

## **DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL**

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## DOJ OIG Releases Report on the FBI's National Security Undercover Operations

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the <u>release of a report</u> examining the Federal Bureau of Investigation's (FBI) management of its national security Undercover Operations (UCOs). A UCO is a series of related undercover activities by Undercover Employees (UCEs) or Online Covert Employees (OCEs) who, under alias, engage directly or indirectly in relationships or communications with predicated targets over an extended period, while concealing their FBI affiliation. The use of undercover techniques can be an effective and important investigative tool for counterterrorism, counterintelligence, and the investigation of cyber-based crimes. However, without robust management and oversight, UCOs may increase the risk to the safety and wellbeing of FBI personnel or to the operational security of ongoing investigations.

The DOJ Office of the Inspector General (OIG) found several areas for improvement in the FBI's management and oversight of its UCOs. The OIG's findings included the following:

- **Organization of Program Oversight**. The FBI section responsible for oversight of both criminal and national security UCOs is organizationally located within the Criminal Investigative Division. We found that this organizational placement causes a perception among FBI personnel that the section's expertise lies in criminal investigations, which can lead to problems with information sharing between national security components of the FBI and its UCO oversight section.
- Prioritizing Threats and Staffing UCOs. We found that the FBI has appropriately used its UCO
  resources to target its highest priority threats. However, we also found that, as of August 2019, less
  than 50 percent of certified undercover employees were actively working undercover for a variety of
  reasons including the voluntary nature of the work as well as a lack of support from local field office
  leadership.
- **Not all Undercover Activity is Tracked or Properly Managed**. We found that the FBI does not track all undercover activity which leads to an increased risk of compromising agents' safety and the integrity of other ongoing investigations.

- The Safeguard Unit's Expanded Mission Requirements. The FBI's Safeguard Unit preserves the safety, security and psychological well-being of personnel assigned to UCOs and other high-risk assignments. However, we found that the Safeguard Unit's mission has expanded to include other employees and programs without a corresponding increase in staffing, resulting in a decrease in efficiency and effectiveness, presenting a risk to the safety and well-being of the FBI personnel who require Safeguard's services.
- Undercover Coordinators Often Lack Important Qualifications. Undercover coordinators provide specialized assistance to UCO personnel in the field. The FBI's Office of Integrity and Compliance recommended minimum qualifications for these coordinators; however, we found that only a small percentage of undercover coordinators met those minimum qualifications.
- **Inadequate Training**. We found that prospective undercover employees go through a one-time selection and certification process, but once certified, they are not required to attend any advanced or refresher training after certification. We also found that training for undercover employees and online covert employees is not centrally managed, risking inconsistent training among all employees that work covertly.

The DOJ OIG made 10 recommendations to improve the operational security and management of the FBI's undercover operations. The FBI agreed with all 10 recommendations.

**Report:** Today's report can be found on the OIG's website at the following link: https://oig.justice.gov/reports/audit-federal-bureau-investigations-national-security-undercover-operations

**Video:** To accompany today's report, the OIG has released a 2-minute video of the Inspector General discussing the report's findings. The video and a downloadable transcript are available at the following link: <a href="https://oig.justice.gov/news/multimedia/video/message-inspector-general-audit-federal-bureau-investigations-national">https://oig.justice.gov/news/multimedia/video/message-inspector-general-audit-federal-bureau-investigations-national</a>

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