



# U.S. Department of Justice Office of the Inspector General

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## Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act

*(as required by Section 1001(3) of Public Law 107-56)*

March 2015

Section 1001 of the USA PATRIOT Act (Patriot Act), Public Law 107-56, directs the Office of the Inspector General (OIG) of the U.S. Department of Justice (DOJ or Department) to undertake a series of actions related to claims of civil rights or civil liberties violations allegedly committed by DOJ employees. It also requires the OIG to provide semiannual reports to Congress on the implementation of the OIG's responsibilities under Section 1001. This report summarizes the OIG's Section 1001-related activities from July 1, 2014, through December 31, 2014.

## I. INTRODUCTION

The OIG is an independent entity within the DOJ that reports to both the Attorney General and Congress. The OIG's mission is to investigate allegations of waste, fraud, and abuse in DOJ programs and personnel, and to promote economy and efficiency in DOJ operations.

The OIG has jurisdiction to review programs and personnel in all DOJ components, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Federal Bureau of Prisons (BOP), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service (USMS), and the U.S. Attorneys' Offices.<sup>1</sup>

The OIG consists of the Immediate Office of the Inspector General and the following divisions and offices:

- **Audit Division** conducts independent audits of Department programs, computer systems, financial statements, and DOJ-awarded grants and contracts.
- **Evaluation and Inspections Division** conducts program and management reviews that involve on-site inspection, statistical analysis, and other techniques to review Department programs and activities.
- **Investigations Division** investigates allegations of bribery, fraud, abuse, civil rights violations, and violations of other criminal laws and administrative procedures that govern Department employees, contractors, and grantees.

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<sup>1</sup> The OIG has authority to investigate allegations of criminal wrongdoing or administrative misconduct by any Department employee, except for "allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice." 5 U.S.C. App. 3 § 8E(b)(2)-(3).

- **Oversight and Review Division** blends the skills of attorneys, investigators, and program analysts to investigate or review high profile or sensitive matters involving Department programs or employees.
- **Management and Planning Division** provides planning, budget, finance, personnel, training, procurement, automated data processing, computer network communications, and general support services for the OIG.
- **Office of General Counsel** provides legal advice to OIG management and staff. In addition, the office drafts memoranda on issues of law; prepares administrative subpoenas; represents the OIG in personnel, contractual, and legal matters; and responds to Freedom of Information Act requests.

The OIG has a staff of more than 400 employees, about half of whom are based in Washington, D.C., while the rest work from 16 Investigations Division field and area offices and 6 Audit Division regional offices located throughout the country.

## II. SECTION 1001 OF THE PATRIOT ACT

Section 1001 of the Patriot Act provides the following:

The Inspector General of the Department of Justice shall designate one official who shall –

- (1) review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice;
- (2) make public through the Internet, radio, television, and newspaper advertisements information on the responsibilities and functions of, and how to contact, the official; and
- (3) submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on a semi-annual basis a report on the implementation of this subsection and detailing any abuses described in paragraph (1), including a description of the use of funds appropriations used to carry out this subsection.

### III. CIVIL RIGHTS AND CIVIL LIBERTIES COMPLAINTS

Section 1001 requires the OIG to “review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice.”

The OIG’s Investigations Division manages the OIG’s Section 1001 investigative responsibilities. The two units with primary responsibility for coordinating these activities are Operations Branch I and Operations Branch II, each of which is directed by a Special Agent in Charge and two Assistant Special Agents in Charge (ASAC).<sup>2</sup> In addition, these units are supported by Investigative Specialists and other staff assigned to the Investigative Support Branch, who divide their time between Section 1001 and other responsibilities.

The Investigations Division receives civil rights and civil liberties complaints via mail, e-mail, telephone, and facsimile. Upon receipt, Division ASACs review the complaints and assign an initial disposition to each matter, and Investigative Specialists enter the complaints alleging a violation within the investigative jurisdiction of the OIG or another federal agency into an OIG database. Serious civil rights and civil liberties allegations relating to actions of DOJ employees or contractors are typically assigned to an OIG Investigations Division field office, where special agents conduct investigations of criminal violations and administrative misconduct.<sup>3</sup> Occasionally, complaints are assigned to the OIG’s Oversight and Review Division for investigation.

Given the number of complaints the OIG receives compared to its limited resources, the OIG does not investigate all allegations of misconduct against DOJ employees. The OIG refers many complaints involving DOJ employees to internal affairs offices in DOJ components such as the FBI Inspection Division, the DEA Office of Professional Responsibility, and the BOP Office of Internal Affairs. In certain referrals, the OIG requires the components to report the results of their investigations to the OIG. In most cases, the OIG notifies the complainant of the referral.

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<sup>2</sup> These units also coordinate the OIG’s review of allegations of misconduct by Department employees: the Operations Branch I has primary responsibility for matters involving the BOP, USMS, and the U.S. Attorney’s Offices; the Operations Branch II has primary responsibility for matters involving the FBI, DEA, and ATF.

<sup>3</sup> The OIG can pursue an allegation either criminally or administratively. Many OIG investigations begin with allegations of criminal activity but, as is the case for any law enforcement agency, do not result in prosecution. When this occurs, the OIG may continue the investigation and treat the matter as a case for potential administrative discipline. The OIG’s ability to handle matters criminally or administratively helps to ensure that a matter can be pursued administratively even if a prosecutor declines to prosecute a matter.

Many complaints the OIG receives involve matters outside its jurisdiction, and when those matters identify a specific issue for investigation, the OIG forwards them to the appropriate investigative entity. For example, complaints of mistreatment by airport security staff or by the Border Patrol are sent to the Department of Homeland Security OIG. The DOJ OIG also has forwarded complaints to the Offices of Inspectors General at the Department of Health and Human Services, the Department of Veterans Affairs, and the Department of Education. Allegations related to the authority of a DOJ attorney to litigate, investigate, or provide legal advice are referred to the DOJ Office of Professional Responsibility. Allegations related solely to state and local law enforcement or government officials that raise a federal civil rights concern are forwarded to the DOJ Civil Rights Division.

When an allegation received from any source involves a potential violation of federal civil rights statutes by a DOJ employee, the OIG discusses the complaint with the DOJ Civil Rights Division for possible prosecution. In some cases, the Civil Rights Division accepts the case and requests additional investigation by either the OIG or the FBI. In other cases, the Civil Rights Division declines prosecution and either the OIG or the appropriate DOJ internal affairs office reviews the case for possible administrative misconduct.

#### **A. Complaints Processed During This Reporting Period**

Between July 1, 2014, and December 31, 2014, the period covered by this report, the OIG processed **458** new civil rights or civil liberties complaints.<sup>4</sup>

Of these complaints, **413** did not fall within the OIG's jurisdiction or did not warrant further investigation. The vast majority (375) of these complaints involved allegations against agencies or entities outside the DOJ, including other federal agencies, local governments, or private businesses. When possible, the OIG referred those complaints to the appropriate entity or advised complainants of the entity with jurisdiction over their allegations. Some complaints (38) raised allegations that were not suitable for investigation by the OIG and could not be referred to another agency for investigation, generally because the complaints failed to identify a subject or agency.

The OIG found that the remaining **45** of the 458 complaints it received involved DOJ employees or DOJ components and included allegations that required further review. The OIG determined that **42** of these complaints raised management issues generally unrelated to the OIG's Section 1001 duties

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<sup>4</sup> These complaints include all matters in which the complainant made any mention of a civil rights or civil liberties violation, even if the allegation was not within the OIG's jurisdiction.

and, consequently, referred these complaints to DOJ components for appropriate handling. Examples of complaints in this category included allegations by federal prisoners about the general prison conditions, and by others that the FBI did not initiate an investigation into particular allegations.

The OIG identified a total of **3** complaints warranting further investigation to determine whether Section 1001-related abuses occurred. The OIG referred these 3 complaints to the appropriate DOJ components for further investigation. The next section of this report describes the substance of these 3 complaints. Notably, none of the complaints processed during this reporting period specifically alleged misconduct by DOJ employees relating to the use of authorities contained in the Patriot Act.

The following is a synopsis of the new complaints processed during this reporting period involving DOJ employees or components, including allegations requiring further review:

Complaints processed	<b>458</b>
Complaints not within OIG's jurisdiction or not warranting further review	<b>413</b>
Total complaints within OIG's jurisdiction warranting review	<b>45</b>
Management issues referred to DOJ components for handling	<b>42</b>
Possible Section 1001 complaints warranting investigation by OIG	<b>0</b>
Possible Section 1001 complaints warranting investigation by DOJ components	<b>3</b>

## **B. Section 1001 Complaints**

### **1. Investigations Opened During This Reporting Period**

During this reporting period, the OIG referred **2** Section 1001-related complaints to the BOP for investigation, and **1** Section 1001-related complaint to the FBI and DEA, all of which remain pending. The OIG has requested that, upon completion of the investigation of each referred complaint, these components provide the OIG a copy of the investigative reports.

**a. Continuing BOP Investigations**

- A BOP inmate alleged that, during a search of his cell, two correctional officers assaulted him, used a racial slur, and made a derogatory statement against Muslims.
- A BOP inmate alleged that during Ramadan two correctional officers intentionally delivered his breakfast two hours late, made derogatory comments against Muslims, threw milk on him, and destroyed his property, including Islamic literature.

**b. Continuing FBI, DEA Investigation**

- A complainant alleged that the FBI and DEA racially profiled and targeted for investigation both himself and other individuals at an Islamic center. The complainant further alleged that although federal agents claimed the investigation was related to drug offenses, they repeatedly questioned him and other individuals about their national origin and ties to Pakistan.

**2. Pending Investigations Opened During Previous Reporting Periods**

**a. OIG Investigation**

The OIG opened the following investigation into **1** complaint that had previously been referred to and investigated by the BOP; the investigation remains open.

- A Muslim inmate alleged that two BOP correctional officers called him a “Muslim terrorist” and a “terrorist bomber”; that he suffered physical abuse when an unidentified officer assaulted him while he was in full restraints; and that his wheelchair was not properly secured when he was transported to a hospital in a government vehicle, resulting in physical injury. This matter was initially referred to BOP for investigation. However, BOP was unable to interview the complainant and an inmate identified by the complainant as a witness before their release from BOP custody. The OIG has opened this investigation and will attempt to locate and interview those individuals, as well as a former BOP employee who may have relevant information.

**b. Complaints Referred to BOP**

The OIG referred the following **8** complaints to the BOP for investigation during a prior reporting period; the investigations

remain open. The OIG has requested that BOP provide a copy of its investigative report upon completion of the investigation of each referred complaint.

- A BOP inmate alleged that several correctional officers referred to him using a racial and ethnic slur, and threatened to kill him because he asked why his food tray was not delivered on time.
- A BOP inmate alleged that after he filed a grievance against a BOP chaplain for allegedly interfering with his right to practice the Islamic faith, the chaplain then accused the inmate of “starting a terrorist cell,” resulting in the inmate being placed in segregated housing. The inmate also alleged that after filing another grievance alleging retaliation, he was again sent to segregated housing. Additionally, the inmate alleged that after an internal investigation at the prison determined that the allegations against him were false, the BOP took no action against the staff and instead transferred the inmate twice, leaving him thousands of miles from his family.
- An inmate alleged that, based on racial animus, a BOP employee made disrespectful and highly offensive comments that other inmates could hear in an effort to humiliate and provoke the inmate. The inmate also alleged that the employee refused to report an injury to the inmate’s wrists caused by handcuffs.
- An inmate alleged that a correctional officer made derogatory racial and religious statements about Muslims and arbitrarily refused to allow inmates to attend a special Muslim service. The inmate further alleged that the officer taunted the complainant about religious matters, made false allegations against the complainant, and confiscated his ID, which resulted in the inmate not being able to participate in programs or services.
- An inmate alleged that a chaplain denied him and other Muslim inmates basic rights in violation of BOP policy, such as being able to pray at job sites and participating in religious rituals.
- A Muslim inmate alleged that after requesting a reason for being ordered to submit to a visual search a BOP correctional officer pushed him to the ground and subsequently pushed his face into a fence. The inmate further alleged that the correctional

officer referred to him using a racial slur and made other derogatory and threatening statements about Muslims.

- A BOP inmate alleged that, while the inmate was recovering from surgery, a Health Services Administrator inappropriately searched his person while cursing at the inmate. The inmate further alleged that the Health Services Administrator deliberately and maliciously threw the inmate's Koran on the floor.
- A Muslim inmate alleged that a correctional officer threatened to bring a gun into a BOP facility to kill the inmate, referred to the inmate using racial slurs, and made reference to his dislike of black Muslims.

### **3. Previously Opened Investigations Completed During This Reporting Period**

The OIG completed its investigation of **1** Section 1001-related matter during this reporting period. Additionally, the BOP completed investigations of **3** Section 1001-related complaints that were referred by the OIG in prior reporting periods. Upon completion of the investigation of each referred complaint, the BOP provided the OIG a copy of its investigative report.

#### **a. OIG Investigation**

- Six BOP inmates alleged that a correctional officer referred to the inmates as rats and implied that they deserved to be killed; poured oats into their property bags, causing rats to raid the bags; disposed of their personal property, including religious items; and placed inappropriate photographs inside a Koran. The inmates further alleged that the correctional officer made disrespectful noises and jokes outside the room where they were praying. One inmate alleged that the correctional officer encouraged him to listen to an evangelical Christian radio station. The OIG interviewed the inmates, who were unable to articulate why they believed the correctional officer's comment about "rats" referred to them rather than the known rat problem at the prison, and why they felt that the correctional officer's comment implied a threat. Nor could the inmates provide specific examples of disrespectful jokes or derogatory racial remarks made by the correctional officer during prayer sessions. The correctional officer was interviewed and denied that his comment about rats referred to the inmates, stating instead that it referred to a rat infestation at the prison. The

correctional officer also denied the other allegations against him. The OIG determined that the allegations were not substantiated and closed its investigation.

**b. BOP Investigations**

- An inmate alleged that a BOP correctional officer acted disrespectfully toward Muslim inmates and threw away the inmate's religious headwear. The inmate also alleged that the officer refused to allow the inmate to correspond with the courts about his case and that his outgoing mail was, at times, returned to him opened. BOP interviewed the inmate, who stated that after making the allegations he realized that the headwear confiscated by the correctional officer did not comply with BOP policy, and that he no longer believed that the correctional officer singled out inmates of the Islamic faith. The correctional officer stated in an interview that he informed the inmate on several occasions that multicolored religious headwear was not in accordance with BOP policy and that the inmate discarded his own headwear in the correctional officer's presence. The correctional officer denied the other allegations against him, noted that that incoming and outgoing mail is screened to ensure security, and stated that he treats all inmates equally regardless of their race or religious beliefs. BOP determined the allegations were not substantiated and closed its investigation.
- An inmate alleged that a correctional officer discriminated against Muslim inmates by disrupting a prayer service without justification and telling the inmates to stop praying. The BOP interviewed the inmate, who repeated his allegation and provided additional details about the place and time of the alleged incident. The BOP also interviewed the subject correctional officer, who denied telling Muslim inmates to stop praying on the date in question and stated that he has never entered the chapel in a disrespectful manner. Additionally, three correctional officers assigned to the inmate's unit on the day in question stated to the BOP that they had not witnessed the alleged incident, and the BOP's review of the unit's sign-in log for the date in question revealed that the subject correctional officer was not in the unit that day until several hours after the incident was alleged to have occurred. BOP determined that the allegations were not substantiated and closed its investigation.

- A Muslim inmate alleged that a disciplinary hearing officer (DHO) threatened him, cursed at him, made derogatory statements about Muslims, and did not properly conduct a hearing. The BOP interviewed the DHO, who has since retired from the BOP. The DHO denied using inappropriate language with the inmate and stated that the hearing was conducted according to BOP policy. The BOP identified no witnesses or evidence to substantiate the inmate's allegations. BOP determined that the investigation revealed insufficient evidence to support the allegations and closed its investigation.

#### **IV. OTHER ACTIVITIES RELATED TO POTENTIAL CIVIL RIGHTS AND CIVIL LIBERTIES ISSUES**

The OIG conducts other reviews that go beyond the explicit requirements of Section 1001 in order to implement more fully its civil rights and civil liberties oversight responsibilities. The OIG has completed or is conducting several such reviews that relate to the OIG's duties under Section 1001. These reviews are discussed in this section of the report.

##### **A. Review of the Department's Use of the Material Witness Statute with a Focus on Select National Security Matters**

The OIG issued a report examining the Department's use of the federal material witness statute in international terrorism investigations during the years 2000-2012. The OIG evaluated the cases of approximately 112 material witnesses detained during this period, from which the OIG identified 12 individuals whose arrests appeared to raise questions regarding whether the Department was misusing the statute. The OIG's in-depth review of the 12 individuals' cases did not find sufficient evidence to conclude that the Department misused the statute in international terrorism investigations. Specifically, the OIG review found no evidence that the Department's use of the statute in these 12 individuals' cases resulted in the arbitrary or indiscriminate detention of Muslim men, and it confirmed that the statute was used for its intended purpose—to secure relevant testimony from a witness who might flee—rather than as a pretext to preemptively detain and investigate individuals suspected of criminal offenses.

The report found that the Department used the material witness statute in international terrorism investigations relatively rarely; the statute is far more frequently used in other investigations, particularly alien smuggling prosecutions. Although the Department dramatically increased its use of the statute in international terrorism investigations immediately following the September 11 attacks, the data reveal an equally dramatic decline in the use of the statute in such cases in recent years. According to Department records, no

material witnesses were detained in international terrorism cases from 2004 through 2012.

The report also examined allegations that some witnesses were subjected to harsh conditions during confinement and transport, such as strip searches and shackling. In general, the relevant statutes do not treat material witnesses any differently than criminal defendants with respect to conditions of confinement. The OIG's review found that, although the conditions under which material witnesses were confined and transported were sometimes harsh, there was no evidence that they violated applicable laws or Department policies.

Finally, the report noted that during the course of the review, the OIG experienced significant delays resulting from limitations imposed upon its access to grand jury material and Title III electronic surveillance material. The Deputy Attorney General ultimately determined that the information in question should be provided to the OIG, and both the Attorney General and the Deputy Attorney General stated that they will continue to provide the OIG with the necessary authorizations to enable the OIG to obtain records in future reviews. However, it is the view of the Inspector General that the OIG's access to relevant information in possession of the Department should not be conditioned upon the permission of Department leadership, as such a condition conflicts with the core principles of the IG Act and impairs the OIG's independence.

#### **B. Review of the FBI's Use of National Security Letters: Assessment of Progress in Implementing Recommendations and Examination of Use in 2007 through 2009**

The OIG issued a report examining the FBI's progress in implementing recommendations from prior reports involving the use of NSLs and the use of NSLs from 2007 through 2009. This report follows up on the OIG's March 2007 and March 2008 reports on the FBI's use of NSLs after the enactment of the Patriot Act in 2001, as well as the OIG's separate January 2010 report on the FBI's use of exigent letters and other informal methods to obtain telephone records. In sum, the OIG's latest review found that the FBI and the Department have fully implemented 31 of 41 recommendations made in the OIG's prior reports on these topics, and that 10 recommendations require additional information or attention. In addition, because the OIG identified challenges in certain areas during its compliance review, the OIG made 10 new recommendations to the FBI and the Department to further improve the use and oversight of NSLs.

The OIG's report found that the FBI and the Department have devoted considerable resources toward implementing the recommendations made in the OIG's past reports and taking additional measures to improve the FBI's

compliance with NSL requirements. The OIG determined that the FBI and the Department have fully implemented 23 of 28 recommendations from the OIG's first and second NSL reports by creating new internal controls, providing guidance and training to FBI personnel, establishing new record-keeping practices, and conducting periodic reviews of NSL use. The OIG's compliance review of NSLs issued by the FBI in 2008 and 2009 demonstrated that these efforts have resulted in substantial improvement in the FBI's compliance with NSL requirements. The OIG's review found that five recommendations from its prior NSL reports require additional information or attention to address the accuracy of information entered into the FBI's web-based NSL workflow and database (the "NSL subsystem") and improve the FBI's record-keeping practices. The OIG's report identifies steps the FBI should take to address these issues. In addition, during the OIG's compliance review, the OIG identified challenges in certain areas with regard to NSLs issued in 2007 through 2009, including FBI personnel's identification of information the FBI is not authorized to receive in response to an NSL; documentation of the justification for an NSL request; and adherence to the FBI's record-keeping policies. The OIG's report makes new recommendations to help the FBI and the Department address these challenges.

The OIG's report also describes other noteworthy issues related to the FBI's use of NSLs. These issues include the scope of the phrase "toll billing records" in the *Electronic Communication Privacy Act* (ECPA) NSL statute. The term is undefined, and the OIG's review found that it is unclear whether all of the information the FBI receives in response to NSL requests for toll billing records falls within the scope of the statute. The OIG's report recommends that the FBI and the Department revive their efforts to bring about a legislative amendment that defines the phrase "toll billing records."

The OIG's review found that the FBI and the Department have fully implemented 8 of 13 recommendations made in the OIG's 2010 report on the use of exigent letters and other informal practices related to ECPA-protected telephone records. Five recommendations require additional effort and attention from the FBI or the Department, three of which concern training and guidance on certain aspects of the ECPA.

### **C. The FBI's Use of Section 215 Orders, and Pen Register and Trap-and-Trace Authorities, under the Foreign Intelligence Surveillance Act from 2007 through 2009**

The OIG is examining the FBI's use of Section 215 orders for business records.<sup>5</sup> This review is assessing the FBI's progress in responding to the OIG's recommendations in its 2007 and 2008 reports on the FBI's use of Section 215 authority. The current review is also examining the number of Section 215 applications filed by the FBI between 2007 and 2009, and any improper or illegal uses of this authority. In addition, the OIG is examining the FBI's use of its pen register and trap-and-trace authority under the Foreign Intelligence Surveillance Act.

### **D. FBI's Involvement in the National Security Agency's Bulk Telephony Metadata Collection Program**

The OIG is reviewing the FBI's use of information derived from the National Security Agency's (NSA) collection of telephony metadata obtained from certain telecommunications service providers under Section 215 of the Patriot Act. The review will examine the FBI's procedures for receiving, processing, and disseminating leads the NSA develops from the metadata, and any changes that have been made to these procedures over time. The review will also examine how FBI field offices respond to leads, and the scope and type of information field offices collect as a result of any investigative activity that is initiated. In addition, the review will examine the role the leads have had in FBI counterterrorism efforts.

### **E. DEA's Use of Administrative Subpoenas**

The OIG is examining the DEA's use of administrative subpoenas to obtain broad collections of data or information. The review will address the legal authority for the acquisition or use of these data collections; the existence and effectiveness of any policies and procedural safeguards established with respect to the collection, use, and retention of the data; the creation,

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<sup>5</sup> In February 2015, the OIG delivered to Congressional oversight and intelligence committees, as well as to Department leadership offices, a classified report, with certain information redacted, entitled, *The Federal Bureau of Investigation's Use of Section 215 Orders: Assessment of Progress in Implementing Recommendations and Examination of Use in 2007 through 2009*. The OIG provided a final draft of the report to the Intelligence Community in June 2014 for a classification review, but as of February 2015 we had not been informed of when that review would be completed. We therefore issued our classified report without an accompanying public, unclassified version. We will issue a public, unclassified version of the report, with any necessary redactions, at the conclusion of a separate and final classification review currently being conducted by the FBI, and we will describe the results of the review in the Section 1001 Patriot Act report covering the period in which that version of the report is issued.

dissemination, and usefulness of any products generated from the data; and the use of “parallel construction” or other techniques to protect the confidentiality of these programs.

## **V. EXPENSE OF IMPLEMENTING SECTION 1001**

Section 1001 requires the OIG to include in this report “a description of the use of funds appropriations used to carry out this subsection.”

During this reporting period, the OIG spent approximately \$431,294 in personnel costs, \$336 in travel costs, and \$3,424 in miscellaneous costs, for a total of \$435,054 to implement its responsibilities under Section 1001. The total personnel and miscellaneous costs reflect the time and funds spent by OIG special agents, attorneys, auditors, inspectors, program analysts, and paralegals who have worked directly on investigating Section 1001-related complaints, conducting special reviews, implementing the OIG’s responsibilities under Section 1001, and overseeing such activities.