



UNITED STATES
INTERNATIONAL
TRADE COMMISSION

IG

USITC Office of the Inspector General
**Semiannual
Report**

October 1, 1999 - March 31, 2000

April 2000

STATUTORY AND ADMINISTRATIVE RESPONSIBILITIES

The Inspector General Act of 1978 (Public Law 95-452), as amended, sets forth specific requirements for semiannual reports to be made to the Chairman for transmittal to the Congress. A selection of other statutory and administrative reporting and enforcement responsibilities and authorities are listed below:

OIG AUDIT AND MANAGEMENT REVIEW

Public Law (P.L.) 97-255	Federal Managers' Financial Integrity Act
P.L. 97-365	Debt Collection Act of 1982
P.L. 101-576	Chief Financial Officers Act of 1990
P.L. 102-486	Energy Policy Act of 1992
P.L. 103-62	Government Performance and Results Act of 1993
P.L. 103-355	Federal Acquisition Streamlining Act of 1994
P.L. 103-356	Government Management Reform Act of 1994
P.L. 104-106	Information Technology Management Reform Act of 1996
P.L. 104-208	Federal Financial Management Improvement Act of 1996
General Accounting Office	Government Auditing Standards

CRIMINAL AND CIVIL INVESTIGATIVE AUTHORITIES

Title 5	United States Code, section 552a(4)
Title 18	United States Code, sections on crime and criminal procedures as they pertain to OIG's oversight of departmental programs and employee misconduct
Title 31	United States Code, section 3729 et seq., the False Claims Act



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, D.C. 20436

April 28, 2000

TO: THE COMMISSION AND THE UNITED STATES CONGRESS

I hereby submit this *Semiannual Report: October 1, 1999 - March 31, 2000*, which summarizes the major activities and accomplishments of the Office of Inspector General (OIG), U.S. International Trade Commission (Commission). The submission of this report is in accordance with the Inspector General Act of 1978, as amended (IG Act). Section 5 of the IG Act requires that the Chairman transmit this report to the appropriate committees or subcommittees of the Congress within 30 days of its receipt.

During this reporting period, our office completed two audits and two inspections of the Commission's programs and operations. The audits were *Review of the Commission's Budget Development and Allocation Processes With A Comparison to Five Selected Other Federal Agencies* and an *Audit of the USITC's Financial Statements for Fiscal Years 1998 and 1999*. The inspections were on the *Cost Benefit of Employee Transportation Subsidies* and the *Commission's Y2K Activities*. As a result, OIG has made several recommendations and suggestions to the Commission for program improvements. In addition, three audits which had outstanding recommendations were closed during this reporting period.

I appreciate the support of all Commission employees in achieving the accomplishments set forth in this report.

A handwritten signature in black ink, appearing to read "Dev Jagadesan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dev Jagadesan
Acting Inspector General

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COMMISSION'S TOP MANAGEMENT CHALLENGES

This section of the semiannual report has been added in response to findings presented in the GAO report "Views on Semiannual Reporting," GAO/AIMD-99-203 (August 1999). GAO found that congressional staff as well as management staff recommended that Inspectors General semiannual reports should place additional emphasis on identifying top management challenges and reporting on actions taken by agency management to implement Office of Inspector General (OIG) recommendations.

Outlined below are the "Top Five Management Challenges" facing the International Trade Commission (Commission) as identified by the OIG. Through audits, inspections and other assistance, the OIG has been proactively helping the Commission in addressing these challenges. OIG recent activities relating to each management challenge are summarized below.



1. Human Capital Management

Human capital is the agency's largest resource and its effective management provides a continuous challenge for the Commission. Because of the Commission's unique mission and functions, many external factors affect the Commission's workload. Additionally, the 1994 amendments to the antidumping and countervailing duty laws have progressively increased the Commission's workload starting in 1999. Adequately predicting and aligning human capital resources to address the Commission's workload provides a significant resource management challenge. Also, Federal government employment statistics indicate the federal government is heading towards a human capital crisis because of the significant number of federal employees becoming eligible for retirement and the difficulty in replacing employees in the competitive job market.

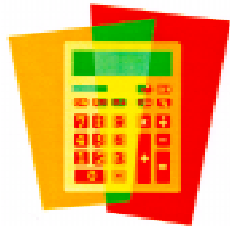
The OIG is analyzing existing data on the Commission's human capital. Information obtained from this analysis will form the basis for future reviews and provide assistance to the Commission in this area.



2. Performance Based Management

The Commission's initial steps in implementing performance based management have been successful. The Commission still faces the challenge of collecting accurate outcome data, measuring progress, and making programmatic changes. The Commission faces the need to align the budget formulation process with its strategic plan; attempts to integrate the two in the FY 2001 budget justification are encouraging. The Commission also needs to continue assessing how it can improve management effectiveness through greater automation and integration of its budget, procurement, asset management, and other financial management processes.

OIG has completed in this period an audit of the Commission's budget development and allocation process.



3. Financial Statements

The Commission faces a challenge of managing its financial resources consistent with the standards required for an unqualified financial statements audit opinion in light of existing and new federal requirements.

During this semiannual period, OIG completed its audit of the Commission's Financial Statements for Fiscal Years 1999 and 1998. OIG expressed the opinion that the financial statements present fairly, in all material respects, the balance sheets and statement of budgetary resources of the Commission as of September 30, 1998 and 1999, and the related statements of net cost, changes in net position, and financing for the year ended September 30, 1999, in conformity with generally accepted accounting principles.



4. Information Resources Management

Rapid changes in information technology present enormous opportunities for improving the Commission's business processes and its interaction with customers, and other agencies and Congressional interests that have international trade responsibilities. The Commission faces the challenge of efficiently managing information resources to capitalize on these opportunities. This requires that the Commission be able to anticipate and measure the benefits afforded by information technology solutions.

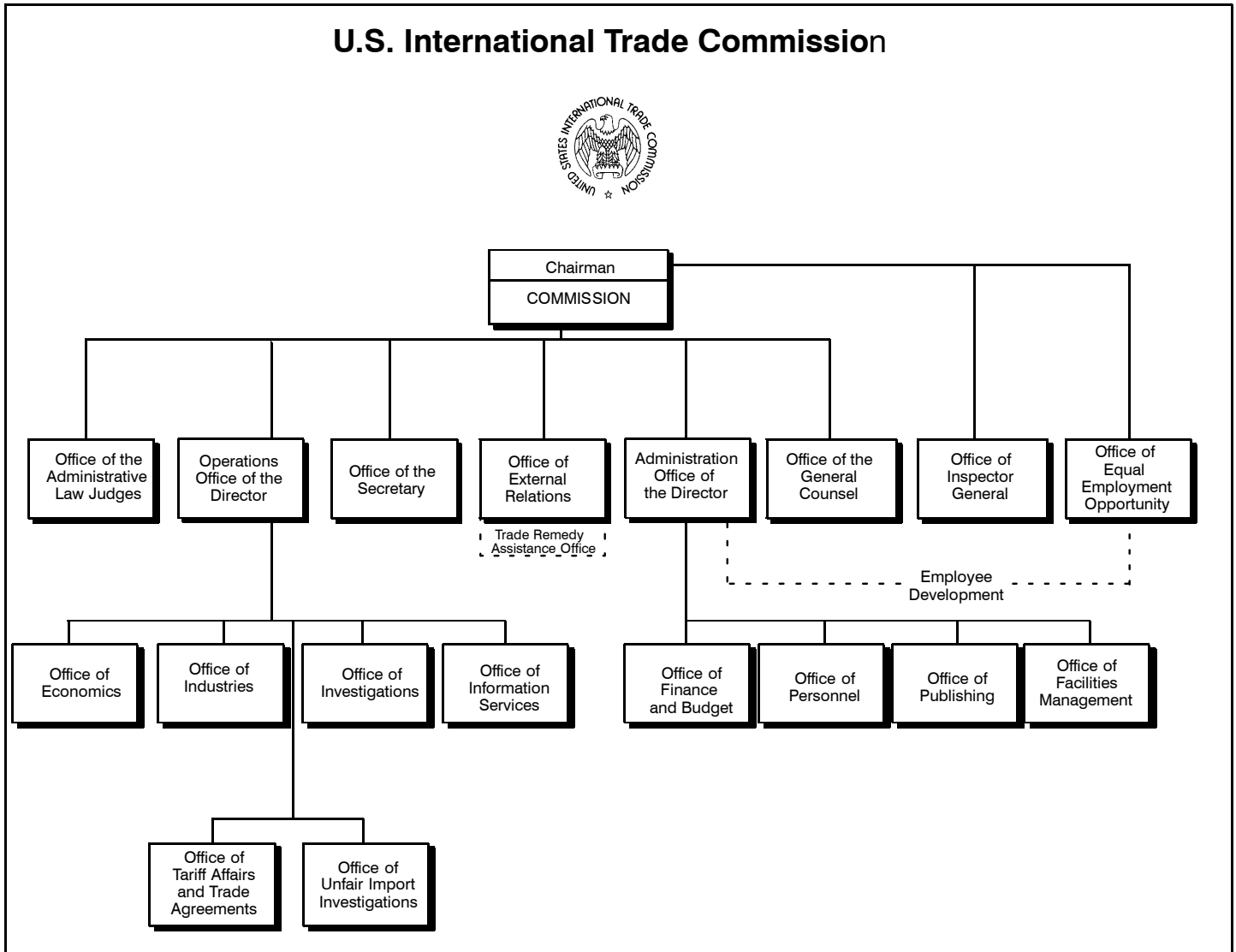
OIG is currently completing an audit in this area on the Commission's implementation of the Clinger-Cohen Act of 1996. The recommendations in this audit will be aimed at assisting the Commission in addressing this management challenge.



5. Information Security

Managing the security risks associated with the Commission's growing reliance on information technology is a continuing challenge. In particular, the Commission, like many federal agencies and private organizations, needs to find efficient ways to ensure that information security risks affecting Commission operations are fully understood and implement appropriate controls to mitigate these risks.

To this end, the OIG recently performed several inspections and is actively engaged in continuous review of this area.



Budget Committee

Authority: CO70-S-042, dated 5/16/95 and CO71-W-005, dated 1/27/99

Directives Review Committee

Authority: CO71-U-004, dated 7/11/97

Document Imaging Oversight Committee (DIOC)

Authority: Adm. Order 96-06, dated 3/15/96

Executive Resources Board (ERB)

Authority: Adm. Order 98-08, dated 8/13/98

Incentive Awards Committee (IAC)

Authority: Adm. Order 92-27, dated 7/2/92 and Adm. Order 97-02, dated 10/15/96

Information Resources Management Steering Committee (IRMSC)

Authority: Adm. Order 94-01, dated 10/12/93

Information Security Committee (INFOSEC)

Authority: Directive 1345.0, dated 7/31/90

Labor-Management Occupational Safety and Health Committee

Authority: Adm. Order 98-10, dated 9/16/98, Adm. Order 99-03, dated 2/5/99, and Adm. Order 99-08, dated 9/29/99

Labor-Management Partnership Council

Authority: Adm. Order 99-05, dated 3/25/99

Strategic Planning Committee (SPC)

Authority: Adm. Order 98-05, dated 3/5/98

COMMISSION PROFILE

<http://www.usitc.gov>

The Commission is an independent, quasi-judicial, nonpartisan Federal agency established by Congress with broad investigative powers on matters of trade. The mission of the Commission is twofold: administer U.S. trade remedy laws in a fair and objective manner; and provide the President, U.S. Trade Representative, and the Congress with independent, quality advice and information on matters of international trade and competitiveness. Major Commission activities include:

- Import Injury Investigations**—The Commission makes determinations in a variety of import injury investigations, primarily antidumping and countervailing duty (AD/CVD) investigations concerning the effects of unfairly traded imports on a U.S. industry.
- Intellectual Property-Based Investigations**—The Commission adjudicates complaints brought by domestic industries under section 337 of the Tariff Act of 1930 that allege infringement of U.S. intellectual property rights and other unfair methods of competition by imported goods.
- Research**—The Commission’s research program consists of its probable economic effects investigations under section 131 of the Tariff Act of 1930; analysis of trade and competitiveness issues under section 332; and role as a “think tank” on international trade, exploring and providing independent assessments on a wide range of emerging trade issues.
- Trade Information Services**—The Commission’s trade information services include such activities as trade remedy assistance; library services; legislative reports; maintenance of the Harmonized Tariff Schedule; Schedule XX; U.S. Schedule of Services Commitments under the General Agreement on Tariffs and Trade/World Trade Organization; preparation of U.S. submissions to the Integrated Database of the World Trade Organization; and certain other information gathering, processing, and dissemination activities.
- Trade Policy Support**—The Commission supports the formulation of U.S. trade policy, providing objective input to both the Executive Branch and the Congress on the basis of the distinctive expertise of its staff.

The Commission has six Commissioners, appointed by the President and confirmed by the Senate, who serve one term of nine years, unless appointed to fill an unexpired term. No more than three Commissioners may be of the same political party. The current Commissioners are Lynn M. Bragg, Marcia E. Miller, Jennifer A. Hillman, Stephen Koplan, Thelma J. Askey and Deanna Tanner Okun.

The Chairman and Vice Chairman are designated by the President and serve a two-year statutory term. The current Chairman and Vice Chairman respectively are Lynn M. Bragg and Marcia E. Miller whose terms expire on June 17, 2000. The Chairman is responsible, within statutory limits, for the administrative functions of the Commission.

During this period, there was a change in the composition of the Commission. Carol T. Crawford announced her resignation from the Commission effective January 3, 2000. Deanna Tanner Okun was nominated to the Commission by President Clinton on November 10, 1999, and confirmed by the U.S. Senate on November 19, 1999. Commissioner Okun was sworn in as a member of the Commission on January 3, 2000, for a term expiring on June 16, 2008.

In Fiscal Year (FY) 2000, the Commission had 47.2 million in available funds (\$44.5 million appropriation) and a staffing plan for 390.5 permanent positions and 30 term positions. All of its employees are located in one building at 500 E Street, SW, Washington, DC.



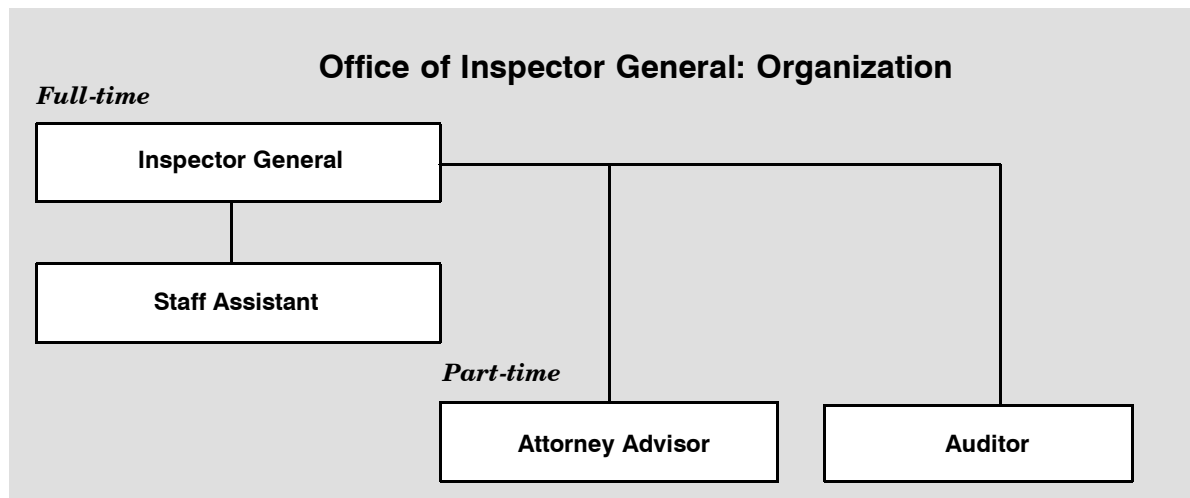
U.S. International Trade Commission

THE OFFICE OF INSPECTOR GENERAL

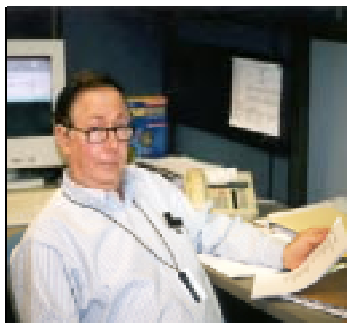
<http://www.usitc.gov/oig>

The Commission established the OIG pursuant to the 1988 amendments to the Inspector General Act. The Inspector General reports directly to the Chairman. The Inspector General is responsible for directing and carrying out audits, investigations, and inspections relating to Commission programs and operations. The Inspector General also comments and provides recommendations on proposed legislation, regulations, and procedures as to their economy, efficiency and effectiveness.

In FY 2000 the OIG was allocated 3.5 staff years. This provided for two full-time (Inspector General and a staff assistant) and two part-time (attorney-advisor and an auditor) positions.



The Commission also allocated \$75,000 for OIG audit and review services for FY 2000.



Harold E. Thompson joined the OIG staff as an auditor on September 26, 1999

AUDITS

Audit Report List

Two audit reports were issued during this period. They were:

- Review of the Commission's Budget Development and Allocation Processes With a Comparison to Five Selected Other Federal Agencies; and
- Audit of the USITC Financial Statements for Fiscal Years 1998 and 1999.

As of March 31, 2000, ongoing audits included:

- Review of the Commission's Information Resources Management Function;
- Evaluation of Personnel/Payroll and Financial Services Provided to the Commission by the Department of the Interior; and
- Evaluation of USITC Records Management.

Pending actions on three audit reports were completed and are presented on the following pages.

Summary of Significant Audits

- Review of the Commission's Budget Development and Allocation Processes With a Comparison to Five Selected Other Federal Agencies, OIG-AR-02-00 (February 29, 2000)
<http://www.usitc.gov/oig/OIG-AR-02-00.pdf>



The objective of this review was to compare the Commission's budget development and allocation processes with those of similar federal agencies and to identify areas for improving Commission processes. We found that the past budget development processes and practices appear to have served the Commission well in providing adequate funding. However, we found the loss of the entire staff of the Budget Division reinforces the need to prepare written budget policies and procedures. Additionally, we found that the accounting system has not met management's needs for information as to the costs of programs and projects, nor has the accounting data been accessible by managers in a manner which would encourage the use of the information. We found the accounting system is capable of meeting this requirement, but managers must work with the accounting staff to define and communicate their needs. Once changes are made to accumulate the desired data, management use of the data should be encouraged by making the data readily accessible.

To address our findings, we recommended that (1) written budget policies and procedures be prepared to ensure continuity in the event of personnel changes; (2) cost accounting needs be identified and accounting procedures modified accordingly to meet the managers' needs for timely, useful and complete accounting information; and (3) that procedures be established to download accounting data from the Department of Interior accounting system into a database at the Commission and make this data available to managers.

- Audit of USITC Financial Statements for Fiscal Years 1998 and 1999, OIG-AR-03-00 (March 24, 2000)
<http://www.usitc.gov/oig/OIG-AR-03-00.pdf>



Based on this audit, the Commission's financial statements were determined to present fairly, in all material respects, the balance sheets and statement of budgetary resources of the Commission as of September 30, 1998 and 1999, and the related statements of net cost, changes in net position, and financing for the year ended September 30, 1999, in conformity with generally accepted accounting principles. Only one material weakness in internal controls was noted in the audit. This was a need for improved controls over the recording of accounts receivable. Test results disclosed no instances of noncompliance with laws and regulations applicable to the Commission that would have a material effect on the financial statements.

We made three significant recommendations:

- Standardize the form and content of blanket purchase agreement call records and make them available on the local area network for read only access by contract specialist and finance personnel;
- Require the call records be reviewed by contract specialists on a regular basis to ensure compliance with FAR and terms of the blanket purchase agreements;
- Direct OFB to use call records as the basis for recording obligations for blanket purchase agreements and other indefinite delivery agreements upon implementing the previous two recommendations.

Audit Follow-Up

Pending actions on two audits were completed.

Audit of the USITC Financial Statements for Fiscal Years 1997 and 1998, Audit Report, OIG-AR-04-99 (March 31, 1999).

<http://www.usitc.gov/oig/OIG-AR-04-99.pdf>.

Management agreement was reached on March 31, 1999.

Based on our findings we made the following recommendations:

- Provide for both the Office of Finance and Budget and the Property Management Officer to record additions and deletions as they occur.
- Ensure that financial and inventory records of fixed assets are reconciled at least annually as required by USITC Directive 3550.3.
- Require an annual physical inventory of fixed assets.
- Ensure that accounts receivable are recorded for the amounts due to be collected.
- Periodically obtain and analyze security violation reports from DOI.
- Develop a contingency plan adequate to the risks associated with the financial and personnel systems of USITC.

All agreed upon actions were completed on October 4, 1999.

Evaluation of the Commission's Preparation for the Year 2000, Audit Report, OIG AR-03-99 (February 9, 1999). <http://www.usitc.gov/oig/OIG-AR-03-99.pdf> and Second Follow-up Review of Commission's Preparation for the Year 2000, Inspection Report, OIG-IR-01-00 (November 23, 1999). <http://www.usitc.gov/oig/OIG-IR-01-00.pdf> The recommendations of these reports dealt with the Commission's preparations of information technology systems for the Y2K date change. The Commission successfully implemented all of the OIG recommendations.

The Commission's systems faced no disruptions related to the Y2K date change.

Review of the Commission Methods Used to Compose Publications, Audit Report, OIG-AR-02-99 (December 24, 1998).

<http://www.usitc.gov/oig/OIG-AR-02-99.pdf>

Management agreement was reached on December 24, 1998. The Commission issued Directive 3201 on November 1, 1999, which implemented our most significant recommendations made pursuant to the findings of this Audit report.

INSPECTIONS

Inspection Report List

During this period two inspection reports were issued.

- Second Follow-up Review of Commission's Preparation for the Year 2000, Inspection Report No. OIG-IR-01-00 (November 23, 1999); and
- Cost Benefit Analysis of Employee Transportation Subsidies, Inspection Report No. OIG-IR-02-00 (December 16, 1999).

Summary of Significant Inspections

Cost Benefit Analysis of Employee Transportation Subsidies, Inspection Report OIG-IR-02-00 (December 16, 1999). <http://www.usitc.gov/oig/OIG-IR-02-00.pdf> The objective of this inspection was to define and evaluate alternatives for transportation subsidies that the Commission may consider implementing under current federal laws.

The OIG suggested that the Commission:

1. Modify the mass transit subsidy program to allow a pre-tax deduction transportation benefit up to the maximum allowable rate (presently \$65/mo) less any cash subsidy the Commission may elect to provide in the form of fare cards;
2. Establish a parking subsidy program to allow a pre-tax deduction transportation benefit for designated parking up to the maximum allowable rate (presently \$175/mo) less any cash subsidy the Commission may elect to provide; and
3. Designate qualified parking to be subsidized under suggestion 2 as:
 - a. Parking on or near a location from which an employee commutes to work via mass transit or a car pool
 - b. Car pool parking at or near the Commission

The Commission is actively engaged in negotiations with AFGE Local 2211 to effectively implement some of the suggestions contained in this Inspection Report.

INVESTIGATIONS

Summary of Investigative Activity

A summary of investigative activity is presented below.

Case Workload		Referrals Processed		Investigative Results	
Open (10/1/99)	0	Received	3	Referral for Prosecution	1
Initiated	1	Initiated Investigation	1	Referrals Declined for Prosecution	1
Closed	1	Referred to Commission	0	Administrative Action	0
Open 3/31/00	0	Evaluated but No Investigation Initiated	2		

During this reporting period, one case was initiated and closed. The closed case involved defacement of the Commission's Web Site and is described below.

Investigation of the Defacement of the Commission's Home Page

The OIG completed an investigation with the Federal Bureau of Investigation of two hacker attacks on the Commission's web site. A hacker exploited a security vulnerability in the Commission's web site and defaced the Commission's Home page. The hacker allegedly made similar attacks on at least nine other government web sites. Commission personnel were able to restore the Commission's Home page within minutes, and they subsequently installed a patch to address the security vulnerability. The case was referred to the U.S. Attorney, who declined to prosecute. The investigation was subsequently closed.

OTHER ACTIVITIES

Regulatory Review

The Inspector General Act, 5 U.S.C. App. 3, Section 4(a)(2), requires the OIG to review existing and proposed legislation and regulations and to make recommendations concerning the impact of such legislation or regulations on the economy and efficiency of programs and operations administered by the Commission.

OIG evaluates the impact that new or revised procedures will have on the economy and efficiency of programs and operations. OIG reviewed and commented on several draft internal directives. The Commission issued Directives on mission and functions statements for the Offices of Administration, Facilities Management, and Publishing, alternative dispute resolution, guidelines for composing and publishing U.S. International Trade Commission publications, and initiation and publication of staff research.

General Accounting Office (GAO)

The Inspector General Act states that each Inspector General shall give particular regard to the activities of the Comptroller General of the United States with a view toward avoiding duplication and ensuring effective coordination and cooperation.

During this period, GAO issued a report entitled “Strategy Needed to Better Monitor and Enforce Trade Agreements” (GAO-NSIAD-00-76), March 2000. The Commission was mentioned in this report because it participates in Federal trade agreement monitoring and enforcement efforts. The report included no specific recommendations to the Commission. The main recommendation of this report was that the U.S. Trade Representative, the Secretary of Commerce, and the Secretary of Agriculture, in consultation with other relevant agencies, develop a strategy for how the U.S. Government will manage its growing trade agreement monitoring and enforcement workload.

Liaison Activities

The Acting Inspector General is an active member of the Inspector General community. He is a member of the Executive Council on Integrity and Efficiency (ECIE), which consists primarily of the Inspectors General at the 34 designated federal entities. He also participates in activities sponsored by the President's Council on Integrity and Efficiency (PCIE), which consists primarily of the Presidentially-appointed Inspectors General. The ECIE and PCIE have identical functions and responsibilities to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs.



REPORTING REQUIREMENTS INDEX

The Inspector General Act of 1978, as amended (1988), specifies reporting requirements for semiannual reports.

CITATION	REPORTING REQUIREMENTS	PAGE
Section 4(a)(2)	Recommendations concerning the impact of such legislation or regulations on the economy and efficiency in the administration of programs and operations administered or financed by the Commission	14
Section 5(a)(1)	Description of significant problems, abuses, and deficiencies relating to the administration of programs and operations	None
Section 5(a)(2)	Description of the recommendations for corrective action made with respect to significant problems, abuses, or deficiencies	8-12
Section 5(a)(3)	Identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed	None
Section 5(a)(4)	Summary of matters referred to prosecutive authorities and the prosecutions and convictions which have resulted	13
Section 5(a)(5)	Summary of each report made to the head of the establishment under which information or assistance was unreasonably refused	None
Section 5(a)(6)	Listing of each audit report	8-10
Section 5(a)(7)	Summary of each significant report	8-12
Section 5(a)(8)	Statistical tables showing Audit Reports-Questioned Costs	17
Section 5(a)(9)	Statistical tables showing Audit Reports-Funds Put to Better Use	18
Section 5(a)(10)	Summary of each audit report issued before the commencement of the reporting period for which no management decision has been made by the end of the reporting period	None
Section 5(a)(11)	Description and explanation of the reasons for any significant revised management decisions	None
Section 5(a)(12)	Information concerning any significant management decision with which the Inspector General is in disagreement	None

Table 1
REPORTS WITH QUESTIONED COSTS

	Number of Reports	Dollar Value	
		Questioned Costs	Unsupported Costs
A. For which no management decision has been made by the commencement of the period	0	0	0
B. Which were issued during the reporting period	0	0	0
Subtotals (A+B)	0	0	0
C. For which a management decision was made during the reporting period	0	0	0
(i) Dollar value of disallowed costs	0	0	0
(ii) Dollar value of costs not disallowed	0	0	0
D. For which no management decision has been made by the end of the reporting period	0	0	0
E. Reports for which no management decision was made within six months of issuance	0	0	0

Table 2
REPORTS WITH RECOMMENDATIONS THAT
FUNDS BE PUT TO BETTER USE

	Number of Reports	Dollar Value
A. For which no management decision has been made by the commencement of the period	0	0
B. Which were issued during the reporting period	0	0
Subtotals (A+B)	0	0
C. For which a management decision was made during the reporting period	0	0
(i) Dollar value of recommendations that were agreed to by management	0	0
(ii) Dollar value of recommendations that were not agreed to by management	0	0
D. For which no management decision has been made by the end of the reporting period	0	0
E. Reports for which no management decision was made within six months of issuance	0	0

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