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United States Department of State
and the Broadcasting Board of Governors
Office of Inspector General

Report of Inspection

Embassy Kuala Lumpur,
Malaysia

Report Number ISP-I-05-19A, July 2005

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TABLE OF CONTENTS

KEY JUDGMENTS	1
CONTEXT	3
EXECUTIVE DIRECTION	5
Leadership	5
Country Team and Interagency Relations	6
The Mission Performance Plan Process	7
Management Attention to Security and Emergency Preparedness	7
Attention to Public Diplomacy	8
Support of Equal Employment Opportunity Objectives	8
Morale Issues	8
Entry-Level Officer Program	9
Rightsizing	9
POLICY AND PROGRAM IMPLEMENTATION	11
Public Diplomacy	11
Political Affairs	17
Economic Affairs	20
Consular Affairs	23
RESOURCE MANAGEMENT	31
OVERVIEW	33
Human Resources Management	33
General Services	38
Financial Management	42
Health Unit	44
Information Management and Information Security	44
QUALITY OF LIFE	47
Reciprocity	47
Employee Association	48
Community Liaison Office Coordinator	48
Overseas School	49

MANAGEMENT CONTROLS	51
Human Resources	51
General Services	51
FORMAL RECOMMENDATIONS	53
INFORMAL RECOMMENDATIONS	55
PRINCIPAL OFFICIALS	67
ABBREVIATIONS	69

KEY JUDGMENTS

- Both the Government of Malaysia and the leadership of the embassy are undergoing transition. The Ambassador has not been at the mission long enough for the Office of Inspector General (OIG) to gauge performance. Nevertheless, the embassy staff praises his intellectual skills and desire to enhance public diplomacy efforts. Overall, the post performs well considering the complexity of issues and challenges of the local political environment.
- OIG noted the enthusiastic and mission-wide embrace of public diplomacy opportunities and encouraged the front office and the public affairs officer (PAO) to translate this energy into balanced long-range mutual understanding programs for special audiences among younger, wider, and deeper groups such as Malaysian students who represent large youth Islamic groups.
- Embassy Kuala Lumpur is a medium-sized, well-funded embassy that is very ably conducting its mission.
- The embassy has been effective in its policy advocacy despite a less than favorable political environment.
- Embassy leadership should devote the same supervisory interest, attention, and effort to management concerns as it has so effectively demonstrated in its policy leadership.
- The embassy has shown the highest level of commitment to protecting U.S. economic interests and promoting U.S. exports.
- The embassy has enlarged its consular space in order to adapt its consular operations to the changed post-September 11, 2001, requirements for border security. The need for a four person Department of Homeland Security (DHS) Visa Security Unit in view of the makeup of visa applicants in Malaysia should be reexamined and a smaller DHS presence considered.
- The lack of a permanently assigned human resources (HR) officer is the most significant detriment to achieving higher levels of satisfaction with the quality of the work environment. This affects not only the management section, but also the entire mission. Foreign Service nationals (FSNs) have felt the absence of a neutral and knowledgeable advocate for proper employment practices most keenly. Post needs to revise the FSN handbook and to conduct training sessions.

- The Bi-National Agreement on educational exchanges establishing the Fulbright Commission in Malaysia requires revision to make its operating board of directors more effective.
- The Ambassador and deputy chief of mission (DCM) established an internal inspection compliance mechanism after OIG's departure.

The inspection took place in Washington, DC, between January 6 and January 28, 2005, and in Kuala Lumpur, Malaysia, between February 25 and March 17, 2005. Ambassador Eileen A. Malloy (team leader), James Dandridge (deputy team leader), Anthony Carbone, Bohdan Dmytrewycz, Richard English, Ruth McIlwain, Kristine McMinn, Maria Philip, and Janis Scorpio conducted the inspection.

CONTEXT



Malaysia is a multi-racial country of 25 million people occupying the southern tip of mainland Southeast Asia and the northern third of the island of Borneo. Muslim Malays make up slightly more than half of the population, with ethnic Chinese, Indians, and indigenous people in Borneo comprising the remainder. Malaysia is a constitutional monarchy with an elected federal parliamentary government in which Islam is, by law,

the dominant religion. A coalition of primarily race-based parties led by the United Malays National Organization has ruled the country continuously since independence in 1957.

Malaysia is an advanced developing country with an annual per capita gross domestic product of about \$4,000. The economy was expected to grow by seven percent in 2004, thanks to strong demand from major export markets, and is forecast to grow around six percent in 2005. Malaysia is a producer of petroleum and natural gas and has a sophisticated manufacturing sector based on significant investment by American and other foreign electronic companies. Exports are vital to the economy, and total trade equals 182 percent of annual gross domestic product. Malaysia is the United States' 10th-largest two-way trading partner, Malaysia's largest export destination, and largest source of foreign direct investment.

Malaysia entered a transition period in October 2003 with the retirement of Prime Minister Mahathir Mohamad after 22 years in power. His successor, Abdullah Badawi, quickly adopted a less combative tone in dealing both with the United States and with domestic political issues centered on the role of Islam in Malaysian society. Abdullah consolidated his political standing with a landslide defeat of the Islamic opposition in March 2004 elections by speaking out on behalf of moderate Islam and offering an attractive alternative to religious extremism.

However, some of the issues atop his political agenda — particularly anticorruption — were dealt a blow in September 2004 internal United Malays National Organization elections in which Abdullah's supporters fared badly.

While a noticeable change in style at the top came with Abdullah's ascent, substantive change in government policies and attitudes toward the United States has been much slower. Widespread and vehement Malaysian opposition to many U.S. actions since September 11, 2001, has translated into continuing Malaysian reluctance to cooperate openly with the United States in a variety of areas, as well as a tendency by the government in its public statements, to minimize the many common interests between our two countries. Malaysia became chair of both the Non-Aligned Movement and the Organization of the Islamic Conference in 2003. In those capacities, the government has sought to promote Prime Minister Abdullah's vision of a more moderate, modern Islam, while at the same time frequently leading international opposition to U.S. policies in areas such as Iraq, Israel/Palestine, and nonproliferation. Malaysia also will assume the chair of the Association of Southeast Asian Nations in 2005, where it is expected to push for greater economic and political integration with other East Asian countries, in particular China, Japan, and Korea.

EXECUTIVE DIRECTION

LEADERSHIP

The Ambassador has been at post for too short a period for OIG to assess his performance, but staff members uniformly praise his keen intellectual skills and his desire to enhance the mission's public diplomacy efforts. Some staff members expressed concern that both the Ambassador and the DCM focus most of their efforts on their substantive responsibilities leaving neither of them with clear responsibility for vital management responsibilities. OIG discussed this with the Ambassador and provided him with suggestions for ways in which he and the new DCM, arriving in the summer of 2005, could apportion these responsibilities between the two positions.

This is a mission in a leadership transition in a country undergoing a leadership transition. The mission is run by a newly arrived first-time Ambassador and a DCM who is completing his third year at post. The new Ambassador has not yet had a chance to complete his study of the post's operating units, and he is still making modifications to the post's internal communication mechanisms. At present the Ambassador and DCM start each working day with some form of a country team meeting, either an expanded version or a smaller core version lasting about one hour. Once this transition period is over, and the Ambassador adapts the internal mission information flow to suit his preferences, it is hoped that core country team members can cut back on the amount of time spent each day in internal meetings. The new front office team has not yet firmed up a reliable and efficient method of transmitting tasks to staff members, and the top down information flow is occasionally spotty leading to last minute taskings for briefing material.

The DCM led the mission through a difficult transition period that was initially expected to be three to four months in duration but which eventually stretched out to seven. The embassy performed well during this period, meeting or exceeding all of its goals and objectives, and producing high quality substantive reporting on issues of great interest to Washington readers such as counterterrorism and nonproliferation. During this same period the chargé fought off efforts by the Malaysian

government to impose price controls on optical disks (a key U.S. export into the Malaysian market), convinced the Health Minister to withdraw regulations that would have cost U.S. drug companies \$13 million dollars, and lobbied five Cabinet Ministers on behalf of a U.S. aerospace consortium seeking to provide the engines for a Malaysian Airways purchase of A-380's. The chargé was reluctant to make major decisions prior to the arrival of the new Chief of Mission (COM) nor did he feel comfortable making substantial changes to the embassy's operating structure during his temporary stewardship of the mission.

In addition to the normal transition challenges that occur with the arrival of each new COM, in 2004 the Malaysian people elected a new leader - one who is prepared to construct a positive and collegial bilateral relationship with the United States. This opened up a wide range of opportunities for bilateral and multilateral cooperation on such key issues as regional security and counterterrorism. The DCM began the process of adapting the mission's resources to take full advantage of these new opportunities such as a new desire on the part of U.S. business for the mission to conduct commercial advocacy on behalf of pending export sales. The Ambassador has turned his attention to the new public diplomacy opportunities afforded by this change in Malaysian leadership, and he is challenging the country team to develop new and more effective mechanisms to disseminate the U.S. government's message to younger and broader Malaysian audiences.

Within two weeks after departure from the embassy, OIG received a matrix which showed positive front office responsiveness towards compliance with 19 of the 53 OIG informal recommendations in this report.

COUNTRY TEAM AND INTERAGENCY RELATIONS

Relations between country team members are excellent, and there is a good flow of information from the country team to the front office and also laterally among country team members. The DCM chairs monthly combined visas viper/Law Enforcement Working Group (LEWG) meetings where all law enforcement agencies at post and other key agencies/departments exchange information and develop strategies for achieving mission goals and objectives related to law enforcement. The DCM also chairs a monthly counterterrorism group. Each of the heads of agency at post reported that internal cooperation and dissemination of threat information were excellent across the board.

THE MISSION PERFORMANCE PLAN PROCESS

A review of the embassy's Mission Performance Plan (MPP) showed that the embassy has done a good job of identifying its key goals and priorities. Once the mission isolated its key goals, however, it did not conduct an internal examination/justification of existing Department of State (Department) and other agency programs and positions as instructed by the Department in CY 2004 STATE 272246. The proposed new programs outlined in the goal papers, and the new resources needed to carry out those programs, were added on top of the existing base with no discussion of a rightsizing review process to clarify whether existing programs should be continued in light of the revised goals and objectives. Another way to strengthen the MPP and reach important MPP goals would be to revise some individual goal papers such as Active Anti-Terrorist Coalitions, to include the work that could be done by the Public Affairs and Consular sections. Finally, the MPP does not fully document the resource impact of proposed expansions by other agencies, in particular, the proposed DHS programmatic activities in Malaysia.

MANAGEMENT ATTENTION TO SECURITY AND EMERGENCY PREPAREDNESS

Both the Ambassador and the DCM provide strong support to the security program at the embassy. The regional security officer (RSO) is appreciative of the support, both in word and in action, provided by embassy management. The Ambassador and the DCM set a good example in their personal behavior. They encourage staff members to comply with security procedures, and they ensure that the mission community is well briefed on potential threats. The Ambassador makes a point of attending Marine security guard social events, and the DCM has hosted the entire detachment at his residence for dinner.

The DCM relies totally on the RSO for management of the embassy's security program. While the overall security program is effective and physical security projects are well managed, as mentioned in the separate security report, internal management controls should be periodically tested by the DCM himself. OIG left an informal recommendation for enhancement of oversight of the security program by the DCM.

ATTENTION TO PUBLIC DIPLOMACY

The COM is a public diplomacy activist, and early on he set the stage for mission-wide public diplomacy programs. Public diplomacy is listed as one of the three top priorities in accomplishing the MPP goals. The DCM ensured that public diplomacy outreach speaking opportunities rank high on the work requirements of all of his rated officers. The Ambassador seeks to include media opportunities in all dimensions of the mission's programs. OIG noted the enthusiastic mission-wide embrace of media opportunities and encouraged the front office and the PAO to translate this energy into balanced long-range mutual understanding programs targeted at special audiences among younger, wider, and deeper groups such as Malaysian students who represent large youth Islamic groups.

SUPPORT OF EQUAL EMPLOYMENT OPPORTUNITY OBJECTIVES

The Ambassador is supportive of the U.S. government's equal employment opportunity (EEO) objectives. He works equally well with mission staff members of all races, sexes, and religious backgrounds. The mission is staffed with an array of locally hired employees of various ethnic groups ranging from Chinese, to Indians, to Malays, to expatriate Americans. It will be necessary for embassy management to conduct outreach to these local hires to ensure that the FSNs fully understand the goals and objectives of equal opportunity and are aware of their rights in this connection. This is covered in greater detail in the HR section.

MORALE ISSUES

Kuala Lumpur is generally a high morale post. Positions within the embassy attract a large number of bidders, and embassy management has a healthy pool from which to pick the best officers and specialists. Officers are attracted by the quality of education, family-friendly environment, the climate, and the interesting cultural opportunities afforded by Kuala Lumpur. The community liaison office (CLO) coordinator has made major contributions to embassy morale through her initiative to seek out bidders on mission positions and establishing early preassignment contact. She is often the first knowledgeable person with whom newly assigned personnel meet.

ENTRY-LEVEL OFFICER PROGRAM

The DCM has prime responsibility for the mission's program to train and mentor entry-level officers. He hosts occasional brown bag sessions to give these officers a chance to discuss their concerns, ensures that their rating officers conduct mandatory counseling sessions, and encourages the officers to perform extra-curricular public diplomacy activities for which they are given due credit in their evaluation reports. Entry-level officers are assigned as note takers and control officers for senior visitors and provided guidance and training in the art of cable drafting. In 2003, the DCM expanded this program to include sessions with the embassy's untenured specialists. The entry-level officers at post reported general satisfaction with the mentoring they have been provided, but at the same time said that they did not really understand the protocol of when they could or should speak with the DCM about their concerns, feeling that to do so would possibly be viewed as disloyal by their immediate supervisors. OIG encouraged the entry-level officers to be more assertive in expressing any concerns they might have to the DCM. Further, OIG suggested that they ask him to organize a session specifically to discuss his role as coordinator of the embassy's entry-level officer program.

RIGHTSIZING

Embassy management is to be particularly commended for their efforts to maximize the utility of the NSDD 38¹ process in order to perform the COM's mandate to ensure that all U.S. direct-hire positions overseas be adequately justified and appropriately funded. For example, the embassy's response to a request from DHS's Visa Security Program to establish three new American positions in Kuala Lumpur acknowledged the national security significance of the work DHS proposed to do in Kuala Lumpur, provided DHS with permission to send a temporary duty employee to begin this important work, but at the same time, also asked DHS to provide more information on the specific functions the three permanent employees would perform before the COM would give permission for these new positions. The response also provided information on the space restrictions at the embassy and outlined funding that would be required to establish any such permanent positions. The embassy sent another equally commendable response to DHS on

¹ National Security Decision Directive 38, Staffing at Diplomatic Missions and Their Constituent Posts, issued on June 2, 1982, assigns ambassadors the authority and responsibility to determine the appropriate size, composition, and mandate of all staffing operating under their authority.

the request to add new positions in connection with the container security initiative. In this case, the embassy approved almost all of the requested positions but stipulated that DHS base one direct-hire position at the chancery (the others would be at Malaysian seaports at some distance from the capital city) to perform the role of DHS attaché coordinating all DHS activities within Malaysia.

POLICY AND PROGRAM IMPLEMENTATION

PUBLIC DIPLOMACY²

Embassy Kuala Lumpur has recognized the importance of addressing public opinion concerns about American foreign policy during a period of time marked by Malaysian government changes and the presence of U.S. military in adjoining regions. Public diplomacy has been effectively integrated into the day-to-day mission-wide programs to counter inflammatory arguments against “U.S. presence” in adjacent regions and to reinforce meaningful exchanges with evolving younger, wider, and deeper audiences. The public affairs section is led by an experienced public affairs officer supported by an information officer and a cultural affairs officer. The section has 13 FSNs and a budget of nearly \$704,000.

Planning Assessment and Coordination

The public affairs section has been a full player in the MPP processes and has complemented the process through the preparation of annual information analysis reports, an annual international visitor slate, and coordinated annual Bureau of Intelligence and Research public opinion polling. The latter provided valuable assistance to the mission’s efforts to quantify results of public diplomacy activities. Nevertheless, there are several instances in the MPP where public diplomacy resources should have been noted in support of strategic goals. OIG informally recommended that the MPP be reviewed to include public diplomacy throughout the performance goals. Although public diplomacy programs have been heavily skewed toward policy advocacy and media operations, the public affairs section is moving toward more focused mutual understanding programs, which are discussed later in this report. These programs are addressed to young Malay audiences, which

² In this report, public diplomacy refers to the function of engaging, informing, and influencing key public international audiences. The public affairs section at an embassy directs public diplomacy.

appear to be receptive to gaining more information about the United States, its culture and society. OIG discussed additional measures to gauge and develop trend analysis of public opinion toward priority MPP goals. OIG informally recommended that the public affairs section identify a reliable local attitude survey organization that could accept three or four questions to be attached to omnibus public opinion surveys on a recurring basis. Such a project should be of minimal cost for the long-range results of developing trend analysis of attitude change on relevant U.S. foreign policy issues.

Coordination of public diplomacy programs at embassy Kuala Lumpur exceeds the normal requirements. The PAO meets daily with the Ambassador, DCM, political counselor, and the economic counselor. He coordinates regularly with the management counselor, RSO, and representatives of other agencies. The level of interaction and coordination has resulted in the establishment of an embassy outreach bureau that integrates mission-wide public diplomacy in support of MPP goals.

The public affairs section converted the distribution record system from the cumbersome Paradox 7 distribution record system to the limited Microsoft contact database management system. This system serves the mission's protocol responsibilities well for the production of mailing lists and is quite handy for large events such as July 4th programs. Nevertheless, its utility for mission-wide program support where extended contact history is required along with other data input (graphic data included) is extremely limited. The Department has listed and rated several contact database management information systems in its eDiplomacy office. OIG discussed the proven use of those systems that were used by other posts where mission-wide application was extended to include biographical files maintained by the political section. OIG noted that most posts attain better mission-wide utility by maintaining the system in the information resource center.

Although there are no constituent posts, the public affairs section participates in the Bureau of East Asian and Pacific Affairs' senior partner post program for Embassy Bandar Seri Begawan. Additionally, Embassy Kuala Lumpur's public affairs section has provided requested advisory service to Embassy Bandar Seri Begawan. OIG discussed a more proactive support role to the sole Embassy Bandar Seri Begawan public diplomacy FSN. This is of special note in the anticipated upturn in public diplomacy programs at this neighboring mission.

Information and Advocacy

Changing domestic political realities and American presence in adjacent regions have provided the fuel for serious anti-American public reactions in Malaysia. The new COM has taken these challenges as opportunities to expand foreign policy advocacy through a proactive public affairs information section. “This is a media activist ambassador,” a sentiment often expressed by the section to OIG. As a result of the positive approach that the COM has taken to looking for media connections for every embassy program, the mission has enjoyed successes in getting America’s message to the public through what has been considered by some as a “controlled” media community.

The information officer prepared the section’s annual informational analysis that has been of value to the preparation of a realistic MPP and the development of ways to establish dialogue and credibility with the Malaysian media community. As mentioned earlier, OIG discussed additional cost-effective initiatives to complement the Bureau of Intelligence and Research’s public opinion surveys through the use of omnibus attitude surveys with a local reputable attitude/public opinion survey institution.

The daily Washington File is the primary source of materials the public affairs section provides for outreach and background to the media community as well as to selected contacts. The section also makes meaningful periodic media reaction reports to Washington. The embassy MPP has listed the need for additional staff to conduct a Malay-language publishing program. OIG supports this initiative in view of the critical audiences that are of U.S. global interest in Malaysia and the region. OIG discussed several options to pursue this important mission initiative. Among them are a realignment of current staff, contracted services, and a Department supported regional based translator/editor.

Cultural Programming and Exchanges

Cultural programming takes into consideration geographical balance and addresses U.S. mutual understanding goals among the ethnically diverse Malaysian population. Much of this is accomplished through the adaptation and modification of the Department’s “American Corners” program, the Lincoln Corners, as discussed below. The Lincoln Corners are mentioned here because they also serve as platforms to otherwise inaccessible audiences that are important for MPP goals and longer-ranged mutual understanding programs. OIG discussed the need to inject

the same mission-wide energy in balanced long-range mutual understanding programs in line with the Department's focus on outreach to younger, broader, and deeper audiences with particular emphasis to Muslim audiences. Opportunities exist through individual academic and professional exchange programs along with special projects. It was determined that the Bureau of Educational and Cultural Affairs has provided support and always responds promptly to the mission's requests.

The exchange programs listed in the MPP are on target. Nevertheless, by their own admission, evaluation and reports on all exchange programs could be done in a timelier manner. OIG reiterated this with the section.

There is an active international visitor committee chaired by the DCM. There is representation from most of the mission elements, but the committee does not normally vet other U.S. government-sponsored participants. OIG discussed the importance of vetting all U.S. government sponsored travel invitees to preclude shutting a participant out of an opportunity for a more appropriate program. This is particularly important in view of the five-year cap to eligibility to participate in a U.S. government-hosted travel program. This informal recommendation was agreed upon with the DCM.

The mission English language program activities have been limited. Nevertheless, the mission participates in a pilot English teaching assistant program that has much outreach potential to the MPP's special audiences.

Outreach and American Lincoln Corners

In Malaysia, the modified Department's American Corners program is the American Lincoln Corners program as mentioned above. These are mission-supported institutions collocated with five state libraries across the country with a sixth scheduled to come online in the current program year.

The public affairs section received supplemental funds from the Bureau of East Asian and Pacific Affairs to purchase books for these programs in addition to the initial donation from the now converted American Lincoln Library in the mission. Although the section cleared the majority of its library volumes for donation to these programs, there are several shelves of volumes, reference material, and subscriptions in the space of the old library for walk-in contacts. OIG noted the rare use of these materials and space due to internal mission security constraints.

This space could be better used for other mission requirements, and the subscriptions and reference materials could be replaced with online reference services in a reconfigured information resource center located in a smaller open space adjacent to the section's offices.

Recommendation 1: Embassy Kuala Lumpur should close the Lincoln Resource Center in the chancery and convert it to a smaller information resource center with online reference, outreach, and research service. The embassy should use the space for other requirements. (Action: Embassy Kuala Lumpur)

Fulbright Commission

The Fulbright Commission has undergone personnel and budget trauma but is on the path of healthy recovery due to the efforts of a capable executive director, reconstituted professional staff, and support from the mission and the Department's Bureau of Educational and Cultural Affairs. The commission was established in January 28, 1963, and has been operating under the publicly known name of Malaysian-American Commission on Educational Exchange (MACEE). It has been recognized not for educational exchange in the purest sense but as an educational advisory and testing institution. For most of its existence, it depended largely on these services as its source of revenue outside of the sizable U.S. government grant, which now stands at approximately \$550,000 per annum. The Malaysian government grant has been approximately ten percent of the U.S. grant. The outside income based on advisory and testing services has dried up in recent years due to the drop in Malaysian student attendance at U.S. schools and the switch to commercial based computerized testing. There has been some recovery, but this experience has taught the commission that it should change its image and operational focus to educational exchange and become known as such throughout the country. OIG discussed this at length with the executive director and the chairman of the commission board, the PAO. OIG also discussed initiatives involving increased corporate sponsorship along with a cooperative arrangement with the government of Malaysia on administering state scholarships.

OIG noted that there is no active board of directors due to the tardiness of the Malaysian government to appoint the Malaysian members. Article V of the 1963 Bi-National Agreement stipulates that each party (government) would appoint five members whose term of appointment expires on December 31 of the year following the appointment. Although they may be reappointed up to a maximum of six

years, the Malaysian government has held to the practice of one-year appointments. When the Malaysian government is late with its annual appointments, as was the case during the inspection, the board ceases to exist due to the lack of a quorum. OIG noted that such an appointment practice guarantees recurrent failure of governance in the absence of a mechanism to provide for longer and staggered appointments. OIG also noted that the membership number of ten members, five from each country, does not provide sufficient flexibility for a quorum for the board meetings. The Malaysian government has recently turned the responsibility for the commission over to the Ministry of Higher Education. This provides an opportunity to review and update the 42-year old 1963 Bi-National Agreement and to implement changes for more efficient uninterrupted operations of MACEE.

Recommendation 2: Embassy Kuala Lumpur, in coordination with the Bureau of Educational and Cultural Affairs, should request that the Government of Malaysia join the U.S. government to review and update the 1963 Bi-National Agreement establishing the Malaysian-American Commission on Educational Exchange to ensure uninterrupted operation of the board of directors. (Action: Embassy Kuala Lumpur, in coordination with ECA)

The bylaws of the MACEE stipulate that members of the board may designate alternates in their absence to attend meetings with advance notice given to the chairperson. These alternates may vote on policy matters provided full proxy is assigned by the regular member along with advance notice to the chairperson. OIG informally recommended that the board should review this procedure in line with full transparency of operations. OIG suggested that consideration be given to formal appointment of alternates along with the agreed upon minimum numbers of members and that the criteria for the alternates be the same as for the regularly appointed members of the board.

The annual Fulbright audit was underway during the inspection. The report of the last audit of the MACEE audit was signed March 1, 2004, for the fiscal year ending September 30, 2003. Although the Fulbright Manual for Bi-National Commissions and Foundations provides for 100 percent per annum depreciation rate in the year of purchase, the audit noted a cumulative decrease in the fund balance due to depreciation based on the useful life of fixed assets and fund property. OIG discussed this anomaly with the chairman of the board.

Recommendation 3: Embassy Kuala Lumpur should seek guidance from the Department on accounting practices for Fulbright commissions so that it has an accurate assessment of the commission's net worth. (Action: Embassy Kuala Lumpur)

As MACEE increases its focus on educational exchanges, the executive director stated that there is a broad mix of educational grants (student, lecturer, and research) with appropriate U.S. and Malaysian grantees. Nevertheless, the MACEE (Fulbright Commission) director feels that there should be renewed focus on Fulbright scholars to participate more in academic research programs. The director advises this is a more attractive area for international student participation, and American universities are more competitive in the area of academic research. He feels confident that this will be a major factor in raising the Fulbright image of educational exchange and mutual understanding between Malaysia and the United States. OIG discussed at length the MACEE pairing with the American Lincoln Corners for more outreach to the nontraditional, and otherwise inaccessible, audiences that the mission is seeking.

Affiliate Programs (International Broadcasting Bureau)

The mission has limited contact with the Broadcasting Board of Governors International Broadcasting Bureau representatives, largely because Malaysia's radio and television stations are government-controlled and are not generally receptive to placing Voice of America or other U.S. broadcasting. The International Broadcasting Bureau regional representative based in Bangkok has visited the mission twice in the past two years to consult with the PAO and information officer and to explore options.

POLITICAL AFFAIRS

Embassy Kuala Lumpur is pursuing aggressively a wide range of issues in the bilateral relationship. The political counselor, as chief of the section, was repeatedly praised for his effectiveness as a leader and manager, including his recent service as acting DCM for a period of six months between ambassadors. With a small staff, the section has conducted representation, policy advocacy, and reporting effectively in a somewhat difficult political climate. Communication within the

section is excellent, as is coordination with the other sections with which the section frequently works. The section plays a role in the achievement of virtually all MPP goals except visa adjudication and cooperates with other sections to achieve them.

OIG reviewed a sample of the political reporting from 2004 and 2005. The political section has been highly productive in reporting current information and useful analysis. The section's reporting tracks MPP priorities; it follows a plan but is also event-driven. Washington agencies commended the section's reporting. They indicated strong interest, however, in additional biographical reporting. OIG found consistently high quality in the reporting cables. They were clear and appropriately concise. Cables had summaries and frequently contained comments. Cables on demarches delivered by the embassy nearly always had comments on the manner in which the demarche was received.

Although it is more difficult to develop contacts and working relationships in Kuala Lumpur than in many other posts, the section has been able to build some relationships by working with Malaysian officials on concrete issues of mutual interest. The section has developed contacts among a wide spectrum of Malaysian political officials, and the new Ambassador has been working carefully to cultivate contacts among various political parties both within and outside the ruling coalition.

The section's biographical files are current and expertly maintained. Their keeper is an FSN who has followed Malaysian politics for more than 25 years, knows many of the subjects personally, and continues to follow their careers. The FSN's large circle of contacts and friends in the Malaysian political system is a key asset for the political section and the entire embassy. He is also able to arrange meetings with key government officials for embassy personnel. Because of his value to the embassy in performing a variety of tasks, the time available for these tasks is limited. The range and depth of the biographical files are somewhat less than what would be useful, as is the breadth of the circle of contacts that the embassy can work to develop within the host government, despite the FSN's solid ability to balance multiple priorities. OIG encouraged the political section to continue to use any available opportunity, such as the preparation of a new MPP, to request an additional FSN position for a native Bahasa Melayu speaker to assist in broadening the circle of contacts in the Malaysian political system and enlarge the collection of biographical files. OIG believes this step would help the embassy overcome some of the obstacles the local political environment presents.

Policy Advocacy

OIG found the following description of the challenges for policy advocacy accurate: "... Malaysia is a place where relatively few people agree with (or even understand) a number of key U.S. policy priorities, and where most people are predisposed to suspect the worst in any case. It is also a place (again, not unique) where many of our contacts, including close ones, do not see the point of returning our phone calls. Thus, while hardly a hostile environment, Malaysia is a potentially difficult and lonely place for a political officer pursuing U.S. national interests."³ OIG learned that it is difficult to establish working business relationships with Malaysian officials, and the Malaysian government is opaque, frequently even secretive. Often, a small circle of officials determines the main directions, if not the exact decisions, in political and economic policy matters. Public attitudes toward U.S. foreign policy remain strongly negative, especially within the roughly two-thirds majority Muslim population. U.S. government policies and their underlying rationales on such subjects as nonproliferation, export controls, intellectual property, foreign investment, and international trade are poorly understood. In addition, Malaysia has been very active, and often a leader, in the Non-Aligned Movement and the Organization of the Islamic Conference. The immediate past Prime Minister, who served nearly two decades before his retirement in October 2003, frequently made anti-U.S. statements, which entered into the political culture of an entire generation of citizens and government officials.

Nevertheless, the political section has been able to have some successes. For example, after the political section added trafficking in persons to the embassy's MPP in January 2004 under the goal "Democratic Systems and Practices," the embassy began to press the host government on implementation of government programs to assist victims and establish shelters for trafficked victims, as targeted by the MPP. Previously, the Malaysian government had not recognized trafficking as a problem. The section took advantage of visits by U.S. officials, public speeches at conferences, and calls on host government ministers and lower level officials to press the issue, so that the government was reminded of this concern every month. In December 2004, the Minister of Women, Family, and Community Development announced cabinet approval of the opening of shelters for trafficked victims, including one shelter devoted exclusively to the protection of trafficked persons and facilities with services available to such persons in five states. The section has continued to be active on the issue by raising it at every appropriate opportunity and by offering appropriate assistance.

³ Alexis Ludwig, "Liberating FSN's from their 'CAJE'," *Foreign Service Journal* (April 2004), pp. 31-32.

The embassy has also pressed the Malaysian government on issues related to nonproliferation of weapons of mass destruction, identified as a goal in the MPP, but much more work in this area will be needed.

ECONOMIC AFFAIRS

The economic section is small but highly effective in representing U.S. interests. It has been able to present U.S. concerns about proposed regulations and to win delays or reversal favorable to U.S. interests. The section has excellent relations with the U.S. Foreign Commercial Service and the Foreign Agricultural Service and works collaboratively with them to eliminate trade barriers. It has also worked well with the political section and the Ambassador and DCM.

Communication within the section has been good. However, some would like to have the section's leadership pass along more information from the embassy's front office. Relations among the officers are excellent. FSN support, however, is weak and is the most glaring managerial concern within the office. Their supervisors are attempting to improve the quality and quantity of the FSNs' work.

The economic section has been highly productive in reporting current information and useful analysis. Washington agencies commended the section's reporting and praised its value. In a sample of the embassy's reporting over selected periods in 2004 and 2005, OIG found consistent quality in the reporting. Cables had summaries and frequently contained comments. They were clear and appropriately concise. Cables on demarches delivered by the embassy nearly always had comments on the manner in which the demarche was received. The entire section set aside the time to work collaboratively to develop a reporting plan by anticipating possible events over the course of the next year and considering the needs of Washington customers, comments of Washington visitors, and the MPP. Cables supported the MPP Strategic Goal "Economic Prosperity and Security" and its supporting strategies.

Although the section has an officer who devotes most of his effort to environmental, scientific, and technological issues, the section would like to expand its work on these issues with the host government, which is interested in more bilateral cooperation on science and technology. The section has assisted the Malaysian government in its work on establishing a tsunami early warning system by facilitating contacts with the National Oceanic and Atmospheric Administration. The section's efforts in this area could contribute to establishing closer ties to the government in the broader relationship and improve relations generally.

The Trade and Investment Framework Agreement and the Prospect of a Free Trade Agreement

The United States signed a Trade and Investment Framework Agreement in May 2004, which may be a precursor to a Free Trade Agreement. Both governments involved, however, are currently negotiating other Free Trade Agreements in the region. Although both countries want to move toward a Free Trade Agreement, neither is ready to begin negotiations toward that goal at this time. Such negotiations, however, could begin as early as 2006. As those negotiations begin, the workload of the economic section is likely to grow substantially and will necessitate a right sizing review of current programs and staffing.

At this time, the Trade and Investment Framework Agreement is serving effectively to build a better economic relationship. The Trade and Investment Council, a bilateral body established by the agreement, serves as a forum that the embassy has used to advance problems of concern to the United States, a tactic identified in its MPP, and has become part of the context in which economic issues can be broached, discussed, and sometimes resolved. The first session on the Trade and Investment Framework Agreement was held in February 2005 and included wide participation from the Malaysian government. The agreement has been a useful platform for the discussion of trade-related issues, such as the host government's requirement of hologram stickers on various items of intellectual property, which they proposed to extend to pharmaceuticals.

Policy Advocacy

The economic section has been effective in advancing U.S. concerns on a variety of issues, but it has not always had success in this difficult political environment. Policy advocacy supports MPP goals. They have strong support from the front office in this effort. For example, the new Ambassador mentions such issues as export controls and intellectual property protection in nearly all of his speeches.

The section was able to persuade the Malaysian government not to oppose the listing of Ramin wood, a timber product of both Indonesia and Malaysia, the felling of which is restricted, as an endangered species in the Convention on International Trade in Endangered Species of Wild Flora and Fauna. Another achievement was a delay in imposing a new form of nutritional labeling that would have damaged sales of American products labeled under the old regulation, and which had already entered Malaysia, together with agreement to allow the use of a sticker that conformed to the new system. Recently, the embassy won a delay in the Malaysian

governments proposal to require pharmaceutical products to have a hologram sticker. The section also was able to persuade the host government not to put price controls on optical disk products, such as DVD's and video games, thereby avoiding both adverse impact on business and an unfavorable precedent. Embassy Kuala Lumpur's pressure on the government has led to an increase in Malaysian government efforts to enforce laws against violations of intellectual property rights and participation by Malaysian officials in U.S.-sponsored training programs. The section helped arrange training for officials of the host government on the administration of export controls. The host government parliament is now in the process of enacting legislation that would facilitate its work with the United States on issues related to impeding the financing of terrorism.

Although a ban on U.S. beef imports has not yet been overcome despite continuing efforts, the Malaysian government is working with the embassy on the issue. However, the government has lifted its former ban on chicken parts, and a ban on almonds brought about by a hypersensitive testing procedure has also been reversed. The economic section and the agricultural attaché have worked collaboratively in these areas.

Trade Promotion

U. S. exports to Malaysia were \$10.9 billion in 2003, while U.S. imports in 2003 were \$25.4 billion. Malaysia's exports worldwide include electronic equipment, petroleum, and liquefied natural gas, wood and wood products, palm oil, rubber, textiles, and chemicals. Cumulative U.S. investment in Malaysia is estimated to be \$29 billion, with half of that in the oil and gas sector by major U.S. oil companies, one-third in manufacturing, and about one-sixth in services, including banking and insurance.

During the inspection, a trade mission from Florida arrived in Kuala Lumpur. Key participants in the mission complimented the embassy on its support for the mission. They noted in particular that the mission had worked hard to ensure that the visitors had appointments with the government and business officials with whom discussions would be productive and that the embassy had responded promptly and effectively to every request they made.

The embassy worked very effectively to support a sale by a very large American company of more than \$300 million in communications satellite equipment, a major success. The embassy expended great effort to persuade the Malaysian Airways to buy American made engines for its Airbus A380 airliners, with active

involvement from the DCM, the commercial section, and the economic section, but this effort did not succeed. Sales of other commodities have increased, including sales of wood products (30 percent increase) and hardwood (38 percent increase).

The American Chamber of Commerce has 300 members, including some very large U.S. energy and insurance companies. The recently arrived Ambassador contacted the chamber within three days of his arrival, and the embassy, especially the DCM, the commercial counselor, and the economic counselor have been very active in working with the chamber. The economic counselor and the commercial counselor serve on the chamber's board. The embassy listens to the American business community and is very attentive to its concerns.

CONSULAR AFFAIRS

The inspection coincided with the end of the long-awaited renovation of the consular section. With \$200,000 from the consular improvement program, renovations to the old consular section and the move into the newly renovated space were completed. OIG observed the last two weeks of an awkward workflow involving the sharing of four windows by up to eight employees at a time, and a cashier in an unsecured workspace, all in a no frills, cramped, and uncomfortable swing space. Led by a knowledgeable mid-level officer, the consular section, as currently staffed, is hard-pressed to complete its work in a regular workday without overtime. When fully staffed the post will have sufficient staff for the nonimmigrant visa (NIV) workload.⁴ Despite this, morale was good and the consular employees remained professional and courteous to the public. Following the consular chief's lead, each employee made daily adjustments to get the work done correctly and on time. The section devotes most of its time to handling an operationally complex post September 11, 2001, NIV workload. Most important is the provision of special services to Americans, such as handling arrests and welfare and whereabouts cases and maintaining an effective warden's notification system. Designated officers and the FSNs are assigned to handle specific segments of the consular workload.

Consular Space

The newly enlarged workspace, incorporating some of the old consular waiting room, provides additional interviewing windows, a secure cashier's booth, and a

⁴Using Baseline Staffing Calculations 2004 from the Consular Workload Statistics System, Kuala Lumpur requires 3.52 officers but is staffed with 2.70.

private American citizens services interview booth. It also permits more flexibility in consular public hours and in visa appointment schedules. There is a marked decrease in available seating in the newly designed waiting room. In a meeting with the DCM, consular management, and the RSO, OIG proposed that the current waiting room swing space (formerly a part of the multipurpose room) continue to be used as an overflow room when the new waiting room reaches full occupancy. The embassy agreed to do this until no longer needed. However, the need is likely to continue despite the addition of an appointment system and more interviewing staff as NIV demand is expected to reach pre-September 11, 2001, levels within the next two years.

In reviewing consular access as a part of management controls, the consular section drafted a consular access administrative notice in February 2005, informing the country team about the enforcement of limited access to the consular section, consular services for mission personnel, and how to make an appointment for a referral case. OIG also made informal recommendations regarding safety issues in the new space and suggested that maximum occupancy for the new and old waiting rooms should be determined.

CONSULAR STAFFING

The section has five of seven Foreign Service officer positions filled, (two are managerial, two second tour, and one first tour). All nine authorized FSN positions, and the one eligible family member position, are filled. A consular associate replacement position (one of the two vacant Foreign Service officer positions) will be filled in August 2005, and the other vacancy may be filled sometime early in FY 2006. As presently configured and with expected NIV workload increases of about 20 percent in FY 2005, the consular section in Kuala Lumpur needs to create and fill immediately an FSN position. The embassy agreed to do this. The computer aided job evaluation (CAJE) process was completed for all FSNs. However, OIG determined that consular management needed to ensure that all incumbents were doing assigned duties and responsibilities and were working from updated position descriptions. One incumbent in the consular section did not appear to be performing most of the critical responsibilities identified for the position, and the embassy could not locate signed updated position descriptions for the CAJE process for the remaining consular FSNs. The partially performing FSN was placed on a 60-day performance plan to ensure that she satisfactorily completes supervisory responsibilities and is sufficiently knowledgeable to provide the required technical guidance to subordinates in the American citizens services unit, NIV unit, immigrant visa unit, and fraud prevention unit.

Recommendation 4: Embassy Kuala Lumpur should, at the end of the performance assessment period, evaluate the incumbent's performance in position N32002, and, if the employee is still unable to perform the required duties, take the appropriate personnel action and/or rewrite the position description. (Action: Embassy Kuala Lumpur)

Recommendation 5: Embassy Kuala Lumpur should sign the updated computer aided job evaluation position descriptions for consular Foreign Service national positions to indicate that processing is complete. (Action: Embassy Kuala Lumpur)

Visa Operations

With a new NIV appointment system, continuing to use mornings solely for NIV interviews, and additional interview windows, consular operations should continue to be as efficient but without visa lines in front of the embassy and with shorter waits once inside. In late February 2005, the section began using an appointment system linked to the applicant first completing the electronic visa application form. The completed form generates a barcode that the visa applicant uses to select an available appointment day and time. The appointment system is being continually adjusted to minimize waiting room overflow by starting interviews earlier, limiting entry only to those who need to be interviewed, and using an automated call numbering system to get applicants to the window faster. NIV hours have been adjusted so that all available officers will be able to finish conducting interviews by noon each day. Afternoons will be reserved solely for immigrant visa appointments and most American citizens services, staff meetings, and employee training. There is no waiting period for appointments and completed passports are picked up the next day.

OIG suggested, and the embassy concurred, that only applicants with appointments would be seen. Emergency appointments could still be made. Because visa forms are online along with appointment information, within a week, almost 100 percent of applications were electronically completed. Consular management can now decide, based on available staffing, how many NIV appointments may be processed efficiently and adjust the appointment numbers accordingly. The section reports that visa shopping is not a problem and that nearly 95 percent of visa applicants are host country nationals or legal residents.

The immigrant visa workload is small and requires one full-time FSN and a part-time Foreign Service officer two afternoons per week to process. OIG suggested, and the consular section agreed, to designate a primary reviewing supervisory officer for immigrant visa cases.

Consular information is readily available on the embassy's user friendly web site maintained by the public affairs section. However, despite a telephone message tree that answers most frequently asked questions, an e-mail address, and the web site, telephone callers with general visa questions are still put through each afternoon and employees have to stop what they are doing to answer the ringing telephone. After the move to the new space, consular management plans to explore the establishment of a user pays information system to handle NIV information, appointments, and courier pass back of completed passports. The need for this service will be evaluated on the basis of the expected NIV workload increase.

American Citizens Services

A part-time officer and a full time FSN provide American citizens services to an estimated 8,300 member American community consisting of businessmen, missionaries, and students. American tourists make up most of the approximately 120,000 U.S. citizen visitors to Malaysia. Due to the distance between the cities where most Americans live, arrest and welfare cases in Malaysia can be complex and time consuming. Malaysia is not a signatory to many of the common consular pacts such as the Hague Convention on child custody, prisoner transfer, or a mutual legal assistance treaty. During the inspection, two incidents occurred after business hours and were handled expeditiously with the help of an FSN. In addition, the warden system was activated twice to inform Americans about poor air quality and a possible bomb threat. Both notices were sent to the hotel where OIG stayed and were distributed to all Americans in the hotel. The section is still working to update the notification system in Malaysia's rural areas, as the embassy is unable to ensure that Americans living outside of urban areas are getting the warden messages.

As do other U.S. diplomatic posts in the region, the American citizens service unit in Malaysia has issued letters for pregnant (six months or more) Americans resident in Malaysia and who planned travel to or through Singapore. The letter seeks to assure the government of Singapore that the expected child would be "issued" a U.S. passport if delivered in Singapore. There is no precedent file showing that the Department cleared the text of the letter. OIG advised, and the embassy agreed, that before it issues any more letters (the last one was in 2003), the post would ensure that the Department has approved the text for the letter.

Consular Training

Due in large part to the press of business, except for excellent NIV orientation training for new officers, there is no local training program in the consular section for officers or FSNs. During the inspection, FSN crosstraining began, and a designated consular training officer started to prepare a training spreadsheet to keep track of the types of training employees had or needed. OIG left an informal recommendation in support of this effort.

Border Security Readiness

In FY 2004, DHS Immigration and Customs Enforcement, International Affairs Office identified Kuala Lumpur as a likely three-person visa security unit site. In late February 2005, the embassy denied the original NSDD 38 request pending clarification and justification of several issues. One issue was the appropriate size for a visa security unit taking into account the NIV workload in Malaysia and the likelihood that targeted cases would not take up more than one visa security unit officer's time. During the inspection, the Immigration and Customs Enforcement's, International Affairs Office appealed the denial, and the embassy is preparing an appropriate response.

One basis for Immigration and Customs Enforcement's position may be the statistical analysis of the NIV workload used to select Kuala Lumpur. In FY 2003, the introduction of the electronic visa application form and the pre-screening of early name check requests resulted in the initial refusal of almost every visa applicant. Security advisory opinions were often requested more than once, misplaced, or never received. With the modification of guidelines in October 2003, the security advisory opinion requests went from 40 percent to eight percent of the workload in FY 2004. Based on a review of data from electronic NIV caseload reports for FY 2003, 2004 and 2005 (year-to-date), OIG believes that the embassy's analysis of the correct size of its workload in the FY 2004 consular package is valid. The Immigration and Customs Enforcement's staffing request may be based on an erroneous impression that Kuala Lumpur actually had more cases requiring special handling than it did. For example, comparing FY 2004 and FY 2005 (October through March of each year), FY 2004 had nearly 50 percent refusals and FY 2005, with about the same number of cases processed, had only 21 percent refusals. This supports the embassy's finding that earlier refusal caseload figures may be inflated and total caseload numbers reflect some duplication. In

sum, the selection of Kuala Lumpur as a visa security unit site may be based on faulty workload statistics.⁵ More study is needed to determine how to right size a security unit that meets homeland security needs and provides the promised added value to the mission in Kuala Lumpur.

Kuala Lumpur has traditionally been a low fraud embassy. Although there is bureaucratic inefficiency at local registrars that slows down document verification, the registrars will respond eventually. The Malaysian identity and travel documents contain a data chip that the consular section has the capability to read. Fraudulent documents are therefore easily detectable. The part-time fraud prevention manager gets and shares information through a monthly anti-fraud working group with the Australian, British, and Canadian consular managers. When a DHS representative visits, the staff conducts training on the detection of genuine U.S. documents with airline and Malaysian immigration personnel. OIG recommended to the fraud prevention manager that the embassy, as outlined in the MPP, continue to utilize the Malaysian Airlines Task Force in the anti-fraud working group in order to identify mala fide travelers and likely document fraud trends involving Malaysia and the United States. Cultivation of Malaysian immigration officials is problematic due in part to suspected corruption within its ranks. OIG left an informal recommendation that post make this finding part of the counterterrorism goal paper.

Visas Viper Program

Kuala Lumpur's visas viper committee meeting is a part of the monthly LEWG agenda and is chaired by the DCM. As a part of its U.S. border security strategy (an area of emphasis), the consular section is responsible for meeting one of the MPP goals through the sharing of information and training of airline personnel as well as within the mission through the LEWG, the visas viper committee, and bi-monthly meetings with other foreign missions. The consular representative drafts the monthly report and averages about 25 submissions a year.

⁵Status of Nonimmigrant Visas Entered-Fiscal Year-to-Date

FY03-01October 2002-11March2003-Total entered: 8,848; Open Cases: 3; Total Issued: 7,440; Net Refused: 3995 Total cases: 11435

FY04-01October 2003-11March2004- Total entered: 11444; Open Cases: 1; Total Issued: 10221; Net Refused: 2237; Total cases: 12460

FY05-01October 2004-11March2005- Total entered: 12,232; Open Cases: 2; Total Issued: 11069; Net Refused: 1226; Total cases: 12295.

Law Enforcement Coordination

Law enforcement agencies' regional offices perform the majority of the law enforcement activities. The mission coordinates law enforcement activities through its LEWG along with its monthly visas viper committee. The legal attaché, the Drug Enforcement Administration, and DHS Citizen and Immigration Services have offices at the embassy.

Counterterrorism and deterring international crime are major U.S. objectives and are reflected in the MPP. The absence of a mutual legal assistance treaty is an obstacle for full operations of law enforcement agencies in Malaysia although the Malaysian government possesses good institutional ability to act and is cooperative in law enforcement and narcotics matters. Yet, the absence of a mutual legal assistance treaty leaves the prosecutorial window closed. The Department of Justice is engaged in dialogue, but prospects for an early resolution are not bright.

RESOURCE MANAGEMENT⁶

Agency	U.S. Direct-Hire Staff	US Local-Hire Staff	Foreign National Staff	Total Staff	Total Funding FY2004
State – D&CP	44	1	14	59	1,722,627
State - ICASS	6	10 ⁷	105	121	3,589,000
State – Public Diplomacy	3	0	13	16	703,862
State – Diplomatic Security ⁸	0	0	9	9	135,565
State – Marine Security	6	0	3	9	91,902
State - Representation	0	0	0	0	47,755
State - OBO	1	0	0	1	1,557,614
State – Security Supplemental ⁹	3	0	12	15	257,410
MRV	1	0	0	1	97,708
LOC	0	0	2	2	136,221
Foreign Commercial Service	3	0	10	13	453,120 ¹⁰
Defense Attaché Office	7	0	2	9	304,430
Foreign Area Off.	1			1	21,600 ¹¹
Office of Defense Cooperation	4	0	5	9	366,900
Foreign Agricultural Service	1	0	5	6	211,104
Drug Enforcement Administration	3	0	0	3	225,000
Totals	83	11	180	274	9,921,818

⁶ These figures do not include salary and related benefit costs for US-based personnel. Non-Department agency funding does not include ICASS costs because those are all contained in the Department/ICASS budget.

⁷ Includes two WAE employees.

⁸ Residential security guards and mobile patrols.

⁹ A/RSO position, two ESO positions, and surveillance detection force.

¹⁰ Does not include approx. \$52,200 for trade shows/promotions paid by companies or other entities. Also excludes \$7,600 in credit card purchases funded in Washington. Includes all other costs for running programs, including housing and allowances for U.S.-based personnel.

¹¹ Includes regional travel, phones, and postage. Incumbent is on living quarters allowance which is paid directly into his salary.

OVERVIEW

The management section provides a wide range of services to a mid-sized embassy that has grown by five percent in 2004 and is likely to continue to grow in size. The scores generated in OIG's workplace and quality of life questionnaire were acceptable but clearly showed areas for improvement. A recently completed International Cooperative Administrative Support Services (ICASS) service satisfaction questionnaire generated results that paralleled those in OIG's questionnaire.

OIG believes the scores should have been higher given the quality of life in Malaysia, quantity of resources available, and the generally high caliber of people working in the embassy. The lack of a permanently assigned HR officer is the most significant detriment to achieving higher levels of satisfaction, affecting not only the management section, but also the entire mission. Unevenness in the delivery of services also seemed to be detrimental to overall satisfaction levels. Several managers and employees commented, and OIG observed, that the phenomenon of uneven service was not unique to the embassy but seemed to be endemic in Malaysian society as a whole.

A knowledgeable officer who arrived in summer 2004 heads the management section. Two general services officers (GSOs), a facilities maintenance manager, financial management officer, a Foreign Service health practitioner, community liaison office coordinator, and the information management staff are complemented by 180 FSNs.

HUMAN RESOURCES MANAGEMENT

The HR section is by far the weakest unit in the management section. The FSNs maintain an acceptable level of processing routine documents and, when interviewed, demonstrated a very good knowledge of policies and procedures but took almost no initiative and had little credibility within the mission. The ineffectiveness of the unit adversely permeates operations throughout the mission. The unit has four FSNs, a number clearly too small for a large workforce, irrespective of the lack of an American HR officer. Adding to the unit's travails, one FSN has

been on extended medical leave since May 2004, and there is little likelihood that the employee will return to duty any time soon. At the request of the management officer, the ICASS council approved, as a temporary measure, an American family member position to provide services to Americans, but service to locally hired staff remains in the hands of the three remaining FSNs.

In addition to the lack of initiative, the basic tools of good HR operations were either absent or obsolete. The FSN handbook dates from 1995, and in spite of active encouragement by the management officer to write an update, the senior FSN has only sporadically taken up the challenge. Equally, the lack of a clear disciplinary policy that would normally be found in the handbook has led to inconsistent and arbitrary actions of intermediate supervisors and the RSO who believed that they were acting appropriately within guidance proved by the HR FSNs.

The FSNs of the guard force, a group who by the very nature of their work receive constant supervision and oversight, were the group most immediately affected by the lack of proper HR management. FSN supervisors were recommending, and the RSO was approving, suspensions that were subsequently recorded by timekeepers but were not documented by personnel actions. Moreover, a review of all guard personnel files indicated arbitrary actions and inconsistent penalties for like acts. In one case, an employee who had not had a pattern of tardiness had a transportation breakdown enroute to work and was subsequently sent home without pay for being late by a supervisor who had no such authority. Guards were not aware that they had any right of appeal. Supervisors inappropriately maintained personnel records with documents that should have been in the permanent records held in the HR section. Most problematic was the complete absence of any participation by HR personnel. A check of all available files of terminated employees, mostly guards, showed that in most cases there were sufficient grounds for termination. In two cases the documentation was limited, but would lead a reasonable reader to agree that the action was warranted, while a third had only one hand written note from an FSN supervisor as evidence of poor behavior, clearly inadequate by any standard.

The mix of the FSN staff of the mission does not reflect the population as a whole. Ethnic Malays (the majority in Malaysia) are under-represented, and the Chinese minorities occupy most of the senior white-collar positions. The HR section's staffing paralleled that of the embassy as a whole thereby creating the assumption that it favored a particular ethnic and religious minority. The perception was not borne out by the facts, but the perception exists. OIG found no evidence of bias among American staff, but the embassy should continue to do all that it can to ensure that recruitment and promotion is performed to the strictest standards with a view to diversify the workforce.

Irrespective of these serious gaps, the ability of the unit to act under strong direction is evidenced by an almost complete lack of tardy FSN evaluations, a serious and chronic problem in the recent past. The management officer, upon her arrival at post, made correcting that shortcoming a priority, and the FSNs responded with energy and alacrity.

Foreign Service Nationals

Overall, the FSNs of the mission are competent and productive. There is an FSN executive committee, but it is almost exclusively a social organization and is not a group with which embassy management has been able to conduct a useful dialogue. Neither OIG nor embassy management have been able to get much more than passive feedback from this group. Furthermore, it appears that the committee does not represent all the FSNs.

Malaysia has a varied cultural and demographic makeup reflected in the composition of the mission's workforce, but not in the proportions of the society as a whole. On the surface, there are no tensions among the groups, but the written comments in OIG questionnaires, as well as personal interviews, revealed resentment and animosities largely based upon a poor understanding of the Department's policies on equal opportunity compounded by overall weak HR management.

A common perception of those who complained was that persons or groups were participating in proscribed practices that were offensive to them. However, none were prepared to address these issues with their colleagues for fear of roiling an otherwise tranquil relationship. In the absence of an American HR officer whose opinions and guidance would be viewed as neutral, such perceptions and assumptions are hard to counter. Equally, when advised to discuss these issues with supervisors, the universal response was that the employee did not want to be perceived as a troublemaker even though there was no evidence or complaints of intimidation or retaliation.

A review of regulations by OIG showed that many of the practices held by some employees to be forbidden, were permissible. A solid HR section would be able to ameliorate the concerns of FSNs, but as already noted, the section is not up to the task. The management officer has already proven that she can make an impact, but she is the manager of a busy section and has to address the needs of a growing mission. Time is the one luxury that she does not have. Given the lack of initiative of FSNs to voice their concerns, there was no existing nexus within the mission to provide a platform to address these concerns even though the attitudes are too prevalent to ignore. It is likely that no FSN will speak publicly, but the

embassy has to articulate FSN management policies and review what is or is not acceptable equal employment opportunity conduct. An ideal opportunity for such meetings would be the publishing of a new FSN handbook and the need to review its contents with all FSNs.

Recommendation 6: Embassy Kuala Lumpur should publish a new Foreign Service national handbook. (Action: Embassy Kuala Lumpur)

Recommendation 7: Embassy Kuala Lumpur should conduct a series of small group meetings with Foreign Service nationals to review Foreign Service national management policies and practices and address appropriate and inappropriate equal employment opportunity behavior. (Action: Embassy Kuala Lumpur)

Computer Aided Job Evaluation

The results of a completed CAJE process generated an upgrade of 31 percent of all FSN positions and only one position downgrade. The embassy was on the verge of formally announcing the results and implementation date to the FSNs when OIG noted irregularities in two sections - consular and public affairs. The consular section had a convoluted organizational chart that defied comprehension, but was the basis for the position descriptions of all of the employees. The issue with one employee is described above, and the section was eventually able to provide OIG an acceptable organizational structure reflective of the duties written in the position descriptions; therefore the CAJE results were judged valid.

The public diplomacy section employees' positions were evaluated on the basis of position descriptions that had not been updated. None were more recent than 2001, and some dated to 1997 and 1999, before the merger of the U.S. Information Service and the Department. The absence of one of the basic tools of the CAJE process made the entire CAJE effort suspect. When OIG pointed out the weaknesses, the embassy stopped implementation of the CAJE results for that section and undertook to write new position descriptions that will be properly evaluated when completed. A spot check of other sections did not evidence any other irregularities, and OIG advised the embassy that the results of CAJE could be implemented as scheduled.

In addition to the serious deficiency described above, the CAJE process clearly evidenced skepticism among FSNs and some American supervisors. Among those few who had some knowledge of the method by which positions are graded, there was acknowledgement that the CAJE method was superior to the one used previously. OIG and embassy management believe that anxiety over the end results may have been a large factor in the adverse attitude exhibited by staff.

The majority of those with reservations focused on two issues: the time that each evaluation interview consumed, equating quantity with quality, and the interpersonal approach of the interviewer. FSNs noted that some interviews took as little as ten minutes while others lasted an hour, therefore assuming that some employees did not get a comprehensive review. Because the system is new, the FSN did not note that some jobs are more easily identified and evaluated than others - a driver is a driver, but a commercial assistant may have a wide range of professional duties that are not as easily quantified. They also noted that satisfaction with the process was based on the interpersonal style of the interviewer. A more friendly style generated a less anxious FSN while an interviewer with a factual, but not warm style, generated anxiety.

American Full-Time Human Resources Officer

There is no American exclusively charged with providing HR services to this growing mission. The ineffectiveness of the HR staff to handle any except routine matters is readily apparent, yet with guidance and a steady push they are able to achieve significant goals. The absence of a full-time HR officer has forced supervisors to invent some of their own practices that do not reflect sound HR management. FSNs were not aware of rights, and in the case of a guard force that is de facto isolated from the HR section, they may have been arbitrarily disciplined by supervisors who believed that they were acting appropriately (in no case were records properly maintained of such actions).

The guards also complained about uneven allocation and computation of overtime. A review of timesheets indicated that some guards worked and were paid for 40 or 50 hours of overtime per pay period and others only one or none. The management of the guard force is the responsibility of the RSO, but FSN guards should clearly understand that the HR section should be a source of information regarding their conditions of employment. The FSNs in HR not only failed in their responsibility to stay abreast of the needs of a large group of FSNs, but also when asked provided inaccurate information to the RSO.

Although the EEO officer rightfully should address the EEO issues, awareness of the problems and concerns would become obvious to an experienced HR officer who then could muster the appropriate resources. Adding the litany of complaints to the management control problems with the CAJE process that should have been better shepherded clearly demonstrates the need for a full-time officer.

Recommendation 8: Embassy Kuala Lumpur should request, and the Bureau of East Asian and Pacific Affairs should provide, an American human resources officer position. (Action: Embassy Kuala Lumpur, in coordination with EAP)

GENERAL SERVICES

The general services section is staffed by a supervisory GSO (S/GSO) and includes an assistant GSO (A/GSO), facilities maintenance manager, and one American escort. The section provides full services to a mission that not only has grown in size and is likely to continue to grow, but also has had an apparently never-ending series of special projects that impacted operations. The section has demonstrated its ability to handle work surges as project after project was started, but it is apparent to OIG that handling repeated surges has caused weaknesses to occur in routine operations.

The operations of the shipping and travel sections works smoothly and the section follows regulations in a complex environment. For example, the embassy initiated a policy of routing travelers through Singapore rather than using direct flights because airfare rates were significantly lower, often by as much as 40 percent. The embassy uses a General Services Administration contractor for travel services who provides overall acceptable services, but the complexity of the travel demands of this mission require more than the expected amount of intercession on the part of the GSO.

A complaint of customers is the inconsistency of service and feedback. This problem appeared to be common in the society as a whole and likewise experienced by OIG. Managers are aware and have made, in some cases, significant improvements, but it is an area that will require constant attention.

Escort Duties

All of the embassy's ongoing special projects are contracted out. Consistent with security guidelines, contractors must be escorted by either direct-hire FSNs or cleared Americans when working. The embassy employs one full-time American to perform escort duties. According to GSO, no FSNs are available during regular working hours to perform escort duties. Therefore, all FSNs escort contractors, and during the weekend GSO FSNs escort contractors. While OIG was at post, at least four FSNs performed escort duties each day earning time and a half. Considering the large number of special projects with no relief in sight, OIG informally recommended that the embassy hire an additional FSN to perform escort duties.

OIG also found that some local guards were given the option of working overtime while others were rarely given the option. Local guard overtime ranged from two to 20 hours a week. FSNs consider overtime a perk. A more equitable system needs to be established. OIG also questioned whether allowing local guards to work 20 hours of overtime a week is prudent given local guards' regular responsibilities. Some local guards worked 48 hours a week and an additional 20 hours or more of overtime. When presented with summary overtime figures, the RSO expressed similar concerns.

Recommendation 9: Embassy Kuala Lumpur should develop a formal procedure to ensure that all local guards are offered escort duties and to ensure that guards are not working more overtime than prudent given their regular responsibilities. (Action: Embassy Kuala Lumpur)

Motor Pool Operations

While generally viewed favorably, a persistent complaint regarding motor pool operations was a restrictive policy on trips to the airport. Published reports state that the international airport is 37 miles from the city and that travel normally takes 45 minutes. The embassy advised and OIG experienced that like Dulles Airport in Washington (26 miles from the city), time to the airport varies considerably depending on traffic conditions. OIG experienced a 75-minute trip each way in light traffic. There is an efficient and inexpensive rail link, but getting to the rail terminal in the downtown area can take as much time as driving to the airport due to inner city congestion. Because a round trip could easily occupy a driver and vehicle over three hours, the embassy does not provide routine transportation. It is within the embassy's purview to establish a policy, but OIG provided some informal recommendations to address some of the complaints.

Personal Property Management

The property management section has successfully ensured that personal property including office and residential furniture, computer equipment, and expendable supplies are available when needed by the embassy. Employees rated these services above average on OIG's questionnaire and in interviews. Although embassy employees are satisfied with personal property management, residential inventories could be managed more effectively. The embassy maintains excessive stock levels of some residential furniture and furnishings. For example, 120 lamps and 78 mattresses are currently stored in the warehouse for program-funded positions. Four additional furniture sets (including 40 lamps) were purchased last September. Despite the fact that the embassy does not plan to house any new program positions this year, stock levels of lamps and mattresses could house 12 new program positions. Although maintenance of extra stock is prudent, the level of some items is excessive. Items depreciate somewhat while in storage making issuance of old furniture undesirable. Stock levels have not been reviewed because of the abundance of warehouse space, the availability of year-end funds, and the tendency to order entire furniture sets without determining if items are available in the warehouse. OIG left an informal recommendation that the GSO review and adjust minimum and maximum residential furniture and furnishing stock levels. Additionally, as discussed in the management controls section, use of an inventory scanner would improve controls and efficiency of personal property operations.

Procurement

Procurements are properly competed and documented. Employees are well versed in regulations and continually take steps to improve the efficiency of operations. For example, the section is combining a number of purchase orders for termite services to simplify procurement administration. Additionally, an electronic procurement application is used to streamline procurement approvals. The section has been overworked over the last few months due to the large number of ongoing projects and contracts that expired. A Bureau of East Asian and Pacific Affairs-funded procurement FSN resides in Kuala Lumpur and spends about 60 percent of his time on Kuala Lumpur issues. His expertise and experience with other embassies has benefited the embassy. He is also spearheading the embassy's effort to secure ISO-9000 funding. (ISO-9000 is an internationally recognized system designed to improve operations by requiring that organizations document processes, measure adherence to those processes, and improve the quality of support.)

Real Property, Office Space, and Housing

The embassy provides good residential housing and has an effective housing board. Competition with international companies has made acquisition of affordable, suitable housing more difficult than in the recent past. A typical problem is that the embassy requires close and critical evaluation by the maintenance staff and the RSO, with security upgrades that competitors do not need. Landlords will simply go with the easiest tenant irrespective of the advantages of having a reliable tenant who pays rent regularly and will keep the property in good condition. The mission is blessed with a small pool of U.S. government-owned properties that not only save money on rent but also relieve the GSO section of the constant need to renovate rental units. Some units date from the 1950s and have saved the taxpayer rent money many times the amount of the original investment.

A far larger problem is the pressure on space in the chancery. Built in 1983 as the Department's architectural showpiece, it still maintains its original, attractive front, albeit partially hidden by a high wall. Modifications to accommodate additional staff have had their impact. Irrespective of architectural niceties, the mission is outgrowing the existing space. Continued mission growth has generated a master plan that includes construction of an annex on the existing compound. Irrespective of the need for a new annex that is some years away from construction, the embassy must look to better use of existing space. Other sections of this report note that functions such as the public diplomacy library and the space vacated by the consular section offer opportunities to reallocate usage. Because the pressure on space is largely caused by growth in other agencies, the embassy should take great care to ensure that the full cost of design and renovation is borne by the agency generating the need, including any subsystem additions such as electrical service and air conditioning.

Facilities Maintenance

The maintenance section did not receive high marks, although the volume of work and successfully completed projects were commendable. Many Americans, and OIG, observed that Malaysia is a culture that does not value maintenance. Common complaints were repeat visits and lack of feedback. The latter had been vigorously addressed, and the log of such complaints indicated a significant drop over the preceding six months. Repetitive visits are a continuing problem that defies quick resolution. As noted earlier, unevenness of performance and inconsistent service are endemic. Managers are aware of the problem and continue to work to improve service.

The embassy has experienced a long list of projects to change or improve the chancery. Most embassies do not have a built-in surge capacity but nonetheless handle special projects by working harder, longer, and setting aside some routine work. This embassy has been in surge mode for many months, which affects not only the maintenance section but also GSO as a whole. As a result some routine efforts have lagged and attention to detail may have slipped. For example, the embassy has a preventive maintenance program, but when OIG noted a serious problem on the roof the response was that it would be looked at as part of the routinely scheduled work on gutters. The matter appeared to require more urgency than one that could wait and obviously had persisted for some time. Several special projects managed from Washington have proven to be problematic and, in retrospect, the embassy should have been more unyielding in asking Washington to share the management burden in those instances beyond the embassy's capabilities.

The facilities maintenance manager has done a superb job in designing and overseeing contracts to build a new consular section. It is functional and attractive. He has also managed other projects but in order to do so has left detailed management to his subordinates who have not always risen to the task.

FINANCIAL MANAGEMENT

The financial management section effectively supports the embassy. Financial management services rated high on OIG's questionnaire earning the second, third, and fourth highest scores of 53 other embassy-provided services. ICASS customers also rated financial services high on a November 2004 ICASS survey. A conscientious financial management officer and 11 employees manage Department allotments totaling about \$8 million as well as three other agencies' allotments. The section also provides vouchering and cashiering services to all agencies at the embassy and FSN payroll services for most other agencies. The accounting section manages funds and obligations closely ensuring that needed funds are not forfeited at the end of the year or tied up unnecessarily in unliquidated obligations. Wish lists are used to ensure that year-end funds are spent on bona-fide needs. Sampled representation vouchers were proper and the mix of U.S. government employees and foreign nationals appropriate.

A Bureau of East Asian and Pacific Affairs-funded regional financial management FSN resides at the embassy and spends about 50 percent of his time on Embassy Kuala Lumpur issues. The regional FSN also has certification authority and certifies vouchers within his limit when the financial management officer is on

leave. Appropriate internal controls are established that include the officer's approval of all obligations before they are established and regular spot checks of the FSN's certifications. Vouchers are properly reviewed. The embassy is working with GSO to improve payment timeliness and controls over some payments. Payroll and cashiering operations are effective. OIG left an informal recommendation that the embassy contact the Bangkok Financial Service Center to determine the status of the paper check conversion program installation.

International Cooperative Administrative Support Services

ICASS has been successfully implemented at Embassy Kuala Lumpur. The ICASS council, chaired by a Foreign Commercial Service officer, meets at least quarterly to discuss ICASS budgets, purchases, and personnel. The relationship between the ICASS council and management sections is cordial and cooperative. The ICASS council funds non-ICASS projects occasionally, such as guard booth renovations, when appropriate funds are not available and the projects are an embassy priority. ICASS customers are generally satisfied with Department-provided ICASS services though the council is working with management to obtain feedback on the effects of added ICASS FSN positions on the quality and timeliness of ICASS services. FY 2004 funding totaled \$3.6 million with services provided to 11 non-Department customers. The embassy plans to use a portion of its \$600,000 FY 2004 ICASS carryover to replace vehicles and other equipment.

Although ICASS is functioning, no efforts have been made to save U.S. government funds by consolidating duplicate services. OIG believes that savings would result from creation of a furniture pool. Currently, each ICASS customer (including program, ICASS, Foreign Commercial Service, etc.) maintains separate residential furniture inventories that are stored in separate sections of the warehouse. Consolidating the location and management of residential furniture inventories would likely reduce the number of furniture sets and storage space needed. Additionally, it would eliminate unnecessary movement of furniture. For example, when a Defense attaché office house is turned over to a Department employee, the Defense attaché office's locally purchased furniture is moved out of the house to the warehouse and replaced with U.S.-procured Department furniture from the same warehouse. Additional savings could also result by consolidating agency vehicles and drivers. OIG left an informal recommendation that the ICASS council, formally and in writing, evaluate whether U.S. government agencies operating in Kuala Lumpur can combine furniture and motor pool operations.

HEALTH UNIT

The embassy medical unit is staffed with one American and one FSN nurse. Medical care in the city is good, and the unit can often depend on local resources. The recently arrived American physician's assistant is an expert on emergency care and is planning to start training staff as soon as his equipment arrives.

INFORMATION MANAGEMENT AND INFORMATION SECURITY

Embassy Kuala Lumpur maintains a comprehensive information management program to support its 201 authorized users. The information management officer and his staff provide excellent service to customers. Adequacy of cellular telephone and radio programs, responsiveness of unclassified information management support, and adequacy of Internet and telecommunications were rated high in OIG's management operations questionnaire. However, the public diplomacy web site and storage location of unclassified computers with sensitive-but-unclassified (SBU) information resident on the equipment requires management attention. OIG left informal recommendations to perform radio checks and records destruction.

Information Management

Embassy Kuala Lumpur consistently participates in new Department programs including the site certification and accreditation process. The embassy completed site security, configuration management, and contingency plans, and plans of action and milestones for its SBU and classified systems. However, in September 2004, the procedure for site certification and accreditation changed. State cable 189855 requires that the embassy should report its current plans of action and milestones status into the Department's automated reporting tool, State Automated Federal Information Security Management Act Reporting Environment (SAFIRE). This tool will facilitate the Department's reporting to the Office of Management and Budget and track the embassy's plans of action and milestones and self-assessments.

Recommendation 10: Embassy Kuala Lumpur should use the State Automated Federal Information Security Management Act Reporting Environment tool to record the results of their plans of action and milestones, and self-assessments to the Department. (Action: Embassy Kuala Lumpur)

Embassy Kuala Lumpur's public diplomacy web site is not accessible to the disabled nor has it been tested as required by 5 FAM 776.4. The web master was not aware of Section 508 requirements, site compliance checklist, and web site testing tools. Failure to ensure that Federal web sites are accessible to the disabled, and to test the web site, limits the web sites usability for the disabled and makes the web site noncompliant with the Rehabilitation Act as amended in 1998.

Recommendation 11: Embassy Kuala Lumpur should test and make its public diplomacy web site compliant with federal requirements. (Action: Embassy Kuala Lumpur)

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Embassy Kuala Lumpur's software security patch management status is not reported accurately by the Department's automated system. Embassy Kuala Lumpur has installed all required patches, but the embassy's system management server is reflected as red in the Department's reports. Inadequate or incorrect data on the implementation of patches provides an erroneous view of network vulnerabilities. The information management officer opened a trouble ticket with the Department's information center during the inspection to notify the information center of the problem.

QUALITY OF LIFE

Kuala Lumpur deservedly enjoys a good reputation as a desirable assignment with a good quality of life. The hot and humid climate is ameliorated by excellent dependent schooling, good housing, relatively low crime, all in a city and country with recreational and tourist opportunities. Air pollution from vehicles and industry, some health concerns, and recurring smog from fires set to clear land in such far away places as Sumatra have generated a ten percent pay differential and authorization for rest and recuperation travel.

RECIPROCITY

There is no work agreement between Malaysia and the United States making spousal employment problematic. The embassy has been persistent in trying to work the issue out with the Malaysian government but without positive results. Likewise, Malaysian practice in providing customs clearance, residence visas, and vehicle documentation is very slow. In spite of improvements due to aggressive actions of the embassy, slow response continues to be a problem.

The embassy has experienced difficulty in obtaining visas for members of household. The Malaysian system of visa controls offers few options, and when exceptions are granted, they are done in an inconsistent and apparently arbitrary manner. The Malaysian government interprets the Vienna Convention on Diplomatic Relations narrowly. There is a documented case of a dependent parent on the orders of the employee who could not obtain a long-stay visa and, therefore, subsequently left post. Other members of household are experiencing similar difficulties.

It is uncertain what the embassy can do, but the warming of relations may offer an opportunity to reinvigorate dialogue on these issues.

EMPLOYEE ASSOCIATION

Employee association activities operate effectively, though improvements are needed. The association manages a cafeteria and a small commissary; both are located within the chancery. Association profits, generated primarily by the sale of duty-free alcohol, fund operations and embassy-wide events including welcome, farewell, and Christmas parties. The embassy funds all association utilities, cafeteria equipment and incidentals including utensils, plates, and mugs. Association members pay a nominal one-time fee. Considering the consistency of the association's profits, OIG informally recommended that the embassy charge the association for a portion of utilities and cafeteria equipment and incidentals as described in 6 FAM 524. Additionally, the embassy is operating under a charter that has not yet been approved by the Bureau of Administration's Office of Commissary and Recreation Affairs.

OIG noted a number of problems with the cafeteria. Although cafeteria operations rated average on the OIG-administered satisfaction questionnaire, its score was the lowest of all 53 services queried. Meal prices differed from day to day based on the cashier's estimation of the portion size, and FSN prices are not posted. The cafeteria received a number of unsatisfactory ratings in its last sanitation report. The association has informally worked with the contractor to correct deficiencies, though improvements are usually short-lived. The association has been reluctant to deal formally with the contractor because board members cannot agree on whether or not to re compete the contract. In fact, the license agreement between the embassy and the cafeteria contractor expired three years ago. The embassy has also had trouble recruiting board members. OIG informally recommended that the association re compete the cafeteria contract.

COMMUNITY LIAISON OFFICE COORDINATOR

The CLO's diligence and dedication have served the American community well. The CLO frequently brought important morale issues to the attention of the front office. For example, she rightly noted that a number of employees had complained about the perennial, near-absence of spousal employment opportunities outside the embassy due to Malaysian laws and regulations. The front office responded to the community's concerns by raising the issue on numerous occasions with the Malaysian government, most recently in a meeting between the new COM and the Secretary General of the Ministry of Foreign Affairs, which was followed by a formal request from the embassy to open negotiations on a bilateral, reciprocal

agreement. Unfortunately, the Malaysian Immigration Department has persistently opposed such an agreement, as it would oblige them to grant similar privileges to other foreign missions. Another issue that the CLO has identified as important to American families is the difficulty of getting visas for household staffs (foreigners) due to the shortage of suitable servants and the cost of paperwork required by the Malaysian government. With front office concurrence, the management counselor is discussing with the CLO ways to facilitate employment of servants without unduly burdening the HR section.

The CLO actively seeks out and establishes contact with bidders and potential assignees to the mission providing them with community information about the mission. She often is first in line to be informed on new assignments to the mission. She has developed a distribution list for her newsletter for newcomers. She also developed an attractive CD on life at post for distribution to new assignees.

The CLO is not happy with the mission sponsorship program. There is an absence of volunteers to fill the community sponsor position and the assigned section sponsorship. Often she has stepped in to act as the community sponsor in the absence of a community sponsor volunteer. She currently resorts to assigning both positions to the newly arrived employee's section. The CLO has recently responded to a suggestion to conduct a seminar on how to be a sponsor. OIG informally recommended that the CLO present the COM with an overall program to address morale issues as well as his direct involvement in appropriate programs. It is also useful for the mission to designate a replacement at the earliest opportunity in anticipation of the current CLO's departure this summer.

OVERSEAS SCHOOL

There are approximately 200 U.S. citizens in the (b)(2)(b)(6)(b)(2)(b)(6) There are also a substantially large number of nonnative English speaking students in the school, which has raised some concerns on the impact on the other students. Recently the school board decided to charge a fee to students in the English-as-a-second-language program. There is no major concern on the quality of the curriculum. The school uses the APO for magazine subscriptions and the Dispatch Agent for occasional (yearly) shipments of textbooks. Mission staff members clear these shipments through customs. It was pointed out that Department guidance permits the school to use the APO for first class letter mail for official use only.

MANAGEMENT CONTROLS

Management controls at the embassy are adequate though improvements are needed in human resources, general services, and the regional security office. No management control weaknesses were reported in the embassy's last management controls certification. The medical section received a poor rating on the embassy's last risk assessment. OIG informally recommended that standard operating procedures be established within this unit. With the exception of the destruction of some American citizens services case files, the consular section follows existing guidelines for transferring officer accountability, visa file destruction, the handling of consular fees, accountable documents and equipment with back-up accountable document spreadsheets. The automated cash register system documentation was systematic and correct. During the inspection, as part of its move to the newly renovated space, consular section employees began to destroy or archive old files. Public diplomacy controls were appropriate, in fact the administrative assistant provides a second layer of internal controls over grants and ensures that proper controls are in place over Embassy Bandar Seri Begawan grants. However, as discussed in the report, both consular and public diplomacy positions descriptions have not been updated.

HUMAN RESOURCES

The inadequacies of the HR section are outlined in detail above. Oversight by a full-time HR officer would significantly reduce the weak management controls of the section.

GENERAL SERVICES

Management controls over personal property and travel and shipping invoices need to improve. Consistent with 6 FAM 226, the embassy conducts a physical inventory and reconciliation of nonexpendable embassy property every year. Because the embassy's nonexpendable property scanner has been inoperable for the last three years, the physical inventories have been taken by hand. The nonexpendable property application (NEPA) clerk therefore manually traces each

inventory item from handwritten notes to the nonexpendable property listing in the NEPA software. This manual reconciliation process takes over a week to complete and would be automatic if the NEPA scanner were operable. Use of the NEPA scanner would also improve management controls. The NEPA scanner and software contain controls that ensure that all inventory discrepancies are visible while manual reconciliation is less transparent and prone to manipulation. Although the GSO and information management section have discussed the NEPA scanner and software, no target date has been set for NEPA implementation. Additionally, although new NEPA software may be available, neither section has contacted the Bureau of Administration's Office of Property Management to obtain the software.

Recommendation 13: Embassy Kuala Lumpur, in coordination with the Bureau of Administration's Office of Property Management, should obtain the appropriate version of nonexpendable property application software and scanner, and develop a timeline for installation. (Action: Embassy Kuala Lumpur, in coordination with A/LM)

Controls over travel agency invoices should also be improved. Before paying airline tickets, the financial management office must have a copy of the travel order and other documents. Currently the financial management office obtains a copy of the order from the travel agency rather than from the traveler or the financial management office. In the past, the contractor inadvertently submitted a travel order and accompanying ticket charge twice. Obtaining orders from the traveler or the financial management office would improve management controls over these payments. OIG left informal recommendations pertaining to general services procedures. The financial management section recently improved management controls on shipping invoices.

Management control improvements in the regional security office are discussed in the security report.

FORMAL RECOMMENDATIONS

Recommendation 1: Embassy Kuala Lumpur should close the Lincoln Resource Center in the chancery and convert it to a smaller information resource center with online reference, outreach, and research service. The embassy should use the space for other requirements. (Action: Embassy Kuala Lumpur)

Recommendation 2: Embassy Kuala Lumpur, in coordination with the Bureau of Educational and Cultural Affairs, should request that the Government of Malaysia join the U.S. government to review and update the 1963 Bi-National Agreement establishing the Malaysian-American Commission on Educational Exchange to ensure uninterrupted operation of the board of directors. (Action: Embassy Kuala Lumpur, in coordination with ECA)

Recommendation 3: Embassy Kuala Lumpur should seek guidance from the Department on accounting practices for Fulbright commissions so that it has an accurate assessment of the commission's net worth. (Action: Embassy Kuala Lumpur)

Recommendation 4: Embassy Kuala Lumpur should, at the end of the performance assessment period, evaluate the incumbent's performance in position N32002, and, if the employee is still unable to perform the required duties, take the appropriate personnel action and/or rewrite the position description. (Action: Embassy Kuala Lumpur)

Recommendation 5: Embassy Kuala Lumpur should sign the updated computer aided job evaluation position descriptions for consular Foreign Service national positions to indicate that processing is complete. (Action: Embassy Kuala Lumpur)

Recommendation 6: Embassy Kuala Lumpur should publish a new Foreign Service national handbook. (Action: Embassy Kuala Lumpur)

Recommendation 7: Embassy Kuala Lumpur should conduct a series of small group meetings with Foreign Service nationals to review Foreign Service national management policies and practices and address appropriate and inappropriate equal employment opportunity behavior. (Action: Embassy Kuala Lumpur)

INFORMAL RECOMMENDATIONS

Informal recommendations cover operational matters not requiring action by organizations outside the inspected unit and/or the parent regional bureau. Informal recommendations will not be subject to the OIG compliance process. However, any subsequent OIG inspection or on-site compliance review will assess the mission's progress in implementing the informal recommendations.

Executive Direction

The DCM has not been overly active in the oversight of the post security program, deferring to the judgment of the RSO. Internal management controls would be strengthened by the DCM's more active oversight to include regular reviews with the RSO of goals and objectives to reduce the vulnerabilities outlined in the separate security report.

Informal Recommendation 1: Embassy Kuala Lumpur should ensure that the deputy chief of mission provides the regional security officer with regular guidance and benchmarks on ameliorating the vulnerabilities outlined in the separate security report.

Public Diplomacy

The public diplomacy section of the MPP is well structured to support performance goals. Nevertheless, there are several instances where public diplomacy is not listed in the tactical resources in support of strategic goals.

Informal Recommendation 2: Embassy Kuala Lumpur should review the Mission Performance Plan to insert public diplomacy programs in tactical resource support roles where applicable.

There is a need to supplement the annual Bureau of Intelligence and Research sponsored public opinion polling to develop a trend analysis of public attitudes toward key policy issues.

Informal Recommendation 3: Embassy Kuala Lumpur's public affairs section should identify a reliable local public opinion polling organization that could accept three or four questions to be attached to regular omnibus public opinion surveys.

Embassy Kuala Lumpur PAS is using Microsoft Contact database management system for its distribution record system. This program has limited application for program support and mission-wide applications.

Informal Recommendation 4: The public affairs section should convert its distribution record system to Goldmine or Oedipus database management in line with recommendations from the Department's e-Diplomacy programs.

The PAO secretary maintains the distribution record system. The system provides valuable public diplomacy program support.

Informal Recommendation 5: The public affairs section distribution record system should be maintained in the information resource center in support of mission-wide program outreach.

The mission is energetically engaged in public diplomacy policy advocacy programs through the resourceful use of the media. There are new exchange opportunities to reach out to younger, broader, and deeper audiences in Malaysia.

Informal Recommendation 6: The mission should balance its public diplomacy programs with equal outreach and support of longer-ranged mutual understanding programs.

Public diplomacy exchange programs are listed and on target in the MPP, but evaluation and reporting has not always been timely.

Informal Recommendation 7: The public affairs section should establish a plan to evaluate and report on exchange programs in a timelier manner.

The Fulbright MACEE is known for its educational advisory and testing role and not academic exchange and scholarship programs.

Informal Recommendation 8: The Malaysian-American Commission for Educational Exchange should focus on its public image as an educational exchange and scholarship program.

MACEE is slowly recovering from its financial losses in the areas of educational advisory and testing services.

Informal Recommendation 9: The Malaysian-American Commission for Educational Exchange should seek out opportunities to encourage corporate and government scholarships program support.

The by-laws of the MACEE stipulate that members of the board may designate alternates in their absences to attend meetings with advance notice to the Chairperson.

Informal Recommendation 10: The Malaysian-American Commission for Educational Exchange Board should rewrite its by-laws to stipulate that alternates be appointed in the same process and with the same criteria that is applied for sitting members.

MACEE has its headquarters in Kuala Lumpur and a branch office in Penang. The newly established American Lincoln Corners provide excellent outreach to otherwise inaccessible audiences.

Informal Recommendation 11: The Malaysian-American Commission for Educational Exchange should consider coordinating its programs to take advantage of the newly established American Lincoln Corners.

Consular Affairs

The renovated space includes a tiled kitchen area at the top of stairs to the emergency exit and no determined maximum occupancy for the old or new waiting rooms.

Informal Recommendation 12: Embassy Kuala Lumpur should add a nonslip surface to the kitchen area and determine and enforce maximum occupancy for the consular waiting areas.

As presently configured and with expected NIV workload increases of about 20 percent in FY 2005, a new FSN position is needed.

Informal Recommendation 13: Embassy Kuala Lumpur should immediately create and fill a Foreign Service national visa position.

The need for a user pays service contract still needs to be evaluated after the move to the new space and the possible increase in the NIV workload and future staffing gaps.

Informal Recommendation 14: Embassy Kuala Lumpur should determine the

continued need for a user pays service once the consular section has moved into the newly renovated space.

As a part of the mission's counterterrorism objective, the consular section is working to update the notification system in Malaysia's rural areas, as the embassy is unable to ensure that Americans living outside of urban areas are getting the messages.

Informal Recommendation 15: Embassy Kuala Lumpur should complete an American citizen registration census to update the electronic notification of U.S. citizens living in rural areas.

The embassy issues passport letters to future American citizens so that their mothers may be admitted to Singapore prior to delivery. It is unclear whether this action exposes the U.S. government to any liability or whether, under the rules of reciprocity, this requirement is legal. Clarification is needed before this service may continue.

Informal Recommendation 16: Embassy Kuala Lumpur should cease the issuance of child acquisition of U.S. nationality pre-birth letters and seek clarification and guidelines from the Department.

At present, the consular section does not have a formal fraud prevention program as part of its border security strategy.

Informal Recommendation 17: Embassy Kuala Lumpur should prepare a formal fraud prevention and border security strategy to include regular reporting to the Department and preparation of a country fraud profile.

There is no formal professional training program for consular employees. Consular managers must set aside time for FSN mentoring and training and support the cross-training of all members of the unit teams.

Informal Recommendation 18: Embassy Kuala Lumpur should prepare and implement a formal professional training program for consular Foreign Service nationals to include Foreign Service Institute online and sponsored training. The designated training officer should keep the consular manager updated on training plans and completion dates.

Management Office

The management officer is the designated internal controls coordinator. Given the importance of management controls and their impact on the entire mission, responsibility should reside within the front office.

Informal Recommendation 19: Embassy Kuala Lumpur should designate the deputy chief of mission, rather than the management officer, as the internal controls coordinator.

Human Resources

Embassy Kuala Lumpur HR section does not maintain standard operating procedures.

Informal Recommendation 20: Embassy Kuala Lumpur's human resources section should draft and maintain standard operating procedures.

Embassy Kuala Lumpur does not have a published member of household policy.

Informal Recommendation 21: Embassy Kuala Lumpur should write a member of household policy to include the best available information on visa support.

Embassy Kuala Lumpur HR section does not maintain all FSN records.

Informal Recommendation 22: Embassy Kuala Lumpur should require all sections to send copies of disciplinary or laudatory documents to the human resources section for inclusion in Foreign Service national personnel files.

Embassy Kuala Lumpur guard supervisors maintain FSN permanent records.

Informal Recommendation 23: Embassy Kuala Lumpur should require guard supervisors to turn over personnel records to the human resources section.

Embassy Kuala Lumpur FSN compensation plan may provide overtime compensation in contravention of local law.

Informal Recommendation 24: Embassy Kuala Lumpur should clarify with the Bureau of Human Resources the proper method to calculate Foreign Service national overtime.

Embassy Kuala Lumpur FSN staffing pattern does not accurately reflect the funding source of all locally employed staff positions.

Informal Recommendation 25: Embassy Kuala Lumpur should identify the source of funding on all locally employed staff positions on its staffing pattern.

The management officer maintains and stores American employee evaluation reports, an inherently clerical function.

Informal Recommendation 26: Embassy Kuala Lumpur should designate and train a cleared office management specialist to maintain American employee evaluation reports.

The HR section appears to be understaffed.

Informal Recommendation 27: Embassy Kuala Lumpur should review and implement the human resource staffing recommendations contained in the regional human resources office report dated October 14, 2004.

Embassy Kuala Lumpur does not have a formal training plan.

Informal Recommendation 28: Embassy Kuala Lumpur should prepare a training plan.

Embassy Kuala Lumpur HR section does not add employee position numbers on OF 212 Allotment of Pay forms before submitting them to the Bangkok Financial Service Center. This creates unnecessary work for the center.

Informal Recommendation 29: Embassy Kuala Lumpur should add position numbers to all Allotment of Pay forms before sending the forms to the Bangkok Financial Service Center.

Embassy Kuala Lumpur has not conducted a survey in order to determine the pay and conditions of employment of the official residence expense staff since 1998.

Informal Recommendation 30: Embassy Kuala Lumpur should conduct a survey of salary and benefits for official residence expense staff.

Financial Management

Although the financial management section ensures that travel orders support all airline ticket charges before payments are made, the orders are obtained from the travel agency rather than from the traveler or accountant. Appropriate management control procedures assume that obligating and receiving documents are obtained from a source other than the contractor.

Informal Recommendation 31: Embassy Kuala Lumpur should ensure that travel orders used to support airline tickets are obtained from the traveler or financial management accountant.

Because accommodation exchange services cannot be outsourced, the embassy would benefit from the paper check conversion program. In June 2004, the Bangkok Financial Service Center informed Embassy Kuala Lumpur it would be receiving this program; however, no further communication has occurred.

Informal Recommendation 32: Embassy Kuala Lumpur should query the Bangkok Financial Service Center to determine the status of the paper check conversion program installation.

Although spot checks of FSN certifications are conducted, they are not documented.

Informal Recommendation 33: Embassy Kuala Lumpur should ensure that spot checks of Foreign Service national certifications are documented.

The embassy does not have a report specifying the amount of overtime charged by section making it difficult to determine if inappropriate patterns of overtime have developed.

Informal Recommendation 34: Embassy Kuala Lumpur should contact the Charleston Financial Service Center to obtain a report specifying overtime worked by section.

International Cooperative Administrative Support Services

Agencies at Embassy Kuala Lumpur maintain separate furniture inventories resulting in an inefficient use of government resources. Additionally, duplicate motor pool structures are maintained.

Informal Recommendation 35: Embassy Kuala Lumpur should examine the feasibility of establishing a furniture pool and combining motor pool operations.

Health Unit

The Embassy Kuala Lumpur health unit does not have written standard operating procedures.

Informal Recommendation 36: Embassy Kuala Lumpur health unit should prepare standard operating procedures.

Information Management

Embassy Kuala Lumpur is performing radio checks as required by 5 FAM 541. However, only 17 percent of embassy personnel participate in the monthly emergency radio checks.

Informal Recommendation 37: Embassy Kuala Lumpur should require embassy personnel to participate in monthly emergency radio check and document the results.

Embassy Kuala Lumpur is not transferring, retiring, or destroying official records according to the Department records disposal schedule.

Informal Recommendation 38: Embassy Kuala Lumpur should ensure its records are transferred, retired, or destroyed according to the Department records disposal schedule.

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Employee Association

The employee association earns a profit every year and is subsidized by the embassy.

Informal Recommendation 40: Embassy Kuala Lumpur should charge the employee association a portion of utilities and cafeteria equipment in accordance with 6 FAM 524.

The employee association's charter has not yet been approved by the Bureau of Administration's Office of Commissary and Recreation Affairs as required in 6 FAM 551.

Informal Recommendation 41: Embassy Kuala Lumpur should submit its draft employee association charter to the Bureau of Administration's Office of Commissary and Recreation Affairs.

The employee association's cafeteria contractor has not complied with a number of employee association requirements, and the agreement between the contractor and the embassy expired three years ago.

Informal Recommendation 42: Embassy Kuala Lumpur should ensure that the employee association has a valid agreement in place with a cafeteria contractor or caterer.

Cafeteria prices for FSN employees are not posted and vary from day to day.

Informal Recommendation 43: Embassy Kuala Lumpur should ensure that prices for American and Foreign Service national meals are posted in the cafeteria.

Cafeteria contractor prices vary depending on the cashier's estimation of the size of the meal portion. The contractor does not use a scale to determine the portion size.

Informal Recommendation 44: Embassy Kuala Lumpur should require that the cafeteria contractor charge either a flat rate for meals or a price based on the weight of the portion.

Management Controls

The consular section does not follow existing guidelines, U.S. Department of State Records Disposition Schedule - Chapter 9, and CMH 455, pertaining to the destruction of files such as old security advisory opinions and expired temporary work petitions.

Informal Recommendation 45: Embassy Kuala Lumpur should dispose of expired case files and chronological files that have reached destruction or archival dates. This includes policy telegrams that are electronically retrievable or have been added to the Foreign Affairs Manual.

General Services

Embassy Kuala Lumpur general services section does not have written standard operating procedures.

Informal Recommendation 46: Embassy Kuala Lumpur general services section should prepare standard operating procedures.

A large amount of information technology equipment is stored in a space in the warehouse that is not air conditioned prior to donation or sale. Temperatures exceed 100 degrees and are likely to damage the equipment beyond repair and lower sale prices.

Informal Recommendation 47: Embassy Kuala Lumpur should move information technology equipment to a climate-controlled area of the warehouse until donated or sold.

Some equipment has been stored at the warehouse for over a year. Although the GSO does not believe the embassy will need this equipment, they have not queried other agencies and sections. Unneeded equipment takes up space unnecessarily.

Informal Recommendation 48: Embassy Kuala Lumpur should send a list of items stored at the warehouse to each agency and embassy section and request approval for disposal.

General service and local guard staff earn a significant amount of overtime escorting contractors. Hiring an additional FSN to perform escort duties is likely to save costs.

Informal Recommendation 49: Embassy Kuala Lumpur should hire an additional Foreign Service national to perform escort duties.

The escort coordinator has only been able to visit FSN escorts twice a day during the workweek and not at all during the weekend.

Informal Recommendation 50: Embassy Kuala Lumpur should review the escort coordinators workload and determine the best way to ensure that escorts are properly overseen.

Escorts do not always sign in with the escort coordinator when they arrive in the morning.

Informal Recommendation 51: Embassy Kuala Lumpur should ensure that escorts are aware that they will not be credited overtime unless they check in with the escort coordinator.

Because local guard escorts are selected and rated by the local guard supervisor, the GSO has no formal mechanism available to evaluate local guard performance.

Informal Recommendation 52: Embassy Kuala Lumpur should develop a formal process to track adequacy of guard performance and to ensure that guards who have not performed adequately are not selected for escort duty.

A lack of focus on residential inventory levels has resulted in the storage of excess stock levels of some items.

Informal Recommendation 53: Embassy Kuala Lumpur should review minimum and maximum stock levels of furniture and adjust purchasing accordingly.

PRINCIPAL OFFICIALS

	Name	Arrival Date
Ambassador	Christopher J. LaFleur	12/04
Deputy Chief of Mission	Robert A. Pollard	08/02
Chiefs of Sections:		
Consular	Colwell C. Whitney	08/02
Economic	Colin S. Helmer	07/04
Management	Francisca T. Helmer	07/04
Political	Thomas F. Daughton	08/03
Public Affairs	Karl E. Stoltz	08/01
Regional Security	Brian F. Duffy	08/03
Regional Affairs	Francis Archibald	08/03
Other Agencies:		
Department of Defense	Col. Mark A. Swaringen	06/01
Foreign Commercial Service	William M. Zarit	09/01
Drug Enforcement Administration	Arthur E. Richards	03/02
Legal Attaché	Timothy C. Haught	06/04
Foreign Agricultural Service	Jonathan P. Gressel	09/04
Office of Defense Cooperation	Lt. Col. Karl R. Seabaugh	04/03

ABBREVIATIONS

CAJE	Computer aided job evaluation
CLO	Community liaison office coordinator
COM	Chief of mission
DCM	Deputy chief of mission
Department	Department of State
DHS	Department of Homeland Security
EEO	Equal employment opportunity
FSN	Foreign Service national
GSO	General services office (r)
HR	Human resources
ICASS	International cooperative administrative support services
LEWG	Law Enforcement Working Group
MACEE	Malaysian-American Commission for Educational Exchange
MPP	Mission Performance Plan
NEPA	Nonexpendable property application
NIV	Nonimmigrant visa
OIG	Office of Inspector General
OPA	Office of Public Affairs
PAO	Public affairs officer
RSO	Regional security officer
SBU	Sensitive-but-unclassified
S/GSO	Supervisory general services officer

