



Report in Brief

January 09, 2023

Background

The Bureau of Industry and Security (BIS) advances U.S. national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and promoting continued U.S. strategic technology leadership. BIS, led by the Under Secretary for Industry and Security, oversees the offices under Export Enforcement (EE), among others. EE supports the overall BIS mission through a law enforcement program focused on deterring proliferation of weapons of mass destruction and missile delivery systems, prohibited foreign boycotts, and diversion of dual-use goods to unauthorized military end-uses. EE works with the Department of Justice to impose criminal sanctions for violations and with BIS' Office of the Chief Counsel for Industry and Security (OCC-IS) to impose civil fines and denials of export privileges. EE consists of the Office of Antiboycott Compliance (OAC), the Office of Enforcement Analysis (OEA), and the Office of Export Enforcement (OEE).

Why We Did This Review

Our evaluation objectives were to determine (1) the mission, legal basis, and authority for such functions and whether relevant statutes and guidelines are satisfied, (2) whether the BIS law enforcement function developed plans and policies for oversight of their jurisdictions and offices and the extent to which oversight was provided within BIS, (3) whether training for the BIS' law enforcement officers is adequate and up-to-date, and (4) the extent to which the U.S. Department of Commerce (Department) provides oversight to ensure that BIS' law enforcement powers are properly exercised within jurisdictional limits.

BUREAU OF INDUSTRY AND SECURITY

Law Enforcement Oversight Policies and Procedures Need Improvement

OIG-23-008-I

WHAT WE FOUND

We found the following:

- I. BIS has the legal basis and authority for its law enforcement functions.
- II. Oversight policies and procedures need improvement.
- III. OEE has procedures to provide adequate training, but oversight of firearms qualifications and training needs improvement.
- IV. The Department provides oversight of BIS law enforcement functions.

WHAT WE RECOMMEND

We recommend that the Assistant Secretary for Export Enforcement do the following:

1. Ensure that written policies encompass all oversight activities performed.
2. Implement controls to ensure that completed inspections and self-assessment are reviewed for completeness and accuracy.
3. Require special agents to certify on an annual basis that they are not convicted of a misdemeanor crime of domestic violence.
4. Include Lautenberg Amendment requirements in the Special Agent Manual and as an area of review during annual field office self-assessments and inspections.
5. Implement policies and procedures to monitor and track firearm qualifications and training, which includes centralized monitoring by those responsible for ensuring compliance with requirements.
6. Revise policies and procedures to clearly identify authorized personally owned firearms that special agents can be permitted to use for official business.
7. Revise policies and procedures to include timely updates to firearms inventory to ensure firearms records are complete and accurate.