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Description of document: US International Trade Commission (USITC) Inspector General (OIG) Investigations Closed 2018 and 2019

Requested date: 02-March-2020

Release date: 23-April-2020

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Source of document: Freedom of Information Act Request  
Secretary  
U.S. International Trade Commission  
500 E Street SW, Room 112A  
Washington, DC 20436  
Fax: 202-205-2104  
Email: [FOIA.SE.SE@usitc.gov](mailto:FOIA.SE.SE@usitc.gov)

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

March 30, 2020

Re: USITC Freedom of Information Act Request 20-18

This letter serves as the U.S. International Trade Commission’s (“USITC”) response to your Freedom of Information Act (FOIA) request, dated and received March 2, 2020, in which you requested “a copy of the listing of Inspector General investigations closed during calendar years 2018 and 2019” which you expect to include “at minimum the case number, the date opened and closed, the subject matter of the investigation and the investigation category.”

We have located documents responsive to your request. The documents pertaining to the request can be found at this link [https://usitc.gov/oig/semiannual\\_reports](https://usitc.gov/oig/semiannual_reports). Therefore, the disposition of your request is “full grant.”

You may contact our FOIA Public Liaison, Sharon Bellamy, for further assistance or to discuss any aspect of your request at: [sharon.bellamy@usitc.gov](mailto:sharon.bellamy@usitc.gov) or (202) 205-3258. You may also contact me at [Katherine.hiner@usitc.gov](mailto:Katherine.hiner@usitc.gov) or (202) 205-2606.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine M. Hiner".

Katherine M. Hiner  
Supervisory Attorney, Docket Services



UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

April 23, 2020

Re: USITC Freedom of Information Act Request 20-18

This letter serves as the U.S. International Trade Commission’s (“USITC”) supplemental response to your Freedom of Information Act (FOIA) request, dated and received March 2, 2020, in which you requested “a copy of the listing of Inspector General investigations closed during calendar years 2018 and 2019” which you expect to include “at minimum the case number, the date opened and closed, the subject matter of the investigation and the investigation category.”

On March 23, 2020, we transmitted our response to you that included a link to we believed was responsive to the information you described in your request. In a subsequent response from you that we received on March 30, 2020, you expressed concerns that we had not fully addressed your FOIA request. In an effort to fully respond to your FOIA request, we are including additional responsive information your request here:

<b>Date</b>	<b>Topic</b>	<b>Investigation No.</b>	<b>Closed</b>
11/6/2018	Conflict of Interest	OIG-19-101	3/19/2019
9/20/2018	Conflict of Interest	OIG-18-104	12/20/2018
10/16/2017	Conflict of Interest	OIG-18-103	2/13/2018

Please let us know if this additional information fully responds to your FOIA request so that we may close our records appropriately. If this does not fully respond to your FOIA request, please let us know and we will do all that we can to assist you.

You may contact our FOIA Public Liaison, Sharon Bellamy, for further assistance or to discuss any aspect of your request at: [sharon.bellamy@usitc.gov](mailto:sharon.bellamy@usitc.gov) or (202) 205-3258. You may also contact me at [Katherine.hiner@usitc.gov](mailto:Katherine.hiner@usitc.gov) or (202) 205-2606.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine M. Hiner". The signature is written in a cursive style with a large, stylized initial "K".

Katherine M. Hiner  
Supervisory Attorney, Docket Services

Enclosures

1. Attachments Closeout Memorandums 18-103, 18-104 and 19-101
2. Attachment (19 CFR 201.18)



United States International Trade Commission  
Office of the Inspector General

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## Closeout Memorandum

### **Allegation of Conflict of Interest**

**Semiannual Report: 10/1/18 - 3/31/19**

The Office of Inspector General received a referral alleging that a senior government official participated in a Commission investigation while owning a disqualifying interest in violation of federal laws and regulations. The matter was referred to the United States Attorney's Office which declined prosecution. Specifically, the Office of Inspector General sought to determine whether the senior government official participated in an official capacity in a matter which to his knowledge he had a financial interest. The Office of Inspector General reviewed the evidence and substantiated allegations that the senior government official violated conflict of interest laws and regulations when he participated in an investigation while owning a disqualifying financial interest.



United States International Trade Commission  
Office of the Inspector General

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## Closeout Memorandum

**Allegation of Conflict of Interest**

**Semiannual Report:  
11/1/17 - 3/31/18**

The Office of Inspector General received a referral alleging that a senior government official had purchased a financial interest in possible violation of federal law and Standards of Ethical Conduct Regulations. The matter was referred to the Department of Justice on November 13, 2017 and was declined for prosecution on November 20, 2017. Specifically, the Office of Inspector General sought to determine whether the senior government official participated in an official capacity in a matter which to his knowledge he had a financial interest. The Office of Inspector General found that the senior government employee violated conflict of interest laws by participating in an investigation in which he had a financial interest and was not otherwise exempt.



United States International Trade Commission  
Office of the Inspector General

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## Closeout Memorandum

**Allegation of Conflict of Interest**

**Semiannual Report:  
10/1/18 - 3/31/19**

The Office of Inspector General received a referral alleging that a senior government official owned a disqualifying financial interest while participating in a proceeding before the Commission. The matter was referred to the U.S. Attorney's Office on September 24, 2018, and they declined prosecution on the same day. The Office of Inspector General found that the senior government official violated federal conflict of interest laws and regulations by participating in a proceeding before the Commission while owning a disqualifying financial interest in a nonparty that marginally exceeded the exemption. The Report of Investigation was sent to the Executive Office of the President.

## **§201.18 Denial of requests, appeals from denial.**

(a) Written requests for inspection or copying of records shall be denied only by the Secretary or Acting Secretary, or, for records maintained by the Office of Inspector General, the Inspector General. A denial shall be in writing and shall provide information on the exemptions that justify withholding and the amount of information withheld. The denial also shall advise the person requesting of the right to appeal to the Commission.

(b) An appeal from a denial of a request must be received within ninety days of the date of the letter of denial and shall be made to the Commission and addressed to the Chairman, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. Any such appeal shall be in writing, and shall indicate clearly in the appeal, and if the appeal is in paper form on the envelope, that it is a "Freedom of Information Act Appeal." An appeal may be made either in paper form, or electronically by contacting the Commission at <https://www.usitc.gov/foia.htm>.

(c) Except when expedited treatment is requested and granted, appeals will be decided in the order in which they are filed, but in any case within twenty days (excepting Saturdays, Sundays, and legal holidays) unless an extension, noticed in writing with the reasons therefor, has been provided to the person making the request. Notice of the decision on appeal and the reasons therefor will be made promptly after a decision. Requests for expedited treatment should conform with the requirements in §201.17(c) of this part.

(d) The extensions of time mentioned in paragraph (c) of this section shall be made only for one or more of the following reasons:

- (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are requested in a single communication; or
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having a substantial subject-matter interest therein.

(e) The extensions of time mentioned in paragraph (c) of this section shall not exceed ten working days in the aggregate.

(f) A response to an appeal will advise the requester that the Commission's FOIA Public Liaison officer and the Office of Government Information Services both offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. The requester may contact the Commission's FOIA Public Liaison officer by telephone (202-205-2595) or email ([foia.se.se@usitc.gov](mailto:foia.se.se@usitc.gov)) or the Office of Government Information Services at National Archives and Records Administration, 8601 Adelphi Road—OGIS, College Park, Maryland 20740-6001.