said OSC had jurisdiction only over federal employees (and applicants for federal employment), not state or local government employees or contractor employees. There are twelve prohibited personnel practices, including whistleblower retaliation, that are the basis for most of OSC's jurisdiction. OSC also has jurisdiction over alleged Hatch Act violations. She noted that complaints to enforce newly-created rights for private sector employees under ARRA fall under the jurisdiction of the IGs, and not OSC.

For matters within OSC's purview, OSC has a form that the complainant must complete. The form is available on the OSC website, along with an explanation of what happens to the complaint after it is filed. Ms. Moazed said OSC receives several thousands of complaints per year. OSC has an intake office that performs an initial review to determine whether the matter falls within a prohibited personnel practice category, and meets the elements of the asserted violation. About 50% of the complaints that OSC receives allege whistleblower retaliation.

Debra Katz asked Ms. Moazed whether OSC would contact a complainant if OSC believed a complaint is incomplete or unclear, rather than just terminating consideration of a complaint if OSC concluded that the document was insufficient "within its four corners". Ms. Moazed said that OSC provides an opportunity to address a deficiency by sending out a <u>preliminary</u> determination letter. That letter gives a complainant an opportunity to address a deficiency, or inform OSC that it has misconstrued or missed something in the complaint.

Ms. Katz noted that, under former Special Counsel Scott Bloch, there was a "big push" at OSC to demonstrate that the Office had handled and closed out a large number of cases. In her view, during that period, OSC politicized the handling of cases, using an unrealistically short time to process cases and not seriously considering allegations.

(b)(5)

Glenn Harris (SBA) asked if OSC could put out a guidance sheet, or even have a training session for IG counsel on how better to handle whistleblower cases. Ms. Moazed

thought these were good ideas and committed to get back to CCIG about setting up a training session.

Future action items emerging from the panel discussion include the following: --OSC will pursue OSC training for IG counsel

(b)(5)

CIGIE News:

Mary Beth Sullivan noted that the CIGIE met on July 20, 2010. The featured speaker at the CIGIE meeting was Roberta Baskin of HHS who spoke regarding social media.

(b)(5)

<u>Committee Reports:</u> (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

Chris Gieseler (FDIC) was unable to attend the meeting, but Mary Beth Sullivan passed along information from him that certain OMB FISMA responsibilities have been shifted to DHS (see OMB Memo 10-28). Chris also noted that the financial reform legislation will require that OIGs post on their public websites results of peer reviews.

Training:

Frank LaRocca (NASA) reported on the following training and presentation opportunities:

--ABA Annual Meeting, August 5-7 in San Francisco: http://www.eshow2000.com/abaexpo/splash.html

--FDR Conference, August 9-12 in Atlanta: http://www.fdrconference.org/

--FLETC refresher course, Sept. 8-10 in Chicago

--FOIA / PA workshop in Chicago in Sept:

http://images.magnetmail.net/images/clients/Bostrom/attach/WorkshopInformationProgramandRegForm.pdf

Legislation:

Mike Ching (USDA) noted that the Improper Payments Act (S. 1508) had passed and was to be signed by the President the next day. [Editors note: the President did in fact sign the legislation].

Alberto Rivera-Fournier (GPO) reported that the Legislation Committee met the previous week, and that he would send to the CCIG members by e-mail the Legislation Committee Newsletter highlighting the information discussed at that meeting.

Summer Intern Working Group:

Sadie Lowe (SBA) reported that the next event in the Summer Legal Intern Program would be a tour of the Treasury Department the following day. The final session for the program will be on August 4 at the Small Business Administration. This session will include a keynote address by the SBA Inspector General, a panel of DOJ attorneys, and a panel of CCIG attorneys who have worked in both the public and private sectors.

New Business:

(b)(5)

Melinda Golub (HHS) noted that the HHS OIG participated in the nationwide arrest of 94 persons for Medicare fraud. The HHS IG described this as "the largest Federal health care fraud takedown since Medicare Fraud Strike Force operations began in 2007."

Joaquin Ferrao (Peace Corps) reported that the Peace Corps OIG had been granted law enforcement authority by Attorney General Holder.

New and Departing Members and Summer Legal Interns

The CCIG welcomes new members Ben Shapiro (ED), Laura Winstead (FCC) and Chad Bungard (SSA), and summer legal interns Laura Peterson (EPA), Missye Brickel and Justin Nazari (FRB), Stephan Whelan and Susan Truskey (FCC), Albert Williams (NASA), Anna Vlasova (DOI), Mary Moore (GPO), and Michael Buston (DOD). * * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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TO:CCIG MembersFROM:CCIG Chair Mary Beth Sullivan, SEC OIG
CCIG Vice-Chair Glenn Harris, SBA OIG
CCIG Vice-Chair Alan Larsen, NRO OIGSUBJECT:Minutes of the CCIG Meeting held on September 15, 2010

Next CCIG meeting will be held on: October 20, 2010 at 10:00 AM at the SBA OIG.

The September 15, 2010 CCIG meeting was held at the Securities and Exchange Commission, 100 F Street N.E., Washington DC, with Mary Beth Sullivan (SEC) presiding.

Mary Beth Sullivan welcomed members back after the no-meeting month of August. She also noted that, unlike the usual practice, for September, the CIGIE had not met prior to our CCIG meeting. Rather, the CIGIE meeting for the month would be held on September 30. The focus of that meeting would be a classified briefing on cyber security. [Editor's note: As attendance at the September 30 meeting was limited to person with top secret clearances, a separate regular business meeting was held on October 12.]

Guest Speaker

Mary Beth Sullivan introduced the guest speaker for the meeting, Fran Walterhouse, Attorney-Adviser to the Computer Crime Investigative Unit of the US Army Criminal Investigative Command, to address the topic of OIG access to government employee e-mail. Ms. Sullivan also thanked Terry Wolk (SIGAR) for suggesting that Ms. Walterhouse address these issues for the CCIG.

Ms. Walterhouse provided a detailed outline of the issues she covered in her presentation, and this outline has been posted in the CCIG website electronic library. Therefore, these minutes will not replicate all the information she provided in the outline. In summary, during her presentation, Ms. Walterhouse covered the following aspects of the topic: access and protection of e-mails in transit and in storage; different rules for official versus personal e-mails, who can access and under what authority—system administrators, employee's supervisor or employer, law enforcement personnel, others; and various legal issues raised by DOJ memoranda on the subject, and Supreme Court and lower court decisions. During the course of the presentation, several CCIG members also discussed guidance that is provided by the DOJ Computer Crime and Intellectual Property Sections' manual on "Searching and Seizing Computers and Obtaining Electronic Evidence." An excerpt is posted in the CCIG website library. The full manual can be found at: http://www.cybercrime.gov/ssmanual/01ssma.html .

<u>Committee Reports:</u> (Only those committees and working groups for which news was reported are listed below)

Investigations Committee

Charles Kandt (TVA) was unable to attend the meeting, but provided Mary Beth Sullivan with his report on the September 14 meeting of the Investigations committee, which she summarized for the CCIG. (b)(5)

(b)(5)

Audit Committee:

Chris Gieseler (FDIC) was unable to attend the meeting, but he also provided Mary Beth Sullivan with his report, which she summarized. At the July 27, 2010 CIGIE Audit Committee meeting, one of the topics discussed was section 989C of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Section 989C requires OIGs to include in their semiannual reports to Congress certain information about peer reviews that they have received and/or have conducted (reviewing other OIGs). Such information includes publishing the results of those reviews and the status of unimplemented

The Audit Committee had no developments to report regarding Congressional efforts to revise FISMA reporting by OIGs. The next committee meeting will be Sept. 28.

Legislation:

Alberto Rivera-Fournier (GPO) reported that the Legislation Committee met in September and that he would send to the CCIG members by e-mail the Legislation Committee Newsletter highlighting the information discussed at that meeting. He noted that CIGIE sent a letter to Senator Lieberman, Chair of the Senate Committee on Homeland Security and Government Affairs, expressing concern over the provision in S. 372 requiring OIGs to appoint an ombudsman for whistleblowers with duties to both educate and advise whistleblowers in their agencies. The CIGIE had previously objected to an earlier version of the bill that required OIGs to act as advocates for whistleblowers.

(b)(5)

^{(b)(5)} The House bill has no similar requirement.

The Legislation Committee is still monitoring HR 5815 with regard to the provision for testimonial subpoena authority. Senator Pryor is considering introducing legislation that would permit the IRS to disclose limited information regarding individual income tax returns to certain entities, including OIGs. ^{(b)(5)}

(b)(5)

Glenn Harris noted that, while no legislation has yet been introduced, OGE has proposed amendments to the Ethics in Government Act that would allow the OGE to direct IGs to investigate matters, and require the IGs to disclose to OGE any investigation or inquiry by an Inspector General or the Congress into an alleged violation of any Federal ethics law, even if the OIG did not open an investigation as a result. (b)(5)

(b)(5)

Professional Development Committee

Mary Beth Sullivan reported that an MOU will be executed to extend a reimbursable agreement between HHS and the IG Academy regarding a program manager position. This is intended as a temporary measure until the CIGIE Training Institute is staffed and operational. The Committee agreed to set four firm dates with the Lincoln Leadership Institute for IG training for the coming year, with one additional date possibly to be

added. The process is nearing completion for hiring a permanent CIGIE Staff Director [editor's note: subsequent to the meeting, Mark Jones was selected]. Also, the process is underway for hiring the CIGIE Institute Director. There will be interviews of nine candidates, and they hope to make the selection by mid-October.

Glenn Harris noted the development of the two initial courses for IG counsel training is close to completion. When development is complete, CCIG will work with CIGIE to decide on when to offer the courses. Glenn plans to contact Mary Kendall, Chair of the Professional Development Committee, about the process for offering the course, i.e. whether through the CIGIE or another method.

New Business:

Mary Beth Sullivan thanked Sadie Lowe (SBA) for heading up the Summer Intern Program this year. Mary Beth also noted that a report from Sen. Grassley and Rep. Issa on the removal of the AMTRAK IG is posted on-line.

The annual CCIG holiday luncheon will be at Clydes (Gallery Place) on December 15.

(b)(5)

Jerry Hutton recommended that CCIG members be aware of, and consider participating in, the on-going work of the National Procurement Fraud Task Force.

Nancy Eyle announced that she is now in the Counsel Office for the DHS OIG.

Lisa Reff is a new OIG attorney at Labor.

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TO:	CCIG Members
FROM:	CCIG Chair Mary Beth Sullivan, SEC OIG
	CCIG Vice-Chair Glenn Harris, SBA OIG
	CCIG Vice-Chair Alan Larsen, NRO OIG
SUBJECT:	Minutes of the CCIG Meeting held on October 20,, 2010

Next CCIG meeting will be held on: November 17, 2010 at 10:00 AM at the SEC OIG.

The October 20, 2010 CCIG meeting was held at the Small Business Administration, 409 Third Street NW, Washington DC, with Mary Beth Sullivan (SEC) presiding.

Glenn Harris welcomed the CCIG members to the SBA, and introduced the guest speakers for the meeting.

Guest Speakers

The guest speakers were Holly Idelson (majority) and Lisa Nieman (minority) from the Senate Homeland Security and Government Affairs Committee. Ms. Idelson and Ms. Nieman are both attorneys, and they act as liaisons to the IG Community for the Committee. They addressed the outlook for legislation affecting OIGs in this Congress and the next, and the working relationship between the Congress and the OIGs.

Ms. Idelson first addressed the IG Reform Act passed in 2008. She said that in considering the statutory CIGIE that would replace the previous entities established by Executive Order, the PCIE and ECIE, there was substantial debate about retaining two separate entities, versus going to a single entity. The Committee thinks the single entity approach that they chose has been a huge success—having the CIGIE configuration and doing what it is doing. It helps Congress know where the IG community stands on issues, and serves the OIG interests well on the Hill.

Ms. Nieman echoed the usefulness of the common voice for the OIG community. In fact, she has used CIGIE as an example when talking to other groups about how they could be more effective.

Next, Ms. Idelson addressed Congressional intent for the provisions in the IG Reform Act regarding OIG budgets and impairment of OIGs' ability to do their work because of budget squeeze. She noted that Committee members sent a bi-partisan letter to the Administration setting forth their view of the Congressional intent on that provision as well as the requirement for notice by the President for removal of an IG. The Committee "clarified" to the Administration what the provisions meant. In addition to

CIGIE Meeting

Mary Beth Sullivan reported that at the October 19 CIGIE awards ceremony, the June Gibbs Brown Career Achievement Award was presented posthumously to our CCIG colleague Larry Froehlich. His wife Shelly and Larry's children accepted the award. Mrs. Froehlich also thanked CCIG members for their contribution to the young people's program at his synagogue. Sandy Parness (DOE) would like to work on a proposal for a permanent CIGIE award in Larry's name, and asked any CCIG members who would like to help in that to contact Sandy. Mary Beth noted that we will have a permanent CCIG award in Larry's name.

Mary Beth also reported on the October 12 regular meeting of the CIGIE. Several of the CIGIE "cross-cutting" projects were discussed. The draft Hotline Report was presented to the full CIGIE by the Investigations Committee. ^{(b)(5)}

(b)(5)

Several CCIG members noted that the peer review reporting requirements apply to the current SAR (for the period ended September 30, 2010, (b)(5)
(b)(5)

(b)(5)

Committee Reports: (Only those committees and working groups for which news was reported are listed below)

Audit Committee:

Ms. Sullivan reported on behalf of Chris Gieseler (FDIC). The Audit Committee met on Sept. 28. The FDIC IG met with Senate staff regarding proposed cyber security legislation. Such legislation would revise requirements for how FISMA evaluations are performed, and would change the annual reporting to a two year requirement. GAO would set standards for how the evaluation would be done, with CIGIE input. Senate staff is considering appropriate legislative vehicles for advancing this proposal.

The Audit Committee also discussed the Improper Payment Reduction and Elimination Act, including improper payments and payment recapture audits.

Section 989C of the Dodd-Frank financial reform law amends the IG Act's semiannual reporting provisions by requiring certain information to be included regarding (b)(5) peer reviews done by or on IGs during each SAR reporting period.

(b)(5)

The Audit Committee is next scheduled to meet on Nov. 23, 2010.

Investigations Committee

(b)(5)

(b)(5)

The Investigations Committee will likely take up this issue at its next meeting. Charles mentioned the upcoming Suspension and Debarment workshop on October 28. Ken Chason (NSF) stated that as the sponsor, NSF quickly ran out of room for the workshop, so it has been relocated to the Metro Center Marriott, and even with the larger venue, there is limited space still available.

Legislation:

Alberto Rivera-Fournier (GPO) reported the enactment of the Reducing Overclassification Act (HR 553), which requires OIGs of any federal entity with original classification authority to review that entity's classification processes, and identify those that contribute to overclassification. These reports will go to a unit with NARA known as the Information Security Oversight Office. John Simms (NARA) invited anyone who has questions about this Act to contact him. [Note: John sent an e-mail to the CCIG list serv on October 20, after the CCIG meeting, with further explanation, and attachments with pertinent information about the Act].

Alberto also reported on HR 6236 which is a companion bill to S. 139, the DATA Breach Notification Act. The legislation would require federal agencies to notify individuals and certain law enforcement official of security breaches of personally identifiable information. The Legislation Committee is working with the House and Senate Committees on a requirement to notify agency OIGs of such breaches.

An act amending the Law Enforcement Officers Safety Act was signed into law in September (S.1132). The amendments allow former executive branch law enforcement officers who separated in good standing with at least 10 years of service to carry concealed weapons. The 2004 Act originally limited eligibility to carry concealed weapons to retirees with 15 years of service. (b)(5)

Professional Development Committee

Glenn Harris reported that CIGIE is close to hiring a director for the CIGIE Academy. When that person has been selected, CCIG representatives will talk to that director about the two IG courses that CCIG is developing (IG Authorities and Introduction to Offices of Inspector General) and how to incorporate them into the overall CIGIE training structure.

Summer Interns Program

Glenn Harris thanked Sadie Lowe (SBA) for heading up the program for the past two summers. She will not be doing it next summer, so we need to get a new coordinator for next year. Glenn stated that there is a good group to help with the program, and Sadie noted that she has a substantial amount of information for the new person. Those interested in hearing about the role, or volunteering for it, should contact Glenn.

Training Opportunities

Frank LaRocca (NASA) noted the following training opportunities: --the October 28 NSF workshop on Suspension and Debarment, discussed above --the National Procurement Fraud Task Force Grant and Program Fraud workshop, November 15-17 in Philadelphia --FLETC training on Suspension and Debarment --at FLETC, December 7-9 --in the DC area, January 25-27 --in San Antonio, TX, April 26-28

Nominating Committee

Frank LaRocca is chairing the group of former CCIG Chairs who form the nominating committee for election of CCIG officers for 2011. They will be meeting shortly, and then will present a slate of nominations for an election at the November CCIG meeting. If interested in running for Chair or Vice Chair, contact Frank, Mary Ann Grodin (NRC) or Sandy Parness (DOE). Additional nominations will be solicited and accepted from the floor at the time of the election.

New Business:

Glenn Harris noted support from Rep. Issa for testimonial subpoena authority for OIGs. Glenn also noted that SBA has been in the news recently for its aggressive approach to suspension and debarment.

(b)(5)

Al Larsen noted that the FY2010 Intelligence Authorization Act signed by the President on October 7 creates four new DFEs under the IG Act: National Reconnaissance Office, National Geospatial-Intelligence Office, National Security Agency and Defense Intelligence Agency. It also creates a new establishment (PAS) IG within the Office of the Director of National Intelligence, to be known as the Intelligence Community Inspector General, and abolishes the existing administrative OIG within the ODNI.

Sabrina Segal is new IG counsel at the US ITC.

Patty Marshall (RRB) would like to see manuals from other OIGs for units and functions other than audit and investigations. Please contact her.

(b)(5)

Ken Chason (NSF) introduced four legal interns in his office.. Also, he noted that a separate survey will be sent to those OIGs responsible for oversight of Recovery Act funds.

Chris Maher introduced himself. He is the OIG attorney for the Defense Intelligence Agency, which became a Designated Federal Entity under the FY2010 Intelligence Authorization Act.

Commerce OIG has four new attorneys: Raman Santra, Heather Albert, Rob Johnston, and Julia Lehning.

Matt Paul is a new attorney with the Library of Congress OIG.

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TO:CCIG MembersFROM:CCIG Chair Mary Beth Sullivan, SEC OIG
CCIG Vice-Chair Glenn Harris, SBA OIG
CCIG Vice-Chair Alan Larsen, NRO OIGSUBJECT:Minutes of the CCIG Meeting held on November 17, 2010

Next CCIG meeting will be held on: January 19, 2011 at 10:00 AM at the SBA OIG.

The November 17, 2010 CCIG meeting was held at the Securities and Exchange Commission, 100 F Street N.E., Washington DC, with Mary Beth Sullivan (SEC) presiding.

Alberto Rivera-Fournier (GPO) provided an update regarding the CCIG website, now that it has been up and running for over a year. GPO administers the site for the CCIG, so Alberto hears from CCIG members when they sign up for access. Generally, he hasn't heard from people after that. Now that we've had some experience with it, it would useful to hear whether members are using it, and if so, how they use it. Is it as useful as it could be?

Alberto gave a quick overview of the use of the site. To sign up, a CCIG member would go to the site (CCIG.gov) and do the "register" step. That sends an e-mail to the three site administrators. They check to see if the inquiring party is in fact a member of the CCIG. Alberto emphasized that the CCIG Listserv is different from the website, and the process for gaining access is different as well. For the Listserv, a person must send a note to one of the CCIG officers, or to Chris Gieseler at FDIC (which hosts the Listserv). Alberto also called attention to the "feedback" connection on the webpage. They would like to hear any comments a user may have. He noted that anyone who has access is also a "publisher", meaning that person can add documents to the site.

Searches can be done within document titles or full-text, or by topic designators tagged to a document when it was added to the library. CCIG members can upload documents they think might be of interest easily by clicking on "Library." "Archives" links to the CCIG Listserv. "Links" are for a number of other sites that would be useful to most CCIG members. If a member wants to suggest additional links, tell Alberto or the officers. In the "Directory", one can search for CCIG members. Type in the name, but do not hit "enter", as that brings up the entire list of names. Rather, click the drop down filter beside that block, and then click "contains". Note that a member can edit his or her own profile.

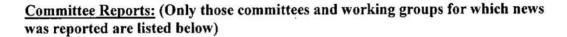
Guest Speakers

Glenn Harris introduced the guest speakers for the meeting, Travis Farris, an Assistant Counsel in SBA OIG, and Chris Clarke, an attorney in the SBA OGC. They discussed a matter that they had been pursuing for some time, but which recently had received substantial publicity--the suspension of GTSI from doing work for the federal government, and a settlement agreement that SBA has entered into with the company to lift the suspension.

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Nominating Committee

Frank LaRocca (NASA) chaired the nominating committee for election of CCIG officers for the coming calendar year. The committee consisted of former CCIG chairs: Mary Ann Grodin (NRC), Sue Callahan (HHS), Tom Coogan (LSC), Mark Bialek (EPA) Sandy Parness (DOE), and Frank. The committee presented the following slate:

Glenn Harris, Chair Jackie Becker (FRB) Vice Chair Gladis Griffith (USPS) Vice Chair

Frank then invited further nominations from the floor. There were no further nominations. The presented slate was elected by acclamation. Congratulations to Glenn, Jackie and Gladis.

Legislation Committee

Alberto Rivera-Fournier presented the report, noting that the most recent Legislation Committee newsletter has a full update on recent legislative developments. He noted implementation ramifications of the recently-passed Overclassification Act (H.R. 5815). Testimonial subpoena authority for IGs did not pass this Congress. House Oversight favors it, but Senate support is uncertain.

CIGIE Meeting

Mary Beth Sullivan reported on the CIGIE meeting on November 16. Under the Dodd-Frank financial reform legislation, the GAO will conduct a study of the relative independence, effectiveness, and expertise of all IGs. For that reason, GAO representatives

were at the CIGIE meeting. Among other issues, they referenced the previous proposals to convert five financial regulatory IGs to PAS positions and noted that GAO is taking a fresh look at the issue. The GAO representatives indicated that they will be sending a survey to all IGs in connection with the study.

Professional Development

Bruce Delaplaine (Interior) reported that Mark Jones, formerly at Agriculture, had been selected as Executive Director of the CIGIE. They have selected a training director, who is awaiting SES certification from OPM. (Note: Subsequent to the meeting, CIGIE announced the selection of Tom Caulfield as the new Executive Director for the Training Institute. He has been the AIG for Investigations at the NRO OIG).

Audit

Chris Gieseler (FDIC) reported that the committee would be meeting the following week. (b)(5)

Inspections and Evaluations

The committee is updating the PCIE/ECIE standards for inspections and evaluations.

Training Opportunities

Frank LaRocca reported on FLETC suspension and debarment training December 7-9, at FLETC.

New Business:

Mary Beth Sullivan noted that the CCIG holiday luncheon would be at Clyde's (Gallery Place) on December 15.

(b)(5)

Melinda Golub (HHS) said that GAO is doing a review of selected agencies to see how they handle suspension and debarment, and HHS is one of them.

Mary Ann Grodin (NRC) noted that the awards committee is working on awards to CCIG members for work done during the previous year, for recognition at the holiday party, and requested that any additional proposals be submitted immediately.

(b)(5)

Ken Chason (NSF) noted that the NSF OIG hosted a very successful workshop on suspension and debarment. The CIGIE Working Group on Suspension and Debarment is currently reviewing the results of a survey of OIGs regarding on S&D.

Chris Gieseler (FDIC) noted that anyone having questions about the CCIG Listserv should contact him.

John Simms (NARA) noted that if anyone in an agency has original classification authority, the agency is covered by the Overclassification Act. He asked that CCIG members let him know if they are the contact person for their OIG on these matters.

(b)(5)

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TO: **CCIG Members** FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on January 19, 2011

Next CCIG meeting will be held February 19, 2011 at 10:00 AM at SBA OIG.

The January 19, 2011, CCIG meeting was held at the Small Business Administration, 409 Third Street, N.W., Washington DC, with Glenn Harris (SBA) presiding.

The meeting featured a roundtable discussion on OIG practices for disclosing complainants' identities. This included discussing when such disclosure is appropriate and who makes the decision to disclose. Another topic of discussion involved the discovery of OIG information during litigation and interaction with the Agency general counsel. The pertinent IG Act section states:

"The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable in the course of the investigation." 5 U.S.C. Appendix 3, §7(b).

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7 Leading off the discussion was Γ Γ EX.5

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VA OIG receives approximately 1.5 million complaints to its hotline per year. Complainants complete a release form which identifies them as confidential, anonymous. or gives permission to release their identity. 7

Also, VA OIG administrative cases do not include the name of the employee in the Report of Investigation to further safeguards complainants' identities.

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There followed a lively, but brief, discussion on how OIG coordinates with and responds to litigation and other requests for OIG documents. On a related note, Glenn Harris (SBA) advised that, at the suggestion of Sabrina Segal (ITC), an organization sponsored by the George Washington University for governmental attorneys had invited him to speak at the upcoming meeting on IG/OGC relationships. Sabrina said she would send out information about this organization in case CCIG members are interested in joining.

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There was some discussion on how best to safeguard privileged documents. So too, there was a discussion on how best to address OGC/IG overlap in Touhy requests, such as requests for audit work papers. There was much discussion of the need to temper OIG needs with that of the agency. For example, an agency case may be lost if pivotal documents are not released in time.

Committee Reports: (Only those committees and working groups for which news was reported are listed below)

Legislation Committee

OMB is seeking comment on improper payment compliance by Friday, January 21, 2011.

Alberto Rivera Fournier (GPO) mentioned that \$372 (Controlled Unclassified Information) died in the Senate. It would have required IGs to audit all non classified items that we have in our files. HR 55 on reducing classifications did pass and is now law.

CIGIE Meeting

requested *Γ* ſ 5 1 ٢ 1 1 6 Γ State law

Glenn Harris (SBA OIG) stated that the CIGIE Investigations Committee had

determines scope of employment and varies greatly amongst states. CCIG has formed a task force to determine best practices for OIG offices to protect government and employee interests. Amongst efforts undertaken to date has been confirming how private insurance agencies handle these claims. For example, USAA said it would cover federal agents with private coverage if employee is found out of scope for employment purposes. State Farm noted that a rider may be an option, but was uncertain how its claims department would handle such a situation. 1

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Glenn Harris (SBA) reminded attendees that Mark Jones. Executive Director for CIGIE is seeking a reimbursable agreement with an OIG Office to provide legal services to CIGIE. It would be part time work and would involve decision making in matters such as contracts. FOIA, etc.

The Integrity & Efficiency committee met January 6th and have accepted the Quality Standards for Inspections to comply with the IG Reform Act. Full results will be posted on the CIGIE website. Glenn Harris can provide more information via email. if needed.

Charles Kandt (TVA OIG) advised that the Investigative Committee included an FBI representative who discussed mutual notification AG guidelines, Γ

Charles Kandt (TVA OIG) also mentioned that CIGIE

Audit Committee

Chris Geisler (FDIC OIG) reported that the Audit Committee had met on November 23. 2010. and, among other things, had discussed OMB's recent guidance for Improper Payments. Additional guidance from OMB is expected in January. Given Improper Payments legislation passed in July 2010, "recovery audits" have become "recapture audits". The Committee's next meeting will be January 25, 2011.

Professional Development

Government Contracts Year in Review, Omni Shoreham, Feb 22-25. http://west.thomson.com/about/conferences/government-contracts.aspx

ABA White Collar Crime Institute, San Diego, March 2-4. http://www.abanet.org/cle/programs/n11wcc1.pdf

ABA Federal Procurement Institute, March 3 -5, Annapolis, MD. <u>http://new.abanet.org/calendar/17th-annual-federal-procurement-institute-and-open-midycar-council-meeting/Pages/default.aspx</u>

The FLETC training in Shepherdstown already took place on Feb 1 & 2.

New Business:

Glenn Harris (SBA) mentioned that Dave Berry at the NLRB is looking for a part-time attorney.

Al Larsen (NRO OIG) noted that he and Mike Ching (USDA) are the CCIG participants in the CIGIE working group that is developing guidance for reporting of peer review results in OIG Semiannual Reports, as required by the Dodd-Frank legislation. The working group has presented its draft guidance to the CIGIE Investigations Committee.

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Sabrina Segal (USITC OIG) asked which IGs had formal delegations from their agencies to conduct an ethics training program for OIG.

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Sandy Keith (DOD SIGIR) introduced Mike Moss a new attorney and asked if OIGs would share if they have sought reemployed annuitant authority. Some suggested contacting Sandy Parnes for assistance.

Anne MacArthur (HHS OIG) mentioned the 6th Circuit Warshak email privacy decision and sought guidance on what to do in other districts. [PDF] Unded States v. Warshak - UNITED STATES COURT OF APPEALS

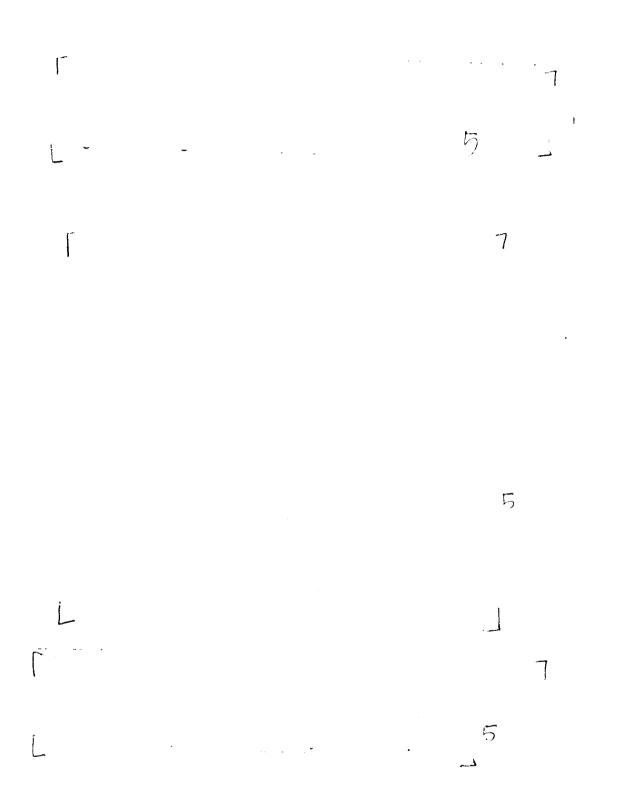
Brian Baker (HUD OIG) solicited input on IG impact assessments software for audits.

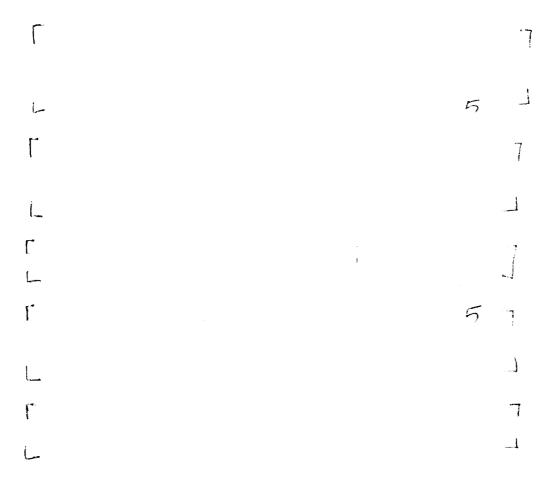
Chris Giesler (FDIC OIG) mentioned that the FDIC OIG is in process of decrypting a DVD from the CCIGNet provider that contains the CCIGNet archives. The files on the DVD may have to be re-encrypted. The information will then be made available to Alberto Rivera and Sabrina Segal for inclusion on the CCIG website.

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Glenn Harris (SBA OIG) thanked Mr. LaForge for his presentation and insight. We then broke to permit Mr. LaForge to be escorted out.

<u>Committee Reports:</u> (Only committees and working groups for which news was reported are listed below)

Legislation Committee

Glenn Harris (SBA OIG) noted that work cot

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L He also reminded the audience that the Legislative Committee newsletter is also available online on the Committee webpage on the CIGIE website: http://www.ignet.gov/

Professional Development

Frank LaRocca (NASA OIG) submitted the following opportunities:

West Government Contracts Year in Review -- Feb 22-25, Omni Shoreham, Washington DC http://west.thomson.com/about/conferences/government-contracts.aspx

ABA White Collar Crime Institute – March 2-4, San Diego, CA http://www.abanet.org/cle/programs/n11wcc1.pdf

ABA Federal Procurement Institute—March 3-4, Annapolis, MD <u>http://new.abanet.org/calendar/17th-annual-federal-procurement-institute-and-open-midyear-council_meeting/Pages/default.aspx</u>

American Society of Access Professionals – March 7-9, Las Vegas, Nevada http://www.accesspro.org/

GAO Fiscal Law Forum. March 10, Government Printing Office, Washington, DC Free registration to https://www.isrinjegao.gov

DoD Procurement Fraud Conference, April 12-14, Daytona Beach, FL http://www.dcma.mil/DCMAHQ/cntr-dcmac-y/pfwg/2011/index.cfm

New Business:

Jerry Hutton (CPB OIG) mentioned that the Association of Inspectors General will meet 5/18-5/20 and will include State and Federal Inspectors General.

Glenn Harris (SBA OIG) mentioned that Tom Copefield the new CIGIE Training Director is working on the location and timing for the CIGIE training. Glenn will share more information as it becomes available.

Bruce Delaplaine (Interior OIG) noted that the CIGIE new Director has begun hiring staff for the various programs. The American University program was in Herndon but will be moved to the main American University campus in Washington, D.C. Also, new dates will be set for the Lincoln Training at Gettysburg: either May or July. It will be posted on IGNET.

Glenn Harris (SBA OIG) noted SBA outreach efforts include inviting congressional staff from various committees and offices to annual briefings, using free food and refreshments as an inducement. The SBA OIG also sends out bimonthly emails updating staff on SBA OIG audits, investigations and other news. Al Larsen (NRO OIG) noted that in August, NRO makes a trip to the oversight committee seeking input on their upcoming SARC. This gives the proper entrée and helps establish relationships with a reason for a meeting.

Tim Watkins (OPM OIG) introduced new attorney Susan Ruge.

Jim Braga (CIA OIG) announced that Robin Walmsley is the new Counsel to the Inspector General, replacing Ray Costello who has retired.

Cameron Thurber (FEC OIG) reminded the audience that the Small IG Counsel will be meeting to establish a forum to address small IG issues at FEC.

Carla McKenzie (Education OIG) requested that offices share with her any whistleblower information intake forms they may have. Carla can be reached at carla.mckenzie@ed.gov

Geoff Gray (DOE OIG) introduced new attorney Traci Becerra, who will be advising on whistleblower matters.

Howard Shapiro (DOL OIG) inquired on OIG real time access to agency systems (e.g. OWCP, FECA databases). He will send a follow-up CCIGNET message.

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Omer Poirier (DOT IG) C C 3 Omer introduced new attorney Nicole Angarella.

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TO:CCIG MembersFROM:CCIG Chair Glenn Harris, SBA OIG
CCIG Vice-Chair Jackie Becker, FRB OIG
CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on March 16, 2011

Next CCIG meeting will be held April 13, 2011 at 10:00 AM at SBA OIG.

The March 16, 2011, CCIG meeting was held at the Small Business Administration, 409 Third Street, N.W., Washington DC, with Glenn Harris (SBA) presiding.

Glenn Harris (SBA OIG) launched the meeting by introducing the featured guest speaker Tom Caulfield, the new Executive Director of the CIGIE Training Institute (CIGIE). Mr. Caulfield has over 24 years of Government Service as an investigator. He gave an overview of his plans for the Institute, including the implementation of training for OIG attorneys. He noted that he was particularly pleased by the energy and enthusiasm he has experienced with CCIG. CCIG Chair, Glenn Harris reached out to him shortly after he came on board with the proposed legal training program and this program has served a model for many of the other programs he has in mind for the IG Academy.

Mr. Caulfield is currently gathering information on the community training needs and how best to prioritize these needs. He is envisioning an offering of six courses per program, including a legal program. However, he is looking to the lawyers in the OIG community to be both customers and providers of training because of our technical expertise.

A June 2011, business presentation to the CIGIE Executive Committee will summarize his plan for the Academy to be a high quality, high tech, and responsive to the community's needs. Mr. Caulfield opined that a failure to be responsive to the needs of the community may have caused the downfall of prior training programs. Specifically. Mr. Caulfield envisions a web or 1T based gateway to permit access to all members of the OIG community. IDPs will be able to be built, which will tailor programs for that job responsibility and the level of experience. He also plans to employ "blended learning"--. alternating and alternative training methods, such as video, web, live, etc.

The IG Audit Academy will be resurrected this March 2011. Auditors comprise 47% of the OIG population. Another program, the Leadership and Mission Support Academy will feature a two-week leadership program at Pentagon City, two others at American University, and a week-long Lincoln Institute program for Senior Executives at Gettysburg.

Mr. Caulfield stressed that for the IG Academy to be successful and cost-efficient, the IG community must use the Academy instead of propping their own in-house training programs. He noted that monies that the IGs have contributed in the past three years

have gone directly to FLETC. The IG Academy has only served as a pass-through for the funds to FLETC. For more information on the Academy, browse through the website at: http://www.ignet.gov/igcia/index.htm

Glenn Harris (SBA OIG) thanked Mr. Caulfield for his presentation and insight. We then broke to permit Mr. Caulfield to be escorted out.

<u>Committee Reports:</u> (Only those committees and working groups for which news was reported are listed below)

CIGIE Meeting

Glenn Harris (SBA OIG) reported that CIGIE presenter Kevin Perkins of the Integrity Committee reported that of the 54 complaints received in 2010, 36 were not within the Integrity Committee's jurisdiction to investigate. Only one resulted in a recommendation.

Glenn Harris (SBA OIG) and Jackie Becker (Federal Reserve OIG) will help CIGIE revise its strategic plan on 3/31.

Audit Committee

Chris Gieseler (FDIC OIG) could not attend the meeting, but submitted the following for the minutes: The Audit Committee met on January 25, 2011 and discussed various issues, with pertinent ones being:

- Congressional group formed to cut the budget may approach some IGs or the IG community to look for areas where cuts can be made.
- IG Technical amendments bill provisions on Paperwork Reduction Act and testimonial subpoenas may go into legislation other than the Technical Amendments Act.

The Audit Committee sought final comments on the draft guidelines for implementing Section 989C of the Dodd-Frank banking reform legislation that was enacted last July; that section addresses disclosure of peer review-related information in IG Semiannual Report to Congress. Committee comments were requested by January 28, 2011.

The Office of Management and budget is still considering proposals dealing with agency audited financial statements, including whether the current requirements should be eliminated or modified.

Appendix C of OMB Circular A-123 is being updated for changes effected by the Improper Payments Act enacted last year.

The Committee will meet next on March 22, 2011.

Professional Development

Bruce Delaplaine (Interior OIG) suggested creating an OIG exchange program, wherein opportunities for details amongst various OIG offices could be developed to increase sharing of information and best practices. Others chimed in with their experiences when detailed to other OIG offices. Charles Kandt (TVA OIG) suggested having a CCIG panel at one of the meetings to discuss best practices at OIG offices.

Anne MacArthur (HHS OIG) noted that the updated OIG Standards are now posted on the CIGIE website: http://www.ignet.gov/

Frank Larocca (NASA OIG) reminded attendees of the DoD Procurement Fraud Working Group Conference, April 12-14, Dayton Beach, FL http://www.dema.mil/DCMAHQ/entr-demac-y/pfwg/2011/index.cfm

The OGE Ethics conference will be 9/13-9/15. OGE has given the IG community 20 slots, but additional slots may be obtained from individual agency ethics offices and from OGE for instructors and panel members. Please e-mail Jackie Becker at jackie.becker@frb.gov if you would like to be included in the lottery for a slot to the conference.

Legislative

Glenn Harris (SBA OIG) reported for the Legislative Committee the following:

- Paperwork Reduction Act efforts to obtain exemptions for OIG
- S 241 to protect non federal employee whistleblowers
- S 300 Government Charge Card Abuse Act would require OIGs to conduct period reviews and samplings of individual credit card transactions for greater oversight.
- Legislation proposing a new IG for the Judiciary branch. for a proposed Department of Peace and for the Senate.

New Business:

It was also mentioned that CIGIE needs an attorney to conduct a day of Legal Update training. Chris Martinez and Bruce Delaplaine (Interior OIG) will assist. It is unclear if this training would subsequently be available to CIGIE members.

Adam Kaplan (SBA OIG) is launching this year's OIG Law Clerk Summer Intern program. He is looking for ideas from past summers, as well as volunteer speakers, tours, etc. Please send emails to: <u>adam.kaplan@sba.gov</u>

Cameron Thurber (FEC OIG) has rescheduled the small IG Counsel group to April 6th. Contact Cameron for more information: <u>ithurber/@fec.gov</u> Glenn Harris (SBA OIG) mentioned that Tom Caulfield (CIGIE) is working on the location and timing for the CCIG training courses that have been developed for new attorneys and on IG authorities. Glenn will share more information as it becomes available.

Howard Sorensen (Education/OIG) inquired on OIGs participating in CFO reviews of OIG use of CFO-provided services like purchase or travel cards. Howard also sought input on agency participation in A-123 evaluations. For more information or input, contact Howard directly at howard.sorensen/ded.gov

Nancy Eyl (DHS OIG) announced that DHS Inspector General, Richard Skinner, had retired on March I and that the former Deputy Inspector General (Charles Edwards) is now Acting Inspector General. Nancy mentioned that Ric Doery (DHS OIG) had asked whether the CIGIE Legislative Committee is deliberating any actions in response to the recent Supreme Court FOIA 5 U.S.C. 552 (b)(2) exemption.

Nancy also requested input on OIG signing of non-disclosure forms, both for exchanges with other government agencies and with the private sector. Nancy can be reached on <u>nancy.cyl/a/dhs.gov</u>.

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TO:CCIG MembersFROM:CCIG Chair Glenn Harris, SBA OIG
CCIG Vice-Chair Jackie Becker, FRB OIG
CCIG Vice-Chair Gladis Griffith, USPS OIGSUBJECT:Minutes of the CCIG Meeting held on May 18, 2011

Next CCIG meeting will be held June 15, 2011, 10:00 AM at the SBA OIG.

The May 18, 2011, CCIG meeting was held at the Small Business Administration, 409 Third Street, N.W., Washington DC, with Glenn Harris (SBA) presiding.

Glenn Harris (SBA OIG) launched the meeting by introducing the featured guest speaker James Silver, from the Department of Justice, Computer Crime and Intellectual Property Section CCIPS). Mr. Silver gave a presentation on obtaining electronic evidence. He began by stating that the cases of *O'Connor v. Ortega*, 480 U.S. 709 (1987) and *United States v. Simons*, 206 F.3d 392 (4th Cir. 2000) are key starting points when considering a search in a government workplace. He also stated that any questions regarding electronic searches should always be forwarded to his office. The general topics addressed during the presentation were as follows:

- 1. Search and seizure of computers with a warrant.
 - The most basic Fourth Amendment question in computer cases is whether an individual enjoys a reasonable expectation of privacy in electronic information stored within computers under the individual's control.
 - A good practice for "search warrant hygiene" is to obtain a second warrant if a search reveals information other than what was originally being sought.

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Mr. Silver provided two key documents concerning electronic searches to the CCIG, the <u>Stored</u> <u>Wire & Electronic Communications Quick Reference Guide</u>; and the <u>CCIPS Search Warrant</u> <u>Checklist</u>, attached below. He also provided his contact information <u>James.Silver@usdoj.gov</u> and stated that CCIPS maintains a duty line with 24-hour availability on the following numbers: 202-514-1026 (during business hours) 202-532-5235 (emergency after-hours number)

Committee and Workgroup Reports :

(Only those committees and working groups for which news was reported are listed below)

OIG Law Clerk Summer Intern Program

Adam Kaplan (SBA OIG) announced that this year's OIG Law Clerk Summer Intern program was launching in a week or so. He requested that each office send him intern information at: <u>adam.kaplan@sba.gov</u>. The kick-off event will be held on Wednesday June, 8 and will include a keynote address from DOT Inspector General Calvin Scovel, along with presentations from Frank LaRocca and Maryann Grodin on IG History and the Practice of Law in an IG office. A CCIG Happy Hour will follow the Kick-Off event, at Blackfinn Saloon.

The tentative schedule for the 2011 Summer Law Clerk program includes presentations from DOJ's criminal and civil fraud divisions and congressional staff. Also included in the summer schedule are tours of the U.S. Capitol and Supreme Court. The law clerks will also receive careér advice from a panel of former OIG Law Clerks who became IG attorneys, and IG attorneys who formerly worked in the private sector.

CCIG Knowledge Management Working Group

Sabrina Segal (USITC OIG) announced that the CCIG Website team would be presenting and demo-ing the CCIG's new knowledge management website. Those interested in joining the team should contact her at sabrina.segal@usitc.gov or 202-205-3360.

Sabrina Segal also announced that was collecting applications for those CCIG attorneys who would like to be sworn in to be a member of the Supreme Court Bar, for submission to the court on Friday, June 10th. The swearing-in ceremony will likely be at the end of the summer or early fall.

Investigations Committee

Charles Kandt (TVA-OIG) reported that the CIGIE Investigations Committee has not had a meeting since January 2011. The next meeting is scheduled for June 21, 2011. There is no meeting agenda as of yet.

Audit Committee

Chris Gieseler (FDIC OIG) reported that the Audit Committee met on March 22, 2011 and discussed various issues. Most notably:

- CIGIE financial statement audits.
- CFO Council and IG Community regarding the CFO Act
- Cyber-security and FISMA
- IG Jon Rymer (FDIC) was re-elected as Chair of the Audit Committee.

The Committee will meet next on May 24, 2011.

Professional Development

Bruce Delaplaine (Interior OIG) announced that a course relating to IG authorities would be held at the SBA on May 31, 2011. Glenn Harris mentioned that 83 people had applied for 40 slots, and that selection was made so as to allow the largest number of OIGs to participate. A second offering of this course is anticipated in the Fall.

Inspections and Evaluations

Anne MacArthur (HHS OIG) reported that Dan Levinson (HHS OIG) and Kathy Buller (Peace Corps OIG) will now be the co-chairs of the Inspections and Evaluations Committee.

Legislation Committee

Alberto Rivera –Fournier (GPO OIG) announced that there was no meeting held this month. The Committee will meet next on June 14, 2011 at the CIGIE Headquarters.

Glenn Harris (SBA OIG) discussed the Grassley/Coburn letter. Given the ongoing expectation that reports be provided, there was a question as to who would be the appropriate contact now that Chris Armstrong is no longer the point of contact? The CCIG was subsequently informed that the contact for report submission was Chris Lucas on the Judiciary Committee. <u>Chris_Lucas@Judiciary-rep.senate.gov</u>

Training

Frank LaRocca (NASA OIG) announced the following training opportunities:

- FPMI Human Capital management Conference, June 13-16, Tucson, AZ http://www.fpmiconferences.com/
- Certified Fraud Examiners Convention, June 12-17, San Diego, CA http://www.fraudconference.com/
- ABA Meeting and Convention, August 4-9, Toronto, Canada: http://www2.americanbar.org/annual/pages/default.aspx
- The 18th National Government Ethics Conference, September 13-15, Orlando, Florida http://www.usoge.gov/conference/conference.aspx
- FDR conference on employment / personnel law, August 8 -11, Palm Desert, CA: http://www.fdrconference.org/

The following training opportunities were also announced:

• Federal Executive Institute Leadership- Liz Dean (FCA OIG)- The Federal Executive Institute (FEI) and the Federal Executive Institute Alumni Association (FEIAA) are partnering once again to offer a special training and networking opportunity at FEI in Charlottesville, Va. The "Leadership Renewal at FEI" is scheduled June 2 through 5 and is designed to capture the "FEI experience" of the 4-week "Leadership for a Democratic Society" (LDS) program. The price is very affordable — \$350 for members of FEIAA or \$425 for non-members. This fee covers one day of leadership training featuring adjunct faculty of FEI, lodging at FEI for 3 nights, all meals, and optional fitness sessions on both Friday and Saturday. Special educational tours of Monticello or Montpelier are available on Saturday for an additional fee.

This program is open to graduates of FEI's "Leadership for a Democratic Society" program and to Federal managers and executives who are scheduled to attend this program at FEI or who aspire to the "FEI experience." Please see the attached invitation to this special training opportunity. For more detailed information about the program, go to the FEIAA Web site at <u>www.feiaa.org</u>.

- ABA at the Library of Congress-Alberto Rivera–Fournier (GPO OIG)
- New OIG Attorney Training June 29, 2011 at PBGC on 12th and K Street

The following were comments made by CCIG Members during the roll call:

- Nancy Eyl (DHS, OIG) Nancy Eyl (DHS, OIG) announced a New Media Working Group survey and requested that each office distribute widely to senior level staff so that responses will be as comprehensive as possible. Responses need to be consistent within the office; the important thing is to get input from a variety of people who use or would use new media at the office. Ideally, the group will get responses from audits, investigations, IT, counsel, congressional affairs, and others. http://www.surveymonkey.com/s/CIGIE_New_Media_Survey
- Kevin Donohue (GSA, OIG) requested information on enforcing confidentiality of subpoenas served on a third-party.
- Alberto Rivera-Fournier (GPO OIG) requested information on other offices that have completed a Privacy Impact Assessment. Jackie Becker (FRB OIG) stated that FRB OIG had completed one and would provide information to him.

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TO: CCIG Members

FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Beeker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on June 15, 2011

The Next CCIG meeting will be held July 20, 2011 at 10:00 AM at FHFA.

The June 15, 2011 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing the featured guest speaker Sabrina Segal, Counsel to the IG of the U.S. International Trade Commission.

Ms. Segal presented on Cloud Computing, including the risks, liabilities, and proper questions to ask before agencies sign contracts with outside vendors to provide Cloud service.

Concerns with the Cloud that OIGs should be aware of include:

- Data security (Who has access to data? What are the vendor's obligations and duties in responding to problems with the system? How will the vendor dispose of data?)
- Compliance (Will the vendor charge for compiling statutorily required responses to FOIA requests? Will there be extra charges to access the agency's own data?)
- Termination and Transition (How will data be protected, conveyed, destroyed upon an agency ending its contract with the vendor?)
- Asset Availability/Access questions (What is the estimated outage time and frequency? How are software updates implemented? Could OIGs put an e-mail monitoring device in place, or would the vendor require a warrant? Is software compatible with your system? What if vendor refuses to provide access to OIG?)
- Maintenance/Pricing & Time (How are upgrades handled? Are there additional costs for accessing particular information?)

Ms. Segal urged members to be aware of the fact that consultants could act as middlemen between the agency and the Cloud vendor. Cloud participants should know the terms of the consultant-vendor agreement and how this impacts their agreement. In conclusion, Ms. Segal advised that agreements with Cloud vendors should be extensively negotiated, with the government having sufficient technological expertise to determine whether the system meets its access and security needs. Ms. Segal next presented on OMB MAX, a website which will be the home of the new CCIG website. She thanked the CCIG Knowledge Management working group for its assistance in developing the site. The new CCIG website will allow members to create Wiki Pages on areas of interest to IG attorneys which can be updated by the CCIG community. Existing documents can be uploaded and easily transformed to a Wiki page on the website. MAX also provides calendars and the ability for the community to collaborate on web-based documents. Ms. Segal urged members and law clerks to contribute Wiki pages, specifically after receiving answers in response to a question posted to the CCIG Listserv, which will continue in operation.

Mr. Harris thanked the GPO OIG for paying for the current CCIG website (ccig.gov) and Alberto Rivera-Fournier (GPO), in particular for his stewardship over the site. Materials from the current site will be transferred to OMB MAX. Ms. Segal offered to conduct OMB MAX trainings for any office.

Committee Reports/New Legislation

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Anne MacArthur (HHS) spoke on behalf of the <u>CIGIE Inspection and Evaluations</u> <u>Committee</u> and noted that CIGIE will be reviewing the membership of each of its committees to assess whether the committees have a proper cross-section of IG members from various backgrounds and areas of expertise, such as having auditors on the Investigations committee and vice versa.

Mr. Harris spoke on behalf of the <u>CIGIE Legislation Committee</u> and discussed the potential creation of a Cyber Security Working Group comprised of members of each CIGIE committee. He announced that Peggy Gustafson (IG of SBA) is the new chair of the committee and that Jack Callendar (IG of PRC) would serve as vice chair. Mr. Harris also discussed S. 1030 introduced by Sen. Snowe. This Bill would require IGs to assess their agency's review (conducted every 9 years) of regulations affecting small businesses, and notify Congress if the agency does not correct the deficiencies in the review. Such notification by an IG to Congress would result in 1% of the amount appropriated for an agency to pay salaries within a fiscal year being rescinded.

Other bills brought up at the meeting included the Digital Accountability and Transparency Act of 2011 ("DATA Act") introduced in the House by Rep. Issa on June, 13 (H.R. 2146) and in the Senate by Sen. Warner on June, 16 (S. 1222). The Act would establish the Federal Accountability and Spending Transparency Board (FAST Board) as a permanent successor to the Recovery Accountability and Transparency Board (RAT Board). The Board would include the Inspectors General of USDA, DOD, HHS, DHS, DOT, Department of Energy, and Department of Education. All of the powers of the RAT Board would be transferred to the FAST Board, which would have semi-annual reporting requirements to the President and Congress summarizing the activities and findings of the Board and the findings of IGs of Executive agencies. The legislation also grants the FAST Board the powers under the Inspector General Act to conduct audits, investigations, and reviews, but also includes the authority to issue testimonial subpoenas for non-Federal officers or employees.

The legislation would additionally exempt the FAST Board and activities of all IGs from the Paperwork Reduction Act and the Computer Matching Act. Mr. Harris, in response to a congressional request for comments on the legislation, requested that comments be sent to him via e-mail (glenn.harris@sba.gov) by June, 17.

The Ethics in Government Modernization Act has not been introduced. The CIGIE Legislation Committee will continue to monitor the status of this legislation.

Information on other issues that the Legislation Committee is working on can be found on the Committee newsletter, which is available on the CIGIE website.

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No attendee spoke on behalf of the <u>Audit Committee</u> or the <u>Professional Development</u> committee.

Charles Kandt (TVA) announced that the <u>Investigations Committee</u> will be meeting on June. 21.

IG Attorney Training

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Mr. Harris announced that the May 31st IG Authorities course was successful and thanked all those involved in preparing and presenting at the course. The next training will be the New Attorney Training held at the PBGC on June 29. Registration for this course closes on June 17.

Other Training Opportunities

Frank LaRocca (NASA) announced several training opportunities including:

- Federal Dispute Resolution Conference August 8-12 in California http://www.fedconferences.com/fdr/agenda.html
- EEOC Training, August 16-18 in Baltimore

http://www.eeotraining.eeoc.gov/viewpage.aspx?ID=459b240c-f46a-4bbf-ba89-1c5d3aba6d9c

ABA Convention Aug 4-9 in Toronto

Join the ABA for the Annual Me...

 OGE Convention, September 13-15 in Orlando <u>http://www.usoge.gov/ethics_guidance/advisories/2011/ca-11-05.html</u>

Alberto Rivera-Fournier (GPO) announced that the Federal Bar Association will be conducting ethics training on July 21 at the Library of Congress' Montpelier Room. Jack Marshall will be presenting.

Summer Law Clerk Program

Adam Kaplan (SBA) welcomed all of the law clerks attending the meeting and provided an update on the CCIG Summer Law Clerk program, of which he is the Chair. Mr. Kaplan announced that the June 8 Kick Off event was successful and included presentations from DOT Inspector General Scovel, Maryann Grodin (NRC), Frank LaRocca (NASA), and a panel of former IG law clerks including Jason Derr (FRB), Kaplan (SBA), and Chris Martinez (Interior). Nancy Eyl (DHS) also served on the panel. Mr. Kaplan also announced that CCIG was looking to purchase group tickets for the Nationals-Rockies game on July 8. An e-mail will be forthcoming.

Supreme Court Swearing-In

Ms. Segal announced that the Swearing-In ceremony for CCIG attorneys seeking admission to the Supreme Court will be held in April, 2012 and that there was still time to send her an application (sabrina.segal@usitc.gov).

Small OIG Working Group

Cameron Thurber (FEC), representing the Small OIG Working Group, r

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J. He requests that interested offices contact him via e-mail,

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jthurber@fec.gov

Publications

Maryann Grodin (NRC) announced that her article on ethics between DAEOs and IGs co-published with Sandy Keith (SIGIR) and Nancy Eyl (DHS) will be available in the "Federal Ethics Report" and uploaded onto OMB MAX.

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TO: CCIG Members

FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on September 21, 2011

The Next CCIG meeting will be held at 10:00 a.m., October 19th at the Small Business Administration.

The September 21, 2011 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing the featured panelists Sabrina Segal, Counsel to the IG of the U.S. International Trade Commission, Alexis Turner, Attorney, Treasury IG for Tax Administration, Nancy Eyl, Assistant Counsel to the IG of the Department of Homeland Security, and Epin Christensen, Counsel to the IG for the Smithsonian Institution.

The panel presented on Ethics and New Media, including the risks and liabilities of using information found on social networking sites for investigations and personnel disciplinary actions.

Concerns with New Media that OIGs should be aware of include:

- Raises 1st Amendment issues. If the employee is speaking on matters of public concern his speech is protected under the 1st Amendment (*Pickering v. Board of Education*). Three questions to ask:
 - Was the public employee speaking on matters of public concern?
 - Was the employee speaking as a citizen or as a public employee?
 - Do the interests of the government in promoting the efficient operations outweigh the interests of the employee in commenting on matters of public concern?
- Speech related to official duties or employee grievances are not considered matters of public concerned and are not protected. However, this can still raise other issues, such as discrimination and whistleblower concerns.
 - Employees cannot use whistle blowing protections as a shield for legitimate discipline issues unrelated to the whistle blowing.
- Using social media as an investigative tool may be considered an undercover operation in certain situations, such as creating a fake Facebook page to gather information.
 - Adhere to agency policies on undercover operations.
 - Creating a fake page may violate terms of service.
 - Could tip off user to investigation.
 - Creates evidence collection and preservation issues.

- Raises 4th Amendment issues. Government employees do not lose their 4th Amendment rights because they work for the government (*O'Connor v. Ortega*). Must follow a two step analysis:
 - Operational realities
 - If there is a legitimate privacy expectation, use reasonableness standard
- Users of social media do not have a reasonable expectation of privacy if they do not use privacy settings to protect their information. However, if privacy settings are used, they may have a reasonable expectation of privacy. Employees have a reasonable expectation of privacy in their personal items in the workplace and the same rationale may apply to new media accessed at the workplace.
- If an employer directs a complainant to take such actions as print a screenshot or allow employer to use complainant's Facebook account, then the complainant may be considered an agent of the employer.
 - Could be in violation of federal law enforcement rules.

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Ms. Segal next presented on OMB MAX, a website which is the home of the new CCIG website. She urged members to create Wiki Pages on areas of interest to IG attorneys which can be updated by the CCIG community.

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Committee Reports/New Legislation

Chris Gieseler (FDIC) gave a report on the recent activities of the <u>CIGIE Audit Committee</u>. He noted that the Committee met on July 26, 2011 and discussed the CFO Act report, improper payments, auditor training, and relevant legislative matters, including S. 1020 and the Data Act.

Bruce Delaplaine (Interior) gave a report on the recent activities of the <u>CIGIE Professional</u> <u>Development Committee</u> and mentioned that the committee is working to revise the October 2003 Quality Standards for Federal Offices of Inspector General (Sliver Book). Mr. Delaplaine requested assistance with identifying legislation, orders, standards, and guidance that have been enacted, amended, and distributed since 2003 that may be relevant to the wider IG community.

The <u>CIGIE Inspections and Evaluations Committee</u> noted the need for peer review procedures and common definitions for inspections and evaluations.

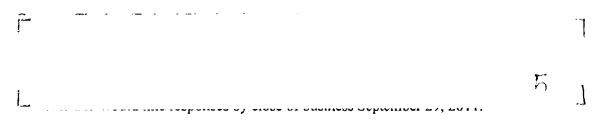
The <u>CIGIE Legislative Committee</u> announced that there was no September meeting. The next meeting will be held on October 11th. The House Oversight and Government Reform Committee is receptive to IG comments on technical amendments to the IG Act.

Mr. Harris gave a report on the recent activities of the <u>Investigations Committee</u>. At the request of the Committee, Mr. Harris and other CCIG members have completed an Economy Act Memorandum of Agreement for Agent Sharing and Γ

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Mr. Harris also asked for someone from the CCIG to report on future Investigation Committee activities.

Howard Sorenson (Department of Education) requested policies regarding G Ride use at duty stations.



IG Attorney Training

Mr. Harris announced that there will be another offering of the training course on IG Authorities in the second or third week in November.

In addition, Mr. Harris announced that the Department of Justice Civil Fraud Section is opening their False Claims Act training program for new AUSAs to approximately 20 CCIG attorneys. The course will take place from October 25-27, 2011 at DOJ's Liberty Square Building, Room LL100, 450 5th Street NW, Washington, DC. He noted that the third day is exclusively dedicated to health care fraud. DOJ has advised that persons who do not practice in this area need not attend the third day. Conversely, DOJ will allow attorneys to attend only the third day. Because slots are limited, Mr. Harris is going to limit attendance so that only one person from an OIG can attend (other than the third day for HHS OIG and other OIGs that work on health care fraud). Mr. Harris stated that an email to the CCIG listserv would follow.

Ms. Becker announced that the ABA will be holding the National Symposium on White Collar Crime in Miami, Florida in February 2012.

There will also be an OIG panel at the ABA Administrative Law and Regulatory Practice Conference on November 18th. The panel will consist of Liz Dean (Farm Credit Administration), Henry Shelley (Department of Defense), Kathy Buller (IG for the Peace Corps), and Maryann Lawrence Grodin (U.S. Nuclear Regulatory Commission). Nancy Eyl (Department of Homeland Security) will be moderating. * * *

The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on October 19, 2011

The Next CCIG meeting will be held at 10:00 a.m., November 16, 2011 at the Small Business Administration.

The October 19, 2011 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing the guest speaker, Danielle Brian, Executive Director of the Project on Government Oversight (POGO).

Ms. Brian began by giving brief background information on POGO and noted that POGO was created 30 years ago by a Pentagon whistleblower who wanted a place to bring light to governmental issues. Ms. Brian then mentioned two reports that POGO has issued concerning the IG community. The first report focused on the independence of Inspectors General and highlighted the need for Offices of Inspector General to have independent counsel. The second report looked at the accountability of Offices of Inspector General and considers the right balance between quantity and quality of reports, prioritizing small problems versus significant issues, and focusing oversight internally versus externally.

Ms. Brian then opened the floor for a group discussion on the issues raised in these two reports, and answered questions raised by CCIG members.

The reports can be found on the POGO website, as well as through the links below:

- Report on IG Independence <u>http://www.pogo.org/pogo-files/reports/government-oversight/inspectors-general-many-lack-essential-tools-for-independence/go-ig-20080226.html</u>
- Report on IG Accountability <u>http://www.pogo.org/pogo-files/reports/government-oversight/inspectors-general-accountability-is-a-balancing-act/go-igi-20090320.html</u>

Committee Reports/New Legislation

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) noted that the committee met on September 27, 2011 and discussed the Yellow Book, the Federal Clearinghouse for Audits, and the CFO Act Report drafted by the IG/CFO community. Also, the Audit Committee's charter is under review and, when finalized, will be presented to CIGIE. Mr. Gieseler also announced that he and John Seeba, the FTC IG, will represent the Audit Committee on the Legislative Committee working group. The next Audit Committee meeting will be held on November 22, 2011.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (IHHS) reported that the Committee is working to refine the definitions of inspections and evaluations, and will look into whether there is a need for a change in quality standards. The Committee is also working to update the Roundtable and Inspections and Evaluations Committee websites on the IG Net.

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<u>CIGIE Legislation Committee</u>. Glenn Harris (SBA) reported that the Committee has been monitoring the progress of the DATA Act. This legislation will create the FAS Board as a successor to the RAT Board.

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<u>CIGIE Investigations Committee</u>. Glenn Harris (SBA) announced that the Committee is working to update quality standards for investigative quality assurance review process. Mr. Harris also announced the MOU regarding the sharing of agents has been completed. A memorandum outlining key issues of the agreement will be made available to the CCIG community on the IG Net. Mr. Harris noted that this agreement is not mandatory and urged the community to use and change the agreement to fit the specific needs of individual OIGs.

Mr. Harris also announced that the committee is continuing to look at agent home-to-work liability and is working on a 50 state survey of state commuter laws. He asked that anyone interested in assisting in this effort contact him. The Committee has reached out to the DOJ Torts Branch regarding agent home-to-work liability. The DOJ has stated that liability will be determined on a case by case basis.

IG Attorney Training

Mr. Harris announced that there will be an IG Authorities Presentation in early November.

In addition, Mr. Harris announced that the DOJ's Civil Fraud Section False Claims Act training program has filled the slots available for the IG community, but noted that in the event that there are any cancellations, some people on the waiting list may be able to attend. The course will take place from October 25 - 27, 2011, at DOJ's Liberty Square Building, Room LL100, 450 5th Street NW, Washington, DC.

Nancy Eyl (DHS) announced that there will also be an OIG Panel at the ABA Administrative Law and Regulatory Practice Section Conference at the Georgetown University main campus on November 18, 2011. The panel will consist of Liz Dean (Farm Credit Administration), Henry Shelley (Department of Defense), Kathy Buller (Peace Corps), and Maryanne Grodin (U.S. Nuclear Regulatory Commission). The agenda will be emailed to the CCIG listserv.

Other Announcements/Questions Presented

Glenn Harris (SBA) announced that the CCIG Holiday Party will be on Tuesday, December 13th at Clyde's. More information on the party is forthcoming.

Sabrina Segal (ITC) announced that there are now 56 wiki-pages on the CCIG Max site, and urged members to contribute to contribute to the new site.

Col. Tristan Siegel (SSA) introduced himself as a new member of the community.

Cynthia Hogue (FTC) asked if any OIGs have ever had to speak with Congressional staff regarding the source of leaked information.

Fritz Swartzbaugh (DOT) asked if the 50 State Survey will address the liability for agents on temporary duty using rental cars. r = 5

Venetia Bell (FMC) asked whether there were any suggestions for keeping an AIGI from being deposed on ROI in litigation civil federal case.

Sandy Keith (SIGIR) asked if there is any information on legislation regarding IG authority to subpoena tangible things. She also announced that there will be a meeting at the State Department Friday, October 21st regarding the sunset of the Warner Amendment. This meeting only applies to agencies deployed in war zones.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on November 16, 2011

The Next CCIG meeting will be held at 10:00 a.m., January 16, 2011 at the Small Business Administration.

The November 16, 2011 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by announcing that there have been several recent publications highlighting agency use of suspension and debarment. Specifically, Mr. Harris noted that the Office of Management and Budget issued a <u>memorandum</u> urging agencies to increase the use suspension and debarment practices, and the Government Accountability Office issued a <u>report</u> finding that agency suspension and debarment practices could be improved. Mr. Harris then introduced Travis Farris (SBA), who continued the discussion on suspension and debarment.

Mr. Farris began by giving brief background information on the IG community's use of suspension and debarment and noted that the CIGIE Suspension and Debarment Working Group issued a <u>report</u> that highlights suspension and debarment best practices for Offices of Inspector General. Mr. Farris summarized the misconceptions identified in the Working Group's Report:

- 1. Contemporaneous civil and criminal proceedings will be compromised if suspension and debarment is pursued
 - A Suspending Official need only have adequate evidence, analogous to the level of proof required for a search warrant, in order to issue a suspension. OIGs will often not need to disclose sensitive information to the Suspension Official to support a suspension.
- 2. Suspension and debarment actions must be tied to judicial findings
- Agencies may pursue "fact-based" actions, which do not rely on judicial findings.
 Referrals may not be based on OIG audits or inspections
 - Suspensions and debarments can be based on facts uncovered during OIG audits or inspections, although this practice is rarely used in the IG community.

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Committee Reports/New Legislation

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) noted that his office received a FOIA request regarding changes to the peer review process.

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<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (DOI) reported that the Committee is working on edits to the Silver Book.

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<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the Committee has revised the definitions of inspections and evaluations, and presented them at the December 5, 2011 meeting.

CIGIE Legislation Committee.

Mr. Harris also noted that the GAO has updated the Yellow Book. New language added might suggest that OIG counsel are required to earn CPE credits. r

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In addition, Mr. Harris reported that the Committee has been monitoring the progress of the DATA Act. This legislation will create the FAST Board as a successor to the RAT Board. Mr.

Harris noted that Rep. Issa's staff has made changes to the bill to eliminate the authority of the FAST Board to conduct audits and investigations.

IG Attorney Training

GAO is holding three-day Red Book training on appropriations law in April. Registration will be open until January 9. The cost of the training is \$450.

Other Announcements/Questions Presented

A motion was made (and seconded) for the reelection of all current CCIG officers (Glenn Harris, Chairman, Jackie Becker and Gladis Griffith, Co-Vice Chairs). All current officers were then elected by a voice vote.

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The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on January 18, 2012

The Next CCIG meeting will be held at 10:00 a.m., February 15, 2012 at the Small Business Administration.

The January 18, 2011 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by announcing that in lieu of a speaker, the group would discuss which issues they would most like incorporated into the CCIG Speaker Series and CCIG training. He also noted that a survey of more speaker ideas would be sent to the group.

CCIG Speaker Series

- Whistleblower Laws
 - Interested in changes to whistleblower laws, such as the Federal Acquisitions Streamline Act (FASA), which protects employees of contractors of agencies who suffer retaliation for "disclosing to a Member of Congress or an authorized official of an executive agency or the Department of Justice information relating to a substantial violation of law related to a contract (including the competition for or negotiation of a contract)." 41 U.S.C. § 265(a).
 - Members expressed that having a speaker from DoD would be helpful in this area.
- Relationship between OIG Counsel and Agents
- FOIA Common exemptions used by OIG
 - While the group showed great interest in this topic, it was decided that there are already many avenues for CCIG members to learn more about commonly used FOIA exemptions, such as the DOJ FOIA training.
- Weapons Policy and Issues
 - Members did not show a great deal of interest in this topic. However, members were very interested in the related Home-to-Work issue. The 50 State Survey is in draft form, and the final version should be made available soon.
- IG Subpoena Issues
 - Members expressed that the law is clearly defined in this area, so that a speaker would not be necessary.
- Computer Crime and Investigations
 - The group agreed that a DOJ speaker in this area would be helpful.
- False Claims Act
 - Michael Granston, DOJ, will be speaking on the FCA at the February meeting.
 - In addition, the DOJ FCA training is a very helpful resource for OIG attorneys.
- EEO Title 7

- Anna Middlebrook, EEOC, volunteered to help find an expert to speak to the group on this topic.
- IG Reform Act Requirements
- PFCRA
- Privacy Act
- Electronic Discovery
 - Members expressed concern that this topic, in addition to electronic record retention issues, is becoming more of an issue for OIG attorneys.
 - DOJ Electronic Discovery training is available.
- GAO Yellow Book Standards Changes
 - Members would like to have a speaker from GAO speak to the group about the new changes to the Yellow Book, especially concerning new CPE language.

CCIG Training

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Mr. Harris presented the following list of possible training courses and led a discussion about the group's interest in each topic. Mr. Harris noted that one or two of the trainings could be implemented in the coming year.

- Administrative Enforcement Actions
- Appropriations for OIG Attorneys
- Asset Forfeiture Role of OIG Attorneys
- Civil Litigation Role of OIG Attorneys in Working with DOJ on Civil Actions
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 - There has been some interest in this option from the DOJ, especially with FCA cases.

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- Criminal Litigation Procedures
 - Members suggested that FLETC is a good resource to find instructors for this course.
- Congressional Relations
- False Claims Act
- IG Authority
- Information Law for OIG Attorneys
- Introduction For New OIG Attorneys
- Investigations, Searches, and Self Incrimination Issues
- Subpoena Powers
- Whistleblowers

In addition to these training opportunities, Gladis Griffith, USPS DOJ, noted that the OIG community is an integral part of providing training to FLETC and announced that instructors are needed for three upcoming sessions on Administrative Civil Remedies:

February 28 Atlanta, GA - 2 instructors May 1 Leesburg, VA - 2 instructors September: Chicago, IL - 1 instructor

Committee Reports/New Legislation

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) noted that the Committee has reviewed the new Yellow Book CPE requirements and announced that the Committee position is that each IG should implement the new policy as appropriate.

CIGIE Investigations Committee. The Committee reported that it issued the Qualitative Assessment Review Guidelines for Investigative Operations of Federal Offices of Inspector General and Peer Review Guidelines on January 24, 2011.

CIGIE Professional Development Committee. Nothing to report.

CIGIE Inspections and Evaluations Committee. Nothing to report.

<u>CIGIE Legislation Committee</u>. Glenn Harris (SBA) reported that there has been no movement. on the DATA Act. Mr. Harris reported that the Committee continues to monitor the Act, and drafts have included OIG technical amendments.

Mr. Harris also announced that Peg Gustafson, SBA IG, testified before the Senate Homeland Security and Governmental Affairs Committee on the Non-Federal Employee Whistleblower Protection Act of 2011.

Jackie Becker (FRB) announced that the Legislation Committee Subcommittee on Information Technology Legislation, chaired by Mark Bialek (FRB), held their first meeting on December 8, 2011. The Subcommittee reviewed several IT bills, including S. 413, which amends the IG's requirements under FISMA. 5 يو. موسو

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IG Attorney Training

Frank LaRocca announced the following training: West Government Contracts Year in Review http://store.westlaw.com/pdf/government/invitation40923699.pdf

ABA is holding its National Institute on White Collar Crime February 29 – March 2, in Miami, Florida.

ABA is holding its Civil False Claims Act and Qui Tam Enforcement training June 6 - 8, in Washington, DC.

The Lincoln Leadership Institute at Gettysburg will be held March 18 - 23. Nominations are due February 24, please contact the CIGIE liaison.

Other Announcements/Questions Presented

Mr. Harris also gave an overview of the State of the CIGIE Address, given by Phyllis Fong (USDA).

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on February 15, 2012

The next CCIG meeting will be held at 10:00 a.m., March 21, 2012 at the Small Business Administration.

The February 15, 2011 CCIG meeting was held at the Securities and Exchange Commission, 100 F Street, N.E., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing Michael Granston, Deputy Chief of the Civil Fraud Section of the Department of Justice.

Mr. Granston responded favorably to Mr. Harris' description of the proposed program, although he noted that practical questions such as how many attorneys would be interested in this type of agreement need to be answered in order to determine whether DOJ would be willing to devote the resources for actions such as training.

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Mr. Granston then led a presentation on the following recent False Claims Act developments:

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Committee Reports/New Legislation

CIGIE Audit Committee. Nothing to Report.

<u>CIGIE Investigations Committee</u>. Mr. Harris advised that representatives from FinCen gave a presentation the last Committee meeting as to how FinCen can provide assistance to OIG investigations. The Committee also reported that it issued the Qualitative Assessment Review Guidelines for Investigative Operations of Federal Offices of Inspector General and Peer Review Guidelines on January 24, 2011.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) reported that the Leadership Training MOUs expire in 2012, and while the expectation is that these will be renewed, staffing to the academies has not yet been determined.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the Committee discussed Intelligence Community OIGs and their use of Inspections and Evaluations.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that the travel card bill, S. 300, has been placed on the House's Union Calendar, and that there has been no movement of the DATA Act.

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Ms. Gustafson also testified ociore the Senate Homeland Security and Governmental Affairs Committee's Contracting Oversight Subcommittee, chaired by Senator McCaskill to discuss S. 241, the Non-Federal Employee Whistleblower Protection Act of 2011.

Jackie Becker (FRB) announced that the Legislation Committee Subcommittee on Information Technology Legislation, chaired by Mark Bialek (FRB IG), reviewed S. 413 and a similar House Discussion Draft bill. These bills would amend the IG's requirements under FISMA.

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<u>CIGIE Information Technology Committee</u>. Sabrina Segal (USITC) reported that a working group on active network monitoring in cloud computing has been established and the group plans to issue a white paper by Spring 2012. In addition, Ms. Segal recommended an article entitled, <u>"Looking the Wrong Way,"</u> which discusses continuous monitoring of cyber security threats by OIGs.

IG Attorney Training

Frank LaRocca (NASA OIG) reported on several training opportunities.

ABA is holding its National Institute on White Collar Crime February 29 – March 2, in Miami, Florida.

ABA is holding its Civil False Claims Act and Qui Tam Enforcement training June 6 - 8, in Washington, DC.

The Lincoln Leadership Institute at Gettysburg will be held March 18 - 23. Nominations are due February 24, please contact the CIGIE liaison.

SBA is hosting a previously videotaped NAC presentation of Managing E-Discovery on April 25. Please contact Travis Ferris if you are interested.

The American Society of Access Professionals is holding its National Training Conference in New Orleans on March 20-23.

DoD Procurement Fraud Working Group Conference will be held on March 27-29, in Daytona Beach, Florida.

Other Announcements/Questions Presented

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on March 15, 2012

The Next CCIG meeting will be held at 10:00 a.m., April 18, 2012 at the Small Business Administration.

The March 21, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing two officials from the Office of Special Counsel, Mark Cohen, Deputy Special Counsel, and Catherine McMullen, Chief of the Disclosure Unit.

Mr. Cohen began by giving a brief overview of the Office of Special Counsel (OSC) and recent changes to the office, such as an increased effort to reach out to media and key stakeholders, including the OIG community. Next, Mr. Cohen spoke about the OSC's role in enforcing the Hatch Act. (7

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Next, Ms. McMullen discussed the requirements and procedures for disclosing information to agency heads, pursuant to 5 U.S.C. § 1213. OSC works closely with IGs through an informal referral process, which resolves issues quickly and efficiently. However, OSC is required by statute to disclose information relating to violations of law, gross mismanagement, and gross waste of funds to the head of the appropriate agency. The agency is then required to conduct an investigation and submit a written report to OSC.

Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris announced that the Home-to-Work 50 State Survey has been posted on MAX. In addition, there has been a recommendation that small OIGs work together to hold a joint "Train the Trainers" session so that all agents receive training. Mr. Harris suggested that the Small IG group may want to look into this issue.

Mr. Harris also noted that two proposals were approved during the latest CIGIE meeting: 1.) IT Committee Cybersecurity working group has been reestablished, and 2.) a permanent New Media working group has been created.

During the most recent CIGIE meeting, Tray Hicks, a staffer of Sen. Collins, spoke and emphasized that Sen. Collins greatly respects the IG community. Mr. Hicks also related that Sen. Collins will offer support to any IG facing budget issues.

<u>ClGIE Audit Committee</u>. Chris Gieseler (FDIC) reported that the Committee met on March 27, 2012, and discussed efforts – past and planned – to update the Audit Peer Review Guide to reflect changes in the Yellowbook. In addition, representatives of the Committee were to meet with officials at DHS regarding comments to DHS's earlier draft guidance on FISMA. However, recent changes to FISMA guidance made such a meeting less likely to occur. Lastly, Chris updated the Committee on the actions of the Legislation Committee's IT Legislation Subcommittee.

<u>CIGIE Investigations Committee</u>. The Committee reported that the next meeting will be Tuesday, May 1.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) reported that the H.R. Directors Roundtable group gave a training entitled, "Developing Agency Accountability System." The Committee is also reviewing the Lincoln Leadership program.

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CIGIE Inspections and Evaluations Committee. Nothing to report.

CIGIE Legislation Committee.

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Mr. Kaplan also reported that there has been no movement of S. 241, the Non-Federal Employee Whistleblower Protection Act of 2011.

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<u>CIGIE Information Technology Committee</u>. Sabrina Segal (USITC) reported that a working group on active network monitoring in cloud computing has been established and the group plans

to issue a white paper by Spring 2012. In addition, Ms. Segal recommended an article entitled, <u>"Looking the Wrong Way"</u>, which discusses continuous monitoring of cyber security threats by OIGs.

IG Attorney Training

SBA is hosting a previously videotaped NAC presentation of Managing E-Discovery on April 25. Please contact Travis Ferris if you are interested.

Association of Inspectors General is holding its Spring meeting in Anaheim, California on May 16-18: http://inspectorsgeneral.org/spring2012/

ABA is holding its Civil False Claims Act and Qui Tam Enforcement training June 6 – 8, in Washington, DC: <u>http://www.americanbar.org/calendar/2012/06/civil_false_claims2012.html</u>

Other Announcements/Questions Presented

Adam Kaplan (SBA) is heading the OIG Summer Intern Program again this summer. Anyone interested in helping with this effort should contact him.

Barbara Hines (DOT) announced that DOT OIG held a FOIA Brown Bag meeting and would like continue the meetings on a quarterly basis for interested CCIG members at other agencies as well. She asked that anyone interested contact her (barbara.hines@oig.dot.gov).

Nancy Eyl (DHS) asked if any OIGs have had an issue with subpoena recipients notifying their customers about the request for customer records. Some attendees mentioned that several banks disclose subpoenas to their customers Nancy is forming a working group to look at the issue.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on April 18, 2012

The Next CCIG meeting will be held at 10:00 a.m., May 16, 2012 at the Small Business Administration.

The April 18, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by noting that the Program Fraud Civil Remedies Act (PFCRA) can be a very useful tool to supplement OIG investigations, which often focus on criminal and administrative issues. Mr. Harris then introduced Athena Jones (HUD) and Travis Farris (SBA), who gave a presentation on PFCRA.

Ms. Jones and Mr. Farris began by giving a brief overview and history of PFCRA:

- PFCRA is an administrative remedy designed to ensure Federal agencies have redress for smaller false and fraudulent claims not selected for enforcement litigation by DOJ.
- Applies to claims up to \$150,000.
- Civil penalty of between \$5,000 and \$7,500 (depending upon whether the Agency has made inflation adjustments in the penalty amount) for each false claim or statement, and the Government can obtain damages equal to double the amount of paid claim.
- Unlike the False Claims Act, respondents may be liable under the PFCRA based upon false statements in the absence of a claim.

Next, Ms. Jones and Mr. Farris gave an overview of PFCRA procedures:

- Begins with an investigative report referred by the Investigating Official (usually the Inspector General). Generally this information has already been collected and only needs to be reformatted into an investigative report.
 - Presents findings and conclusions of investigation/audit.
 - o Should contain all evidence necessary to assess the proposed action.
- OIG report is then submitted to the Reviewing Official (usually in Agency General Counsel).
 - Assesses whether the evidence and report of investigation support finding of liability under PFCRA.
 - Determines whether there is a reasonable prospect of collecting an appropriate amount of penalties and assessments.
- Request for PFCRA authorization from DOJ
- Cases are adjudicated by Administrative Law Judges.
- Judicial Review
 - o Appeal to the District Courts within 60 days of final Agency decision.
 - o Respondent must exhaust administrative appeals.

- o ALJ's factual findings are conclusive unless unsupported by substantial evidence.
- Courts have jurisdiction to affirm, modify, remand for further consideration, or set aside the ALJ decision.

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o District Court can enter judgment in Government's favor.

Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris announced that at the most recent CIGIE meeting, the Chief Records Officer from NARA gave a presentation on the Records Management Directive that was issued at the end of July. In addition, the annual performance plan was passed.

CIGIE Audit Committee. Nothing to report.

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Nothing to report.

<u>CIGIE Inspections and Evaluations Committee</u>. Melinda Golub (HHS) reported that on March 26, 2012, the Committee voted to establish a two year pilot peer review program for I and E offices. HHS, Peace Corps, and Department of Interior volunteered to participate in 2012.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that Congress is considering several cybersecurity bills. In March, the Committee sent correspondence to various Senators regarding CIGIE concerns and was preparing similar letters to address legislation that was recently introduced in the House.

In addition, the STOCK Act became law on April 4, 2012. This legislation includes several provisions directly affecting 278 filers in the Executive Branch.

CIGIE Information Technology Committee. Nothing to report.

IG Attorney Training

SBA is hosting a previously videotaped NAC presentation of Managing E-Discovery on April 25. Please contact Travis Farris if you are interested.

Association of Inspectors General is holding its Spring meeting in Anaheim, California on May 16-18:

http://inspectorsgeneral.org/spring2012/

ABA is holding its Civil False Claims Act and Qui Tam Enforcement training June 6 – 8, in Washington, DC: http://www.americanbar.org/calendar/2012/06/civil_false_claims2012.html

Other Announcements/Questions Presented

Mr. Harris announced that there was good input from the community on the CCIG Survey. 95% of respondents supported the meeting structure. There was also interest in more CCIG social events, such as happy hours and lunches.

Adam Kaplan (SBA) is heading the OIG Summer Intern Program again this summer and has put together a tentative agenda for training that includes guest speakers and tours. The Summer Intern Kickoff will be held on June 7 at HHS, and a Nationals game is planned for July 6. There will also be a happy hour on June 7; more information to follow. Please send a point of contact for your office to Adam.

Nancy Eyl (DHS) is heading a Subpoena Working Group to review the issue of subpoena recipients disclosing the existence of the subpoena to customers. This group will look at potential legislative fixes to the problem.

Barbara Hines (DOT) is heading a FOIA working group. The next meeting will be held on June 5, 2012. Please email if interested (barbara.hines@oig.dot.gov).

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on May 16, 2012

The Next CCIG meeting will be held at 10:00 a.m., June 20, 2012 at the Small Business Administration.

The May 16, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing Michael Bresnick, Executive Director of the Department of Justice Financial Fraud Enforcement Task Force. Mr. Bresnick gave a brief overview and history of the Task Force, and presented on current initiatives and trends in financial fraud. He also spoke about Attorney General Holder's memo on parallel proceedings and other issues of interest to the OIG community.

History and overview of the Financial Fraud Enforcement Task Force:

- Established in November 2009 by President Obama to strengthen efforts to combat financial crime.
- The task force is composed of:
 - The Residential Mortgage-Backed Securities Working Group;
 - The Training and Information Sharing Committee;
 - The Victims' Rights Committee;
 - The Mortgage Fraud Working Group;
 - The Securities and Commodities Fraud Working Group;
 - The Recovery Act, Procurement and Grand Fraud Working Group;
 - The Rescue Fraud Working Group;
 - The Non-Discrimination Working Group;
 - The Oil and Gas Price Fraud Working Group; and
 - The Consumer Protection Working Group
- The task force partners with more than 20 federal agencies, 94 US Attorneys' Offices, and state and local governments, and has established Financial Fraud Coordinators in every US Attorneys' Office.
- Mr. Bresnick stressed that the Task Force is committed to increased cooperation and collaboration with the DOJ and agencies.

Mr. Bresnick also addressed Attorney General Holder's Memo on Parallel Proceedings:

• He stated that the memo strengthens and updates DOJ policy from case intake to resolution that criminal prosecutors and civil trial counsel should timely communicate, coordinate, and cooperate with one another and agency attorneys to the fullest extent appropriate whenever an alleged offense or violation of federal law gives rise to the

potential for criminal, civil, regulatory, and/or agency administrative parallel proceedings.

• He also stated that the memo instructs the Office of Legal Education to facilitate the provision of instruction and training materials on parallel proceedings.

Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris announced that at the most recent CIGIE meeting, the Chief Records Officer from NARA gave a presentation on the Records Management Directive that was issued at the end of July. In addition, the annual performance plan was passed.

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CIGIE Audit Committee. Nothing to report.

<u>CIGIE Investigations Committee</u>. Glenn Harris (SBA) reported that the Committee met on May 1 and discussed the warning FLETC issued to agents regarding a certain type of gun holster.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) reported that the Committee has developed three models to fund the IG Academy: (1) training paid by CIGIE budget; (2) training paid by tuition; and (3) training paid by a combination of CIGIE budget and tuition. In addition, Mr. Delaplaine announced that the agreement with American University has been extended through 2014.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the Committee is updating the External Quality Controls Plan and organizing external reviews.

<u>CIGIE Legislation Committee</u>. Glenn Harris (SBA) reported that the DATA Act, introduced by Rep. Issa, passed the House and is in the Senate. It appears to be moving. Most CIGIE comments have been incorporated into the bill. There is one provision that would have significant impact on OIG travel and training.

In addition, there are two cyber-security bills in the House and the Senate, but it is not yet known which will move. The CIGIE letters detailing concern over FISMA changes have been sent to Congress.

S. 241, the Non-Federal Employee Whistleblower Protection Act of 2011, was passed by HSGAC.

The Postal bill has passed the Senate, and includes a provision allowing OIGs to do limited computer matching.

CIGIE Information Technology Committee. Nothing to report.

IG Attorney Training

SBA is hosting a previously videotaped NAC presentation of Managing E-Discovery on April 25. Please contact Travis Farris if you are interested.

Association of Inspectors General is holding its Spring meeting in Anaheim, California on May 16-18:

http://inspectorsgeneral.org/spring2012/

ABA is holding its Civil False Claims Act and Qui Tam Enforcement training June 6 – 8, in Washington, DC: http://www.americanbar.org/calendar/2012/06/eivil_false_claims2012.html

Other Announcements/Questions Presented

Adam Kaplan (SBA) is heading the OIG Summer Intern Program again this summer and has put together a tentative agenda for training that includes guest speakers and tours. The Summer Intern Kickoff was held on June 7 at HHS, and a Nationals game is planned for July 6. There was also a happy hour on June 7; more information to follow. Please send a point of contact for your office to Adam.

Christina Marinos (SBA) reported for Nancy Eyl (DHS) that the Subpoena Working Group received completed questionnaires from 22 offices, and reminded the group to respond if their office has not yet done so.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on June 20, 2012

The Next CCIG meeting will be held at 10:00 a.m., July 18, 2012 at the Small Business Administration.

The June 20, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing Shelley Finlayson, Associate Director for Legislative Affairs and Budget at the Office of Government and Ethics (OGE), and Elizabeth Barrigan, an Associate General Counsel at OGE. Ms. Finlayson and Ms. Barrigan presented on OGE's current initiatives, the STOCK Act, and other issues of interest to the OIG community.

Overview of OGE:

- Promulgates and maintains enforceable standards of ethical conduct in over 130 Executive Branch agencies.
- Oversees the financial disclosure system.
- Ensures that Executive Branch ethics programs are in compliance with laws and regulations. OGE now posts its reviews of agency ethics programs on its webpage (Program Review Reports under Program Management).
- Provides education and training to ethics officials and employees.
- Issues legal opinions and policy guidance on non-criminal matters.

STOCK ACT requirements:

- All public 278 filers must report post-government employment negotiations and employment agreements in writing to ethics officials.
- 278 forms filed in 2012 must be publicly posted. This presents some logistical issues since there about 28,000 public disclosure filers.
- OGE is to have an E-filing and searchable/sortable database by 10/13 unless this deadline is extended.
- Senate-confirmed and White House 278 filers must report mortgages on personal residences.

OGE STOCK Act implementation:

- Guidance for 278 filers on posting information within 45 days of a transactions is coming out soon. (Ed note: The guidance was actually issued later in the same day on June 20.)
- Seeking ways to mitigate privacy impact on posting financial disclosures on agency websites.
- Working with Congress and stakeholders to develop the e-filing system.

Current OGE Initiatives:

- STOCK Act implementation.
- Election and post-election year training.
- Realignment of desk officer program. Now a team structure where each agency is assigned a team and a main point of contact (see discussion below).

OGE has set up teams that cover certain agencies (available on the OGE website at <u>http://www.ogc.gov/DisplayTemplates/ModelSub.aspx?id=2147485873</u>). In the past, certain

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Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris announced that at the most recent CIGIE meeting, the United States Attorney for the Eastern District of Virginia, Neil MacBride, gave a presentation.

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<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) reported that the Committee received a report regarding the RAT Board proposed by several proposed IT bills including proposed legislation (the Data Quality Act) that would affect the Board. Mr. Gieseler also summarized the proposed legislation he had discussed with the Committee. In addition, he reported that the Committee is

updating the Peer Review Guide (interim guidance effective fall 2012; full update to be effective March 2014) and that the Grant Reform Working Group is working with OMB including providing revisions to OMB Circular A-133.

CIGIE Investigations Committee. Nothing to report.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) reported that the Committee has developed three models to fund the IG Academy: (1) training paid by CIGIE budget; (2) training paid by tuition; and (3) training paid by a combination of CIGIE budget and tuition. In addition, Mr. Delaplaine announced that the agreement with American University has been extended through 2014.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the new peer review program will begin this Fall.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that the DATA Act, introduced by Rep. Issa, passed the House and is in the Senate.

S. 241, the Non-Federal Employee Whistleblower Protection Act of 2011, was passed by the Senate.

The Postal bill has passed the Senate, and includes a provision allowing OIGs to do limited computer matching.

CIGIE Information Technology Committee. Nothing to report.

IG Attorney Training

FLETC will be holding its National Suspension and Debarment Training Program in Washington, DC July 31 – August 2.

Other Announcements/Questions Presented

Adam Kaplan (SBA) is heading the OIG Summer Intern Program again this summer and has put together a tentative agenda for training that includes guest speakers and tours. Please send a point of contact for your office to Adam.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on July 18, 2012

The Next CCIG meeting will be held at 10:00 a.m., September 19, 2012 at the Small Business Administration.

The July 18, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing the panel of speakers, Allison Cendali (DOJ, Civil Fraud Section), Kathy Gallo (DHS), Gladis Griffith (USPS), and Amy Berks (DOT). The panel presented on the use of FOIA exemption 7.

Ms. Cendali discussed the applicability of FOIA Exemption 7 to False Claims Act and qui tam cases, and provided the following information/tips:

- DOJ handles qui tam cases and coordinates with United States Attorneys Offices.
- Qui tam cases are first filed under seal and are not widely distributed to the agency. However, the fact that there is an allegation of wrongdoing that is being investigated is not under seal.

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Ms. Griffith discussed the treatment of audio, video, and text records in a FOIA request. She noted that USPS OIG uses software that has the ability to redact images in a video frame by

frame. However, video editing does not allow for an indication of the exemptions that have been applied to each frame, so this information is included in the response letter. Ms. Griffith also suggested that if an OIG does not have access to video-editing software, video can be sent to an outside company for redaction. In this case, the requester would be charged for the cost of the service. One such company is: <u>www.Ulcad.com</u>. Ms. Griffith reminded the group that audio files can first be converted into a typed transcript, then redacted normally.

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(Ms. Cendali and Mr. Granston left the meeting after the FOIA discussion panel.)

Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris announced that Jerry Hutton (CPB) will be retiring after 46 years of government service.

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) reported that the Committee is scheduled to meet on July 24.

CIGIE Investigations Committee. Nothing to report.

CIGIE Professional Development Committee. Nothing to report.

<u>CIGIE Inspections and Evaluations Committee</u>. Glenn Harris (SBA) reported that the new peer review program and training will begin in September.

CIGIE Legislation Committee. Adam Kaplan (SBA) reported that Sen. McCain has introduced a new cyber security bill (S. 3342) that enhances CIGIE responsibility on cyber security threats and changes FISMA evaluation criteria.

H.R. 4631, the government conference accountability bill, would require the head of an agency to provide an itemized report on any conference with 50 or more people or costs \$100,000 or more.

CIGIE Information Technology Committee. Nothing to report.

<u>Subpoena Working Group</u>. Nancy Eyl (DHS) reported that the group is creating a survey and will have more information by the next CCIG meeting.

IG Attorney Training

OGE will be holding a training course on Conflicts on October 2-3 and October 16-17. There are 25 spots available at each session.

DOJ Civil Fraud Section is holding a training course that will focus on practical issues such as settlement strategies and intervention decision factors, as well as substantive FCA issues.

There will be a Suspension and Debarment Training in the Fall. No date has been chosen at this time.

DOT will be hosting the DOJ training on Discovery on September 24th. Andrew Goldsmith, DOJ's National Coordinator of Criminal Discovery Initiatives, is presenting. All federal law enforcement agents are required to take this 4 hour training by the end of the calendar year. DOT has about 50 available openings for other OIG agents/attorneys who would like to attend. Please contact Nick Coates if your agency is interested in participating.

Other Announcements/Questions Presented

Adam Kaplan (SBA) reported that the CCIG Summer Law Clerk program was continuing, with two events coming up:

July 19 - "Interactions between OIG Auditors, Investigators, and Counsel"

July 26 - Potential Meeting with White House Staff Secretary Doug Kramer

August 2 – Farewell event with IGs from OPM, RRB, GSA speaking, as well as former private sector attorneys turned IG counsel.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on September 19, 2012

The Next CCIG meeting will be held at 10:00 a.m., October 17, 2012 at the Small Business Administration.

The September 19, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing the speakers, Ric Doery (DHS) and Jerry Lawson (USAID). The panel presented on the history of *NLRB v. J. Weingarten, Inc.*, 420 U.S. 251 (1975), and the significance of two recent Federal Labor Relations Authority (FLRA) opinions.

Mr. Doery and Mr. Lawson first gave an overview of the *Weingarten* case and then highlighted several OIG issues arising from the Federal Service Labor-Management Relations Statute (FSLMRS) and recent case law:

- The court ruled in NRC v. FLRA, 25 F.3d 229 (4th Cir. 1994), that an IG was not bound by provisions in a collective bargaining agreement negotiated between agency management and a union.
- The Supreme Court held in NASA v. FLRA, 527 U.S. 229 (1999), that IGs are considered representatives of agency management for the limited purpose of the *Weingarten* rule. Thus, bargaining unit employees have the *statutory* right to union representation in investigative interviews upon request, if they have a reasonable belief that disciplinary action could result. <u>NASA</u>, at n. 8, expressly left standing NRC, saying the question of interference with OIG investigations by agency-union *negotiated agreements* was not before the Court.

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Committee Reports/New Legislation

General CIGIE Updates.

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Mr. Harris announced that CIGIE has approved the budget and noted that the revised Silver Book has been issued.

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The CIGIE Awards Ceremony will be held on October 16. There will be a limited number of seats and CIGIE is encouraging IGs to pre-register.

CIGIE Audit Committee. Chris Gieseler (FDIC) reported that the Committee met on July 24.

CIGIE Investigations Committee. The Committee is developing standards for digital forensics.

CIGIE Professional Development Committee. Nothing to report.

<u>CIGIE Inspections and Evaluations Committee</u>. Glenn Harris (SBA) reported that the new peer review program and training will begin in September.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that S. 300, Government Charge Card Abuse Prevention Act of 2012, has passed the House and S. 1409, Improper Payments Elimination and Recovery Improvement Act of 2012, is still in the Senate. [*Ed. note. The President signed S. 300 into law on October 5, 2012.*]

CIGIE Information Technology Committee. Nothing to report.

Subpoena Working Group. Nancy Eyl (DHS) reported that the group is still keeping track of unwanted subpoena disclosures, reporting on two known instances this past month.

CIGIE New Media Working Group. Nancy Eyl (DHS) reported that the group would be holding on September 20 its first meeting since the report's publication in September 2011. The group will be creating a guide to legal, information security, and privacy issues. Anyone interested should contact her. Open to all – no experience necessary. IT Legislation Working Group. Jackie Becker reported that there has been no movement on the cyber bill,

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IG Attorney Training

OGE will be holding training courses for OIG attorneys on Conflicts on October 2-3 and November 7-8. There are 25 spots available at each session.

The DOJ Civil Fraud Section is allowing OIG counsel to attend a three-day training course on the False Claims Act on October 16 - 18. The third day focuses on health care fraud. In addition, Glenn Harris announced that he and DOJ are putting together an alternative third day of training for OIG counsel that will focus on substantive FCA issues in the morning and practical issues such as settlement strategies and intervention decision factors in the afternoon.

The CIGIE Suspension and Debarment Working Group is cohosting, along with the Interagency Suspension and Debarment Committee, a one day training conference on November 16. The training will focus on fact-based suspensions and debarments.

The FDR Conference will be held in Orlando, Florida on July 29-August 1, 2013. Significantly, FDR is seeking proposals for presentations to the conferees. See: http://www.fdrconference.org/rfp.html

Other Announcements/Questions Presented

The CCIG is seeking nominees for Chair and Vice-Chairs for the next year. If you are interested, please provide a summary of your contributions to the CCIG and-or to the OIG community and a short statement of your qualifications to be Chair or Vice Chair to Frank LaRocca at <u>flarocca@nasa.gov</u> as soon as possible.

The CCIG Holiday Party will be held at Clyde's on December 19th.

Please note the following change to the July CCIG Minutes:

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on October 17, 2012

The Next CCIG meeting will be held at 10:00 a.m., November 14, 2012 at the Government Accountability Office.

The October 17, 2012 CCIG meeting was held at the Small Business Administration, 409 Third Street, S.W., Washington, DC. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing Pamela Barnes Craig, Senior Legal Reference Librarian, Library of Congress. Ms. Craig presented on the new congress.gov website, comparing it to the old Thomas.gov site, and highlighting new features.

Ms. Craig first gave an overview of the <u>http://beta.congress.gov/</u> website, which launched this September. She then highlighted several features, including:

- Reader Registration this automated call system allows users to order Library of Congress materials remotely. The system sends an email when the materials are ready for pick-up.
- Legislative Process links to an expanding collection of legislative process videos.
- Current Legislative Activities and News are now on the congress.gov home page.
- Profiles of current members of Congress now include photos.
- Footer includes links to historical information of Congress, Directory of Representatives, glossary of legislative terms, and the Ask a Librarian function.
- Search function now features facets on the left hand side of the page that allow users to narrow their search (by Congress, legislative source, chamber of Congress, legislation type, subject of legislation, committee, sponsor, political party, etc.). The search function also shows the status of legislation visually.
- The Bill Page now shows dates resolving differences, and can be narrowed by different facets on the left side as well.
- A Century of Lawmaking (<u>http://memory.loc.gov/ammem/amlaw/lawhome.html</u>) is a searchable database of historical U.S. Congressional documents from 1774-1875.

Committee Reports/New Legislation

General CIGIE Updates.

Mr. Harris congratulated Al Larsen and Cynthia Hogue for winning CIGIE awards at the annual ceremony held on October 16.

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) reported that the Committee accepted updates to the Audit Peer Review Guide.

<u>CIGIE Investigations Committee</u>. The Committee is developing standards for digital forensics.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) announced that the Committee is producing a report on the cost model and value of the American University and Gettysburg training courses.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the new peer review program and training began in September.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that S. 300, Government Charge Card Abuse Prevention Act of 2012, was passed into law on October 5, 2012. The law requires OIGs to conduct periodic audits of travel and purchases of \$10 million and greater. Mr. Kaplan also reported that Sen. Warner (D-VA) introduced S. 3600, a bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending. This bill is similar to the DATA Act, but does not include language exempting OIGs from the Paperwork Reduction Act and Computer Matching Act. S. 1409, Improper Payments Elimination and Recovery Improvement Act of 2012, is still in the Senate.

CIGIE Information Technology Committee. Nothing to report.

Subpoena Working Group. Nancy Eyl (DHS) reported that the group is still keeping track of unwanted subpoena disclosures, reporting on two known instances this past month.

CIGIE New Media Working Group. Nancy Eyl (DHS) reported that the group would be holding on September 20 its first meeting since the report's publication in September 2011. The group will be creating a guide to legal, information security, and privacy issues. Anyone interested should contact her. Open to all – no experience necessary.

IT Legislation Working Group. Jackie Becker reported that there has been no movement on the cyber bill, Γ β]

IG Attorney Training

The CIGIE Suspension and Debarment Working Group is cohosting, along with the Interagency Suspension and Debarment Committee, a one day training conference on November 16. The training will focus on fact-based suspensions and debarments.

The FDR Conference will be held in Orlando, Florida on July 29-August 1, 2013. Significantly, FDR is seeking proposals for presentations to the conferees. See: <u>http://www.fdrconference.org/rfp.html</u>

Other Announcements/Questions Presented

The CCIG is seeking nominees for Chair and Vice-Chairs for the next year. If you are interested, please provide a summary of your contributions to the CCIG and-or to the OIG community and a

short statement of your qualifications to be Chair or Vice Chair to Frank LaRocca at <u>*flarocca@nasa.gov*</u> as soon as possible.

The CCIG Holiday Party will be held at Clyde's on December 19th.

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FROM: CCIG Chair Glenn Harris, SBA OIG CCIG Vice-Chair Jackie Becker, FRB OIG CCIG Vice-Chair Gladis Griffith, USPS OIG

SUBJECT: Minutes of the CCIG Meeting held on November 14, 2012

The Next CCIG meeting will be held at 10:00 a.m., January 16, 2013, Location TBD

The November 14, 2012 CCIG meeting was held at the Government Accountability Office, 441 G St., NW Washington, DC 20548. Glenn Harris (CCIG Chair/SBA) presided.

Mr. Harris launched the meeting by introducing Frances Garcia, Inspector General, Government Accountability Office (GAO). Ms. Garcia made opening remarks and welcomed the group to the GAO.

Frank LaRocca (NASA) then announced the CCIG Nomination Committee slate for the upcoming year:

Chair – Jackie Becker (FRB CFPB) Vice Chairs – Ken Chasen (NSF) and Rick Reback (DHS)

The nominees then introduced themselves and spoke briefly on their contributions to CCIG and the OIG community.

A motion was made (and seconded) for the election of the nominees, who were then unanimously elected by a voice vote.

Mr. Harris then opened the floor for a group discussion (see below).

Committee Reports/New Legislation

<u>General CIGIE Updates</u>. Mr. Harris announced that the next CIGIE meeting will be held on November 20, 2012.

<u>CIGIE Audit Committee</u>. Chris Gieseler (FDIC) reported that the Committee accepted updates to the Audit Peer Review Guide, which will be presented to CIGIE this month.

<u>CIGIE Investigations Committee</u>. Mr. Harris announced that the Digital Forensics Standards have been approved. The next Committee meeting will be held on December 4, 2012.

<u>CIGIE Professional Development Committee</u>. Bruce Delaplaine (Interior) reported that the Training Institute held 55 classes in 2012, with a satisfaction rating of 98%. The Committee's next meeting will be January 9, 2013.

<u>CIGIE Inspections and Evaluations Committee</u>. Anne MacArthur (HHS) reported that the pilot peer reviews are underway. Training for reviews and reviewing teams took place in October. Reviews of HHS and Peace Corps will take place in late November through early December.

Ms. MacArthur also announced that writing training will take place later in November for 15 or 20 inspector/evaluators from across CIGIE at HHS OIG. This training, which uses HHS OEI's Write to the Point writing training as a model, was developed in response to the assessment of training needs conducted by the CIGIE AI&E Academy and the I&E Training Committee. The results of the needs assessment showed that writing training was the number one need of I&E units. There are plans to conduct several sessions in 2013 if feedback from attendees is positive. The I&E Roundtable will hold a panel discussion the last week of November to discuss recommendation tracking.

<u>CIGIE Legislation Committee</u>. Adam Kaplan (SBA) reported that the next Committee meeting will be held on December 11, 2012, at CIGIE Headquarters.

CIGIE Information Technology Committee. Nothing to report.

IT Legislation Working Group. Jackie Becker reported that there has been no movement on the cyber bill, r = 5

IG Attorney Training

The CIGIE Suspension and Debarment Working Group is cohosting, along with the Interagency Suspension and Debarment Committee, a one day training conference on November 16. The training will focus on fact-based suspensions and debarments.

The FDR Conference will be held in Orlando, Florida on July 29-August 1, 2013. Significantly, FDR is seeking proposals for presentations to the conferees. See: <u>http://www.fdrconference.org/rfp.html</u>

Suspension and Debarment Training for Counsel will be held at the end of January.

IG Authorities Training will be held in March, 2013.

CIGIE Training Institute is holding a "Working with Auditors, Inspectors, and Evaluators" workshop on Tuesday December 11, 2012, from 9:00 am to 3:00 pm at the Department of Homeland Security OIG building at 1120 Vermont Avenue, NW in Washington, D.C. The target audience for the Workshop is primarily OIG Mission Support General Counsels/OIG Attorneys and HR Directors/Learning Leaders.

Other Announcements/Questions Presented

Mr. Harris asked whether any office includes a Privacy Act notice of routine uses when issuing subpoenas to people covered by a Privacy Act system of records.

Adam Kaplan (SBA) announced that SBA OIG has recently hired two new law clerks through the new Pathways program. If anyone is interested in using the program, contact him (<u>adam.kaplan@sba.gov</u>) for details on the process.

Cameron Thurber (FEC) announced that the Small OIG Workgroup will meet at CIGIE Headquarters on December 5, 2012, 9:30am.

Mary Beth Sullivan (SEC) discussed the recently enacted Government Charge Card Abuse Prevention Act of 2012 and mentioned the requirement that OIGs conduct periodic audits and reviews. She asked whether "periodic" has been defined. It was noted that OMB will be issuing guidance on the topic.

Gladis Griffith, Bruce Delaplaine, Frank Larocca, and Al Larsen are serving on the CCIG Awards Committee this year. Please send your nominations by December 1 for these awards:

- 1. CCIG Leadership in 2012 Award.
- 2. Most Contributions to the CCIG/OIG Community in 2012 Award.
- 3. The Laurence A. Froehlich Lifetime Achievement Award (substantial contributions to CCIG/OIG Community during a career).

Please include: 1) The name of your candidate, 2) for which award(s) you nominate, and 3) why the nominee deserves the award (e.g. how the nominee have contributed to CCIG/OIG mission).

Please send nominations to:

bruce_delaplaine@doioig.gov, (202) 208-5726; <u>flarocca@nasa.gov</u>, 202-358-2575; <u>Larsen.Alan@epamail.epa.gov</u>; and/or <u>ggriffith@uspsoig.gov</u>, 703-248-4683.

The CCIG Holiday Party will be held at Clyde's on December 19th.

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The CCIG respects the ability of its members to request that comments made at CCIG meetings not be attributed to them in order to foster open dialogue. These minutes do not include any comments where non-attribution was requested.

Kelly, Andrea

From:	Tshibaka, Kelly C.
Sent:	Monday, November 25, 2013 10:05 AM
To:	Wilson, Scott; Harmison, Mary; Mace, Tia M.
Subject:	notes from CCIG meeting

I attended the Council of Counsels to the IG last week. Here are the highlights:

CIGIE Meeting on Tuesday last week (covered what was discussed)

Federal Travel regulations – discrepancy between M-12-12 definition of a conference and what's in the Appendix. So GSA is issuing a bulletin on what actually constitutes a conference so IG reporting is consistent. No word on when to expect GSA's bulletin.

PPD-19 regulation on classified info – the IC IG is awaiting confirmation from the WH regarding the applicability of Section B regarding clearances – it is not clear if it applies to contractors and if contractors are entitled to IG whistleblower review if their protected disclosure results in loss of their clearance. The IC IG also is waiting to see how PPD-19 will affect the volume of reviews IGs will be conducting. (I anticipate it will not affect our volume, but will significantly affect DOD and IC IGs' volume).

Suspension and debarment working group – they surveyed the current use of suspension and debarment practices and what's working and what's not. They're follow-on report provides overview of S&D, summarizes working group activities, gives a snapshot of practices in IG community, reinforces practices for effective S&D use, and overviews other remedies that can be used.

Phyllis Fong presented the annual performance plan for CIGIE and it was passed

IG Reform bill from ISsa is in process and will be given to the CIGIE legislation committee when it's ready

Shutdown Lessons/Isuses

Many IGs excepted their 1811s from the shutdown because DOJ issued a really broad memo saying perceived diminished law enforcement authority is a national security threat (DOJ used this to justify exempting all DOJ law enforcement agents). However, the majority of IGs sent agents home. It is not clear what the practice was with respect to 1810s, but it sounded like most 1810s were furloughed. Some OIGs made case-by-case analyses based on agents' current caseload to determine if they were essential or non-essential at the time of the shutdown (this seemed to be the most logical approach, and consistent with the spirit and letter of the law). Agencies have different missions with different needs – for those agencies with no one at the building, it's hard to justify an imminent OIG-related emergency.

Fourth Amendment Update on US SCT cases 2012-13

The focus of the meeting was on updates to search and seizure law based on Supreme Court cases over the past two years. We talked about needing warrants to use GPS data to track cars, to have drug sniffing dogs on residential properties, and to take blood samples at alcohol stops without reasonable suspicion to think the individual is intoxicated.

We also talked about workplace searches: (O'Connor v. Ortega 480 US 709 (1987))

Warrantless searches are reasonable without suspicion when looking for files.

- Warrantless searches are reasonable with only reasonable suspicion for violation of workplace rules, even if it leads to criminal evidence
- Searching for criminal evidence requires probable cause
- The fact that a person is only going to lose their job doesn't negate the 4th Amendment requirements

Kelly

Jason Baron, National Archives

Presidential Directive: by 2019, agencies manage all permanent records in electronic formats. By 2016, agencies manage permanent and temporary email in accessible, electronic format. Agencies are encouraged to move towards digitization, but not required to convert all hard copy files to electronic format.

Capstone: addresses challenges in managing email – preserve permanently valuable email and dispose of temporary email. Capstone is optional

Audit Committee is examining IGs' roles with respect to conferences costing over \$20,000

Fourth Amendment Update on US SCT cases 2012-13

Fed Rule Crim Pro Rule 41 deals with current warrants requirements

Search: US v. Jones on GPS trackers. Cant use GPS tracker without warrants even though it's on the outside of the car. 4th Am – they trespassed into the effects of the car for the purpose of gathering information. Trespass + gathering info = search reasonable expectation of privacy test=search

Dog Sniff test of dog smelling marijuana outside house. Cops got warrant. Held use of dog is a search. No expressed or implied license for drug sniffing dog to be invited to porch. Trespass + gathering info. Didn't even make reasonable expectation of privacy test

Blood alcohol testing. Dissipation of alcohol in blood doesn't negate warrant circumstances. Not minimal intrusion to stick needle under skin to get blood. It's a case by case exception, not a categorical exception to warrant requirement

DNA Swab. If person arrested under 4th am, reasonable to take cheek swab

Workplace searches:

Government workers don't forfeit 4th Am rights in the workplace Warrantless searches are reasonable without suspicion when looking for files Warrantless searches are reasonable with only reasonable suspicion for violation of workplace rules, even if it leads to crim evidence Criminal search requires probably cause O'Connor v. Ortega 480 US 709 (1987)

The fact that a person is only going to lose their job doesn't negate the 4th Amendment requirements

CIGIE

Federal Travel regulations – discrepancy between M-12-12 definition of a conference and what's in an Appendix. GSA is issuing a bulletin on what actually constitutes a conference so reporting is consistent.

PPD-19 regulation on classified info – awaiting confirmation from the WH wrt applicability of section b that applies to fed govt regarding clearances – not clear if it applies to contractors and if contractors are entitled to IG review if their protected disclosure results in loss of their clearance. Waiting to see how it will affect volume of reviews IGs will be conducting.

Suspension and debarment working group – surveyed current use of S&D practices and what's working and what's not. Follow-on report provides overview of S&D, summarizes WG activities, snapshot of practices in IG community, reinforces practices for effective S&D use, and overview of other remedies that can be used.

Fong presented annual performance plan for CIGIE and was passed

IG Reform bill from ISsa is in process and will be given to legislation committee when it's ready

Shutdown:

Most IGs excepted their 1811s. Because DOJ issued a memo saying perceived diminished law enforcement authority is a national security threat. Majority of IGs sent agents home. Not clear what 1810s did. Some made case by case analyses based on current caseload. DOJ justification is really broad. But agencies have different missions with different needs – if no one is at the building, there's no imminent emergency.

CCIG meeting of smaller OIG elements 12/4/13

CCIGs say we can move forward with investigation while DOJ is moving forward unless we're going to take administrative disciplinary action, like firing the person. DOJ never has asked any of the counsels in the room to put something on hold while DOJ deliberates whether or not to take the case. But if the subject is an enumerated special category under DOJ's guide for consensual monitoring – e.g., a political apoointee – then tread cautiously and default to waiting for DOJ to get back to you. A lot of the investigations start out as joint criminal/civil investigations. We can call Deb Connor, the head of the Public Corruption Section of the U.S. Attorneys office in DC. She'll give a declination over the phone or ask to be kept updated. The U.S. Attorneys' office main consideration is OIG investigators interviewing witnesses – The U.S. Attorneys' office in DC wants everyone, even witnesses, to be given Garrity warnings. If get declination, then can use kalkines warning.

Risk-adverse OIGs are seeking search warrants to seize employees' computers in criminal investigations. But the more we ask for warrants, the more we will create an expectation of privacy for seizing computers and do ourselves a disservice

Google CSIPS and on their webpage is their manual saying if you have proper warning banners in place, you're good to go in searching and seizing any employee's computer.

There are no rules about placing employees on Administrative Leave. It's not considered to be an adverse personnel action. It's often used at the allegation stage. At least two IGs were placed on administrative leave at the allegation stage—in one case the agency used this to get around the 30-day notification to Congress. One agency has a rule that the subject can be placed on administrative leave at the allegation stage if there is some risk that the person will be violent, destroy evidence, destroy government property, etc. Or if it creates an appearance of impropriety or imprudence (e.g., when you refer an 1811 gun-carrying investigator for mental health counseling).

There is no actual 59-minute rule for supervisors to dismiss. This practice derived from a Department of Defense rule, but no rule exists for non-DOD agencies. The 59-minute rule comes from the inherent authority of a manager to grant administrative leave.

Check the DOJ rule: Office of the Attorney General memorandum Coordination of Parallel Criminal, Civil, Regulatory, and Administrative Proceedings, January 30, 2012

Department policy is that criminal prosecutors and civil trial counsel should timely communicate, coordinate, and cooperate with one another and agency attorneys to the fullest extent appropriate to the case and permissible by law, whenever an alleged offense or violation of federal law gives rise to the potential for criminal, civil, regulatory, and/or agency administrative parallel (simultaneous or successive) proceedings. It is important that criminal, civil, and agency attorneys coordinate in a timely fashion, discuss common issues that may impact each matter, and proceed in a manner that allows information to be shared to the fullest extent appropriate to the case and permissible by law.

Courts have recognized that "[t]here is nothing improper about the government undertaking simultaneous criminal and civil investigations" provided that we use those proceedings and associated investigative tools for their proper purposes and in appropriate ways.

Make Garrity the default warning. Check language on the warnings to make sure. Add language about concurrent investigations



United States Government

NATIONAL LABOR RELATIONS BOARD

OFFICE OF INSPECTOR GENERAL Washington, DC 20570-0001

February 28, 2014

The purpose of this letter is to respond to your Freedom of Information Act (FOIA) request seeking "a copy of any and all meeting minutes and agendas for meetings of the CCIG – Council of Counsels to the Inspector General." The scope of the request is January 1, 2006 to the present. This request was assigned a FOIA tracking number **OIG-2014-004**.

Our search found 39 records. None of these records originated with the Office of Inspector General, National Labor Relations Board. We referred those records to the Office of Inspector General in which the CCIG Chair, or the former Chair at the time the record was created, serves. The following table specifies the offices to which records were referred:

Office	Number of Records
Office of Inspector General, U.S. Small Business Association	8
Office of Inspector General, U.S. Securities and Exchange Commission	7
Office of Inspector General, Board of Governors of the Federal Reserve System	22
Office of Inspector General, Peace Corps	2

I am responsible for the above determination. You may obtain a review thereof under the provisions of Section 102.177(c)(2)(v) of the NLRB Rules and Regulations by filing an appeal with the Chairman, National Labor Relations Board, 1099 14th Street, NW, Washington, D.C. 20570, within 28 calendar days from the date of this letter, such period beginning to run on the calendar day after the date of this letter. Thus, the appeal must be received by the close of business (5:00 p.m.) on March 28, 2014. Any appeal should contain a complete statement of the reasons upon which it is based.

Sincerely,

Jennifer Matis Counsel to the Inspector General

cc: Eric Moskowitz, Acting FOIA Officer, NLRB



United States of America FEDERAL TRADE COMMISSION WASHINGTON, D.C. 20580

MAR 1 1 2014

Re: FOIA-2014-00581 CCIG Meeting Minutes

This is in response to your request dated February 25, 2014 under the Freedom of Information Act seeking access to minutes and agendas for meetings of the Council of Counsels to the Inspector General. In accordance with the FOIA and agency policy, we have searched our records, as of February 25, 2014, the date we received your request in our FOIA office.

We have been unable to locate any official agendas or minutes from CCIG meetings. However, we have located seven pages of meeting notes that may be responsive to your request. You are granted full access to these records, which are enclosed.

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580 or by facsimile at (202) 326-2477, within 30 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

If you have any questions about the way we have handled your request or about the FOIA regulations or procedures, please contact Andrea Kelly at (202) 326-2836.

Sincerel Dione J. Stearns

Assistant General Counsel



Office of Inspector General Legal Services Corporation

Inspector General Jeffrey E. Schanz

3333 K Street, NW, 3rd Floor Washington, DC 20007-3558 202.295.1660 (p) 202.337.6616 (f) www.oig.lsc.gov

March 12, 2014

Re: OIG FOIA # 14-06

This is in response to your Freedom of Information Act (FOIA) request, received in this office on February 18, 2014, seeking "a copy of any and all meeting minutes and agendas for meetings of the CCIG – Council of Counsels to the Inspector General." I note that the request is limited to "CCIG meetings held between January 1, 2006 and the present."

A thorough search for responsive records revealed 224 pages of information responsive to your request, all of which originated in agencies outside of the Legal Services Corporation. These documents are being referred to their agencies of origination for processing. See Sussman v. U.S. Marshals Serv., 494 F.3d 1106, 1118 (D.C. Cir. 2007) (referral appropriate when responsive documents originated in another agency). Please note that the responsive records include only minutes for CCIG meetings, which are generally (but not always) held monthly; a thorough search in the relevant database did not reveal the existence of separate agendas for such meetings. Also note that, in this instance, the "agency of origination" for each document is the agency where the CCIG Chairperson at the time the relevant document was generated <u>currently</u> works.

Pursuant to the foregoing procedure, 16 pages of minutes from 2012-2014 CCIG meetings are being referred to the Freedom of Information Act officer at the Federal Reserve Board, 20th St. & Constitution Ave., NW, Washington, DC 20551;

59 pages of minutes from 2010-12 CCIG meetings are being referred to the Freedom of Information Act officer at the Small Business Administration, 409 3rd St., S.W., Washington, DC 20416;



117 pages of minutes from 2008-10 CCIG meetings are being referred to the Freedom of Information Act officer at the Securities and Exchange Commission, 100 F. St., N.E., Washington, DC 20549; and

32 pages of minutes from 2006-08 CCIG meetings are being referred to the Freedom of Information Act officer at the Peace Corps, 1111 20th Street, N.W., Washington, D.C. 20526.

Moreover, please be advised that Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are dissatisfied with this response you may appeal, within 90 days of your receipt of this letter, to:

Jeffrey E. Schanz, Inspector General Legal Services Corporation 3333 K St., N.W., 3rd Floor Washington, DC 20007

Both the envelope and the letter must be clearly marked "Freedom of Information Act Appeal."

Respectfully Thomas P. Hester, Jr.

Thomas P. Hester, Jr. Associate Counsel Office of Inspector General Legal Services Corporation 3333 K St., N.W., 3rd Floor Washington, DC 20007

Farm Credit Administration

1501 Farm Credit Drive McLean, Virginia 22102-5090 (703) 883-4000



March 13, 2014

Re: FOIA Request CTS# 13099

This letter is our final response to your Freedom of Information Act, 5 U.S.C. § 552 (FOIA), request, as amended, to the Farm Credit Administration (FCA or Agency) dated February 14, 2014, which we received on February 18, 2014. You requested a copy of "any and all meeting minutes and agendas for meetings of the CCIG – Council of Counsels to the Inspector General" held between January 1, 2006, and the present.

As discussed during the telephone conversation Jane Virga, Chief FOIA Officer, and I had with you on March 5, 2014, our preliminary search showed that we possessed records likely to be responsive to your request that originated with one or more other Federal agencies. We discussed your request and provided you with several options, possible approaches for proceeding, and sought your preferences.

We understand that you amended your request to maximize processing efficiency. First, you indicated that only the minutes' actual content should be deemed responsive and that we should redact as nonresponsive anything additional that may have been mixed in, such as handwritten notes or the like. Second, if a referral to an originating agency was necessary, you agreed to consider FCA's referral to such agencies as our final agency action so we could close out your FOIA request and referral even though it was still open at the other agencies. Finally, you also agreed that FCA could fully satisfy your request by sending all responsive records to the originating agencies, and could also do so by only sending those documents the originating agencies did not already have.

We have accepted your offer to amend your request. Please let this letter serve as our full performance in responding to your FOIA request. After a thorough search of the Agency, we found 177 pages responsive to your request. We were able to search all Agency records for responsive records within the two hours free search time provided in FCA regulations. See 12 C.F.R. § 602.11.

As we indicated during our March 5, 2014 telephone call with you, other Federal agencies originated all the responsive records. The originating agencies are the ones that employed the CCIG chair at the time the minutes and agendas were created. Because FCA was not the originating agency for any of the 177 pages we found, on

March 13, 2014, we referred your request and all responsive records to the agencies that employed the chair when the minutes and agendas were created. See 12 C.F.R. § 602.5(c). For your information, please note that we determined that the most efficient and reliable way to ensure that the originating agency possessed the minutes and agendas was to enclose copies of what we had with the referral letters. Prior to doing so, we made minimal redactions consistent with our agreement as outlined above. We informed the originating agencies that they need not consult with FCA on any release determination regarding the records that we have referred. We will take no further action on your FOIA request. We believe this approach to be fully consistent with your preferences and our agreement with you to amend your FOIA request. The FOIA contacts for the originating agencies are:

Social Security Administration Office of Privacy and Disclosure 617 Altmeyer Building 6401 Security Boulevard Baltimore, Maryland 21235 Phone: 410-965-1727 (26 pages referred)

Board of Governors of the Federal Reserve System Freedom of Information Office 20th & Constitution Avenue, NW Washington, DC 20551 Phone: 202-452-3684 (8 pages referred)

Small Business Administration FOI/PA Office/Requester Service Center 409 Third St., S.W. Washington, D.C. 20416 Phone: 202-401-8203 (8 pages referred)

Environmental Protection Agency Office of Inspector General FOIA Officer 1200 Pennsylvania Avenue, NW Mail Code 2411T Washington, DC 20460-0001 Phone: 202-566-1512 (114 pages referred)

Securities and Exchange Commission Office of FOIA Services 100 F Street, NE Mail Stop 2736 Washington, DC 20549-2736 Phone: 202-551-8300 (21 pages referred)

Pursuant to the FOIA and an FCA regulation, 12 C.F.R. § 602.12, the FCA will charge fees for processing requests depending on the status of the requester. In this instance, we determined your status is "all other" requester because we saw no indication that you were an educational, scientific, news media, or commercial requester. Thus, you were entitled to 2 free hours of search time and 100 free pages of responsive documents. You would incur fees for all search related and reproduction costs after that. Since we were able to complete our search in less than two hours and the additional 77 pages would result in a de minimis charge, we have not assessed any fees in connection with our processing of your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may appeal this response. Your appeal, if any, must be in writing and you must submit it within 30 days of the date on this letter. Your letter should include your reason(s) for appeal and a copy of this response. Please send any appeal to the Director, Office of Management Services, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, or email it to foiaapeal@fca.gov. You should mark "FOIA Appeal" on both the letter and envelope if you mail it.

Sincerely. C.Pienta Jeffrey

Senior Attorney Office of General Counsel 703-883-4431



National Science Foundation • Office of the Inspector General 4201 Wilson Boulevard, Suite II-705, Arlington, Virginia 22230

March 20, 2014

VIA EMAIL

Re: FOIA Request No. 14-12

This letter responds to your Freedom of Information Act (FOIA, 5 U.S.C. § 552) request, which we received on February 18, 2014, for "a copy of any and all meeting minutes and agendas for meetings of the CCIG - Council of Counsels to the Inspector General. You may limit this request to CCIG meetings held between January 1, 2006 and the present."

We have located 45 meeting minutes, and 23 agendas, that are responsive to your request, all of which have been referred to the FOIA office supporting the particular OIG in which the Council's Chair (or Chair at the time the document was created) currently serves. The details of the three referrals are as follows:

FOIA Office Receiving Referral	Minutes	Agendas
Federal Reserve Board	9	8
Small Business Administration	16	7
Securities and Exchange Commission	20	8

Contact information for these offices is as follows:

FRB	Freedom of Information Office, Board of Governors of the Federal Reserve System,	
	20th & Constitution Avenue, NW, Washington, DC 20551, phone (202) 452-3684	
SBA	SBA FOI/PA Office/Requester Service Center, 409 Third Street, SW, Washington, DC	
	20416, phone (202) 401-8203	
SEC	Mr. John Livornese, FOIA Officer, Securities and Exchange Commission, Office of	
	FOIA Services, 100 F Street, NE, Washington, DC 20549-2736, phone (202) 551-7900	

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Sincerely,

Synhun W. Bross

Stephen W. Bross, J.D. Investigative & FOIA Attorney



March 24, 2014

Re: Freedom of Information Act Request (OIG Tracking Number 14-030)

This is in response to your FOIA request dated February 20, 2014 in which you requested a copy of the Council of Counsels meeting minutes and agendas from January 1, 2006 to the present. Your request was received in the General Services Administration (GSA), Office of Inspector General (OIG) on February 25, 2014.

We have located 27 documents (from 2010 to 2013) that are responsive to your request, all of which have been referred to the particular OIG in which the Council's Chair serves. Specifically, CCIG minutes from 2010 to 2012 have been referred to Small Business Administration and CCIG minutes from 2012 to 2014 have been referred to the Board o Governors of the Federal Reserve System.

Contact information for these offices is as follows:

- SBA/FOI/PA Office/Requester Service Center, 409 Third St., S.W., Washington, DC 20416
- Freedom of Information Office, Board of Governors of the Federal Reserve System, 20th & Constitution Ave., NW, Washington, DC 20551

You have the right to appeal the adequacy of our search or for disclosure of undisclosed information by writing to the Freedom Of Information Act Officer, Office of the Inspector Act Officer, Office of Inspector General, General Services Administration, 1800 F Street, NW, Room 5332, Washington, D.C.20405, within 120 days of your receipt of this letter. The appeal must be in writing and contain a statement of reasons for the appeal. Please enclose copies of your initial request and this response. The envelope and letter should be clearly marked as a "Freedom of Information Act Appeal."

Sincerely,

Multi

Richard P. Levi Counsel to the Inspector General (FOIA Officer)

1800 F Street, NW, Washington, DC 20405-0002 Federal Recycling Program Printed on Recycled Paper



U.S. SMALL BUSINESS ADMINISTRATION OFFICE OF INSPECTOR GENERAL WASHINGTON, D.C. 20416

APR 2 5 2014

Via Email

Re: Freedom of Information Act Request SBA OIG Case No. FR-3/14-05 National Labor Relations Board OIG Case No. OIG-2014-004 FDIC FOIA Log No. 14-0242 Federal Election Commission Case No. 2014-33 Legal Services Corporation OIG FOIA Case No. 14-06 NASA OIG Case No. 14-OIG-F-339 National Science Foundation OIG Case No. 14-12 Farm Credit Administration Case CTS#13099

This is in response to your Freedom of Information Act (FOIA) request dated February 11, 2014, in which you sought a copy of any and all meeting minutes and agendas for meetings of the Council of Counsels to the Inspectors General (CCIG), held between January 1, 2006 and the present. Your request was received by the U.S. Small Business Administration Office of Inspector General (SBA OIG) on March 5, 2014, and has been assigned the number cited in the caption above. As you discussed with a member of my staff on March 13, 2014, on behalf of all OIGs, SBA OIG is providing you with responsive documents created during my tenure as CCIG Chair (December 2010-December 2012). Other CCIG chairs and former chairs will respond separately for agendas and minutes that originated during their terms. It is my understanding that you have agreed to have the individual chairs provide responses for documents that originated during their terms in lieu of getting duplicative responses from multiple agencies.

In our search, we located 65 pages of information responsive to your request. We are withholding part of the information in 45 pages pursuant to FOIA Exemptions 5 and 6. An explanation of the FOIA Exemptions is enclosed. Please note the following regarding our response. First, no CCIG meetings are generally held in the months of August or December. Also, there were no meeting minutes taken for April 2011 and July 2011. Second, during my term as chair, we did not prepare any meeting agendas.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with this reply, you have the right to appeal it, within 60 calendar days from the date of this letter, to the Chief, Freedom of Information/Privacy Acts Office, Small Business Administration, 409 Third Street, SW, Washington, DC 20416. Should you choose to do so, please include a copy of this letter in your appeal, as well as any other matters you deem appropriate.

Sincerely,

NºH-

Gleng P. Harris Counsel to the Inspector General

cc: Lisa Babcock, Freedom of Information/Privacy Acts Office



May 29, 2014

RE: Freedom of Information act Appeal

This is the Peace Corps' Office of Inspector General response to your Freedom of Information Act (FOIA) appeal. Specifically, you are appealing "I appeal on the grounds that the exemptions taken under b (5) are too expansive and withhold materials which would not cause foreseeable harm."

After careful review, I have determined that our response to your request was proper under FOIA. However, I have determined that additional information can be released pursuant to the Attorney General's Memorandum on FOIA because this information would not cause foreseeable harm. The remainder of the redacted material was appropriately withheld pursuant to 5 U.S.C. 522 (b)(5).

This is the final decision of the Peace Corps Office of Inspector General on this FOIA appeal. If you disagree with this decision, you may seek judicial review in accordance with 5 U.S.C. 552(a)(4).

Sincerely,

Kathy Buller Inspector General





July 15, 2014

Via email

Re: Freedom of Information Act Request 6330-2014-38 / FRB OIG #F-2014-00180

On July 1, 2014, the Office of Inspector General, Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau (FRB/CFPB OIG) transmitted to the Council of Inspectors General on Integrity and Efficiency (CIGIE) for consultation under the Freedom of Information Act (FOIA), a document FRB/CFPB OIG found in its records responsive to a FOIA request from you, seeking all minutes and agendas for the Council of Counsels to the Inspectors General from January 2006.

The document transmitted to CIGIE is titled "Audit Committee News: April 2008" and consists of one page. We are releasing this document in its entirety.

Please let us know if you have any further need for assistance.

Sincerely,

Mark D. Jones Executive Director

cc: Caitlin Romano caitlin.v.romano@frb.gov



OFFICE OF INSPECTOR GENERAL

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM Consumer Financial Protection Bureau Washington, DC 20551

July 1, 2014

Council of the Inspectors General on Integrity and Efficiency Attention: Cheryl Stadel-Bevans 1717 H Street, NW, Suite 825 Washington, DC 20006-3900

FRB FOIA Request Number F-2014-00180

Dear Ms. Stadel-Bevans:

The Office of Inspector General, Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau received the attached Freedom of Information Act (FOIA) request seeking "any and all meeting minutes and agendas for meetings of the CCIG – Council of Counsels to the Inspector General."

In processing the FOIA request, we located 1 page that originated with the Council of the Inspectors General on Integrity and Efficiency. In accordance with Justice Department policy and guidance, we are referring these records to you for your review and direct response to the requester. We have advised the requester of this referral. A copy of the document in portable document format (PDF) is enclosed. Please advise if you need materials in a different format.

Please feel free to contact me if you have any questions or require assistance.

Jacqueline M. Becker Associate Inspector General for Legal Services Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau Chair, Council of Counsels to the Inspectors General

Enclosures



UNITED STATES SECURITIES AND EXCHANGE COMMISSION STATION PLACE 100 F STREET, NE WASHINGTON, DC 20549-2736

Office of FOIA Services

June 2, 2014

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552 Request Nos. 14-05013-FOIA, 14-00005-GOVT through 14-00010-GOVT

This is the SEC's final response to your request for copies of any and all meeting minutes and agendas for meetings of the Council of Counsels to the Inspector General (CCIG) from January 1, 2006 through February 2014. You initially filed this request with the Council of Inspectors General on Integrity and Efficiency (CIGIE) at the beginning of February 2014. Subsequently, you filed this same request with the various federal agencies of which the CCIG is comprised. It was decided that responsibility for processing this "request" would fall on the agency whose staff member held the position of CCIG Chair. Accordingly, the following agencies should issue a response to you with respect to any records falling within the corresponding time period.

Social Security Administration	2006
Environmental Protection Agency	2007-2008
Securities and Exchange Commission	2009-2010
Small Business Administration	2011-2012
Federal Reserve Board	2013-2014

On April 18, 2014 I spoke with you and confirmed that the SEC would be responsible for processing only those records for 2009-2010, the timeframe during which Mary Beth Sullivan of the SEC was the Chair of the CCIG. Any other responsive records

June 2, 2014

maintained by the SEC were forwarded to the agencies identified above for direct response to you.

Access is granted in part to the attached records comprised of 107 pages. Certain information is being withheld under 5 U.S.C. § 552(b)(5) and (6), 17 CFR § 200.80(b)(5) and (6). Since certain information within these records forms an integral part of the predecisional process, it is protected from release by the deliberative process privilege embodied in FOIA Exemption 5. Under Exemption 6 the release of certain information within the records would constitute a clearly unwarranted invasion of personal privacy.

You have the right to appeal my decision to our General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5) and (6). Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

Send your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2736, Washington, D.C. 20549, or deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

If you have any questions, please contact me by email at <u>sifordm@sec.gov</u> or by telephone at (202) 551-7201. If you cannot reach me please contact Mr. John J. Livornese by calling (202) 551-7900 or by sending an e-mail to foiapa@sec.gov.

Sincerely,

ALA

Mark P. Siford Counsel to the Director Office of Support Operations

Enclosure



BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM WASHINGTON, D. C. 20551

ADDRESS OFFICIAL CORRESPONDENCE TO THE BOARD

July 1, 2014

Re: Freedom of Information Act Request Nos. F-2014-0173, F-2014-0177, F-2014-0180, F-2014-0181, F-2014-0182, F-2014-0213, and F-2014-0263

This is in response to referrals received by the Federal Reserve Board from the Inspector General's Offices of the National Labor Relations Board, the Federal Deposit Insurance Corporation, the National Aeronautics and Space Administration, the Legal Services Corporation, the Farm Credit Administration, the Federal Election Commission, and the Securities and Exchange Commission, regarding your Freedom of Information Act ("FOIA") requests to each of those agencies for copies of any and all meeting minutes and agendas for meetings of the Council of Counsels to the Inspector General from January 1, 2006, through February 2014.

Each of the above-referenced agencies determined that certain potentially responsive documents should be referred to the Board for processing. Of the records referred to the Board for disposition, 131 pages were determined to be responsive and are being provided to you with certain information redacted. Specifically, some of the documents contain inter-agency and intra-agency analyses and recommendations, as well as mobile telephone numbers. Such information is subject to withholding and will be withheld under the authority of exemptions 5 and 6 of the FOIA, 5 U.S.C §§ 552(b)(5) and (b)(6), respectively. The documents containing the exempt information have been reviewed under the requirements of subsection (b) of the FOIA, 5 U.S.C. § 552(b), and all reasonably segregable nonexempt information will be provided to you. The documents being provided to you will indicate the amount of information that has been withheld and the applicable exemptions.

Staff has determined that a portion of one of the responsive pages originated with the Council of the Inspectors General on Integrity and Efficiency ("CIGIE"). This document is being referred to the CIGIE for a direct response to you.

Your request, therefore, is granted in part and denied in part for the reasons stated above. If you believe you have a legal right to any information that is being withheld, you may appeal this determination.¹

Very truly yours,

Alert de V. Frem

Robert deV. Frierson Secretary of the Board

¹ Please note that an appeal must be filed (that is, received by the Board) within 10 working days of the date on which the denial was issued or the date on which documents in partial response to the request were transmitted to you, whichever is later. You may submit your appeal by mail, addressed to the Freedom of Information Office, Board of Governors of the Federal Reserve System, 20th & C Street, N.W., Washington, D.C., 20551; by facsimile, to 202-872-7565; or electronically, to FOIA-Appeals@frb.gov. Please be aware that submitting an appeal by postal mail can result in delays due to mail processing. The Board's regulations regarding FOIA appeals are located at 12 CFR 261.13(i).



BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM WASHINGTON, D. C. 20551

ADDRESS OFFICIAL CORRESPONDENCE TO THE BOARD

July 1, 2014

Re: Freedom of Information Act Request Nos. F-2014-0173, F-2014-0177, F-2014-0180, F-2014-0181, F-2014-0182, F-2014-0213, and F-2014-0263

This is in response to referrals received by the Federal Reserve Board from the Inspector General's Offices of the National Labor Relations Board, the Federal Deposit Insurance Corporation, the National Aeronautics and Space Administration, the Legal Services Corporation, the Farm Credit Administration, the Federal Election Commission, and the Securities and Exchange Commission, regarding your Freedom of Information Act ("FOIA") requests to each of those agencies for copies of any and all meeting minutes and agendas for meetings of the Council of Counsels to the Inspector General from January 1, 2006, through February 2014.

Each of the above-referenced agencies determined that certain potentially responsive documents should be referred to the Board for processing. Of the records referred to the Board for disposition, 131 pages were determined to be responsive and are being provided to you with certain information redacted. Specifically, some of the documents contain inter-agency and intra-agency analyses and recommendations, as well as mobile telephone numbers. Such information is subject to withholding and will be withheld under the authority of exemptions 5 and 6 of the FOIA, 5 U.S.C §§ 552(b)(5) and (b)(6), respectively. The documents containing the exempt information have been reviewed under the requirements of subsection (b) of the FOIA, 5 U.S.C. § 552(b), and all reasonably segregable nonexempt information will be provided to you. The documents being provided to you will indicate the amount of information that has been withheld and the applicable exemptions.

Staff has determined that a portion of one of the responsive pages originated with the Council of the Inspectors General on Integrity and Efficiency ("CIGIE"). This document is being referred to the CIGIE for a direct response to you.

Your request, therefore, is granted in part and denied in part for the reasons stated above. If you believe you have a legal right to any information that is being withheld, you may appeal this determination.¹

Very truly yours,

Alert del. Frem

Robert deV. Frierson Secretary of the Board

¹ Please note that an appeal must be filed (that is, received by the Board) within 10 working days of the date on which the denial was issued or the date on which documents in partial response to the request were transmitted to you, whichever is later. You may submit your appeal by mail, addressed to the Freedom of Information Office, Board of Governors of the Federal Reserve System, 20th & C Street, N.W., Washington, D.C., 20551; by facsimile, to 202-872-7565; or electronically, to <u>FOIA-Appeals@frb.gov</u>. Please be aware that submitting an appeal by postal mail can result in delays due to mail processing. The Board's regulations regarding FOIA appeals are located at 12 CFR 261.13(i).



July 15, 2014

Via email:

Re: Freedom of Information Act Request 6330-2014-38 / FRB OIG #F-2014-00180

On July 1, 2014, the Office of Inspector General, Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau (FRB/CFPB OIG) transmitted to the Council of Inspectors General on Integrity and Efficiency (CIGIE) for consultation under the Freedom of Information Act (FOIA), a document FRB/CFPB OIG found in its records responsive to a FOIA request from you, seeking all minutes and agendas for the Council of Counsels to the Inspectors General from January 2006.

The document transmitted to CIGIE is titled "Audit Committee News: April 2008" and consists of one page. We are releasing this document in its entirety.

Please let us know if you have any further need for assistance.

Sincerely,

Mark D. Jones Executive Director

cc: Caitlin Romano caitlin.v.romano@frb.gov



OFFICE OF INSPECTOR GENERAL Board of Governors of the Federal Reserve System Consumer Financial Protection Bureau Washington, DC 20551

July 1, 2014

Council of the Inspectors General on Integrity and Efficiency Attention: Cheryl Stadel-Bevans 1717 H Street, NW, Suite 825 Washington, DC 20006-3900

FRB FOIA Request Number F-2014-00180

Dear Ms. Stadel-Bevans:

The Office of Inspector General. Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau received the attached Freedom of Information Act (FOIA) request seeking "any and all meeting minutes and agendas for meetings of the CCIG – Council of Counsels to the Inspector General."

In processing the FOIA request, we located 1 page that originated with the Council of the Inspectors General on Integrity and Efficiency. In accordance with Justice Department policy and guidance, we are referring these records to you for your review and direct response to the requester. We have advised the requester of this referral. A copy of the document in portable document format (PDF) is enclosed. Please advise if you need materials in a different format.

Please feel free to contact me if you have any questions or require assistance.

Jacqueline M. Becker Associate Inspector General for Legal Services Board of Governors of the Federal Reserve System and Consumer Financial Protection Bureau Chair. Council of Counsels to the Inspectors General

Enclosures



July 29, 2014

RE: FOIA Appeal #14-314-2

This constitutes our final response to your April 27, 2014 Freedom of Information Act (FOIA) appeal concerning the minutes of the meetings of the Council of Counsels to the Inspector General, withheld in part by Mr. Glenn P. Harris, SBA's Counsel to the Inspector General.

This office has determined that further information be released within the subject records. Where cited in brackets on the enclosed, information continues to be withheld pursuant to Exemption 5 of the FOIA.

Exemption 5 (5 U.S.C. § 552(b)(5)) allows agencies the discretion to withhold "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." This exemption also protects the deliberative process.

In accordance with 13 CFR 102.8(h), we have not assessed charges in the processing of your appeal.

Be advised that you have exhausted your administrative remedies with regard to this appeal. You may pursue this matter in the United States District Court for the district in which you reside or have your principal place of business, or in the District of Columbia. In addition, as part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

page 2

Office of Government Information Services National Archives and Records Administration Room 2510, 8601 Adelphi Road College Park, MD 20740-6001 E-mail: ogis@nara.gov Facsimile: 301-837-0348 Telephone: 301-837-1996 Toll-free: 1-877-684-6448

Sincerely,

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Lisa J. Babcock Chief, Freedom of Information/ Privacy Acts Office

Enclosures



Department of Energy

Washington, DC 20585

AUG 1 8 2014

Re: Freedom of Information Act Request HQ-2014-00637-F

This is the Office of Inspector General (OIG) response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You asked for "a copy of any and all meeting minutes and agendas for meetings of CCIG – Council of Counsels to the Inspector General."

The OIG has completed the search of its files for documents responsive to your request. The search identified four documents which originated with the DOE OIG; however, the documents have been referred to the particular OIG in which the Council's Chair (or Chair at the time the document was created) serves. For this reason, the documents have been forwarded to:

- Document number 1 originated with the Board of Governors of the Federal Reserve System (FRB). The document has been forwarded to the FRB for a determination concerning its releasability. The FRB will respond directly to you concerning this document.
- Document number 2 originated with the Securities and Exchange Commission (SEC). The document has been forwarded to the SEC for a determination concerning its releasability. The SEC will respond directly to you concerning this document.
- Document number 3 originated with the Small Business Administration (SBA). The document has been forwarded to the SBA for a determination concerning its releasability. The SBA will respond directly to you concerning this document.
- Document number 4 originated with the National Reconnaissance Office (NRO). The document has been forwarded to the NRO for a determination concerning its releasability. The NRO will respond directly to you concerning this document.

If you have any questions about the processing of Documents 1-4, you may contact the following:

1. Freedom of Information Office, Board of Governors of the Federal Reserve System, 20th & Constitution Ave., NW, Washington, DC 20551, or on 202-452-3684;



- 2. Mr. John Livornese, FOIA Officer, SEC, 100 F St., NE, Washington, DC 20549, or on 202-551-7900;
- 3. SBA FOIA/PA Office/Requestor Service Center, 409 3rd St., SW, Washington, DC 20416, or on 202-401-8203; and
- 4. OCIO/Information Review and Release Group, NRO, 14675 Lee Rd., Chantilly, VA 20151, or fax 703-227-9198.

This decision may be appealed within 30 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to the Director, Office of Hearings and Appeals, HG-1/L'Enfant Plaza Building, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615.

Thereafter, judicial review will be available to you in the federal district court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where the Department's records are situated, or (4) in the District of Columbia.

Sincerely,

Virginia S/Grebasch Counsel to the Inspector General Office of Inspector General



Refer to: S9H: AM0083

September 19, 2014

This letter is in response to your February 14, 2014 Freedom of Information Act (FOIA) request to the Farm Credit Administration (FCA) for a copy of any and all meeting minutes and agendas for meetings of the Council of Counsels to the Inspector General (CCIG).

The FCA referred your request to the Social Security Administration (SSA) to respond to the documents that they believe originated at SSA.

You specifically requested CCIG meeting minutes limited to the FCA Office of the Inspector General and advisory staff held between January 1, 2006 and the present.

We located 25 pages responsive to your request. We are releasing all 25 pages. However, we have withheld information related to law enforcement techniques and procedures under FOIA Exemption 7(E) (5 U.S.C. § 552(b)(7)(E)). Exemption 7(E) exempts from mandatory disclosure records or information compiled for law enforcement purposes when production of such records "would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law."

We hope this information is helpful.

If you disagree with this decision, you may request a review. Mail your appeal within 30 days after you receive this letter to the Social Security Administration, Office of Privacy and Disclosure, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Mark the envelope "Freedom of Information Appeal."

Sincerely,

Dawn & Wiggins

Dawn S. Wiggins Freedom of Information Officer

Enclosure