



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

SEMIANNUAL REPORT TO CONGRESS

OCTOBER 1, 2017 – MARCH 31, 2018



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Message from the Inspector General

It is my pleasure to submit this Semiannual Report on the operations of the Office of the Inspector General (OIG), which covers the period from October 1, 2017, to March 31, 2018.

The Semiannual Report details the OIG's work over the past 6 months. During this time, we completed several reports pertaining to the Department's law enforcement components, such as reviews of the FBI's response to unresolved results in polygraph examinations; the accuracy of FBI statements concerning its capability to access data on an iPhone seized during the San Bernardino terror attack investigation; the USMS's court security procurement process; and ATF's controls over weapons, munitions, and explosives. Additionally, we reviewed the DOJ's efforts to address patterns or practices of police misconduct and provide technical assistance on accountability reform to police departments and the DOJ's implementation of the *Tribal Law and Order Act of 2010*.

In our ongoing commitment to identify whether federal funds are being used by the Department effectively and efficiently, we conducted dozens of audits and reviews to fulfill this mission, and we recommended improvements to the Department's programs. In particular, we issued nine audits over the past 6 months of OJP Crime Victims Fund programs and grants that focus on victims of crime. Additionally, we reviewed contracts awarded by the DEA to provide analytic linguist services and aviation support. We also reviewed the DOJ's grant award closeout process as administrated by the DOJ's primary award-making agencies. Over the past 6 months, the OIG conducted additional reviews of various contracts and grants by the Department and examined the Department's oversight and management of these awards.

In addition, the OIG's Investigations Division closed 115 criminal or administrative misconduct cases, and its work resulted in 34 convictions or pleas and 173 terminations, administrative disciplinary actions, and resignations. The quality of the investigations described in this report demonstrates the importance of effective, fair, and objective investigative oversight conducted by our Office.

Since our previous report, Robert P. Storch, our Deputy Inspector General, was confirmed by the Senate to serve as the first presidentially appointed and Senate confirmed Inspector General for the National Security Agency. His exemplary talents and contributions to my Office and the IG community are surpassed only by his commitment to impartial oversight and transparency. I truly appreciate his invaluable service to the OIG and wish him well in his important new position.

As always, the OIG remains committed to its mission to detect and deter waste, fraud, abuse, and misconduct related to DOJ programs, and to promote economy and efficiency in those programs—as is exemplified in our work over the past 6 months. As usual, the Semiannual Report reflects the exceptional work of OIG personnel and their dedication to the OIG's important mission.

A handwritten signature in blue ink, appearing to read "Michael E. Horowitz".

Michael E. Horowitz
Inspector General
April 30, 2018

Table of Contents

| | |
|---|----|
| Highlights of OIG Activities..... | 1 |
| OIG Profile..... | 11 |
| Multicomponent..... | 13 |
| Federal Bureau of Investigation | 22 |
| Federal Bureau of Prisons..... | 27 |
| U.S. Marshals Service | 31 |
| Drug Enforcement Administration | 35 |
| Bureau of Alcohol, Tobacco, Firearms and Explosives..... | 39 |
| Office of Justice Programs..... | 42 |
| Crime Victims Fund | 46 |
| Other Department Components..... | 51 |
| Civil Division..... | 51 |
| Criminal Division..... | 52 |
| Executive Office for Immigration Review | 53 |
| Office on Violence Against Women..... | 53 |
| Top Management and Performance Challenges..... | 56 |
| Congressional Testimony | 57 |
| Legislation and Regulations..... | 57 |
| Whistleblower Ombudsman Program | 58 |

Table of Contents

| | |
|---|----|
| Statistical Information | 59 |
| Questioned Costs | 59 |
| Funds Recommended to Be Put to Better Use | 60 |
| Significant Recommendations for Which Corrective Actions Have Not Been Completed..... | 61 |
| Reports Without Management Decisions for More than 6 Months..... | 62 |
| Description and Explanation of the Reasons for Any Significant Revised Management Decision Made During the Reporting Period | 62 |
| Significant Recommendations in Disagreement for More than 6 Months | 62 |
| Audit Follow-up | 63 |
| Evaluation and Inspections Workload and Accomplishments | 63 |
| Investigations Statistics | 64 |
| Investigations Division Briefing Programs | 65 |
| OIG Hotline..... | 65 |
| Appendices | 66 |
| Acronyms and Abbreviations | 66 |
| Glossary of Terms..... | 67 |
| Audit Division Reports..... | 69 |
| Quantifiable Potential Monetary Benefits | 73 |
| Evaluation and Inspections Division Reports..... | 75 |
| Oversight and Review Division Reports | 75 |
| Peer Reviews..... | 76 |
| Reporting Requirements | 77 |

Highlights of OIG Activities



The following summaries highlight some of the OIG's audits, evaluations, inspections,

special reviews, and investigations, which are discussed further in this report. As the highlights illustrate, the OIG continues to conduct wide-ranging oversight of Department of Justice (DOJ or Department) programs and operations.

Statistical Highlights

| October 1, 2017 – March 31, 2018 | |
|--|-----------------|
| Allegations Received by the Investigations Division ¹ | 5,902 |
| Investigations Opened | 176 |
| Investigations Closed | 115 |
| Arrests | 41 |
| Indictments/Informations | 29 |
| Convictions/Pleas | 34 |
| Administrative Actions | 173 |
| Monetary Recoveries ² | \$79,857,725.23 |
| Audit Reports Issued | 43 |
| Questioned Costs | \$13,006,144 |
| Funds for Better Use | \$10,744,009 |
| Recommendations for Management Improvements | 253 |
| Single Audit Act Reports Issued | 16 |
| Questioned Costs | \$70,000 |
| Recommendations for Management Improvements | 23 |
| Other Audit Division Reports Issued | 3 |

¹ These figures represent allegations entered into the OIG's complaint tracking system. They do not include the approximate 64,000 additional Hotline, e-mail, and phone contacts that were processed and deemed non-jurisdictional and outside the purview of the federal government.

² Includes civil, criminal and non-judicial fines, restitutions, recoveries, assessments, penalties, and forfeitures.

Audits, Evaluations, Inspections, and Special Reviews Highlights

Examples of OIG audits, evaluations, inspections, and special reviews completed during this semiannual reporting period are:

- [Implementation of the Tribal Law and Order Act of 2010](#). The OIG assessed DOJ's tribal law enforcement responsibilities pursuant to the *Tribal Law and Order Act of 2010* (TLOA), with a focus on the legal assistance, investigative training, and data collection activities that DOJ provides to enhance law enforcement in Indian country. The OIG concluded that, while the Department and its components have taken some steps to implement TLOA, efforts to comply with TLOA mandates lacked coordination. Components were individually responsible for fulfilling their TLOA responsibilities, and compliance varied. Though many tribes rely solely on U.S. Attorney's Offices (USAO) to prosecute crimes in Indian country, the OIG found that across districts USAOs did not consistently communicate or effectively coordinate with tribes. The OIG further found that DOJ must do more to ensure that it provides all of the training that TLOA required. The OIG determined that the Drug Enforcement Administration (DEA) and the Federal Bureau of Investigation (FBI) could do more to improve coordination with the Bureau of Indian Affairs (BIA) to ensure that both BIA and tribal law enforcement have access to training. The OIG also found that, 7 years after TLOA became law, the Bureau of Justice Statistics was still developing data collection and reporting efforts and that reporting and crime data in Indian country remained unreliable and incomplete, limiting DOJ's ability to assess its TLOA implementation. Lastly, although the

Highlights of OIG Activities

FBI and the Executive Office for U.S. Attorneys (EOUSA) generally complied with data reporting requirements, the OIG found that neither entity used the data collected to evaluate and improve law enforcement activities in Indian country. The OIG made 14 recommendations to improve DOJ's law enforcement activities in Indian country through increased communication and coordination with tribes and informed, performance based management.

- [Review of the Federal Bureau of Investigation's Response to Unresolved Results in Polygraph Examinations](#). The OIG issued a classified report assessing the FBI's processes to resolve discrepancies or security concerns identified in job applicant and employee polygraph examinations. The OIG identified several concerns with the FBI's processes that may have led to security and operational vulnerabilities. The OIG determined that investigations and adjudications were often lengthy, taking an average of 357 days. The OIG also found instances in which employees who were unable to pass multiple polygraph exams were allowed to retain access to sensitive information, systems, and spaces for extended periods of time without the risk assessments that FBI policy requires. Additionally, the OIG concluded that communication between relevant FBI offices was sometimes lacking and investigators did not always use all sources of information available to them. Specifically, information about alleged employee misconduct discovered in polygraph examinations was not always shared with the FBI's Inspection Division, which investigates employee misconduct, or with the OIG. Because of the seriousness and urgency of these concerns, the OIG issued a Management Advisory Memorandum to the FBI in September 2017. Furthermore, the OIG found that the FBI does not centralize its

recordkeeping of all relevant information that could be used in investigations and adjudications of unresolved employee polygraph results, which inhibited the FBI in analyzing trends and patterns. The classified report made eight recommendations to the FBI to improve the efficiency and effectiveness of its response to unresolved results in polygraph examinations. The FBI agreed with all of them. The OIG also issued an unclassified Public Summary of the report.

- [Grant Award Closeout Process](#). The OIG issued an audit report examining the DOJ grant award closeout process as administered by DOJ's primary award-making agencies—the Office of Justice Programs (OJP), Office of Community Oriented Policing Services (COPS Office), and Office on Violence Against Women (OVW). The audit concentrated on, but was not limited to, 43,099 awards totaling over \$26 billion that ended between October 1, 2008, and September 30, 2016. The OIG found that OJP, COPS Office, and OVW have made significant improvements to the grant award closeout process since the OIG's last audit of the process was issued in December 2006. The OIG found that 13 percent of OJP grants, 19 percent of COPS Office grants, and 42 percent of OVW grants were closed after the timeframe established by the components' policies, representing a significant improvement in closeout timeliness compared to 2006. The OIG also found that the awarding agencies had effectively implemented controls to prevent grant recipients from drawing down grant funds after expiration of the grant liquidation deadline. The OIG identified \$28,810,221 in funding that remains obligated against grants that were eligible for closeout at the time of the audit. This amount includes nearly \$4 million in unused OJP, COPS Office, and OVW funding that remained

Highlights of OIG Activities

obligated against grants that expired as many as 6 years ago, and over \$1 million in refunds submitted by recipients as many as 5 years ago that the awarding agencies had not deobligated. Keeping these funds obligated against grants that were expired, and thus eligible for closeout, prevented DOJ from putting these funds to better use. The OIG also identified \$762,183 in unallowable spending not detected by the awarding agencies because reported data did not accurately reflect important expenditure information. In response to the draft audit report, OJP, COPS Office, and OVW submitted documentation sufficient to remedy \$18,068,288 of the costs identified above. The report contains 61 recommendations—27 recommendations to improve the closeout process, and an additional 34 recommendations to remedy the unallowable recipient spending.

- **DEA Linguistic Contract Awarded to Conduit Language Specialists, Inc.** The OIG issued an audit report examining the DEA's contract awarded to Conduit Language Specialists, Inc. (Conduit), in 2012, to provide analytic linguist services for the DEA's Denver and Phoenix Field Divisions. The OIG found that the DEA failed to provide sufficient administration and oversight of the contract, which resulted in: (1) significant non-compliance with applicable laws, regulations, and the contract terms and conditions; (2) minimal quality assurance (QA); (3) contractor performance deficiencies; and (4) poorly defined contract requirements. Specifically, the OIG found that the DEA paid almost \$2.9 million for linguists who did not meet essential contract prerequisites for security or language proficiency; placed sole responsibility for QA on Conduit, despite the DEA's responsibility for QA under federal regulations; paid

\$33,421 more to another contractor for linguists proficient in Arabic and Bosnian that Conduit could not provide because Conduit's linguists did not have completed background investigations; and improperly approved and paid price adjustments to Conduit, including increases for profit and administrative costs, prohibited by federal law. The OIG also found that Conduit did not properly pay some fringe benefits to its linguists in accordance with federal labor laws. The OIG made 11 recommendations to assist the DEA in improving the administration and oversight of its linguist contracts. The DEA and Justice Management Division (JMD) agreed with the recommendations. Conduit did not explicitly agree or disagree with many of the recommendations, and objected to the majority of the concerns the OIG identified.

- **DOJ's Efforts to Address Patterns or Practices of Police Misconduct and Provide Technical Assistance on Accountability Reform to Police Departments.** The OIG issued an audit report examining the Department's efforts to address patterns or practices of police misconduct and provide technical assistance on accountability reform to police departments. The report generally focused on the efforts of four DOJ components—the Civil Rights Division (CRT), COPS Office, OJP, and the Community Relations Service (CRS)—from January 2011 through December 2015. The OIG concluded that these DOJ components informally coordinated their work, which provided benefits to DOJ's overall efforts in the area of police misconduct. However, the OIG found that more regular and systemic coordination would better enable DOJ components to share information, prevent overlap of services, and ensure efficiency in achieving its goals. The OIG

Highlights of OIG Activities

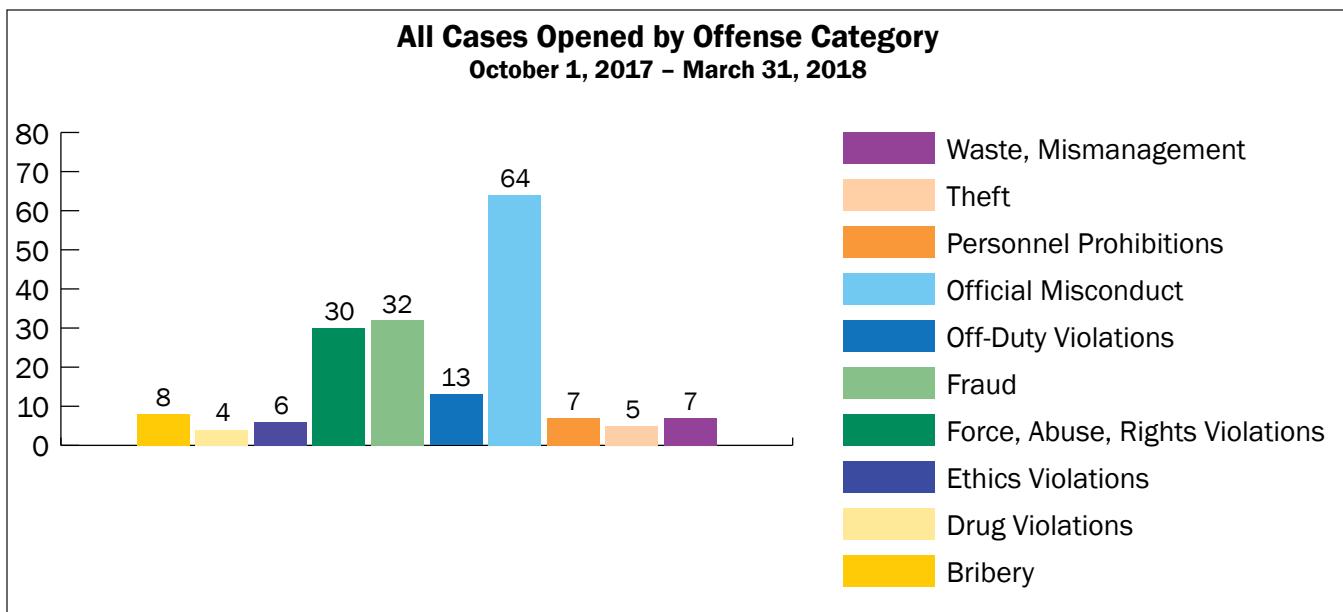
issued 15 recommendations to assist the Department with its efforts to address police misconduct and provide technical assistance to local law enforcement. The Department and the components agreed with all of them.

Investigative Highlights

As shown in the statistics at the beginning of this section and in the chart on the following page, the OIG investigates many allegations of misconduct involving DOJ employees or contractors and grantees who receive DOJ funds. Examples of such investigations are:

- On March 14, 2018, the OIG issued its report of investigation of allegations from an FBI Technician that he was threatened with reprisal for making a protected disclosure under the FBI Whistleblower Regulations to the Special Agent-in-Charge (SAC) of an FBI Division where the Technician had served a Temporary Duty (TDY) assignment. Specifically, the Technician alleged that a supervisor in his home office (SAS 2) prohibited him from sending additional e-mails outside the Division without her prior approval, threatened to give him a lower score on his annual Performance Appraisal Report (PAR), and told him that TDY opportunities “could dry up.” The OIG found that the Technician made a protected disclosure, and that, in direct response, SAS 2 threatened to lower his annual PAR rating and deny future requests for TDY opportunities. The OIG further determined that another supervisor (SAS 1) and the Technician’s Administrative Officer (AO) were also responsible for the personnel actions threatened against the Technician because they were employees who have authority to direct others to take, recommend, or approve personnel actions, and they actively counseled SAS 2 to advise the technician that his disclosure could adversely affect his PAR ratings, and jeopardize future TDYs. The OIG did not find clear and convincing evidence that these threats would have been made in the absence of the Technician’s protected disclosures. Accordingly, the OIG concluded that there were reasonable grounds to believe that the Technician had suffered reprisals as a result of his protected disclosures. The OIG recommended that the Office of Attorney Recruitment and Management (OARM) order corrective action instructing the FBI to formally withdraw or otherwise eliminate the threats by the Technician’s supervisors and the AO to downgrade the Technician’s performance appraisal rating and deprive him of TDY opportunities. Under the FBI Whistleblower Regulations, the OIG’s finding is not a final determination. The responsibility for making a final adjudication of the reprisal claim lies with OARM, which may order corrective action as a remedy for the whistleblower.
- On September 27, 2017, a former U.S. Marshals Service (USMS) contractor was sentenced to 46 months of incarceration for bribery and smuggling contraband. The contractor, who was sentenced in the Eastern District of Texas, resigned in January 2015. According to the Indictment, between December 2014 and January 2015, the contractor provided an inmate with a cell phone and arranged for bribe payments. The investigation was conducted by the OIG’s Houston Area Office, FBI, and USMS.
- On March 7, 2018, a former Trial Attorney assigned to the DOJ Civil Division’s Fraud Section in Washington, D.C., was sentenced to 30 months incarceration followed by 3 years of supervised probation and ordered to pay \$10,000 after pleading guilty to one count of interstate transportation of stolen goods and two

Highlights of OIG Activities



Source: Investigations Data Management System

counts of obstruction of justice. The Trial Attorney, who resigned from DOJ in April 2016, was charged by Criminal Information in the Northern District of California. According to the plea agreement, the Trial Attorney worked for the Civil Fraud Section between 2010 and 2016, and admitted that during the last month of his employment he began secretly reviewing and collecting court sealed *qui tam* complaints that had been filed in court, but were not available publicly. The matters were not assigned to him to his caseload. He admitted that, after leaving DOJ and becoming a partner at a private law firm he utilized the information contained in the sealed court filings to attempt to improperly solicit clients that were the subject of the sealed complaints. The plea agreement describes two occasions in which he attempted to sell non-public information to companies that were the subject of government investigations. The Trial Attorney admitted that he knew that revealing the contents of a sealed complaint could jeopardize and obstruct ongoing DOJ investigations. He further admitted that

after his arrest, he took steps in an effort to obstruct the ongoing investigation into his conduct. In particular, after being released from custody he returned to his office, purportedly to retrieve his personal belongings, and instead removed and destroyed documents from his office that he knew could further incriminate him. He also admitted to placing copies of *qui tam* complaints in an envelope to make it appear that a former DOJ colleague accidentally sent him the documents. The investigation was conducted by the OIG's Fraud Detection Office and the FBI's San Francisco office.

- On October 10, 2017, the former Executive Director of a non-profit organization receiving OVW and OJP grants was sentenced to 30 months of probation and ordered to pay \$53,642 in restitution for wire fraud. On November 28, 2017, the former Assistant Executive Director of the same non-profit organization was sentenced to 48 months of probation and ordered to pay \$50,000 in restitution and \$10,000 in fines for wire fraud and misuse of charitable funds. According

Highlights of OIG Activities

to the Indictment filed by the State of Illinois, to which both individuals pleaded guilty, between July and August 2014, the Executive Director and Assistant Executive Director stole funds from the non-profit organization, submitted false statements to grant administering agencies to ensure future grant awards, diverted funds from the non-profit organization to an unrelated business venture, and falsified a loan application. The investigation was conducted by the OIG's Chicago Field Office, U.S. Department of Housing and Urban Development OIG, Illinois Attorney General's Office, and investigative support was provided by the OIG's Fraud Detection Office and Cyber Investigations Office.

- On January 18, 2018, a former Federal Bureau of Prisons (BOP) Recreation Specialist was sentenced to 15 months of incarceration and 1 year of supervised release for bribery of a public official. The Recreation Specialist was terminated from employment by the BOP after being indicted in the District of New Hampshire. According to the Indictment to which she pleaded guilty, between March and November 2016, the Recreation Specialist agreed to smuggle prohibited objects, including cell phones, the controlled substances K2 and Suboxone, and tobacco, into the BOP facility where she worked in exchange for cash payments to her and her spouse. The investigation was conducted by the OIG's Boston Area Office and the FBI Boston Field Office; technical assistance was provided by the OIG's Cyber Investigations Office.
- On October 5, 2017, a former BOP Correctional Officer was sentenced to 13 months of incarceration and 5 years of supervised release, and was ordered to register as a sex offender, for sexually abusing an inmate in BOP custody. The Correctional Officer, who pleaded

guilty to the charge and resigned his position from the BOP, was sentenced in the Eastern District of North Carolina. According to the Information to which he pleaded guilty, the Correctional Officer knowingly engaged in a sexual act with an inmate under his custodial, supervisory and disciplinary authority at the BOP facility. The investigation was conducted by the OIG's Washington Field Office.

- On November 6, 2017, a former BOP Case Manager was sentenced to 12 months of incarceration and ordered to register as a sex offender for sexually abusing an inmate in BOP custody. The Case Manager, who resigned his position from the BOP and pleaded guilty to sexual abuse of an inmate under his supervision in July 2017, was sentenced in the Northern District of Texas. According to the Indictment to which he pleaded guilty, in November 2016, the Case Manager knowingly engaged in a sexual act with an inmate by forcing said inmate to perform oral sex on him. The investigation was conducted by the OIG's Dallas Field Office.
- On October 26, 2017, the former Vice President of Finance and Administration of a non-profit organization that receives federal funding from OVW pleaded guilty to one count of first degree larceny. The Vice President was charged by the State of Connecticut in the District of New Britain. According to the Indictment, the Vice President embezzled approximately \$130,000 through various schemes while serving as the organization's Director of Finance and Administration. The Vice President was sentenced on the same date. As part of the plea agreement, she received a sentence of 10 years, with 9 months to be served in a Connecticut State Prison and the balance of the sentence suspended, followed by 3 years of supervised release. The

Highlights of OIG Activities

- Vice President was also ordered to pay \$81,670 in restitution to the non-profit organization, which she paid in full at the sentencing. The investigation was conducted by the OIG's Boston Area Office and the Wethersfield, Connecticut, Police Department.
- On October 5, 2017, the OIG completed its report of investigation that was initiated upon receipt of information from the USMS Office of Professional Responsibility (OPR), that a U.S. Marshal showed favoritism and provided special treatment to two high-ranking local city officials by misusing his USMS vehicle, and escorting the officials through the secured entrance of the federal courthouse. The OIG substantiated the allegations and found that the U.S. Marshal provided preferential treatment to two local officials by circumventing a security checkpoint as he escorted them through an entrance to the federal courthouse, in violation of federal regulations, USMS policy, and a District Court order related to courthouse access. The OIG also found that the U.S. Marshal transported non-federal employees in his USMS vehicle, and that the U.S. Marshal lacked candor in his statements to the OIG, all in violation of USMS policy. The investigation was referred for prosecution on November 7, 2016, and declined on January 18, 2017. The OIG has completed its investigation and provided a report to the USMS. The subject is no longer serving as the U.S. Marshal.
 - On January 18, 2018, the OIG completed its report of investigation that was initiated based on information it received that three senior FBI officials solicited a private entity to pay for alcohol to be served at social hours during an FBI training program for state and local law enforcement officials in violation of government ethics regulations. During the investigation, the OIG found indications that the three senior officials solicited additional outside entities for the same purpose. Solicitation of gifts is expressly prohibited by federal regulations, DOJ policy, and FBI Standards of Conduct. The investigation concluded that the three senior officials, one of whom is no longer an FBI employee, inappropriately solicited gifts to the FBI by asking three private entities to pay for alcohol to be served at social hours during FBI training programs for state and local law enforcement officials. Two of the private entities sponsored three social hours during the training program, paying for the alcohol served at the events. The OIG found that the senior FBI officials engaged in this misconduct after having sought guidance from the FBI's Office of General Counsel and Office of Integrity and Compliance, and after having been advised by both offices that making such solicitations was not permissible. The OIG completed its investigation and provided its report to the FBI for appropriate action.
 - On November 14, 2017, the OIG completed its report of investigation of a DEA SAC. The investigation was based on information that, among other things, the SAC engaged in misconduct by engaging in an inappropriate romantic relationship with a subordinate. The OIG did not substantiate the allegation that the SAC had a romantic relationship with the subordinate, but found that the SAC had an unprofessional personal relationship with the subordinate. The SAC and the subordinate admitted to being "best friends," and the OIG determined conducted themselves in a manner that created a perception that the SAC was providing benefits to the subordinate because of their friendship, which violated federal regulations and DEA policy. The OIG found that the SAC showed favoritism toward the

Highlights of OIG Activities

subordinate in relation to bonuses that the subordinate received, opportunities for promotion that the subordinate was given, and other accommodations that the subordinate received. In addition, the OIG viewed as unnecessary and wasteful a travel assignment taken by the SAC and the subordinate because the SAC did not engage in the activity that was the reason for the travel and the subordinate's participation in the work assignment was minimal. Other allegations against the SAC were not substantiated. The investigation was referred for prosecution on May 15, 2015, and was declined that same day. The OIG has completed its investigation and provided its report to the DEA for appropriate action.

Ongoing Work

The OIG continues its important ongoing work, including the following audits, evaluations, inspections, and special reviews:

- **Actions by the Department of Justice and the FBI in Advance of the 2016 Election.** The review will examine whether DOJ and the FBI followed policies or procedures in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and whether certain underlying investigative decisions were based on improper considerations. The review also will examine allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters; that DOJ's Assistant Attorney General for Legislative Affairs improperly disclosed non-public information and/or should have been recused from participating in certain matters; that other DOJ and FBI employees improperly disclosed nonpublic information; and that decisions regarding the timing of the FBI's release

of certain *Freedom of Information Act* (FOIA) documents on October 30 and November 1, 2016, and the use of a Twitter account to publicize this release, were influenced by improper considerations. The review will not substitute the OIG's judgment for the judgments made by the FBI or the Department regarding the substantive merits of investigative or prosecutive decisions. If circumstances warrant, the OIG will consider including other issues that may arise during the course of the review.

- **DEA's Opioid Enforcement Efforts.** The OIG is assessing whether the DEA's regulatory activities and enforcement efforts effectively prevent the diversion of controlled substances, particularly opioids, to unauthorized users.
- **Gender Equity in the Department of Justice's Law Enforcement Components.** The OIG is examining gender equity in the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), DEA, FBI, and USMS, which will include an assessment of staff perceptions and an examination of component demographics and data related to promotions and gender discrimination complaints.
- **BOP's Management of its Female Inmate Population.** As part of this review, the OIG will examine trends in the female inmate population between Fiscal Year (FY) 2012 and FY 2016, the BOP's implementation of its Management of Female Offenders program statement, and the impact of the 2013 decision to convert Federal Correctional Institution Danbury to a male institution.
- **Management and Oversight of the DEA's Income-Generating Undercover Operations.** The review will evaluate the initiation and classification of these operations, the controls over and use

Highlights of OIG Activities

- of funds during operations, and the disposal of proceeds at the conclusion of these operations.
- **DOJ Sponsorship of Foreign Nationals for Law Enforcement Purposes.** The OIG will evaluate the Criminal Division's management of foreign national sponsorship activities, including its policies and procedures for reviewing and processing requests to sponsor foreign nationals; Department law enforcement and prosecuting components' handling of sponsored foreign nationals and related activity; and Department components' coordination on foreign national sponsorship-related activities.
 - **The FBI's Efforts to Address Homegrown Violent Extremists.** The OIG will review the FBI's homegrown violent extremists (HVE) casework and resource management, evaluate the FBI's coordination with relevant components and its strategic and tactical policies and processes to identify and assess HVE threats, and evaluate the FBI field divisions' implementation of strategic and tactical policies and processes to assess HVE threats.
 - **Cyber Victim Notification and Engagement.** The OIG is evaluating the FBI's processes and practices for notifying and engaging with victims of cyber intrusions.
 - **BOP's Counterterrorism Efforts.** The OIG is reviewing the BOP's policies, procedures, and practices for monitoring communications of inmates with known or suspected ties to domestic and foreign terrorism and its efforts to prevent further radicalization among its inmate population.
 - **USMS Hiring Practices.** The OIG is reviewing improper or inappropriate hiring practices by officials at the USMS, including allegations of nepotism, favoritism, and quid pro quo arrangements. The OIG is also examining DOJ's response to a letter from a Member of Congress to DOJ regarding allegations of inappropriate hiring practices at USMS and whether officials at the USMS Office of General Counsel failed to ensure DOJ's response to the Member of Congress was accurate and complete.
 - **Review of the Department's Violent Crime Initiatives.** The OIG is reviewing the Department's strategic planning and accountability measures for combatting violent crime, including coordination across Department prosecution, law enforcement, and grant making components; and strategic planning for providing assistance to communities that are confronting significant increases in homicides and gun violence.
 - **Efforts to Protect Seaports and Maritime Activity.** The OIG is reviewing the FBI's roles and responsibilities for assessing maritime terrorism threats and coordinating with the Department of Homeland Security (DHS) components to ensure seaport security.
 - **DEA's Use of Administrative Subpoenas.** The OIG is reviewing the DEA's use of administrative subpoenas to obtain broad collections of data or information, including the existence and effectiveness of any policies and procedural safeguards established with respect to the collection, use, and retention of the data.
 - **The Department's Clemency Initiative.** The OIG is assessing the Department's clemency process, as well as its implementation and management of the Clemency Initiative from FY 2014 to January 2017.

Highlights of OIG Activities

- **FBI Confidential Human Source Program.** The review will assess the FBI's management and oversight of its Confidential Human Source Program, to include the FBI's oversight of payments to confidential human sources; the FBI's confidential human source policies to ensure consistency with the Attorney General Guidelines, and the FBI's process of determining reliability and appropriateness of confidential human sources.
- **Examination of the Department's and the FBI's Compliance with Legal Requirements and Policies in Applications Filed with the U.S. Foreign Intelligence Surveillance Court Relating to a certain U.S. Person.** The OIG, in response to requests from the Attorney General and Members of Congress, is examining the Department's and the FBI's compliance with legal requirements, and with applicable DOJ and FBI policies and procedures, in applications filed with the U.S. Foreign Intelligence Surveillance Court (FISC) relating to a certain U.S. person. As part of this examination, the OIG is also reviewing information that was known to the DOJ and the FBI at the time the applications were filed from or about an alleged FBI confidential source. Additionally, the OIG is reviewing the DOJ's and FBI's relationship and communications with the alleged source as they relate to the FISC applications. If circumstances warrant, the OIG will consider including other issues that may arise during the course of the review.

The OIG's ongoing work is also available at oig.justice.gov/ongoing/.

OIG Profile



The OIG is a statutorily created, independent entity whose mission is to detect and deter waste, fraud, abuse, and misconduct involving DOJ programs and personnel and promote economy and efficiency

in DOJ operations. The OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of DOJ employees in their numerous and diverse activities. The OIG also audits and inspects DOJ programs and assists management in promoting integrity, economy, efficiency, and effectiveness. The OIG has jurisdiction to review the programs and personnel of the FBI, ATF, BOP, DEA, USAO, USMS, and all other organizations within DOJ, as well as DOJ's contractors and grant recipients.

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

- **Audit Division** is responsible for independent audits of DOJ programs, computer systems, and financial statements. The Audit Division has regional offices in the Atlanta, Chicago, Denver, Philadelphia, San Francisco, and Washington, D.C., areas. Its Financial Statement Audit Office and Computer Security and Information Technology Audit Office are located in Washington, D.C., along with Audit Headquarters. Audit Headquarters consists of the immediate office of the Assistant Inspector General for Audit, Office of Operations, Office of Policy and Planning, and Office of Data Analytics.
- **Investigations Division** is responsible for investigating allegations of bribery, fraud, abuse, civil rights violations, and violations of other criminal laws and administrative procedures governing DOJ

employees, contractors, and grantees. The Investigations Division has field offices in Chicago, Dallas, Denver, Los Angeles, Miami, New York, and Washington, D.C. The Investigations Division has smaller, area offices in Atlanta, Boston, Detroit, El Paso, Houston, New Jersey, San Francisco, and Tucson. The Fraud Detection Office and the Cyber Investigations Office are co-located with the Washington Field Office. The Cyber Investigations Office also includes personnel in the Dallas and Los Angeles Field Offices. Investigations Headquarters in Washington, D.C., consists of the immediate office of the Assistant Inspector General for Investigations and the following branches: Operations I, Operations II, Investigative Support, and Administrative Support.

- **Evaluation and Inspections Division** conducts program and management reviews that involve on-site inspection, statistical analysis, interviews, and other techniques to review DOJ programs and activities and makes recommendations for improvement.
- **Oversight and Review Division** blends the skills of Attorneys, Investigators, Program Analysts, and Paralegals to conduct special reviews and investigations of sensitive allegations involving DOJ employees and operations.
- **Management and Planning Division** provides advice to OIG senior leadership on administrative and fiscal policy and assists OIG components in the areas of budget formulation and execution, security, personnel, training, travel, procurement, property management, information technology, computer network communications, telecommunications, records management, quality assurance, internal controls, and general support.

OIG Profile

- **Office of General Counsel** provides legal advice to OIG management and staff. It also drafts memoranda on issues of law; prepares administrative subpoenas; represents the OIG in personnel, contractual, and legal matters; and responds to FOIA requests.

The map below shows the locations for the Audit and Investigations Divisions.

The OIG has a nationwide workforce of more than 475 Special Agents, Auditors, Inspectors, Attorneys, and support staff. For FY 2018, the

OIG direct appropriation is approximately \$97.25 million, and the OIG anticipates earning an additional \$12.2 million in reimbursements.

As required by Section 5 of the *Inspector General Act of 1978* (IG Act), as amended, this Semiannual Report to Congress is reviewing the accomplishments of the OIG for the 6-month period of October 1, 2017, through March 31, 2018.

Additional information about the OIG and full-text versions of many of its reports are available at oig.justice.gov.



While many of the OIG's activities are specific to a particular component of DOJ, other work covers more than one component and, in some instances, extends to DOJ contractors and grant recipients. The following describes OIG audits, evaluations, inspections, special reviews, and investigations that involve more than one DOJ component.



Reports Issued

[DOJ's Efforts to Address Patterns or Practices of Police Misconduct and Provide Technical Assistance on Accountability Reform to Police Departments](#)

The OIG issued a report examining the Department's efforts to address patterns or practices of police misconduct and provide technical assistance on accountability reform to police departments. The report generally focused on the efforts of four DOJ components—CRT, COPS Office, OJP, and CRS—from January 2011 through December 2015. The OIG concluded that these components informally coordinated their work, which provided benefits to DOJ's overall efforts in the area of police misconduct. However, more regular and systemic coordination would better enable DOJ components to share information, prevent overlap of services, and ensure efficiency in achieving its goals.

Specifically, the OIG found that although CRT has increased the transparency of how it selects jurisdictions to investigate, its case selection systems and procedures could be enhanced. In particular, the justification memoranda prepared by CRT attorneys requesting to investigate a particular law enforcement agency did not always identify who among CRT leadership declined to open an investigation or when such a decision was made. Such information

could be a valuable resource for CRT to have in prioritizing and following up on future work. Moreover, CRT did not maintain draft memoranda in a central depository, which would help its attorneys identify potentially at-risk agencies for future consideration. The OIG also found that CRT's approach to settling police misconduct cases became more complex and prescriptive after 2011 by including outcome measures in court-enforceable consent decrees.

In addition, while the COPS Office evaluated the effectiveness of its Collaborative Reform Initiative for Technical Assistance (CRI-TA), the OIG found that it has not made similar arrangements to evaluate its Critical Response program. Further, the OIG found that although the COPS Office recently transitioned to a contracted provider to manage CRI-TA, the COPS Office continued to provide CRI-TA assistance under cooperative agreements, resulting in different levels of involvement for the engagements and control over performance. The OIG concluded that the COPS Office should measure the effectiveness of the technical assistance provided and make a final determination as to which of these approaches—contract provider or cooperative agreements—provide the best service.

Further, with respect to OJP, the OIG found that OJP's Diagnostic Center uses a contractor to run almost all aspects of its operations, including processing intake requests, recommending

Multicomponent

engagements, staffing experts, and drafting reports. However, very few OJP employees supervised the contractor activities, which increased the risks of inadequate oversight and evaluation. OJP addressed this issue during the course of the audit by providing additional personnel to assist in the administration of the Diagnostic Center. The OIG also concluded that the Bureau of Justice Statistics' data could inform other DOJ components of national systemic issues related to police misconduct and help those components with work planning.

Finally, the OIG found that CRS is limited in its coordination efforts with other DOJ components due to a confidentiality provision in its authorizing statute. Nevertheless, CRS conciliators have provided some assistance to other DOJ components in the past. The OIG believes CRS should explore appropriate opportunities to enhance its collaboration with other DOJ components' non-litigation efforts regarding community outreach, in particular, the programs of the COPS Office and OJP's Diagnostic Center.

The OIG made 15 recommendations to assist the Department with its efforts to address police misconduct and provide technical assistance to local law enforcement. The Department and the components agreed with all of them.

The OIG released a podcast to accompany this report, which is available [here](#).

Implementation of the Tribal Law and Order Act of 2010

The OIG issued a report assessing DOJ's tribal law enforcement responsibilities pursuant to TLOA, with a focus on the legal assistance, investigative training, and other data collection activities that DOJ provides to enhance law enforcement in Indian country. The OIG concluded that, while the Department and its components have taken some steps to implement TLOA, their efforts lacked a coordinated approach to the law enforcement

assistance that DOJ provides in Indian country. In the absence of coordination, components were individually responsible for fulfilling their TLOA responsibilities and compliance varied. TLOA recognized that many tribes rely solely on USAOs to prosecute felony and misdemeanor crimes occurring in Indian country. However, the OIG found that across districts USAOs did not consistently communicate or effectively coordinate with tribes regarding their activities in Indian country. The OIG further found that DOJ must do more to ensure that it provides all of the training that TLOA required. The OIG found that, while the EOUSA fulfills most of the training that USAOs are required to provide for tribal justice officials, some districts provided additional, ad hoc training that was not consistently tracked or reported. The OIG determined that the DEA and FBI could do more to improve coordination with the BIA to ensure that both BIA and tribal law enforcement have access to training. The OIG also found that, 7 years after TLOA became law, the Bureau of Justice Statistics' data collection and reporting efforts were still in development and crime data in Indian country remained unreliable and incomplete, limiting DOJ's ability to assess its efforts to implement TLOA. Lastly, although the FBI and EOUSA generally complied with TLOA data reporting, the OIG found that neither entity used the data collected to evaluate and improve law enforcement activities in Indian country.

The OIG made 14 recommendations to improve law enforcement activities in Indian country through increased communication and coordination with tribes and informed, performance based management. The Department and its components agreed with the report's recommendations.

The OIG released both a video and a podcast to accompany this report. The video is available [here](#). The podcast is available [here](#).

Multicomponent

Grant Award Closeout Process

The OIG issued an audit report examining the DOJ grant award closeout process as administered by DOJ's primary award-making agencies—OJP, the COPS Office, and OVW. Closeout is the final point of accountability for a grant recipient, and the process by which the awarding agency determines that all applicable administrative actions and required work of the award has been completed. The audit concentrated on, but was not limited to, 43,099 awards totaling over \$26 billion that ended between October 1, 2008, and September 30, 2016.

The OIG found that these awarding agencies made significant improvements to the grant award closeout process since the OIG's last audit of the process was issued in December 2006. Specifically, the OIG determined that 13 percent of OJP grants, 19 percent of COPS Office grants, and 42 percent of OVW grants were closed after the timeframe established by the components' policies. The policies required closure within 180 days after expiration of the project period. These closure rates, however, were a significant improvement in closeout timeliness compared to 2006, when the OIG found that 82 percent of OJP grants, 99 percent of COPS Office grants, and 87 percent of OVW grants were closed after 180 days.

The OIG also identified 782 total grants across the awarding agencies that were expired, but remained open at the time of the OIG's analysis. The audit found that the awarding agencies had effectively implemented controls to prevent grant recipients from drawing down grant funds after expiration of the grant liquidation deadline. These were significant improvements compared to 2006, when the OIG identified a backlog of 12,505 expired grants that remained open, and over \$550 million in grant recipient drawdowns that were made after the expiration of the award liquidation deadline.

Further, the OIG identified \$28,810,221 in funding that remained obligated against grants

that were eligible for closeout at the time of the audit. This included \$1,465,592 in OJP and OVW funding that remained obligated to organizations that have not been operational for as many as 10 years. Additionally, the audit identified nearly \$4 million in unused OJP, COPS Office, and OVW funding that remained obligated against grants that expired as many as 6 years ago, and over \$1 million in refunds submitted by recipients as many as 5 years ago that the awarding agencies had not deobligated. Keeping these funds obligated against grants that were expired, and thus eligible for closeout, prevented DOJ from putting these funds to better use. The OIG also identified \$762,183 in unallowable spending not detected by the awarding agencies because reported data did not accurately reflect important expenditure information.

In response to the draft audit report, the awarding agencies submitted documentation sufficient to remedy \$18,068,288 of the costs identified above and to close 3 of the 61 recommendations. Of the remaining 58 recommendations contained in the report that still require action by OJP, the COPS Office, or OVW, 25 are directed to the awarding agencies to improve the closeout process and remedy the remaining \$10,744,009 in outstanding funding on grants that are expired, and an additional 33 are to remedy the remaining \$760,107 in unallowable recipient spending identified during the audit.

The OIG released a podcast to accompany this report, which is available [here](#).

Audits of DOJ and Select Components' Annual Financial Statement Fiscal Year 2017

The OIG issued audit reports of the Department's annual financial statements for FY 2017. The OIG did not identify material weaknesses in internal control over financial reporting, but reported one significant deficiency in the closing package financial

Multicomponent

statement audit related to weaknesses in the Department's internal controls over the closing package financial statements preparation process. The OIG made two recommendations to JMD to enhance internal controls over the closing package financial statements preparation process. JMD agreed with the recommendations. The OIG also issued separate audit reports on the annual financial statements for FY 2017 for the Assets Forfeiture Fund and Seized Asset Deposit Fund (AFF/SADF), BOP, FBI, and Federal Prison Industries, Inc. (FPI). For the BOP and FPI, no material weaknesses in internal control over financial reporting or instances of noncompliance or other matters were identified by the independent auditors. For AFF/SADF, the auditors identified one significant deficiency in internal control over financial reporting that related to improvements needed over financial reporting. For the FBI, the auditors identified one significant deficiency in internal control over financial reporting that related to improvements needed in controls over obligations. No instances of non-compliance or other matters were identified in any of the audits.

Compliance with the Federal Funding Accountability and Transparency Act of 2006

The OIG issued a report examining DOJ's compliance with the *Federal Funding Accountability and Transparency Act of 2006*, as amended by the *Digital Accountability and Transparency Act of 2014* (DATA Act). The DATA Act added new requirements for government-wide spending data standards, and mandated full publication of all spending data. The OIG reviewed a statistically valid sample of spending data submitted by DOJ and found that DOJ submitted complete and timely data to the Department of the Treasury's (Treasury) DATA Act broker system by May 9, 2017, as required by the DATA Act. The OIG also concluded that DOJ successfully implemented and used the government-wide financial data standards. However, the OIG identified a material weakness in internal controls that contributed

to DOJ being materially noncompliant with standards for quality and accuracy of the data submitted. The OIG made seven recommendations to DOJ to enhance its internal controls and improve the quality and accuracy of the data it submits to the DATA Act broker system. DOJ agreed with all of them.

Joint Report on the Implementation of the Cybersecurity Information Sharing Act of 2015

The OIG issued a report to the Department on actions taken during calendar year 2016 to carry out the *Cybersecurity Information Sharing Act of 2015* (CISA) Section 107 requirements. The report was compiled by the Office of the Inspector General of the Intelligence Community (IC IG), with input from the Inspectors General of the Departments of Commerce, Defense, Energy, Homeland Security, Justice, and Treasury. Each of the Offices of Inspectors General obtained the required assessments on its agency's implementation of the CISA requirements and provided the results to the IC IG.

Reviews for the Annual Accounting of Drug Control Funds and Related Performance

The OIG issued attestation reviews of the FY 2017 annual accounting of drug control funds and related performance of DOJ's Assets Forfeiture Fund, Criminal Division, DEA, FBI, OJP, USAO, Organized Crime Drug Enforcement Task Forces, and USMS. Pursuant to 21 U.S.C. § 1703(d)(7), the Office of National Drug Control Policy (ONDCP) issued ONDCP Circular, Accounting of Drug Control Funding and Performance Summary, dated January 18, 2013, which requires the OIG to perform annual reviews of the components' drug control funds and related performance. The report contains the results of the 8 attestation reviews conducted by the OIG of the reported \$7.9 billion of drug control obligations and 24 related performance measures for FY 2017. The OIG concluded that

Multicomponent

it is not aware of any material modifications that should be made to the Department's submission, in order for it to be in accordance with the ONDCP's circular.

Federal Information Security Modernization Act Audits

The *Federal Information Security Modernization Act* (FISMA) requires the Inspector General for each agency to perform an annual independent evaluation of the agency's information security programs and practices. The evaluation includes testing the effectiveness of information security policies, procedures, and practices of a representative subset of agency systems. The Office of Management and Budget (OMB) is responsible for the submission of the annual FISMA report to Congress. DHS prepares the FISMA metrics and provides reporting instructions to agency Chief Information Officers, Inspectors General, and Senior Agency Officials for Privacy. The FY 2017 FISMA results were submitted to OMB by October 31, 2017.

For FY 2017, the OIG issued separate public summaries and non-public reports for its reviews of ATF's information security program and Bomb, Arson Tracking System; the FBI's information security program, Background Investigation Contract Services Unit Online Transfer System, and DirectorNet System; the United States Trustee Program's information security program and Means Test Review System; and the USMS's information security program and Property and Asset Control Enterprise Solution. The OIG is finalizing its FY 2017 review of the individual information security programs of two other DOJ components: JMD and the Civil Division. Within these components, the OIG selected for review the following two sensitive but unclassified systems: JMD's Automated Electronic Guard Information System Upgrade and the Civil Division's Mega Network Operations Center System. The OIG plans to issue reports this fiscal year evaluating each of these systems as well as reports on each component's information security program.

Single Audit Act Reports

The *Single Audit Act of 1984*, as amended, promotes sound financial management of federal financial assistance provided to state, local, and tribal governments, colleges, universities, and nonprofit organizations. Under 2 C.F.R. 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, such entities that expend \$750,000 or more in federal funds in 1 year must have a "single audit" performed annually covering all federal funds expended that year. Single audits are conducted by state and local government auditors, as well as independent public accounting firms. The OIG reviews these audit reports when they pertain to DOJ funds in order to determine whether the single audit reports meet federal requirements and generally accepted government auditing standards. In addition, the OIG reviews single audit reports to determine whether they contain audit findings related to DOJ funds. As a result of the OIG's review of the single audits during this semiannual period, the OIG issued to OJP 16 single audit reports encompassing approximately 62 grants, and other agreements totaling nearly \$34 million. The OIG also monitors these audits through the resolution and closure process.

The single audits disclosed that costs charged to DOJ grants were not always related to the grant programs or properly allocated. In addition, some required financial and program reports were inaccurate or not filed in a timely manner, if at all. The state and local government auditors and independent public accounting firms who conducted the single audits also found examples of incomplete or missing records, inadequate segregation of duties, failure to conduct physical inventories of assets purchased with federal funds, failure to submit timely single audit reporting packages to the Federal Audit Clearinghouse (an office operating on behalf of OMB that facilitates federal oversight of entities expending federal money), and failure to reconcile significant accounting records with the general ledger and subsidiary ledgers. They

Multicomponent

also reported that grantees did not adequately monitor their grant sub-recipients to ensure that the sub-grantees were properly accounting for the grant funds and ensuring compliance with the terms and conditions of the grant. To address these deficiencies, the auditors recommended 23 management improvements and questioned costs totaling \$70,000.

Civil Rights and Civil Liberties

Section 1001 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (Patriot Act) directs the OIG to receive and review complaints of civil rights and civil liberty violations by DOJ employees, to publicize how people can contact the OIG to file a complaint, and to send a semiannual report to Congress discussing the OIG's implementation of these responsibilities. In March 2018, the OIG issued its most recent report, which summarized the OIG's Section 1001 activities from July 1 through December 31, 2017. The report described the number of complaints the OIG received under this section, the status of investigations conducted by the OIG and DOJ components in response to those complaints, and an estimate of the OIG's expenses for conducting these activities. The report also describes other OIG reviews that are related to potential civil rights and civil liberty issues, but not required by Section 1001.

Reports with Outstanding Unimplemented Recommendations

Every 6 months, the OIG publishes a list of recommendations from the OIG's audits, evaluations, and reviews that the OIG had not closed as of the end of the semiannual reporting period, because it had not determined that DOJ had fully implemented them. The information omits recommendations that DOJ determined to be classified or sensitive, and therefore unsuitable for public release. This list includes the titles of reports with recommendations not closed and the status and descriptions of the not closed recommendations. Hyperlinks to each report are also included in this list.

The most recent report of recommendations not closed by the OIG as of March 31, 2018, is available on the OIG's website [here](#). The recommendations in this report are associated with over \$141 million in questioned costs and approximately \$28 million in funds that the OIG recommends could be used more efficiently if repurposed by the agency.

Investigations

The following are OIG investigations of allegations against senior governmental employees in several components in which the OIG determined the allegations were unsubstantiated. The OIG therefore closed the investigations without public disclosure during the reporting period:

- The OIG initiated five investigations of alleged misconduct by five senior government employees that were ultimately unsubstantiated. Two investigations included allegations of conflict of interest; one investigation included allegations of release of information; one investigation included allegations of retaliation; and one investigation included allegations of job performance failure, threatening/harassment, retaliation, and misuse of position.

Ongoing Work

Actions by the Department of Justice and the FBI in Advance of the 2016 Election

The OIG, in response to Congressional and other requests, is reviewing allegations regarding various actions by the Department and the FBI in advance of the 2016 election. The review will examine whether the Department and the FBI followed policies or procedures in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and whether certain underlying investigative

Multicomponent

decisions were based on improper considerations. The review also will examine allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters, that the Department's Assistant Attorney General for Legislative Affairs improperly disclosed non-public information and/or should have been recused from participating in certain matters, that other Department and FBI employees improperly disclosed non-public information, and that decisions regarding the timing of the FBI's release of certain FOIA documents on October 30 and November 1, 2016, and the use of a Twitter account to publicize this release, were influenced by improper considerations. The review will not substitute the OIG's judgment for the judgments made by the FBI or the Department regarding the substantive merits of investigative or prosecutive decisions. If circumstances warrant, the OIG will consider including other issues that may arise during the course of the review.

Examination of the Department's and the FBI's Compliance with Legal Requirements and Policies in Applications Filed with the U.S. Foreign Intelligence Surveillance Court Relating to a certain U.S. Person

The OIG, in response to requests from the Attorney General and Members of Congress, is examining the Department's and the FBI's compliance with legal requirements, and with applicable DOJ and FBI policies and procedures, in applications filed with FISC relating to a certain U.S. person. As part of this examination, the OIG is also reviewing information that was known to the DOJ and the FBI at the time the applications were filed from or about an alleged FBI confidential source. Additionally, the OIG is reviewing the DOJ's and FBI's relationship and communications with the alleged source as they relate to the FISC applications. If circumstances warrant, the OIG will consider including other issues that may arise during the course of the review.

Cooperation between the Departments of Justice and Homeland Security in Southwest Border Criminal Investigations

The Inspectors General of DOJ and the DHS are jointly reviewing cooperation primarily between the FBI, DHS's Homeland Security Investigations (HSI), and the USAOs on criminal investigations along the U.S. Southwest border. This review will focus on deconfliction of investigations and operations, as well as information sharing on investigations conducted by the FBI and HSI and prosecuted by USAOs.

Audits of DOJ and Select Components' Annual Financial Statements Fiscal Year 2018

The OIG is conducting audits of DOJ and select components' annual financial statements for FY 2018. Pursuant to Section 304(a) of the *Chief Financial Officers Act of 1990*, as expanded by Section 405(b) of the *Government Management Reform Act of 1994*, the OIG is required to perform an audit of DOJ's annual financial statements. In addition, the following components will receive a standalone audit for FY 2018: the Assets Forfeiture Fund and Seized Asset Deposit Fund, FBI, BOP, and FPI.

The OIG is also conducting an audit of the annual closing package financial statements of DOJ in accordance with Volume 1, Part 2-Chapter 4700 of Treasury's *Treasury Financial Manual*. Its purpose is to assist Treasury in preparing the U.S. Government Financial Report by reclassifying DOJ's general-purpose financial statements into a standard format that will be consolidated with other federal agencies, and by reporting DOJ's intragovernmental balances by federal agency to facilitate elimination of transactions between federal agencies.

Multicomponent

DOJ's Compliance with the *Federal Funding Accountability and Transparency Act of 2006, as amended by the DATA Act of 2014*

The OIG is examining DOJ's compliance with reporting requirements under the *Federal Funding Accountability and Transparency Act of 2006, as amended by the DATA Act*. Through memorandum M-15-12, Increasing Transparency of Federal Spending by Making Federal Spending Data Accessible, Searchable, and Reliable, OMB provided guidance to federal agencies on the requirements that agencies must employ pursuant to the DATA Act. The OIG will review a statistically valid sampling of the FY 2019 spending data submitted, and submit to Congress and make publicly available a report assessing the completeness, timeliness, quality, and accuracy of the data sampled.

DOJ's Compliance under the *Improper Payments and Elimination Recovery Act of 2010* for FY 2017

As required by the *Improper Payments and Elimination Recovery Act of 2010* (IPERA), the OIG is performing an annual review of DOJ's FY 2017 annual financial report to determine its accuracy and compliance with IPERA's requirements.

BOP's and USMS's Pharmaceutical Drug Costs for Inmates and Detainees

The OIG is conducting a review of the BOP's and USMS's pharmaceutical drug costs for inmates and detainees. This review will examine the budgetary impact of pharmaceutical drugs on the BOP and USMS, as well as their processes for obtaining pharmaceutical drugs.

Gender Equity in the Department of Justice's Law Enforcement Components

The OIG is examining gender equity in ATF, DEA, FBI, and USMS. The review will include an examination of component demographics and data related to promotions and gender

discrimination complaints. The OIG will also assess staff perceptions related to gender equity and analyze the reasons for those perceptions.

Sponsorship of Foreign Nationals for Law Enforcement Purposes

The OIG is conducting an audit of DOJ's sponsorship of foreign nationals for law enforcement purposes. The objectives are to evaluate: the Criminal Division's management of foreign national sponsorship activities, including its policies and procedures for reviewing and processing requests to sponsor foreign nationals; Department law enforcement and prosecuting components' handling of sponsored foreign nationals and related activity; and Department components' coordination on foreign national sponsorship-related activities.

Review of the Department's Violent Crime Initiatives

The OIG is reviewing the Department's strategic planning and accountability measures for combatting violent crime, including coordination across Department prosecution, law enforcement, and grant making components; and strategic planning for providing assistance to communities that are confronting significant increases in homicides and gun violence.

The Department's Clemency Initiative

The OIG is assessing the Department's clemency process, as well as its implementation and management of the Clemency Initiative. This review will focus on the period from FY 2014 to January 2017 and will assess the procedures utilized by the Department and the impact of the Department's criteria for prioritizing commutation petitions.

Review of DOJ's Implementation of the *Death in Custody Reporting Act of 2013*

The OIG will review DOJ's actions to implement the *Death in Custody Reporting Act of 2013* since the law's enactment.

Multicomponent

Audit of Efforts to Safeguard Minors in Department of Justice Youth-Centered Programs

The OIG is conducting an audit of the efforts to safeguard minors in DOJ youth-centered programs. The preliminary scope includes Office of Justice Programs and Office on Violence Against Women youth-centered grant programs involving persons who work directly with minors, for FY 2017. The OIG's preliminary objectives are to: (1) determine whether entities receiving DOJ funds have implemented appropriate controls, such as screening and background checks, for individuals working or volunteering in programs involving minors; and (2) assess DOJ efforts to ensure that grantees adequately mitigate the risk of victimization of minors who participate in its youth-centered programs.

Federal Bureau of Investigation

The FBI seeks to protect the United States against terrorist and foreign intelligence threats; enforces the criminal laws of the United States; and provides criminal justice services to federal, state, municipal, and international agencies and partners. FBI Headquarters in Washington, D.C., coordinates activities of more than 30,000 employees in 56 field offices located in major cities throughout the United States; more than 350 resident agencies in cities and towns across the nation; several specialized field installations; and more than 60 legal attachés in other countries.



Reports Issued

CODIS Audit

During this reporting period, the OIG audited Combined DNA Index System (CODIS) activities at the [Alabama Department of Forensic Sciences Montgomery Laboratory](#) in Montgomery, Alabama (Laboratory), to determine the Laboratory's compliance with the standards of the CODIS from July 2012 through July 2017. The OIG concluded that the Laboratory was generally in compliance with National DNA Index System (NDIS) operational procedures and certain Quality Assurance Standards it reviewed. However, the OIG determined that the Laboratory did not always timely notify investigators of NDIS match confirmations, taking an average of 30 business days to report confirmed matches to local law enforcement. The OIG made one recommendation to help improve the Laboratory's compliance with standards governing CODIS activities. The FBI agreed with the recommendation, and the Laboratory neither agreed nor disagreed.

[Review of the Federal Bureau of Investigation's Response to Unresolved Results in Polygraph Examinations](#)

The OIG issued a classified report assessing the FBI's processes to resolve discrepancies or

security concerns identified in job applicant and employee polygraph examinations. The OIG identified several concerns with the FBI's processes that may have led to security and operational vulnerabilities. The OIG determined that investigations and adjudications of employee polygraph examinations were often lengthy, taking an average of 357 days, with one investigation lasting 940 days. The OIG also found instances in which employees who were unable to pass multiple polygraph exams were allowed to retain access to sensitive information, systems, and spaces for extended periods of time without the risk assessments that FBI policy requires or approval from FBI Security Division management—potentially posing a security risk to the FBI.

Additionally, the OIG found that communication between relevant FBI offices was sometimes lacking and investigators did not always use all sources of information available to them. In particular, the OIG found that information about alleged employee misconduct discovered in polygraph examinations was not always shared with the FBI's Inspection Division (INSD), which is responsible for investigating employee misconduct, or with the OIG. Because of the seriousness and urgency of these concerns, the OIG issued a [Management Advisory Memorandum](#) to the FBI

Federal Bureau of Investigation

in September 2017. Furthermore, the OIG found that the FBI does not centralize its recordkeeping of all relevant information that could be used in investigations and adjudications of unresolved polygraph examination results, thus reducing the efficiency of the FBI's response. The OIG also found that the lack of centralized recordkeeping inhibited the FBI in analyzing trends and patterns in personnel security polygraph examination results. Conversely to the issues described above, the OIG found that the FBI followed its policy of denying employment to job applicants who were unable to pass polygraph examinations.

The classified report made eight recommendations to the FBI to improve the efficiency and effectiveness of its response to unresolved results in polygraph examinations. The FBI agreed with all of them. The OIG also issued an unclassified Public Summary of the report.

The OIG released a video to accompany this report, which is available [here](#).

Accuracy of FBI Statements Concerning its Capability to Access Data on an iPhone Seized During the San Bernardino Terror Attack Investigation

The OIG issued a report regarding a special inquiry into whether FBI officials made inaccurate statements to Congress or caused inaccurate statements to be filed in court regarding the FBI's capabilities to access data on an iPhone seized during the investigation of the December 2, 2015, San Bernardino, California, terror attack. The OIG conducted the inquiry after a senior FBI official expressed concerns that (1) a unit within the FBI's Operational Technology Division (OTD) may have had techniques available to access the iPhone that it did not employ, and (2) the unit was indifferent to the fact that FBI leadership and others were testifying to Congress and filing affidavits in court that the FBI had no such capability. The OIG found no evidence that the FBI had the

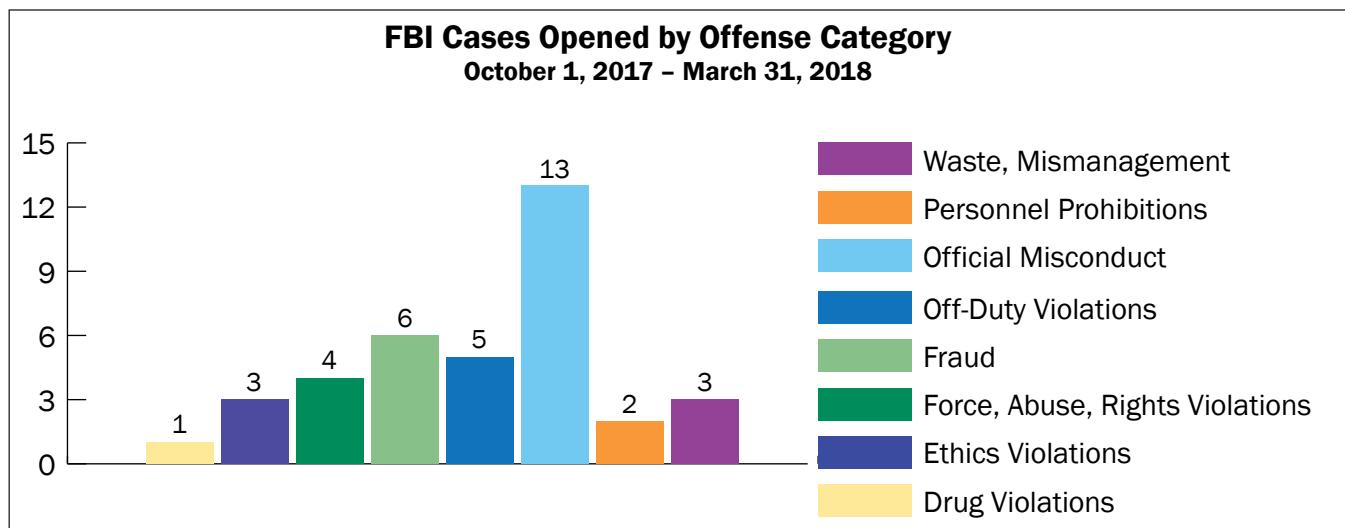
capability to access data on the iPhone at the time of former FBI Director James Comey's February and March 2016 congressional testimony or the February 16, 2016, initial court filing requesting involuntary assistance from Apple, Inc., to access the phone. Therefore, the OIG determined that the testimony and initial court filing were not inaccurate when made. However, during the course of the OIG's inquiry, the OIG became aware of information indicating that communication and coordination within OTD was inadequate and caused a delay in engaging all relevant OTD personnel in the search for a technical solution to the San Bernardino iPhone problem, as well as the outside party that ultimately developed the method that unlocked the phone. The OIG recommended that the FBI finalize a reorganization plan to consolidate resources and improve coordination among the OTD units that work on computer and mobile devices, and to take any other actions appropriate to ensure the full coordination that incidents like the San Bernardino terror attack clearly demand. The FBI agreed with the OIG's recommendation.

Investigations

During this reporting period, the OIG received 808 complaints involving the FBI. The most common allegations made against FBI employees were official misconduct; and force, abuse, and rights violations. Most of the complaints received during this period were considered management issues and were provided to FBI management for its review and appropriate action.

During this reporting period, the OIG opened 37 investigations and referred 68 allegations to the FBI's INSD for action or investigation. At the close of the reporting period, the OIG had 84 open criminal or administrative investigations of alleged misconduct related to FBI employees. The criminal investigations included official misconduct. The administrative investigations involved serious allegations of misconduct.

Federal Bureau of Investigation



The following are examples of cases involving the FBI that the OIG investigated during this reporting period:

- On January 18, 2018, the OIG completed its report of investigation that was initiated based on information it received that three senior FBI officials solicited a private entity to pay for alcohol to be served at social hours during an FBI training program for state and local law enforcement officials in violation of government ethics regulations. During the investigation, the OIG found indications that the three senior officials solicited additional outside entities for the same purpose. Solicitation of gifts is expressly prohibited by federal regulations, DOJ policy, and FBI Standards of Conduct. The investigation concluded that the three senior officials, one of whom is no longer an FBI employee, inappropriately solicited gifts to the FBI by asking three private entities to pay for alcohol to be served at social hours during FBI training programs for state and local law enforcement officials. Two of the private entities sponsored three social hours during the training program, paying for the alcohol served at the events. The OIG found that

the senior FBI officials engaged in this misconduct after having sought guidance from the FBI's Office of General Counsel and Office of Integrity and Compliance, and after having been advised by both offices that making such solicitations was not permissible. The OIG completed its investigation and provided its report to the FBI for appropriate action.

- On February 5, 2018, the OIG completed its report of investigation that was initiated upon receipt of information from the FBI that a SAC, who is no longer an FBI employee, had provided a substantial amount of personal funds to a subordinate with whom he was engaged in an inappropriate romantic relationship. The investigation found that the former SAC was providing financial assistance with the SAC's own funds to a subordinate with whom he was engaged in an inappropriate romantic relationship. FBI policy prohibits a supervisor from engaging in a romantic relationship with a subordinate. On one occasion, the SAC misused his official government vehicle in connection with the relationship, which also violated FBI policy. The OIG has completed its investigation and provided its report to the FBI.

Federal Bureau of Investigation

- On March 8, 2018, the OIG issued its report of investigation of allegations from an FBI Technician that he was threatened with reprisal for making a protected disclosure under the FBI Whistleblower Regulations to the SAC of an FBI Division where the Technician had served a TDY assignment. Specifically, the Technician alleged that a supervisor in his home office (SAS 2) prohibited him from sending additional e-mails outside the Division without her prior approval, threatened to give him a lower score on his annual PAR, and told him that TDY opportunities “could dry up.” The OIG found that the Technician made a protected disclosure, and that, in direct response, SAS 2 threatened to lower his annual PAR rating and deny future requests for TDY opportunities. The OIG further determined that another supervisor (SAS 1) and the Technician’s AO were also responsible for the personnel actions threatened against the Technician because they were employees who have authority to direct others to take, recommend, or approve personnel actions, and they actively counseled SAS 2 to advise the technician that his disclosure could adversely affect his PAR ratings, and jeopardize future TDYs. The OIG did not find clear and convincing evidence that these threats would have been made in the absence of the Technician’s protected disclosures. Accordingly, the OIG concluded that there were reasonable grounds to believe that the Technician had suffered reprisals as a result of his protected disclosures. The OIG recommended that OARM order corrective action instructing the FBI to formally withdraw or otherwise eliminate the threats by the Technician’s supervisors and the AO to downgrade the Technician’s performance appraisal rating and deprive him of TDY opportunities. Under the FBI Whistleblower Regulations, the OIG’s finding is not a final determination. The responsibility for making a final

adjudication of the reprisal claim lies with OARM, which may order corrective action as a remedy for the whistleblower.

Procedural Reform Recommendation

As a result of the OIG’s whistleblower reprisal investigation involving an FBI Technician, referenced immediately above, the OIG concluded that the training provided by the FBI to its supervisors and managers does not contain sufficient information concerning identifying protected disclosures under 5 U.S.C. § 2303 and responding appropriately to those disclosures from a management perspective. Accordingly, on [March 14, 2018](#), the OIG issued a Procedural Reform Recommendation, recommending that the FBI take steps to strengthen this training to ensure that management employees recognize that: (1) communications by FBI employees to offices or officials outside of the “chain of command” may be protected disclosures under 5 U.S.C. § 2303; and (2) penalizing FBI employees for violating the “chain of command” when they are engaged in protected activity may be a violation of the law.

Ongoing Work

Confidential Human Source Program

The OIG is auditing the FBI’s Confidential Human Source Program. The preliminary objectives are to: (1) assess the FBI’s management and oversight of its Confidential Human Source Program, to include the FBI’s oversight of payments to confidential human sources, (2) examine the FBI’s confidential human source policies to ensure consistency with the Attorney General Guidelines, and (3) assess the FBI’s process of determining reliability and appropriateness of confidential human sources.

Contract Awarded to EAN Holdings, LLC

The OIG is auditing the FBI’s contract awarded to EAN Holdings, LLC. The preliminary

Federal Bureau of Investigation

objective of the audit is to assess the FBI's administration of the contract, and EAN Holdings, LLC's performance and compliance with the terms, conditions, laws, and regulations applicable to this contact in the areas of contractor performance; billings and payments; and contract management, oversight, and monitoring.

Bulk Telephony Review

The OIG is reviewing the FBI's use of information derived from the National Security Agency's 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 National Security Agency 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.

Covert Contracts

The OIG is auditing the FBI's contracts awarded for covert activity. The preliminary objectives of the audit are to assess the FBI's awarding and administration of these covert contracts and to evaluate the FBI's procedures and processes for ensuring contractor performance and compliance with the terms, conditions, laws, and regulations applicable to these contracts.

Cyber Victim Notification and Engagement

The OIG is auditing the FBI's cyber victim notification and engagement. The preliminary objective is to evaluate the FBI's processes and practices for notifying and engaging with victims of cyber intrusions.

Efforts to Address Homegrown Violent Extremists

The OIG is auditing the FBI's efforts to address HVEs. The preliminary objectives are to: review the FBI's HVE casework and resource management; evaluate the FBI's coordination with relevant components and its strategic and tactical policies and processes to identify and assess HVE threats; and evaluate the FBI field divisions' implementation of strategic and tactical policies and processes to assess HVE threats.

Efforts to Protect Seaports and Maritime Activity

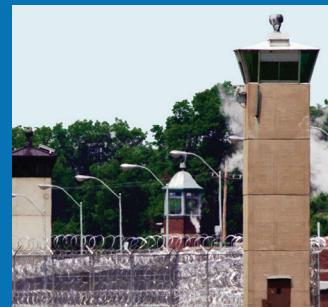
The OIG is auditing the FBI's efforts to protect the nation's seaports and maritime activity. The preliminary objectives are to review the FBI's roles and responsibilities for: (1) assessing maritime terrorism threats, and (2) coordinating with the DHS components to ensure seaport security.

Update to Previously Reported Whistleblower Retaliation Finding

During this reporting period, the FBI decided not to impose consequences or take other action in relation to officials the OIG had found engaged in retaliation against a whistleblower. Upon the enactment of the *Inspector General Empowerment Act* (IGEA), the OIG is required under IG Act section 5(a)(20) to report such actions. In the *Semiannual Report to Congress, April 2017 – September 2017*, the OIG reported that FBI supervisors retaliated against a subordinate employee as a result of the employee's disclosures. The OIG provided its report to the FBI for appropriate action. The FBI informed the OIG no disciplinary action would be taken against the supervisory subject officials because the FBI did not agree with the OIG's findings. Specifically, OPR did not find that the FBI employee had made a protected disclosure.

Federal Bureau of Prisons

The BOP operates a nationwide system of prisons and detention facilities to incarcerate individuals imprisoned for federal crimes and detain those awaiting trial or sentencing in federal court. The BOP has more than 37,000 employees and operates 122 institutions, 6 regional offices, 2 staff training centers, a central office (Headquarters), and 27 Residential Reentry Management field offices. The BOP is responsible for the custody and care of approximately 183,800 federal offenders. Approximately, 155,000 of these inmates are confined in BOP-operated facilities, while the remainder is confined in privately managed or community-based facilities and local jails.



Investigations

During this reporting period, the OIG received 3,625 complaints involving the BOP. The most common allegations made against BOP employees included official misconduct; and force, abuse, and rights violations. The majority of complaints dealt with non-criminal issues that the OIG referred to the BOP's Office of Internal Affairs for its review.

During this reporting period, the OIG opened 87 investigations and referred 19 allegations to the BOP's Office of Internal Affairs for action or investigation. At the close of the reporting period, the OIG had 263 open cases of alleged misconduct against BOP employees. The criminal investigations covered a wide range of allegations, including official misconduct; force, abuse, and rights violations; and fraud.

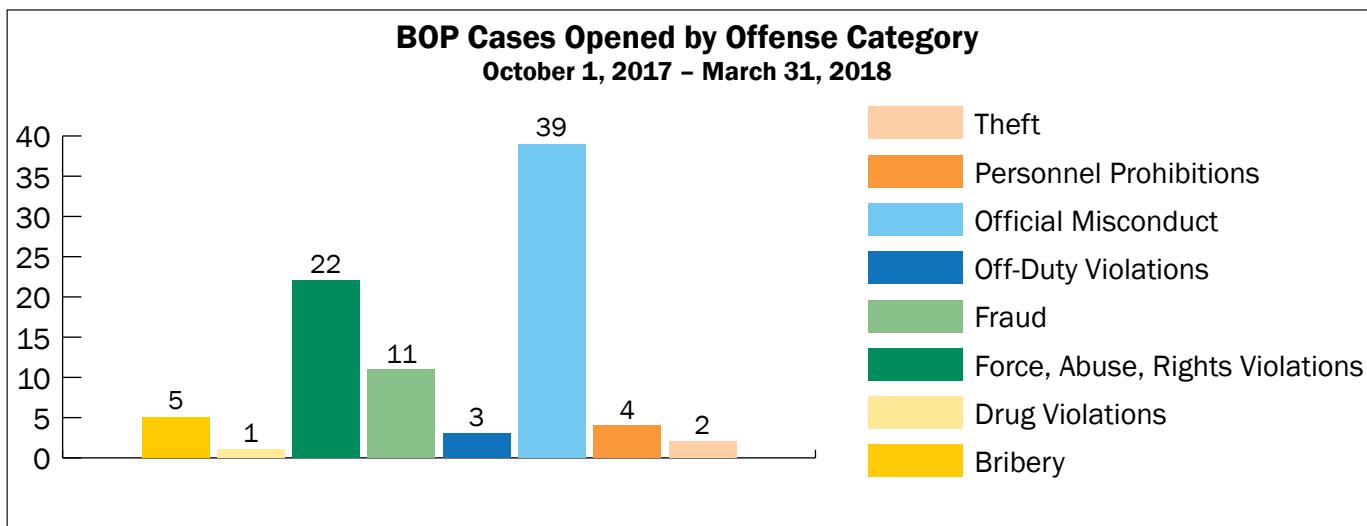
The following are examples of cases involving the BOP that the OIG investigated during this reporting period:

- On October 4, 2017, an individual was sentenced to 18 months of incarceration and 3 years of supervised release after pleading guilty to one count of bribery of a public official. According to the factual statement in support of her plea, from May 2015 to approximately May 2016, the defendant conspired with multiple inmates, and a former BOP Correctional Officer, and others to directly and

indirectly pay the Correctional Officer to smuggle contraband into a BOP facility on numerous occasions. In total, the defendant received approximately \$10,700 in wire transfers as payment for her services. At the end of the last semiannual reporting period, on September 29, 2017, the Correctional Officer was sentenced to 24 months of incarceration, 3 years of supervised release, \$11,500 forfeiture, and 120 hours of community service after pleading guilty to one count of bribery of a public official. The investigation was conducted by the OIG's Chicago Field Office and the FBI.

- On October 5, 2017, a former BOP Correctional Officer was sentenced to 13 months of incarceration and 5 years of supervised release, and was ordered to register as a sex offender, for sexually abusing an inmate in BOP custody. The Correctional Officer, who pleaded guilty to the charge and resigned his position from the BOP, was sentenced in the Eastern District of North Carolina. According to the Information to which he pleaded guilty, the Correctional Officer knowingly engaged in a sexual act with an inmate under his custodial, supervisory and disciplinary authority at the BOP facility. The investigation was conducted by the OIG's Washington Field Office.

Federal Bureau of Prisons



Source: Investigations Data Management System

- On January 18, 2018, a former BOP Recreation Specialist was sentenced to 15 months of incarceration and 1 year of supervised release for bribery of a public official. The Recreation Specialist was terminated from employment by the BOP after being indicted in the District of New Hampshire. According to the Indictment to which she pleaded guilty, between March and November 2016, the Recreation Specialist agreed to smuggle prohibited objects, including cell phones, the controlled substances K2 and Suboxone, and tobacco, into the BOP facility where she worked in exchange for cash payments to her and her spouse. The investigation was conducted by the OIG's Boston Area Office and the FBI Boston Field Office; technical assistance was provided by the OIG's Cyber Investigations Office.
- On November 6, 2017, a former BOP Case Manager was sentenced to 12 months of incarceration and ordered to register as a sex offender for sexually abusing an inmate in BOP custody. The Case Manager, who resigned his position from the BOP and pleaded guilty to sexual abuse of an inmate under his supervision in July 2017, was sentenced in the Northern District of Texas. According to

the Indictment to which he pleaded guilty, in November 2016, the Case Manager knowingly engaged in a sexual act with an inmate by forcing said inmate to perform oral sex on him. The investigation was conducted by the OIG's Dallas Field Office.

Procedural Reform Recommendation

During a recent investigation, the OIG discovered that the BOP maintains incomplete and inadequate healthcare claims data in electronic format, and that its claims adjudication vendor has not provided all contractually required services, including fraud monitoring. Incomplete claims data and ineffective analysis of that data significantly increases the BOP's fraud risks and diminishes both the BOP's and the OIG's ability to detect past and present fraud schemes. Improved data aggregation will ensure better oversight of BOP's health care contracts. On [December 20, 2017](#), the OIG issued a Procedural Reform Recommendation to the BOP. The OIG recommended that BOP move to immediately require all contractors to submit electronic claims, ensure those claims are properly analyzed and maintained by BOP's adjudication

Federal Bureau of Prisons

vendor, and enforce existing contract language that requires the adjudication vendor to perform fraud analytics and report any indicators of fraud to the BOP. The BOP should also ensure that the adjudication vendor is able to reproduce on demand all necessary data elements used to adjudicate claims.

Ongoing Work

BOP's Management of its Female Inmate Population

The OIG is reviewing the BOP's management of its female inmate population. As part of this review, the OIG will examine trends in the female inmate population between FY 2012 and FY 2016, the BOP's implementation of its Management of Female Offenders program statement, and the impact of the 2013 decision to convert Federal Correctional Institution Danbury to a male institution.

BOP Contract Awarded to Sealaska Constructors, LLC, to Build Facilities at Federal Correctional Institution Danbury

The OIG is conducting an audit of the BOP's contract awarded to Sealaska Constructors, LLC, to construct facilities at a federal correctional institution in Danbury, Connecticut. The OIG's preliminary objective is to assess the BOP's and Sealaska Constructors, LLC's, compliance with the terms, conditions, laws, and regulations applicable to this contract in the areas of: (1) acquisition planning; (2) contract management, oversight, and monitoring; and (3) billings and payments.

BOP Counterterrorism Efforts

The OIG is conducting an audit of the BOP's counterterrorism efforts. The preliminary objectives are to review the BOP's policies, procedures, and practices for monitoring communications of inmates with known or suspected ties to domestic and foreign terrorism and its efforts to prevent further radicalization among its inmate population.

BOP's Contracts Awarded to Pacific Forensic Psychology Associates, Inc.

The OIG is auditing the BOP contracts awarded to Pacific Forensic Psychology Associates, Inc. The preliminary objective of the audit is to assess the BOP's administration of the contracts and Pacific Forensic Psychology Associates, Inc.'s, performance and compliance with the terms, conditions, laws, and regulations applicable to these contracts. The assessment of performance may include financial management, monitoring, reporting, and progress toward meeting the contracts' goals and objectives.

Contract Awarded to Correct Care Solutions, LLC for the Federal Correctional Complex in Coleman, Florida

The OIG is conducting an audit of BOP's contract awarded to Correct Care Solutions, LLC. The preliminary objectives of the audit are to assess the BOP's award and administration of the contract, and Correct Care Solutions, LLC's performance and compliance with the terms, conditions, laws, and regulations applicable to this contract in the areas of: (1) contractor performance; (2) billings and payments; and (3) contract management, oversight, and monitoring.

Contract Awarded to DeTekion Security Systems, Inc.

The OIG is auditing a perimeter security contract awarded by the BOP to DeTekion Security Systems, Inc. The preliminary objectives are to: (1) determine whether the BOP adhered to federal regulations during the contract award and administration processes, (2) assess the adequacy of the BOP's contract oversight, and (3) determine if DeTekion Security Systems, Inc., properly invoiced the government and complied with the terms and conditions of the contract award.

Federal Bureau of Prisons

Residential Reentry Center Contracts Awarded to Reynolds & Associates, Inc.

The OIG is auditing three BOP contracts awarded to Reynolds & Associates, Inc., for the Residential Reentry Center located in Washington, D.C. The objective of the audit is to assess the BOP's administration of and Reynolds & Associates, Inc.'s, performance and compliance with the terms, conditions, laws, and regulations applicable to these contracts.

The USMS is responsible for ensuring the safe and secure conduct of judicial proceedings, protecting approximately 2,575 federal judges and about 26,000 federal prosecutors, federal public defenders, and other court officials at approximately 711 court facilities; arresting federal, state, and local fugitives; protecting federal witnesses; transporting federal prisoners; managing assets seized from criminal enterprises; and responding to major national events, terrorism, and significant high-threat trials. The USMS Director and Deputy Director work with 94 U.S. Marshals to direct more than 5,000 employees at 218 sub-offices and 3 foreign field offices.



Report Issued

Court Security Procurement Process

The OIG issued an audit report assessing the USMS Judicial Security Division's (JSD) management of and processes for procuring Court Security Officers (CSO) services contracts. The audit focused on USMS JSD contracts with private security companies to provide CSOs for 440 federal court facilities nationwide. It also assessed some of the steps that USMS JSD took to address issues identified in a 2009 OIG Management Advisory Memorandum to USMS JSD that identified significant concerns with the process for selecting and vetting CSO services contractors.

The OIG found that USMS JSD made certain changes to its CSO services contract procurement process to address issues identified by the OIG in 2009. For example, the USMS improved continuity and consistency in providing CSO services by awarding CSO service contracts regularly, competitively, and in accordance with applicable regulations. The USMS also revised its source selection strategy to mitigate risks related to awarding contracts based solely on price, and adding factors related to contractor performance and competence.

Despite these improvements, the OIG also identified several areas in which the USMS could improve its current procurement process and mitigate the risk of repeating the

issues identified in 2009. Specifically, the OIG determined that while CSO procurement actions are completed in a timely and competitive manner, and USMS JSD performed adequate market research, contract files did not have consistent documentation of acquisition milestones. The OIG also found that neither the contract files nor the written acquisition plan documented why time-and-materials contracts were used rather than a firm-fixed-price contract, which carries less risk for the government.

Additionally, in recent CSO services contracts, USMS JSD did not include two important Federal Acquisition Regulation clauses that allow the government to audit costs associated with the contract and to identify what costs and payment procedures will be allowable under the contract.

The OIG further found that while USMS JSD adequately documented the basis for its contractor selection, USMS JSD is not evaluating the necessary accounting controls to ensure that prospective contractors meet standards required by federal regulations.

The OIG made five recommendations to the USMS to improve its CSO services contract procurement process. The USMS agreed with all of them.

Investigations

During this reporting period, the OIG received 355 complaints involving the USMS. The most common allegations made against USMS employees were force, abuse, and rights violations and official misconduct. The majority of the complaints were considered management issues and were provided to the USMS's Office of Internal Affairs for its review and appropriate action.

During this reporting period, the OIG opened 13 investigations and referred 14 other allegations to the USMS's Office of Internal Affairs for its review. At the close of the reporting period, the OIG had 48 open cases of alleged misconduct against USMS employees. The most common allegations were official misconduct and fraud.

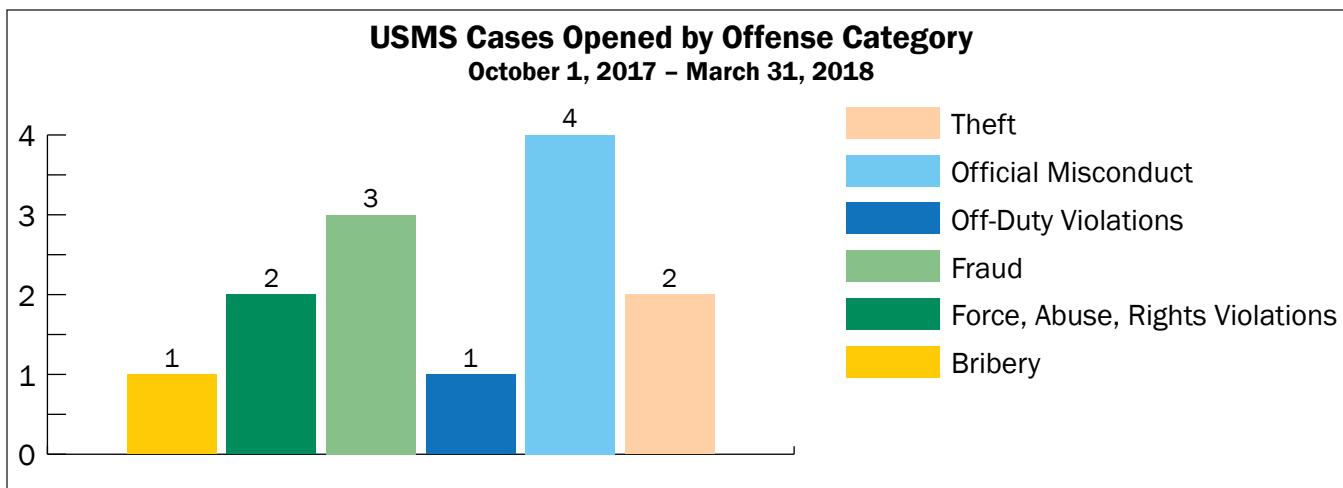
The following are examples of cases involving the USMS that the OIG investigated during this reporting period:

- On October 5, 2017, the OIG completed its report of investigation that was initiated upon receipt of information from the USMS OPR, that a U.S. Marshal showed favoritism and provided special treatment to two high-ranking local city officials by misusing his USMS vehicle, and escorting the officials through the secured entrance of the federal courthouse. The OIG substantiated the allegations and found that the U.S. Marshal provided preferential treatment to two local officials by circumventing a security checkpoint as he escorted them through an entrance to the federal courthouse, in violation of federal regulations, USMS policy, and a District Court order related to courthouse access. The OIG also found that the U.S. Marshal transported non-federal employees in his USMS vehicle, and that the U.S. Marshal lacked candor in his statements to the OIG, all in violation of USMS policy. The investigation was referred for prosecution

on November 7, 2016, and declined on January 18, 2017. The OIG has completed its investigation and provided a report to the USMS. The subject is no longer serving as the U.S. Marshal.

- On September 27, 2017, a former USMS contractor was sentenced to 46 months of incarceration for bribery and smuggling contraband. The contractor, who was sentenced in the Eastern District of Texas, resigned in January 2015. According to the Indictment, between December 2014 and January 2015, the contractor provided an inmate with a cell phone and arranged for bribe payments. The investigation was conducted by the OIG's Houston Area Office, FBI, and USMS.
- On March 13, 2018, the OIG completed its report of investigation initiated upon receiving allegations that USMS employees at a foreign duty location received danger pay benefits to which they were not entitled. Danger pay is determined by the U.S. Department of State based on the foreign duty location where an employee is assigned. The OIG found that a USMS official improperly approved danger pay to USMS personnel at a foreign duty location not designated by the Department of State as dangerous. The OIG completed its investigation and provided a report to the USMS for action it deems appropriate.
- On March 6, 2018, the OIG completed its report of investigation that was initiated upon receipt of information alleging that a Chief Deputy United States Marshal (CDUSM) was commissioned as a local reserve Deputy Sheriff and failed to report his position outside the federal government to the USMS, and that the CDUSM misused his official time and his government vehicle. During the course of its investigation, the OIG became aware that the CDUSM had misused

U.S. Marshals Service



Source: Investigations Data Management System

additional government resources, had conducted trainings for state and local law enforcement agencies using his USMS title without permission from the USMS, had inappropriate contact with individuals under criminal investigation, had sexually explicit and other inappropriate material on his USMS workstation computer, and used his USMS cell phone to exchange inappropriate text messages.

The OIG substantiated the allegations that the CDUSM held a position outside the federal government as a local reserve Deputy Sheriff and failed to report this position to the USMS, in violation of federal regulation and USMS policy. The OIG also found that the CDUSM misused his official time, government vehicle, and government electronic devices also in violation of federal regulation and USMS policy. The OIG further found that the CDUSM had inappropriate contacts with individuals under criminal investigation in violation of USMS and DOJ policy.

The CDUSM retired during the OIG's investigation. The investigation was referred for prosecution on September 18, 2017, and declined on November 22, 2017. The OIG completed its investigation and provided a report to the USMS.

Procedural Reform Recommendation

During a recent investigation, the OIG determined that a USMS contractor maintained an internal written policy that was inconsistent with statutory whistleblower protections for employees of federal contractors, and that the USMS contract itself also contained a term inconsistent with such protections. On [January 25, 2018](#), the OIG issued a Procedural Reform Recommendation to the USMS. The OIG recommended that the USMS take steps to ensure that its contractors are aware of the whistleblower protections that federal law provides, and that those contractors take appropriate actions to conform their internal policies to comply with federal law. The OIG further recommended that the USMS examine its contracts to ensure that they do not include terms that are inconsistent with federal whistleblower protections.

Ongoing Work

Controls over Weapons, Munitions, and Explosives

The OIG is conducting an audit of USMS controls over weapons, munitions, and explosives, including firearms, Tasers, ammunition, less-lethal munitions, and

diversionary devices. The preliminary objectives are to evaluate: (1) USMS's controls over weapons, munitions, and explosives, (2) USMS's compliance with policies governing weapons, munitions, and explosives, and (3) the accuracy of USMS's weapons, munitions, and explosives inventories.

Hiring Practices

The OIG is investigating multiple allegations of improper or inappropriate hiring practices by officials at the USMS, including allegations of nepotism, favoritism, and quid pro quo arrangements. The OIG is also examining the Department's response to a letter from a Member of Congress to the Department regarding allegations of inappropriate hiring practices at USMS and whether officials at the USMS Office of General Counsel failed to ensure the Department's response to the Member of Congress was accurate and complete.

Management of the Justice Prisoner and Alien Transportation System

The OIG is conducting an audit of USMS's management of the Justice Prisoner and Alien Transportation System (JPATS). The preliminary objective of the audit will be to evaluate USMS's efforts to achieve its strategic goal of improving the effectiveness and efficiency of JPATS prisoner and detainee transportation.

Drug Enforcement Administration

The DEA enforces federal laws and regulations related to the growth, production, or distribution of controlled substances. In addition, the DEA seeks to reduce the supply of and demand for illicit drugs, both domestically and internationally. The DEA has more than 9,000 employees staffing its 221 domestic offices and 89 foreign offices in 68 countries.



Reports Issued

[DEA Linguistic Contract Awarded to Conduit Language Specialists, Inc.](#)

The OIG issued an audit report examining the DEA's contract with Conduit to provide analytic linguist services for the DEA's Denver and Phoenix Field Divisions. The contract, which was awarded in October 2012, is scheduled to end in April 2018. Actual contract costs paid through December 2017 were approximately \$39 million. The OIG found that the DEA failed to provide sufficient administration and oversight of the contract, which resulted in significant non-compliance with applicable laws, regulations, and the contract terms and conditions; minimal QA; contractor performance deficiencies; and poorly defined contract requirements.

Specifically, the OIG found that the DEA allowed some Conduit linguists—whose work is used to translate and analyze wiretaps as part of federal criminal investigations—to work without completed background investigations or signed non-disclosure agreements and valid language proficiency results. The OIG found that the DEA paid almost \$2.9 million for linguists who did not meet these essential prerequisites. In addition, the DEA appointed one Contracting Officer's Representative to oversee the eight regional linguist contracts, including the contract with Conduit. This individual did not perform the majority of their contract oversight responsibilities, leaving key tasks to be completed by DEA staff who were not designated to complete such tasks. Further, the DEA could not document that it completed

annual contractor performance assessment reports and failed to identify deficiencies in Conduit's monthly administrative reports.

The OIG also determined that the DEA placed sole responsibility for QA on Conduit, even though the DEA also had responsibility for QA. Conduit officials acknowledged that they had not followed or enforced Conduit's QA plan and the DEA did not properly review the plan on a regular basis to ensure compliance by Conduit.

The DEA's significant failures related to enforcement of linguist requirements, contract administration and oversight, and QA, contributed to contract performance deficiencies. For example, the OIG found that Conduit on occasion replaced linguists working on DEA projects without first consulting with the DEA. Additionally, on three different occasions Conduit was unable to fully meet the DEA's need for linguists. To fill this unmet need, the DEA paid \$33,421 more to another linguist contractor than it would have paid under its contract with Conduit.

The OIG also determined that the DEA improperly approved and paid price adjustments to Conduit that included unallowable increases to the profit and general and administrative costs categories. Finally, the DEA did not adequately define its need for this contract, which ultimately hindered Conduit's ability to keep linguists actively working in certain locations.

In February 2017, the OIG issued a Management Advisory Memorandum to the DEA regarding

Drug Enforcement Administration

the language proficiency and security requirements of linguists, the DEA's and Conduit's quality assurance practices, and the DEA's ability to adequately define its contract need.

The OIG made 11 recommendations to assist the DEA in improving the administration and oversight of its linguist contracts. The DEA and JMD agreed with all of them. Conduit did not explicitly agree or disagree with many of the recommendations, and objected to the majority of the concerns identified in the report.

The OIG released a podcast to accompany this report, which is available [here](#).

DEA Contract Awarded to L-3 Communications Vertex Aerospace LLC

The OIG issued an audit report examining a \$176.6 million DEA contract with L3 Vertex Aerospace (L3) for aviation support. This includes aircraft and avionics maintenance, flight training, and material support to sustain the DEA's aircraft fleet in a safe, reliable, and fully mission-capable condition worldwide.

Aviation Operations Center



Source: DOJ OIG photograph taken on June 8, 2017

The OIG found that the DEA's processes for awarding and administering the contract generally complied with applicable federal regulations. However, the OIG identified potential areas of improvement related to the DEA's contract oversight and other procedures. For example, the OIG recommended that the DEA improve its oversight and verification of

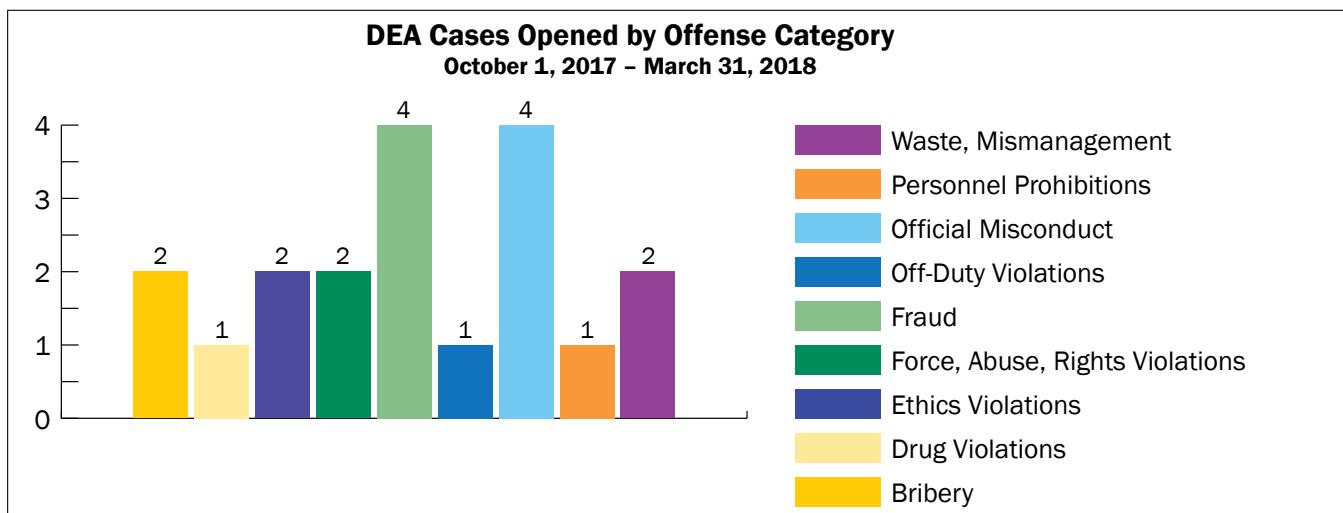
L3's monthly reports on aircraft readiness rates, a key indicator of L3's contract performance. Additionally, the OIG's survey of 112 DEA pilots identified opportunities to improve communication about maintenance scheduling and aircraft status among DEA pilots, contract oversight employees, and L3 fleet management planners.

The OIG made seven recommendations to the DEA to improve oversight of the aviation support operations contract. The DEA agreed with all of them. L3 elected not to provide a written response to include in the final audit report.

Management Advisory Memorandum Regarding the Recommendation for the Drug Enforcement Administration to Review whether its Field Offices are Engaging in Unlawful Fundraising on Behalf of the Drug Enforcement Administration Survivors Benefit Fund

The OIG issued a Management Advisory Memorandum to the DEA regarding the OIG's finding that a DEA field division sold merchandise and other items in what is called a "recreational store" within the office from 2000 to 2017 and provided the proceeds to the DEA Survivors Benefit Fund (SBF), a private, 501(c)(3) not-for-profit organization, in contravention of federal ethics regulations. Based upon information developed during the investigation, including the division SAC's interactions with the SBF's leadership and the DEA's apparent relationship with the SBF, it appeared to the OIG that other DEA divisions may currently be operating similar stores for the benefit of SBF in violation of federal ethics regulations. Among other things, the OIG recommended that the DEA determine whether any of its field divisions are currently operating recreational stores and, if the recreational stores are providing the profits to 501(c)(3) not-for-profit organizations, to take action to comply with federal regulations.

Drug Enforcement Administration



Investigations

During this reporting period, the OIG received 303 complaints involving the DEA. The most common allegations made against DEA employees was official misconduct. The majority of the complaints were considered management issues and were provided to the DEA for its review and appropriate action.

During this reporting period, the OIG opened 19 cases and referred 52 allegations to the DEA's OPR for action or investigation. At the close of the reporting period, the OIG had 53 open cases of alleged misconduct against DEA employees. The most common allegations were official misconduct and fraud.

The following are examples of cases involving the DEA that the OIG investigated during this reporting period:

- On November 14, 2017, the OIG completed its report of investigation of a DEA SAC. The investigation was based on information that, among other things, the SAC engaged in misconduct by engaging in an inappropriate romantic relationship with a subordinate. The OIG did not substantiate the allegation that the SAC had a romantic relationship

with the subordinate, but found that the SAC had an unprofessional personal relationship with the subordinate. The SAC and the subordinate admitted to being "best friends," and the OIG determined conducted themselves in a manner that created a perception that the SAC was providing benefits to the subordinate because of their friendship, which violated federal regulations and DEA policy. The OIG found that the SAC showed favoritism toward the subordinate in relation to bonuses that the subordinate received, opportunities for promotion that the subordinate was given, and other accommodations that the subordinate received. In addition, the OIG viewed as unnecessary and wasteful a travel assignment taken by the SAC and the subordinate because the SAC did not engage in the activity that was the reason for the travel and the subordinate's participation in the work assignment was minimal. Other allegations against the SAC were not substantiated. The investigation was referred for prosecution on May 15, 2015, and was declined that same day. The OIG has completed its investigation and provided its report to the DEA for appropriate action.

Drug Enforcement Administration

- The OIG issued its report of investigation of a DEA Division Counsel based on information received that the Division Counsel improperly raised funds on behalf of the DEA SBF, a private 501(c)(3) organization created for the purpose of providing financial benefits to surviving family members of DEA employees and deputized task force officers killed in the line of duty. The OIG substantiated the allegation that the Division Counsel violated federal fundraising ethics regulations by using his government e-mail account and other government resources to take actions in support of the SBF, including: (1) sending e-mails from his DEA e-mail account to DEA employees seeking volunteers to perform work relating to a golf tournament held to raise money for the SBF; (2) drafting letters on his government computer while on duty in which he solicited contributions to the SBF from businesses; (3) communicating with representatives of a resort while on duty regarding the golf tournament to benefit the SBF; (4) providing information while on duty to businesses and DEA employees about the golf tournament; and (5) soliciting donations while on duty from businesses for the SBF. The OIG completed its investigation and provided its report to the DEA for action it deems appropriate.

Ongoing Work

Opioid Enforcement Efforts

The OIG is assessing whether the DEA regulatory activities and enforcement efforts effectively prevent the diversion of controlled substances, particularly opioids, to unauthorized users. Specifically, this review will examine: (1) the DEA's enforcement policies and procedures to regulate registrants; (2) the DEA's use of enforcement actions involving distributors of opioids who violate these policies and procedures; and (3) the DEA's coordination with state and local partners in countering illicit opioid distribution.

DEA's Income-Generating Undercover Operations

The OIG is conducting an audit of the DEA's income-generating undercover operations. The preliminary objectives are to evaluate the management and oversight of DEA's income-generating operations with respect to: (1) the initiation and classification of these operations, (2) the controls over and use of funds during operations, and (3) the disposal of proceeds at the conclusion of these operations.

DEA Task Orders Awarded to Maximus, Inc.

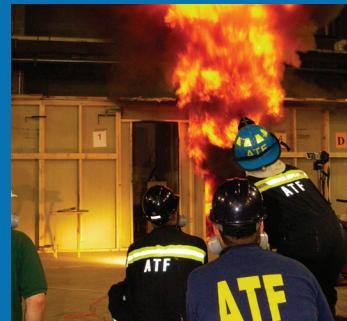
The OIG is auditing DEA task orders issued to Maximus, Inc., for financial investigative support services. The audit objectives are to: (1) determine whether Maximus and its subcontractor complied with the terms, conditions, laws, and regulations applicable to the contract; (2) assess contract performance; and (3) assess how the DEA and JMD administered the subject task orders.

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, 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.

Bureau of Alcohol, Tobacco, Firearms and Explosives

ATF's approximately more than 5,000 employees enforce federal criminal laws and regulate the firearms and explosives industries. ATF investigates violent crimes involving firearms and explosives, acts of arson, and illegal trafficking of alcohol and tobacco products. ATF also provides training and support to its federal, state, local, and international law enforcement partners and works in 25 field divisions with representation throughout the United States. Foreign offices are located in Mexico, Canada, Europe, and El Salvador.



Report Issued

ATF Weapons and Munitions

The OIG issued an audit report examining ATF's controls over weapons, munitions, and explosives and found that ATF generally has strong physical controls over its own weapons, explosives, and less lethal munitions. However, the OIG identified deficiencies related to safeguarding ammunition and seized evidence, munitions tracking, the accuracy of ATF's munitions inventories, and compliance with munitions and explosives policies that create a risk that sensitive items may be lost, misplaced, or stolen without detection. The OIG also identified areas where ATF's policies should be strengthened to improve the safeguarding and accountability of ATF-owned and seized weapons and munitions.

The OIG found that ATF has strong physical controls over its own weapons, including firearms, Tasers, and silencers, and its monthly rate of lost firearms decreased by over 55 percent since a prior 2008 OIG audit. However, the OIG noted that between FYs 2014 and 2017, ATF reported 23 instances of firearms being lost by or stolen from ATF Special Agents.

Additionally, the OIG found that ATF's controls over its ammunition inventories are inadequate and do not provide accurate inventory counts. For example, ATF's ammunition tracking records were understated by almost 31,000 rounds at 13 sites where the OIG

performed a physical inventory of ammunition. The quantity of unaccounted for ammunition is likely much greater, given that ATF has over 275 offices.

Destroyed Firearms



Source: OIG photo taken on site at ATF's Firearms and Ammunition Destruction Branch

Bureau of Alcohol, Tobacco, Firearms and Explosives

The OIG further identified that discrepancies existed between quantities of actual and logged explosives and less lethal munitions, such as chemical agents and smoke canisters.

Also, at the time of the audit, ATF did not have policy specifically related to tracking most of its less lethal munitions. As a result, ATF issued a memorandum to address the issue; however, the policy has not yet been fully implemented.

Lastly, at 9 of 13 locations where the OIG performed fieldwork, the OIG found that seized firearms and other evidence were temporarily stored outside of the inner evidence vaults, which creates a risk that the evidence may be lost, misplaced, stolen, or otherwise compromised.

The OIG made 10 recommendations to improve ATF's controls over its ammunition, explosives, less lethal munitions, as well as its seized weapons and ammunition. ATF agreed with all of them.

The OIG released a video to accompany this report, which is available [here](#).

Investigation

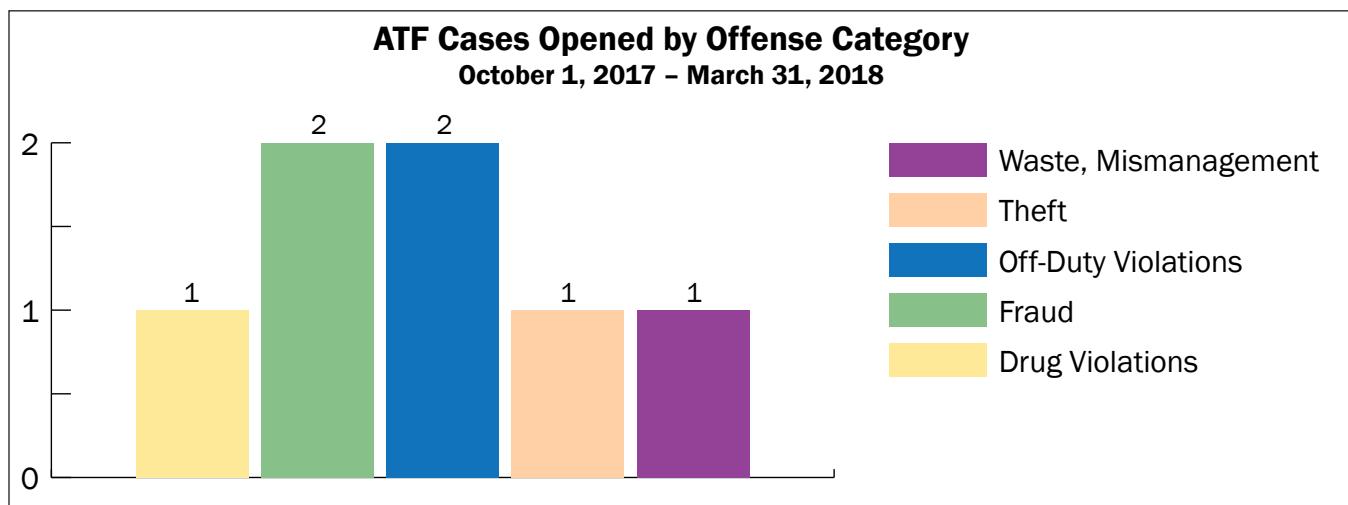
During this reporting period, the OIG received 172 complaints involving ATF personnel. The

most common allegations made against ATF employees were official misconduct, and waste and mismanagement. The majority of the complaints were considered management issues and were provided to ATF for its review and appropriate action.

During this reporting period, the OIG opened 7 cases and referred 12 allegations to ATF's OPR for action or investigation. At the close of the reporting period, the OIG had 20 open criminal or administrative investigations of alleged misconduct related to ATF employees. The investigations included official misconduct, and off-duty misconduct.

The following is an example of a case involving ATF that the OIG investigated during this reporting period:

- On December 1, 2017, an ATF Equipment Specialist pleaded guilty in Frederick County Circuit Court, in Frederick, Virginia, to two counts of forcible sodomy, one count of rape, and six counts of taking indecent liberties with a minor. The Equipment Specialist, who was terminated from the ATF, was sentenced to 120 years of incarceration, with 95 of those years suspended, resulting in 25 years of incarceration; 10 years of supervised probation; and 10 additional



years of unsupervised probation; and registration with the Virginia State Police as a violent sex offender. The investigation was conducted by the OIG's Washington Field Office and the Frederick County Sheriff's office.

focused to accomplish these goals. The OIG's review will examine ATF Frontline operations to assess its implementation, application, and effectiveness in meeting ATF goals and objectives.

Ongoing Work

Sole Source Small Business Contracts

The OIG is conducting an audit of ATF's awarding of small business contracts using sole source justifications. With regard to these contracts, the preliminary objectives are to assess ATF's: (1) processes for soliciting small businesses for contract opportunities; (2) procedures and decisions for the selection and subsequent award of contract opportunities to small businesses; and (3) oversight of small business sole source awards.

Controls over Agent Cashier Funds

The OIG is conducting an audit of ATF's controls over agent cashier funds. ATF field divisions use agent cashier funds to facilitate the purchase of evidence, procurement of services, and payment for information related to criminal investigations. The preliminary objectives are to assess whether: (1) policies and procedures effectively mitigate the risk of fraud, waste, and abuse in the agent cashier fund; (2) field divisions comply with these policies and procedures; (3) agent cashier funds have been accounted for appropriately; and (4) ATF Headquarters and field division management are providing appropriate oversight of the agent cashier fund expenditures.

ATF's Implementation of the Frontline Initiative

The OIG is reviewing the implementation of ATF's Frontline initiative since it was launched in 2012. ATF established Frontline to standardize the development and execution of agency-wide regulatory and investigative priorities while ensuring that limited resources are effectively

Office of Justice Programs

OJP manages the majority of DOJ's grant programs and is responsible for developing initiatives to address crime at the state and local levels. OJP has six bureaus and program offices—Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, OVC, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. In this section, the report discusses OJP's oversight of grant funds and OIG reviews of grant recipients.



Reports Issued

Audits of Grants to State and Local Entities

During this reporting period, the OIG audited eight external OJP grant recipients, as described by the examples below.

- The OIG issued an audit report on a grant totaling \$5,397,335 awarded to [Hudson County, New Jersey](#) (Hudson). The grant, awarded in 2011, was to support the *Second Chance Act Adult Offender Reentry Demonstration Program* (Program). At the time of the audit, Hudson County had drawn down the entire \$2,687,500 in federal funds. The OIG found that Hudson did not demonstrate progress towards achieving the grant objectives of reducing recidivism or enhancing public safety. In particular, Hudson could not verify the number of participants who successfully completed the Program, and did not effectively track whether Program participants were arrested, reconvicted, or re-incarcerated in the 36-month period following their release. Additionally, Hudson could not demonstrate that it met the local match requirement of the grant, and the OIG questioned the entire amount of \$2,709,835 of the local match. In total, the OIG identified \$3,469,733 in questioned costs. The OIG made 13 recommendations to OJP to improve the Hudson County's management of DOJ grant funds and remedy questioned costs.

OJP agreed with the recommendations. Hudson County did not explicitly state whether it agreed or disagreed with the recommendations.

- The OIG issued an audit report on grants totaling \$1,561,825 to the city of [Syracuse, New York](#), for the Community-Based Violence Prevention Program. The audit found that Syracuse did not collect the appropriate performance data to allow for program evaluation, thereby preventing a determination whether Syracuse achieved its program goals. Syracuse lacked written policies and procedures for key grant management processes and controls, such as subrecipient monitoring, requesting funding, and background checks for subrecipients working with youth. The audit identified unsupported questioned costs totaling \$98,858. The OIG made nine recommendations to OJP to improve Syracuse's management of DOJ grant funds and to remedy questioned costs. OJP agreed with the recommendations, but Syracuse did not state whether it agreed.
- The OIG issued an audit report on two grants totaling \$3,966,144 to the [Trustees of the University of Pennsylvania](#) (UPenn) in Philadelphia, Pennsylvania, to support research studies to increase the safety of schools nationwide. At the

Office of Justice Programs

time of the audit, UPenn had drawn down \$2,029,634 of the total grant funds awarded. The OIG found that while UPenn demonstrated adequate progress towards the grants' stated goals and objectives, UPenn did not comply with essential conditions of the grants related to personnel, travel, and contract management. The OIG identified \$54,091 in unallowable costs, including \$20,037 in personnel expenditures related to student positions and \$34,054 in contract expenditures. After receiving a draft version of the audit report, OJP retroactively approved these costs as allowable prior to the issuance of the final report. The OIG made five recommendations to OJP to improve UPenn's management of DOJ grant funds. OJP and UPenn agreed with all of them.

- The OIG issued an audit report on two grants totaling \$1.3 million to Family Pathfinders of Tarrant County, Inc. (Pathfinders) in Fort Worth, Texas. OJP awarded these grants in 2013 and 2014 for the purpose of promoting public safety by facilitating the successful reintegration of formerly incarcerated individuals back into the community. At the time of the audit, Pathfinders had drawn down \$1,101,457 of the total grant funds awarded. The OIG concluded that the accomplishments Pathfinders described in its progress reports generally matched supporting documentation. However, the OIG found that Pathfinders did not comply with some essential award conditions related to internal controls and the use of award funds. Specifically, Pathfinders charged unallowable personnel, contractor, consultant, and other direct costs to the award. As a result, the OIG identified \$68,113 in questioned costs. The OIG made one recommendation to OJP to improve Pathfinders' management of DOJ grant funds. OJP agreed with the

recommendation. Pathfinders agreed with parts of the recommendation.

- The OIG issued an audit report on a grant totaling \$1,325,843 to the American Indian Development Associates, LLC (AIDA). The grant was awarded in 2014 by OJP to support a study aimed at improving the health and well-being of American Indian and Alaskan Native youth, including those exposed to violence and victimization. As of October 2, 2017, AIDA had drawn down \$576,511 of the grant funds. The OIG concluded that there were no indications that AIDA was not adequately achieving the grant's stated goals and objectives. However, AIDA did not comply with some essential award conditions related to the use of funds. Specifically, the OIG found that AIDA charged unallowable and unsupported personnel, contractor, and consultant costs to the grant. As a result of these deficiencies, the OIG identified \$55,717 in questioned costs. The OIG made two recommendations to OJP to assist AIDA in improving its award management and administration and remedy questioned costs. OJP agreed with both of them. AIDA agreed with one recommendation and partially agreed with another.
- The OIG issued an audit report on three grants totaling \$66,058,597 to the National Center for Missing and Exploited Children (NCMEC) in Alexandria, Virginia. The grants were awarded in 2015 and 2016 for the purpose of providing a coordinated, national system for missing and victimized children's cases. At the time of the audit, the NCMEC had drawn down approximately \$52,673,632 of the total grant funds awarded. The OIG concluded that the NCMEC demonstrated adequate progress towards achieving stated goals and objectives of the grants. Further, the audit did not identify any issues with the NCMEC's process for reporting its

Office of Justice Programs

program performance, compliance with special conditions, or compiling of federal financial reports (FFR). The OIG found that the NCMEC could improve how it oversees travel costs and how it makes and documents drawdown requests. The OIG made two recommendations to OJP to improve the NCMEC's management of DOJ grant funds. OJP and the NCMEC agreed with all of them.

- The OIG issued an audit report on a grant totaling \$49.9 million to the city of [Cleveland, Ohio](#). The grant was awarded in April 2016 for the purpose of providing security to delegates, visitors, and residents of the city during the 2016 Republican National Convention. The OIG found that Cleveland generally managed the grant appropriately with respect to financial management, expenditures, drawdowns, and FFRs. The OIG made one recommendation to OJP to assist Cleveland in ensuring that vehicles purchased with grant funds are recorded in the city's inventory in accordance with DOJ requirements, and as noted in the report, we have received evidence that Cleveland has taken appropriate corrective action, and the recommendation is closed. The OIG's audit of the corresponding Bureau of Justice Assistance grant awarded to the city of Philadelphia, Pennsylvania, for security during the 2016 Democratic National Convention will be issued at a later date.

The OIG released a video to accompany this report, which is available [here](#).

- The OIG issued an audit report on three DNA Backlog Reduction grants totaling \$3,678,898, awarded between 2014 and 2016, to the [Los Angeles County Sheriff's Department](#) (LASD). The purpose of the grants was to support the processing, recording, screening, and analyzing of forensic DNA and DNA database samples.

As of February 2017, the LASD had drawn down \$1,963,473 of the grant funds. The OIG found that the LASD enhanced its capacity by processing 4,510 DNA cases, surpassing the goals for the FY 2014 and 2015 grants. However, the OIG also found that the LASD's backlog of forensic DNA casework and its average time for forensically processing DNA samples both increased. The OIG also found that the LASD did not comply with essential award conditions related to grant financial management, budget management and control, federal financial reporting, and reporting program income. Additionally, the LASD did not properly record and account for over \$500,000 in grant-related transactions, and it commingled grant-related expenditures with non-DOJ expenditures. The OIG made seven recommendations to assist OJP in improving the LASD's management of DOJ grant funds. OJP agreed with all of them. LASD agreed with one, partially agreed with one, and disagreed with five recommendations.

Investigation

During this reporting period, the OIG received 22 complaints involving OJP. The most common allegation made against OJP employees, contractors, or grantees was fraud.

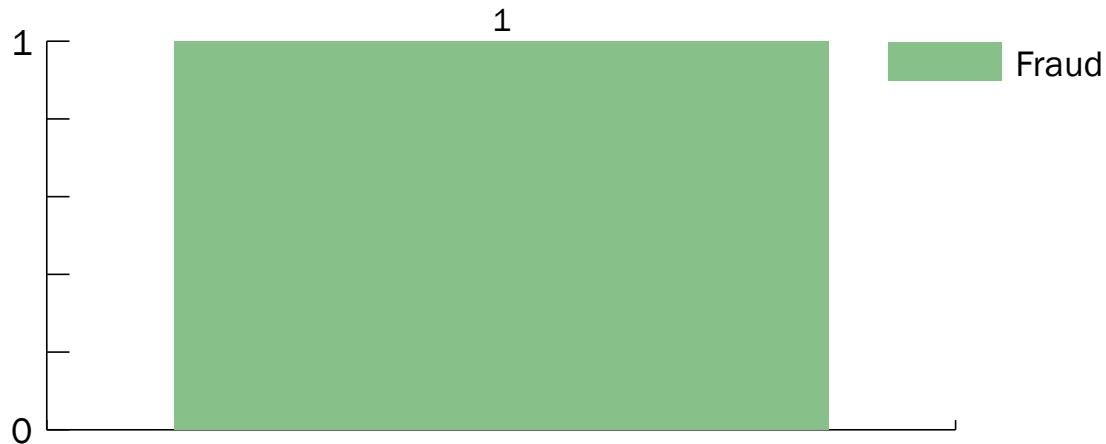
During this reporting period, the OIG opened 1 cases. At the close of the reporting period, the OIG had 17 open criminal or administrative investigations of alleged misconduct related to OJP employees, contractors, or grantees. The most common allegation was grantee fraud.

The following is an example of a case involving OJP that the OIG investigated during this reporting period:

- On November 20, 2017, a DOJ grantee agreed to pay \$135,000 to resolve allegations that it failed to properly

Office of Justice Programs

OJP Cases Opened by Offense Category October 1, 2017 – March 31, 2018



Source: Investigations Data Management System

track and account for DOJ funds. The investigation determined that in 2005 OJP awarded the grantee a cooperative agreement, which later totaled \$2,369,838, to provide training and technical assistance to Native American tribes in planning and constructing correctional facilities. An OIG audit found—and a subsequent OIG investigation confirmed—that the grantee commingled some of these award funds with other sources of revenue. The audit identified over \$1,605,600 in questioned costs. This settlement relates to personnel and fringe benefit cost claims on this award as well as additional issues with other DOJ awards. The investigation was conducted by the OIG's Fraud Detection Office and the audit was conducted by the Denver Regional Audit Office.

through 2017. The preliminary objective is to assess and summarize the corrective actions taken by OJP to close OIG audit recommendations issued in audit reports that were closed during FYs 2015 through 2017.

National Institute of Justice's Grant Management

The OIG is auditing the National Institute of Justice's grant management. The preliminary objectives are to determine whether the National Institute of Justice: (1) used fair and open processes to award competitive grants; (2) properly justified its decisions when awarding non-competitive grants; and (3) managed grant activities in compliance with legal, regulatory, and ethical requirements.

Ongoing Work

Corrective Actions to Resolve and Close Audit Reports during FYs 2015 through 2017

The OIG is auditing OJP's corrective actions to resolve and close audit reports during FYs 2015

Crime Victims Fund

The Crime Victims Fund (CVF) was established by the *Victims of Crime Act of 1984* (VOCA) and serves as a major funding source for victim services throughout the country. Each year, millions of dollars are deposited into the CVF from criminal fines, forfeited bail bonds, penalty fees, and special assessments collected by USAOs, U.S. Courts, and the BOP. These dollars come from offenders convicted of federal crimes, not from taxpayers. OJP's OVC administers the CVF. States receive the majority of CVF funds directly from OVC through the VOCA victim assistance and compensation formula grants. The OVC also awards discretionary grants to state and local governments, individuals, educational institutions, and private nonprofit organizations to support national-scope demonstration projects and training and technical assistance that enhance the professional expertise of victim service providers. Other CVF-funded program areas include USAO victim-witness coordinators who assist victims of federal crimes, and FBI victim specialists who help keep victims of federal crimes informed of case developments and appropriate resources.

Since FY 2015, Congress substantially increased the amount of funding for these Department programs. Specifically, in FY 2015 the Department had over \$2 billion in CVF funding available for programs that support crime victims. This more than tripled the amount of CVF grant funding that was available in FY 2014. From FY 2015 through 2017, DOJ has provided nearly \$8 billion in funding for CVF programs. This increase has translated into commensurate increases in grants to states that manage and subaward the majority of the funds to public and nonprofit organizations that operate counseling centers, domestic violence shelters, rape crisis centers, and other victim services.

The OIG is committed to robust oversight of the Department's administration of the CVF and of the victim services the Department operates and supports. Our audits of victims

of crime programs have resulted in dozens of recommendations to improve recipients' administration of CVF-funded grants, enhance the performance of its programs, improve monitoring of thousands of subrecipients, and help ensure accountability for billions of CVF dollars. During this semiannual reporting period, the Audit Division issued 9 audits and, at the end of the period, had 14 ongoing audits of OJP programs and grants that received CVF funds. Examples of the audits issued this period are described below.

Reports Issued

Audits of CVF Grants to State and Local Entities

During this reporting period, the OIG issued nine audit reports of CVF-funded grant recipients, as described below.

- The OIG issued an audit report on four grants totaling \$45,662,960, awarded between 2013 and 2016, to the [Nevada Department of Health and Human Services](#) (NDHHS) in Carson City, Nevada. As of October 2017, the NDHHS had drawn down a total of \$26,417,228. The OIG found that NDHHS used its grant funds to enhance services for crime victims. However, the OIG found that it did not comply with essential grant conditions. Specifically, the OIG found that the NDHHS made an error in its process for awarding funds to grant subrecipients, which caused approximately \$4 million in excess subawards. The OIG also found that NDHHS awarded funds to subrecipients based on the amount of CVF funds NDHHS expected to receive, instead of the amount of actual funds received; did not track priority funding areas, as required; submitted inaccurate reports to DOJ; did not ensure compliance with the grants' special conditions; incurred unallowable and unsupported costs;

Crime Victims Fund

did not ensure drawdowns were made on a reimbursement basis; and did not sufficiently monitor subrecipients to ensure compliance. As a result of these deficiencies, the OIG identified \$2,733,667 in total questioned costs. The OIG made 22 recommendations to OJP to improve the NDHHS's management of grant funds and to remedy \$2,733,667 in questioned costs. OJP agreed with all of them. The NDHHS agreed with 21 of the 22 recommendations.

- The OIG issued an audit report on three grants totaling \$5,672,000 to the [Michigan Department of Health and Human Services](#) (MDHHS) in Lansing, Michigan. The CVF grants were awarded between 2014 and 2016 for the purpose of providing financial support to crime victims throughout Michigan. At the time of the audit, the MDHHS had drawn down the full amount of grant funds. The OIG found that the MDHHS used and managed its CVF funding to provide compensation to victims of crime. However, the audit identified areas in need of improvement. The OIG found that the MDHHS submitted erroneous reports for FYs 2014 and 2015, which resulted in OJP awarding an excess of \$259,414 in grant funds. The OIG also identified errors in the FY 2016 report that, if not corrected, may result in the MDHHS being awarded an additional excess of \$315,488 in the future. The audit further found that the MDHHS did not always properly document when it issued waivers to crime victims who submitted late requests for assistance. The OIG made four recommendations to OJP to improve the MDHHS's management of grant funds and to remedy \$259,414 in questioned costs.
- The OIG issued an audit report on two CVF grants totaling \$77,244,442, awarded between 2015 and 2016, to the [Governor's](#)

[Office of Crime Control and Prevention](#) (GOCCP) in Crownsville, Maryland. As of April 2017, the GOCCP had drawn down a total of \$15,524,463. The OIG found that the GOCCP generally used grant funds appropriately and complied with program requirements. While its subrecipient monitoring mechanisms were well designed, the OIG found the GOCCP should enhance its review of subrecipient performance data and clarify timekeeping guidance for subrecipients. The OIG also found that the GOCCP disproportionately charged the CVF grants for shared administrative expenses, and identified questioned costs for personnel and fringe benefits. As a result of these deficiencies, the OIG identified \$186,374 in questioned costs. The OIG made eight recommendations to OJP to improve the GOCCP's management of grant funds and to remedy questioned costs. OJP agreed with all of them. The GOCCP agreed with seven of the eight recommendations.

- The OIG issued an audit report on six grants totaling \$2,344,376 to the [Pueblo of Jemez](#), in Sandoval County, New Mexico. The grants were awarded in 2012, 2013, and 2015 for the purpose of enhancing the Pueblo of Jemez's criminal justice systems and crime victim services. At the time of the audit, the Pueblo of Jemez had drawn down \$948,858 of the total grant funds. The OIG found that the Pueblo of Jemez did not comply with essential award conditions related to the use of award funds, progress reports, and FFRs. Specifically, the OIG found that the Pueblo of Jemez charged unallowable and unsupported contractor, consultant, and other direct costs to the awards; did not maintain essential award documentation for 3 years after the closure of an award, as required; and submitted progress reports and FFRs that contained inaccuracies. As a result, the OIG identified \$160,161 in unallowable and unsupported questioned

Crime Victims Fund

costs. The OIG made six recommendations to OJP. OJP agreed with all of the recommendations. The Pueblo of Jemez agreed with two of the recommendations, partially agreed with one of the recommendations, and disagreed with three of the recommendations.

- The OIG issued an audit report on four CVF grants totaling \$8,072,231, awarded between 2012 and 2015, to the [Vermont Center for Crime Victim Services](#) (VCCVS) in Waterbury, Vermont. As of January 2018, the VCCVS had drawn down a total of \$7,540,390 from the four grants. The OIG found that the VCCVS used its victim assistance grant funding to enhance services for crime victims. However, the audit identified areas in need of improvement. Specifically, the VCCVS did not follow procedures to adequately assess the risk that subrecipients of grant funds would not comply with grant requirements; it did not adequately monitor, record, or report its subrecipient matching costs; and some subrecipient personnel expenditures and fringe benefit charges lacked adequate support. The OIG also found that the VCCVS had unsupported and unallowable consultant charges, and it submitted inaccurate FFRs. As a result of these weaknesses, the OIG identified \$44,690 in total questioned costs. The OIG made nine recommendations to OJP to improve the VCCVS's management of grant funds and to remedy questioned costs. OJP agreed with all of them. The VCCVS agreed with five, partially agreed with two, and disagreed with two of the recommendations.
- The OIG issued an audit report on three grants totaling \$1,340,213 to the [Kaw Nation](#) in Kaw City, Oklahoma. These grants were awarded in 2013, 2015, and 2016 for the purpose of providing assistance to victims of crime, and to improve investigation, prosecution, and

handling of child abuse cases. At the time of the audit, the Kaw Nation had drawn down \$650,534 of the total grant funds awarded. The OIG found that while the Kaw Nation achieved or was on track to achieve grant goals, it did not comply with some essential award conditions. Specifically, the OIG found that the Kaw Nation expended funds without first obtaining required approval, incorrectly charged personnel costs and indirect costs to the grants, and submitted FFRs that contained inaccuracies. As a result, the OIG identified \$32,392 in questioned costs. The OIG made five recommendations to OJP to improve the Kaw Nation's management of DOJ grant funds and remedy questioned costs. OJP agreed with all of them. The Kaw Nation did not specify whether it agreed with the recommendations.

- The OIG issued an audit report on three CVF grants totaling \$86,880,364, awarded between 2014 and 2016, to the [Missouri Department of Public Safety](#) (MO DPS) in Jefferson City, Missouri. As of June 2017, the MO DPS had drawn down a total of \$15,975,433 of the grant funds. The OIG found that the MO DPS used the grant funds to enhance services for crime victims; that it took appropriate steps to announce and provide funding to subrecipients; and that its financial monitoring was generally adequate. However, the OIG also identified areas of concern, including that the MO DPS did not properly track its distribution of funding by priority areas, as required; there was a potential conflict of interest in the awarding of one subgrant; performance monitoring was not completed with adequate frequency; and performance data was not properly reviewed before it was reported to OJP. In addition, an erroneously allocated annual leave payout for a MO DPS employee resulted in \$7,261 in questioned costs.

Crime Victims Fund

The OIG made eight recommendations to OJP to improve the administration of Missouri's victim assistance grants and remedy questioned costs. OJP agreed with all of them. In July 2017, the state of Missouri transferred responsibility of these grants from the MO DPS to the Missouri Department of Social Services (MO DSS). Although the audit did not review the MO DSS, the OIG believes that OJP should ensure that future grant activity is performed in a manner consistent with the OIG's recommendations. As such, the OIG provided the draft audit report to both of these entities. The MO DPS agreed with four recommendations and partially agreed with the remaining recommendations. The MO DSS agreed with seven of the recommendations and did not comment on one that pertained only to the MO DPS.

- The OIG issued an audit report on three grants totaling \$4,251,000 to the [Delaware Victims' Compensation Assistance Program](#) (DVCAP) in Wilmington, Delaware. The grants were awarded between FYs 2012 and 2014 to provide financial support through the payment of compensation benefits to crime victims in Delaware. As of January 2018, the DVCAP had drawn down a total of \$4,251,000 for the grants the OIG reviewed. The OIG found that DVCAP used its victim compensation grant funding to provide financial support for awards of compensation benefits to crime victims. Also, the audit did not identify significant concerns regarding DVCAP's annual performance reports and compliance with award special conditions. However, the OIG found that DVCAP did not always comply with essential award conditions related to grant expenditures, financial reporting, and program implementation. The audit also identified \$1,999 in unallowable administrative expenditures. The OIG made five recommendations to

OJP to improve the DVCAP's management of grant funds and to remedy \$1,999 in questioned costs. OJP and the DVCAP agreed with all of them.

- The OIG issued an audit report on a cooperative agreement totaling \$1,599,928 to the [Alaska Institute for Justice](#) (AIJ) in Anchorage, Alaska. The purpose of the award was to implement the Wraparound Victim Legal Assistance Network Demonstration Project, which supports comprehensive, holistic legal assistance to victims. As of February 2018, the AIJ had drawn down a total of \$1,479,636. The OIG found that AIJ generally managed the cooperative agreement appropriately and demonstrated adequate progress towards the cooperative agreement's stated goals and objectives. The OIG did not identify any significant issues regarding AIJ's submission of progress reports, FFRs, or sub-recipient monitoring. The audit found that all tested expenditures were allowable, supported, and in accordance with applicable laws, regulations, guidelines, and the terms and conditions of the awards. Additionally, the OIG noted no concerns with compliance with special conditions, budget management and controls, or drawdowns. Therefore, the OIG made no recommendations.

Ongoing Work

Efforts to Address Challenges in Administering CVF Programs

The OIG is reviewing OJP's efforts to address challenges in administering CVF programs. The review is expected to include (1) assessing systemic issues facing CVF grant administration and (2) evaluating actions OJP has taken to ameliorate programmatic issues identified through OIG work.

Update to Previously Issued Report

Crime Victims Fund Grant to the California Governor's Office of Emergency Services

The OIG announced on November 7, 2017, that the California Governor's Office of Emergency Services (Cal OES) returned \$452,464 to DOJ as a result of an OIG CVF grant audit. The repayment represented the total amount of CVF grant funds that the OIG questioned in its audit of four subgrants totaling \$553,386 from Cal OES to the Indian Child Welfare Consortium (ICWC) in Temecula, California. The purpose of the subgrants was to provide therapeutic clinical services or culturally-centered services to Native American child abuse victims, and support services to non-offending family members.

During the audit, the OIG found that ICWC's accounting records were unauditible and contained significant deficiencies. The OIG also identified other issues, including a conflict of interest between ICWC's Executive Director and a contractor, who were married; contractor billings that contained irregularities and excessive billings; and ICWC expenses that lacked supporting documentation or were not properly authorized. The audit also called into question the legitimacy of some of the services that ICWC had purportedly been provided to Native American child abuse victims and others. Based on these and other findings, the OIG questioned the entire \$452,464 of grant funds that Cal OES had disbursed to ICWC under the subgrants.

Other Department Components

Civil Division

Investigations

The following are examples of cases that the OIG investigated during this reporting period:

- In the *Semiannual Report to Congress April 1, 2017 – September 30, 2017*, the OIG reported on an investigation of a former Civil Division employee for first degree felony fraud. On October 2, 2017, the employee, who was terminated from the Civil Division subsequent to his OIG interview and pleaded guilty to the charge, was sentenced in the Superior Court of the District of Columbia to 12 months of incarceration with 11 months suspended and 3 years of supervised release, and ordered to pay \$11,300 in restitution. According to the statement of facts in support of his plea agreement, the employee stole credit cards from other Civil Division employees and provided them to a conspirator, who used them to process unauthorized payments to his business. The conspirator subsequently withdrew the funds from his bank account and provided a portion to the employee. Between April and June 2015, the fraud transacted on nine stolen credit cards totaled \$22,785. The conspirator was also sentenced on October 2, 2017, to 12 months of incarceration with 9 months suspended and 3 years of supervised release, and was ordered to pay \$11,393 in restitution. The investigation was conducted by the OIG's Washington Field Office and DHS, Federal Protective Service, with substantial assistance from the OIG's Cyber Investigations Office.
- On March 7, 2018, a former Trial Attorney assigned to the DOJ Civil Division's Fraud Section in Washington, D.C., was sentenced to 30 months incarceration followed by 3 years of supervised probation and ordered to pay \$10,000



after pleading guilty to one count of interstate transportation of stolen goods and two counts of obstruction of justice. The Trial Attorney, who resigned from DOJ in April 2016, was charged by Criminal Information in the Northern District of California. According to the plea agreement, the Trial Attorney worked for the Civil Fraud Section between 2010 and 2016, and admitted that during the last month of his employment he began secretly reviewing and collecting court sealed *qui tam* complaints that had been filed in court, but were not available publicly. The matters were not assigned to him to his caseload. He admitted that, after leaving DOJ and becoming a partner at a private law firm he utilized the information contained in the sealed court filings to attempt to improperly solicit clients that were the subject of the sealed complaints. The plea agreement describes two occasions in which he attempted to sell non-public information to companies that were the subject of government investigations. The Trial Attorney admitted that he knew that revealing the contents of a sealed complaint could jeopardize and obstruct ongoing DOJ investigations. He further admitted that after his arrest, he took steps in an effort to obstruct the ongoing investigation into

Other Department Components

his conduct. In particular, after being released from custody he returned to his office, purportedly to retrieve his personal belongings, and instead removed and destroyed documents from his office that he knew could further incriminate him. He also admitted to placing copies of *qui tam* complaints in an envelope to make it appear that a former DOJ colleague accidentally sent him the documents. The investigation was conducted by the OIG's Fraud Detection Office and the FBI's San Francisco office.

Criminal Division Reports Issued

Equitable Sharing Audits

Under DOJ's Asset Forfeiture Program, state and local law enforcement agencies may receive equitable sharing assets when participating directly with DOJ's law enforcement components in joint investigations that lead to the seizure or forfeiture of cash and property. Equitable sharing revenues represent a share of the proceeds from the forfeiture of assets seized in the course of certain criminal investigations or activities.

During this reporting period, the OIG audited equitable sharing revenues received by three law enforcement agencies as described below.

- The OIG issued an audit report on the equitable sharing activities of the [City of Atlanta Police Department](#) (APD) in Atlanta, Georgia. The DOJ Equitable Sharing Program allows any state or local law enforcement agency that directly participated in an investigation or prosecution resulting in a federal forfeiture to claim a portion of federally forfeited cash, property, and proceeds. The OIG identified several issues with APD's management of equitable sharing funds, including that APD submitted

late, unsigned reports; did not track or reconcile equitable sharing requests to equitable sharing receipts; and did not properly record a vehicle that was acquired through the Equitable Sharing Program. Further, the audit identified 17 expenditures that were not allowable under the equitable sharing program, which resulted in \$1,445,864 in questioned costs. During the audit period of July 1, 2012, to April 21, 2017, APD reported a beginning balance of \$5,503,741, received an additional \$5,753,437, and expended \$11,194,534 in equitable sharing funds. The OIG made five recommendations to the Criminal Division to address the issues identified and remedy questioned costs. The Criminal Division agreed with all of them. APD neither agreed nor disagreed with the recommendations but did discuss the actions it would undertake to address the recommendations.

- The OIG issued an audit report on the use of DOJ equitable sharing revenue by the [Port Authority of New York and New Jersey Police Department](#) (PAPD), Jersey City, New Jersey. From January 2012 through May 2017, the PAPD received \$6,985,823 in equitable sharing funds and spent \$8,130,587. The OIG concluded that the PAPD used the equitable sharing funds for allowable purposes as required by the DOJ Equitable Sharing Program. However, the OIG identified several issues related to bookkeeping requirements and supporting documentation. Specifically, the OIG found that DOJ equitable sharing funds were commingled with other sources of asset forfeiture funds, which resulted in the OIG's inability to rely on financial management system records during the audit. The OIG also determined that the PAPD could not adequately support prices paid for equipment purchased using equitable sharing funds, and did not review invoices

Other Department Components

prior to payment. The OIG made eight recommendations to the Criminal Division to assist in its oversight and management of the equitable sharing program. Both the Criminal Division and PAPD agreed with all of them.

- The OIG issued an audit report on the equitable sharing funds received by the [Lexington Police Department](#) (Lexington PD), in Lexington, Kentucky. The audit covered Lexington PD's FYs 2016 and 2017, during which time Lexington PD received \$1,188,178 and reported spending \$680,404 in equitable sharing revenues. The OIG found that Lexington PD did not fully comply with the requirements of the DOJ Equitable Sharing Program. Specifically, the OIG found that the city of Lexington deposited DOJ equitable sharing funds into a non-FDIC insured money market mutual fund account. Additionally, the OIG found that Lexington PD used DOJ equitable sharing funds as advance payment for expenditures being reimbursed in the future from other funding sources, which is prohibited by program rules. Lexington PD also did not accurately and timely submit the required, annual Equitable Sharing Agreement and Certification reports. Finally, the OIG identified that Lexington PD's equitable sharing expenditures were not accurately reflected in the FY 2016 Single Audit report. The OIG made three recommendations to the Criminal Division to address the issues identified by the audit, and identified \$38,735 in questioned costs for unallowable fringe benefit costs. Both Lexington PD and the Criminal Division agreed with the recommendations.

Executive Office for Immigration Review

Update to Previously Reported Whistleblower Retaliation Finding

During this reporting period, the Executive Office for Immigration Review (EOIR) imposed consequences or took other action in relation to an official the OIG had found engaged in retaliation against whistleblowers. Upon the enactment of the IGEA, the OIG is required under IG Act section 5(a)(20) to report such actions. In the *Semiannual Report to Congress, April 1, 2017 – September 30, 2018*, the OIG reported that a Senior Executive with EOIR engaged in inappropriate hiring practices, used non-public information to benefit friends, solicited and accepted gifts from subordinates, maintained inappropriate relationships with subordinates, participated in an inappropriate quid pro quo scheme with a contract company, and retaliated against employees who refused to hire the Executive's friends. The OIG provided the report to the EOIR for appropriate action and referred its retaliation findings to the U.S. Office of Special Counsel. During this reporting period, EOIR allowed the Executive to resign in lieu of termination pursuant to a settlement agreement, with a formal notation that the Executive resigned after receiving written notice of a decision to separate for misconduct. In addition, the Executive agreed not to apply for a position with DOJ for 10 years.

Office on Violence Against Women

Reports Issued

Audits of OVW Grants

The OVW administers financial and technical assistance to communities across the country for the development of programs, policies, and

Other Department Components

practices aimed at ending domestic violence, dating violence, sexual assault, and stalking. The OVW recipients include state and local governments, universities, non-profit agencies, and for-profit agencies. During this reporting period, the OIG conducted an audit of an OVW grant recipient, which is summarized below.

- The OIG issued an audit report on three grants totaling \$1,350,005 to the [Clery Center for Security on Campus](#) (Clery Center) in Strafford, Pennsylvania. The purpose of these OVW grants was to provide training and technical assistance to other OVW grantees responsible for assisting institutions of higher education in addressing the problems of sexual assault, domestic violence, and stalking. At the time of the audit, the Clery Center had drawn down \$549,199 of the total grant funds awarded. One of the grants is ongoing. The OIG found that the Clery Center appropriately managed 98 percent of the grant funds reviewed, and that it had either achieved or demonstrated adequate progress toward achieving each of the grants' goals and objectives. The OIG also identified deficiencies with the Clery Center's monitoring of subrecipients, rent allocation, and FFRs, and questioned as unallowable \$13,359 in grant expenditures relating to professional consultants and indirect costs. The OIG made seven recommendations to the OVW to improve the Clery Center's grant management and remedy questioned costs. The OVW agreed with all of them. The Clery Center agreed with five of the recommendations and disagreed with two.

Investigations

The following are examples of cases that the OIG investigated during this reporting period:

- On October 26, 2017, the former Vice President of Finance and Administration of a non-profit organization that receives

federal funding from OVW pleaded guilty to one count of first degree larceny. The Vice President was charged by the State of Connecticut in the District of New Britain. According to the Indictment, the Vice President embezzled approximately \$130,000 through various schemes while serving as the organization's Director of Finance and Administration. The Vice President was sentenced on the same date. As part of the plea agreement, she received a sentence of 10 years, with 9 months to be served in a Connecticut State Prison and the balance of the sentence suspended, followed by 3 years of supervised release. The Vice President was also ordered to pay \$81,670 in restitution to the non-profit organization, which she paid in full at the sentencing. The investigation was conducted by the OIG's Boston Area Office and the Wethersfield, Connecticut, Police Department.

- On October 10, 2017, the former Executive Director of a non-profit organization receiving OVW and OJP grants was sentenced to 30 months of probation and ordered to pay \$53,642 in restitution for wire fraud. On November 28, 2017, the former Assistant Executive Director of the same non-profit organization was sentenced to 48 months of probation and ordered to pay \$50,000 in restitution and \$10,000 in fines for wire fraud and misuse of charitable funds. According to the Indictment filed by the State of Illinois, to which both individuals pleaded guilty, between July and August 2014, the Executive Director and Assistant Executive Director stole funds from the non-profit organization, submitted false statements to grant administering agencies to ensure future grant awards, diverted funds from the non-profit organization to an unrelated business venture, and falsified a loan application. The investigation was conducted by the OIG's

Other Department Components

Chicago Field Office, U.S. Department of Housing and Urban Development OIG, Illinois Attorney General's Office, and investigative support was provided by the OIG's Fraud Detection Office and Cyber Investigations Office.

Ongoing Work

Technical Assistance Program

The OIG is auditing the OVW's Technical Assistance Program. The preliminary objectives are to determine whether OVW's controls are effective to ensure: (1) its grant applications meet eligibility requirements and awards are made in accordance with applicable agency policies and procedures; (2) it appropriately monitors awards to prevent project overlap, award duplication, and unallowable or unsupported costs; and (3) that recipients are appropriately progressing on the objectives of the awards.

Top Management and Performance Challenges

The OIG has published a list of top management and performance challenges facing DOJ annually since 1998. The list is based on the OIG's oversight work, research, and judgment. By statute, the list is required to be included in DOJ's annual Agency Financial Report.

This year's list identifies eight challenges that the OIG believes represent the most pressing concerns for DOJ. While the challenges are not rank-ordered, the OIG believes that challenges in two critical areas—national security and cybersecurity—will be at the forefront of the Department's attention and require vigilance for the foreseeable future.

In addition, this year's list again includes the challenge *Using Performance-Based Management to Improve Department Programs*, which the OIG believes continues to grow in importance. Moreover, this challenge impacts many of the challenges listed above, illustrating how the deficit in performance-based management can hinder the Department's ability to accomplish its mission efficiently and effectively. Meeting all of these challenges will require the Department to develop innovative solutions and exercise careful oversight to ensure the effectiveness of its operations.



Top Management and Performance Challenges for the Department of Justice – 2017

- *Safeguarding National Security and Ensuring Privacy and Civil Liberties Protections*
- *Enhancing Cybersecurity in an Era of Increasing Threats*
- *Managing an Overcrowded Federal Prison System in an Era of Declining Resources*
- *Strengthening the Relationships Between Law Enforcement and Local Communities and Promoting Public Trust*
- *Coordinating within the Department and Across Government to Fulfill the Department's Mission to Combat Crime*
- *Administering and Overseeing Contracts and Grants*
- *Using Performance-Based Management To Improve Department Programs*
- *Filling Mission Critical Positions Despite Competition for Highly-Skilled Professionals and Delays in the Onboarding Process*

Detailed information about DOJ's management and performance challenges is available online [here](#).

Congressional Testimony/Legislation and Regulations

Congressional Testimony

During this reporting period, the Inspector General testified on two occasions:

- “Recommendations and Reforms from the Inspectors General” before the U.S. House of Representatives Committee on Oversight and Government Reform on [November 15, 2017](#).
- “Oversight of the Bureau of Prisons and Inmate Reentry” before the U.S. House of Representatives Committee on Oversight and Government Reform on [December 13, 2017](#).



Legislation and Regulations

The IG Act directs the OIG to review proposed legislation and regulations relating to the programs and operations of DOJ. Although DOJ’s Office of Legislative Affairs reviews all proposed or enacted legislation that could affect DOJ’s activities, the OIG independently reviews proposed legislation that could affect its operations and legislation that relate to waste, fraud, or abuse in DOJ’s programs and operations. For example, during this period, the OIG reviewed legislation, including the *Inspector General Recommendation Transparency Act of 2017*, *IG Subpoena Authority Act*, *Disclosing Foreign Influence Act*, *FISA Amendments Reauthorization Act of 2017*, *Whistleblower Protection Coordination Act*, and *Whistleblower Protection Extension Act of 2017*. The OIG also reviewed other legislative proposals, including legislation relating to national security, whistleblowers, and federal grants. In addition, the OIG proposed revisions to Part 27 of Title 28 of the Code of Federal Regulations, reflecting changes resulting from the enactment of the *Federal Bureau of Investigation Whistleblower Protection Enhancement Act of 2016*.

Whistleblower Ombudsman Program

Whistleblowers perform a critical role when they bring forward evidence of wrongdoing and they should never suffer reprisal for doing so. The OIG Whistleblower Ombudsman Program (the Whistleblower Program) works to ensure that whistleblowers are fully informed of their rights and protections from reprisal.

It is equally important that management officials understand the full scope of whistleblower protections, and their responsibility under the law not to take action against any individual who makes a lawful disclosure of misconduct.

During this reporting period, the OIG issued two Procedural Reform Recommendations to promote management awareness of the whistleblower law. In two separate cases, the OIG found that management officials mistakenly believed that whistleblowers must report concerns through their chain of command. In one of the cases, a USMS contract provision required contractor employees to raise concerns internally before communicating with government officials. This provision is inconsistent with the whistleblower protections for contractor employees. In the other case, the FBI threatened a whistleblower with retaliatory actions for reporting his concerns outside the chain of command. These threats violated the whistleblower law, as employees are not required to report reasonable concerns through their chain. In both cases, the OIG recommended that the components take steps to ensure that management is fully aware of the protections for employees, and take other remedial measures. It is often most efficient for employees to report concerns to their supervisor, and such reporting can lead to early resolution of an employee's concerns. However, this is not required, and is not the most efficient process in all cases, especially if the supervisor is implicated in the misconduct.

Finally, during this reporting period, the DOJ OIG's Whistleblower Ombudsman Program also said goodbye to its founder, Deputy Inspector General Robert P. Storch. Mr. Storch was confirmed by the Senate for a new role as Inspector General at the National Security Agency. In his role as DOJ OIG Whistleblower Ombudsman, Mr. Storch spearheaded an IG community working group for other OIG whistleblower ombuds, and helped to develop best practices across the community for this important role. Despite the DOJ OIG Whistleblower Ombudsman Program's loss, and the NSA's gain, the DOJ OIG will continue to promote whistleblower awareness within DOJ, and attempt to build on the effective program established by Mr. Storch.

| October 1, 2017 – March 31, 2018 | |
|---|-----|
| Employee complaints received ¹ | 321 |
| Employee complaints opened for investigation by the OIG | 102 |
| Employee complaints that were referred by the OIG to the components for investigation | 128 |
| Employee complaint cases closed by the OIG ² | 72 |

¹ Employee complaint is defined as an allegation of wrongdoing or misconduct received from whistleblowers, defined broadly as complaints received from employees and applicants with the Department, or its contractors, subcontractors, or grantees, either received directly from the complainant by the OIG Hotline, the field offices, or others in the OIG, or from a Department component if the complaint otherwise qualifies and is opened as an investigation. An employee complaint listed here could also allege retaliation for whistleblowing.

² This number reflects cases closed during the reporting period regardless of when they were opened.

Statistical Information

Audit Overview

During this reporting period, the OIG's Audit Division issued 43 internal, contract, and external audit reports, which contained more than \$13 million in questioned costs, reported over \$10.7 million in funds to better use, and made 253 recommendations for management improvement.¹ Specifically, the Audit Division issued 19 internal audit reports of DOJ programs funded at \$26.1 billion, 2 contract audit reports funded at \$311.6 million, 22 external audit reports of grants and other agreements funded at over \$381.5 million. The Audit Division also issued 16 *Single Audit Act* audits of programs funded at more than \$33.8 million, 3 other reports, and 1 Management Advisory Memorandum.²

| Questioned Costs ³ | | | |
|---|-------------------|--|--------------------------------|
| Reports | Number of Reports | Total Questioned Costs (including unsupported costs) | Unsupported Costs ⁴ |
| Audits | | | |
| No management decision made by beginning of period ⁵ | 0 | \$0 | \$0 |
| Issued during period | 19 ⁶ | \$13,076,144 | \$6,775,732 |
| Needing management decision during period | 19 | \$13,076,144 | \$6,775,732 |
| Management decisions made during period: | | | |
| -Amount of disallowed costs ⁷ | 19 | \$13,076,144 | \$6,775,732 |
| -Amount of costs not disallowed | 0 | \$0 | \$0 |
| No management decision at end of period | 0 | \$0 | \$0 |
| Evaluations | | | |
| Nothing to report from the Evaluation and Inspections Division. | | | |
| Special Reviews | | | |
| Nothing to report from the Oversight and Review Division. | | | |

¹ See glossary for definition of "Questioned Costs" and "Funds Recommended to Be Put to Better Use."

² "Other Reports" are identified in Appendix 3. Management Advisory Memoranda communicate concerns and issues to DOJ management outside of audit reports for immediate attention.

³ See glossary for definition of "Questioned Costs."

⁴ See glossary for definition of "Unsupported Costs."

⁵ Includes reports previously issued for which no management decision has been made. See glossary for definition of "Management Decision."

⁶ Of the audit reports issued during this period with questioned costs, one was a *Single Audit Act* report.

⁷ Includes instances in which management has taken action to resolve the issue and/or the matter is being closed because remedial action was taken. See glossary for definition of "Disallowed Costs."

Statistical Information

| Funds Recommended to Be Put to Better Use ¹ | | |
|---|-------------------|---|
| Reports | Number of Reports | Funds Recommended to Be Put to Better Use |
| Audits | | |
| No management decision made by beginning of period ² | 0 | \$0 |
| Issued during period | 1 | \$10,744,009 |
| Needing management decision during period | 1 | \$10,744,009 |
| Management decisions made during period: | | |
| –Amounts management agreed to put to better use ³ | 1 | \$10,744,009 |
| –Amounts management disagreed to put to better use | 0 | \$0 |
| No management decision at end of period | 0 | \$0 |
| Evaluations | | |
| Nothing to report from the Evaluation and Inspections Division. | | |
| Special Reviews | | |
| Nothing to report from the Oversight and Review Division. | | |

¹ See glossary for definition of “Funds Recommended to Be Put to Better Use.”

² Reports previously issued for which no management decision has been made.

³ Includes instances in which management has taken action to resolve the issue and/or the matter is being closed because remedial action was taken.

Statistical Information

| Significant Recommendations for Which Corrective Actions Have Not Been Completed | | | |
|---|---|-------------|--|
| Report Number and Date | Report Title | Rec. No. | Recommendation |
| Audits | | | |
| 17-35 (September 2017) | Audit of the Federal Bureau of Investigation's Insider Threat Program | 4 | The OIG recommended that the FBI conduct a comprehensive inventory of classified networks, systems, applications, and other information technology assets and identify a component responsible for maintaining the inventory. |
| 16-33 (September 2016) | Audit of the Drug Enforcement Administration's Management and Oversight of its Confidential Source Program | 1 | Examine the practices employed related to Limited Use confidential sources for interdiction operations as described in our report and, in coordination with the Department, perform an assessment of the risks, benefits, and legality of the practices. |
| GR-60-15-015 (September 2015) | Audit of the Office of Justice Programs Correctional Systems and Correctional Alternatives on Tribal Lands Program Grants Awarded to the Navajo Division of Public Safety, Window Rock, Arizona | 9 | Remedy \$32,034,623 in unallowable expenditures associated with excessive building sizes for Grant Numbers 2009-ST-B9-0089 and 2009-ST-B9-0100. |
| Evaluations | | | |
| Management Advisory Memorandum (September 2017) | Management Advisory Memorandum: Referring Alleged Misconduct to the Federal Bureau of Investigation's Inspection Division and the Department of Justice's Office of the Inspector General | 1 | The OIG recommends that the FBI consider immediate actions to ensure the appropriate reporting of allegations of employee misconduct to the INSD and the OIG as required by FBI and Department policies and federal regulations. |
| Management Advisory Memorandum (May 2017) | Management Advisory Memorandum regarding the Handling of Sexual Misconduct and Harassment Allegations by Department of Justice Components | 1 | The OIG recommends that the Department consider enforcement of Department policy equally across all components through coordinated, high level action within the Department, rather than reliance on component-specific discretion to address misconduct reporting requirements, penalty guidelines, granting of favorable personnel actions, and other policy enforcement issues. |
| 17-05 (July 2017) | Review of the Federal Bureau of Prisons' Use of Restrictive Housing for Inmates with Mental Illness | 1 | The OIG recommends that the BOP establish in policy the circumstances that warrant the placement of inmates in single-cell confinement while maintaining institutional and inmate safety and security and ensuring appropriate, meaningful human contact and out-of-cell opportunities to mitigate mental health concerns. |
| 17-02 (March 2017) | Review of the Department's Oversight of Cash Seizure and Forfeiture Activities | 1 | The OIG recommends that the Money Laundering and Asset Recovery Section work with the ATF, the DEA, the FBI, the Asset Forfeiture Management Section, and the USAOs to develop ways to collect relevant data related to seizure and forfeiture activities sufficient to identify and evaluate whether seizures advance or are related to federal investigations. |
| 16-05 (June 2016) | Review of the BOP's Contraband Interdiction Efforts | 3 | The OIG recommends that the BOP develop uniform guidelines and criteria for conducting random staff pat searches across all institutions that require a minimum frequency and duration for search events to ensure that appropriate numbers of staff on each shift are searched with appropriate frequency. |
| 15-05 (May 2015) | Review of the Impact of an Aging Inmate Population on the Federal Bureau of Prisons | 8 | The OIG recommends that the BOP consider revising its compassionate release policy to facilitate the release of appropriate aging inmates, including by lowering the age requirement and eliminating the minimum 10 years served requirement. |

Statistical Information

Audit Follow-up

OMB Circular A-50

OMB Circular A-50, *Audit Follow-up*, requires audit reports to be resolved within 6 months of the audit report issuance date. The Audit Division monitors the status of open audit reports to track the audit resolution and closure process. As of March 31, 2018, the Audit Division was monitoring the resolution process of 215 open reports and closed 97 reports this reporting period.

Evaluation and Inspections Workload and Accomplishments

The following chart summarizes the workload and accomplishments of the Evaluation and Inspections Division during the 6-month reporting period ending March 31, 2018.

| Workload and Accomplishments | Number of Reviews |
|---|-------------------|
| Reviews active at beginning of period | 9 |
| Reviews cancelled | 0 |
| Reviews initiated | 1 |
| Final reports issued | 2 |
| Reviews active at end of reporting period | 8 |

Statistical Information

Investigations Statistics

The following chart summarizes the workload and accomplishments of the Investigations Division during the 6-month period ending March 31, 2018.

| Source of Allegations ¹ | |
|--|-----------------|
| Hotline (telephone, mail and e-mail) | 2,807 |
| Other sources | 3,095 |
| Total allegations received | 5,902 |
| Investigative Caseload | |
| Investigations opened this period | 176 |
| Investigations closed and reports of investigation issued this period ² | 115 |
| Investigations in progress as of 3/31/18 | 548 |
| Prosecutive Actions | |
| Criminal Indictments/Informations ³ | 29 |
| Arrests | 41 |
| Convictions/Pleas | 34 |
| Prosecutions referred to the Department of Justice ⁴ | 133 |
| Prosecutions referred to State and local ⁵ | 9 |
| Administrative Actions | |
| Terminations | 27 |
| Resignations | 62 |
| Disciplinary action | 84 |
| Monetary Results | |
| Fines/Restitutions/Recoveries/Assessments/Forfeitures | \$76,900,967.23 |
| Civil Fines/Restitutions/Recoveries/Penalties/Damages/Forfeitures | \$2,956,758.00 |

¹ These figures represent allegations entered into the OIG's complaint tracking system. They do not include the approximate 64,000 additional Hotline, e-mail and phone contacts that were processed and deemed non-jurisdictional and outside the purview of the federal government.

² At the conclusion of an investigation, one or more type of report is prepared. The prepared report may be an abbreviated report of investigation or a full report of investigation. In addition, an investigative summary for public posting on the OIG public website may be prepared for investigations involving senior government employees. The number of reports issued represents one report for each investigation.

³ The number of indictments reported include both sealed and not sealed.

⁴ This number includes all criminal and civil referrals to DOJ for a prosecutorial decision whether they were ultimately accepted or declined with the caveat that if an investigation was referred to more than one DOJ office for a prosecutorial decision, the referral to DOJ was only counted once. The number reported as referred represents referrals for both individuals and or other legal entities.

⁵ The number reported as referred represents referrals for both individuals and or other legal entities.

Statistical Information

Investigations Division Briefing Programs

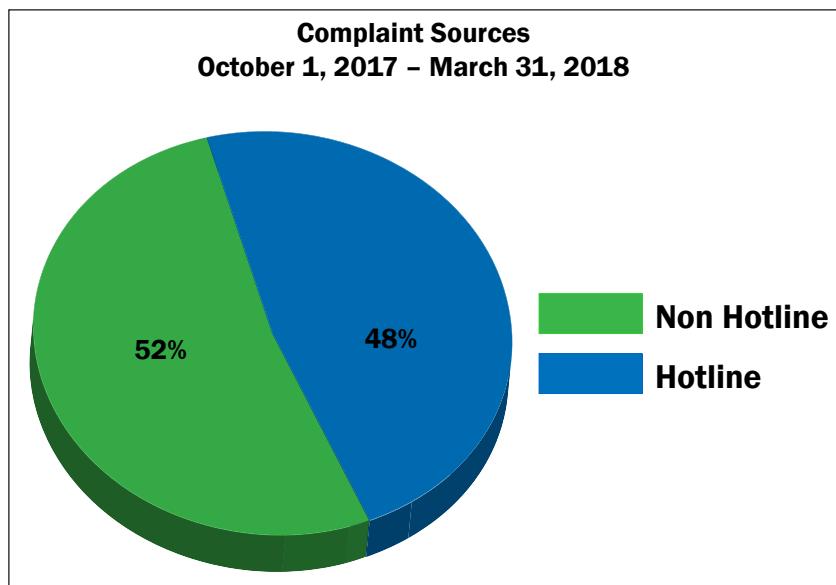
OIG investigators conducted 61 Integrity Awareness Briefings for DOJ employees and other stakeholders throughout the country. These briefings are designed to educate employees and other stakeholders about the misuse of a public official's position for personal gain and to deter employees and other stakeholders from committing such offenses. The briefings reached 3,735 employees.

OIG Hotline

During FY 2018, the OIG received the majority of its Hotline complaints through its electronic complaint form located [here](#).

In addition, DOJ employees and citizens are able to file complaints by telephone, fax, e-mail, and postal mail. The online access, e-mail, fax, and postal mail all provide the ability to file a complaint in writing to the OIG.

From all Hotline sources during the second half of FY 2018, 2,807 new complaints related to DOJ operations or other federal agencies were entered into the OIG's complaint tracking system. Of the new complaints, 1,778 were forwarded to various DOJ components for their review and appropriate action; 353 were filed for information; 410 were forwarded to other federal agencies; and 15 were opened by the OIG for investigation.



Approximately, 64,000 additional Hotline e-mail and phone contacts were processed and deemed non-jurisdictional and outside the purview of the federal government and therefore were not entered into the OIG's complaint tracking system.

Appendices

Appendix 1

Acronyms and Abbreviations

| | |
|-------------------|--|
| ATF | Bureau of Alcohol, Tobacco, Firearms and Explosives |
| AUSA | Assistant U.S. Attorney |
| BOP | Federal Bureau of Prisons |
| CIGIE | Council of the Inspectors General on Integrity and Efficiency |
| CODIS | Combined DNA Index System |
| COPS | Office of Community Oriented Policing Services |
| CVF | Crime Victims Fund |
| DEA | Drug Enforcement Administration |
| DHS | U.S. Department of Homeland Security |
| DOJ or Department | U.S. Department of Justice |
| EOUSA | Executive Office for U.S. Attorneys |
| FBI | Federal Bureau of Investigation |
| FISA | <i>Foreign Intelligence Surveillance Act of 1978</i> |
| FISMA | <i>Federal Information Security Management Act</i> |
| FY | Fiscal Year |
| IG Act | <i>Inspector General Act of 1978</i> |
| IGEA | <i>Inspector General Empowerment Act</i> |
| JMD | Justice Management Division |
| JSD | Judicial Security Division |
| OARM | Office of Attorney Recruitment and Management |
| OIG | Office of the Inspector General |
| OJP | Office of Justice Programs |
| OMB | Office of Management and Budget |
| OPR | Office of Professional Responsibility |
| OVC | Office for Victims of Crime |
| OVW | Office on Violence Against Women |
| Patriot Act | <i>Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act</i> |
| USAO | U.S. Attorneys' Offices |
| USMS | U.S. Marshals Service |

Appendices

Appendix 2

Glossary of Terms

The following are definitions of specific terms as they are used in this report.

Clemency: Inmates may apply for clemency, or pardon, if they meet the following criteria: they are currently serving a federal sentence in prison and, by operation of law, likely would have received a substantially lower sentence if convicted of the same offense(s) today; they are non-violent, low-level offenders without significant ties to large scale criminal organizations, gangs, or cartels; they have served at least 10 years of their prison sentence; they do not have a significant criminal history; they have demonstrated good conduct in prison; and they have no history of violence prior to or during their current term of imprisonment.

Combined DNA Index System: A distributed database with three hierarchical levels that enables federal, state, and local forensic laboratories to compare DNA profiles electronically.

Disallowed Cost: The IG Act defines “disallowed cost” as a questioned cost that management, in a management decision, has sustained or agreed should not be charged to the government.

Drawdown: The process by which a grantee requests and receives federal funds.

External Audit Report: The results of audits and related reviews of expenditures made under DOJ contracts, grants, and other agreements. External audits are conducted in accordance with the Comptroller General’s Government Auditing Standards and related professional auditing standards.

Funds Recommended to Be Put to Better Use: Recommendation by the OIG that funds could be used more efficiently if management of an entity took actions to start and complete the recommendation, including: (1) reductions in outlays; (2) deobligation of funds from programs or operations; (3) withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds; (4) costs not incurred by implementing recommended improvements related to the operations of the entity, a contractor, or grantee; (5) avoidance of unnecessary expenditures noted in pre-award reviews of contract or grant agreements; or (6) any other savings that specifically are identified.

Internal Audit Report: The results of audits and related reviews of DOJ organizations, programs, functions, computer security and information technology, and financial statements. Internal audits are conducted in accordance with the Comptroller General’s Government Auditing Standards and related professional auditing standards.

Management Decision: The IG Act defines “management decision” as the evaluation by the management of an establishment of the findings and recommendations included in an audit report and the issuance of a final decision by management concerning its response to such findings and recommendations, including actions concluded to be necessary.

Polygraph Examination: An examination using an electronic device that can detect physiological changes that may indicate the examinee is being deceptive when answering certain key questions. Polygraphs for applicants and employees are among the tools the FBI uses to ensure the continued trustworthiness of its workforce as it carries out its critical national security mission.

Questioned Cost: A cost that is questioned by the OIG because of: (1) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds; (2) a finding that, at the time of the audit, such cost is not

Appendices

supported by adequate documentation; or (3) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

Single Audit Act Audits: *Single Audit Act* audits are performed by public accountants or a federal, state or local government audit organization in accordance with generally accepted government auditing standards. They are intended to determine whether the financial statements and schedule of expenditures of federal awards are presented fairly, to test internal controls over major programs, to determine whether the grant recipient is in compliance with requirements that may have a direct and material effect on each of its major programs, and to follow up on prior audit findings. These audits are required to be performed for organizations that expend \$750,000 or more in federal awards in accordance with the *Single Audit Act of 1984*, as amended, and OMB Circular A-133.

Supervised Release: Court-monitored supervision upon release from incarceration.

Tribal Law and Order Act: The *Tribal Law and Order Act* helps to address crime in tribal communities and places a strong emphasis on decreasing violence against American Indian and Alaska Native women. The law enhances tribes' authority to prosecute and punish criminals; expands efforts to recruit, train, and retain Bureau of Indian Affairs (BIA) and Tribal police officers; and provides BIA and Tribal police officers with greater access to criminal information sharing databases.

Unsupported Cost: A cost that is questioned by the OIG because the OIG found that, at the time of the audit, the cost was not supported by adequate documentation.

Appendices

Appendix 3

Audit Division Reports

Internal Audit Reports

Multicomponent

Audit of the Department of Justice Grant Award Closeout Process

Audit of the Department of Justice's Efforts to Address Patterns or Practices of Police Misconduct and Provide Technical Assistance on Accountability Reform to Police Departments

Audit of the U.S. Department of Justice Annual Closing Package Financial Statements Fiscal Year 2017

Audit of the U.S. Department of Justice Annual Financial Statements Fiscal Year 2017

Bureau of Alcohol, Tobacco, Firearms and Explosives

Audit of the Bureau of Alcohol, Tobacco, Firearms and Explosives Controls over Weapons, Munitions, and Explosives

Audit of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Bomb, Arson Tracking System Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Audit of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Information Security Program Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Federal Bureau of Prisons

Audit of the Federal Bureau of Prisons Annual Financial Statements Fiscal Year 2017

Federal Bureau of Investigation

Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2017

Audit of the Federal Bureau of Investigation's Background Investigative Contract Services Online Transfer System Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Audit of the Federal Bureau of Investigation's DirectorNet System Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Audit of the Federal Bureau of Investigation's Information Security Program Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Federal Prison Industries, Inc.

Audit of the Federal Prison Industries, Inc., Annual Financial Statements Fiscal Year 2017

United States Marshals Service

Audit of the United States Marshals Service Judicial Security Division's Court Security Officers Procurement Process

Audit of the United States Marshals Service's Information Security Program Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Appendices

Audit of the United States Marshals Service's Property and Asset Control Enterprise Solution Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Other Department Components

Audit of the Assets Forfeiture Fund and Seized Asset Deposit Fund Annual Financial Statements Fiscal Year 2017

Audit of the United States Trustee Program's Information Security Program Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Audit of the United States Trustee Program's Means Test Review System Pursuant to the *Federal Information Security Modernization Act of 2014*, Fiscal Year 2017

Contract Audit Reports

Drug Enforcement Administration

Audit of the Drug Enforcement Administration's Aviation Support Services Contract with L3 Vertex Aerospace

Audit of the Drug Enforcement Administration's Regional Linguist Services Contract Awarded to Conduit Language Specialists, Inc.

External Audit Reports

Alabama

Audit of Compliance with Standards Governing Combined DNA Index System Activities at the Alabama Department of Forensic Sciences Montgomery Laboratory, Montgomery, Alabama

Alaska

Audit of the Office of Justice Programs Cooperative Agreement Awarded to the Alaska Institute for Justice, Anchorage, Alaska

California

Audit of the Office of Justice Programs DNA Backlog Reduction Grants Awarded to the Los Angeles Sheriff's Department, Los Angeles, California

Delaware

Audit of the Office of Justice Programs Office for Victims of Crime Victim Compensation Formula Grants Awarded to the Delaware Victims' Compensation Assistance Program, Wilmington, Delaware

Georgia

Audit of the City of Atlanta Police Department's Equitable Sharing Program Activities, Atlanta, Georgia

Kentucky

Audit of the Lexington Police Department's Equitable Sharing Program Activities, Lexington, Kentucky

Maryland

Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Formula Grants Awarded to the Governor's Office of Crime Control and Prevention, Crownsville, Maryland

Michigan

Audit of the Office of Justice Programs Office for Victims of Crime Victim Compensation Formula Grants Awarded to the Michigan Department of Health and Human Services, Lansing, Michigan

Appendices

Missouri

Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Grants Awarded to the Missouri Department of Public Safety, Jefferson City, Missouri

Nevada

Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Grants Awarded to the Nevada Department of Health and Human Services, Carson City, Nevada

New Jersey

Audit of the Office of Justice Programs Second Chance Act Adult Offender Reentry Demonstration Program Grant Awarded to Hudson County, New Jersey

Audit of the Port Authority of New York and New Jersey Police Department's Equitable Sharing Program Activities, Jersey City, New Jersey

New Mexico

Audit of the Office of Justice Programs Cooperative Agreement Award to the American Indian Development Associates, LLC, Albuquerque, New Mexico

Audit of the Office of Justice Programs Grants and Cooperative Agreements Awarded to the Pueblo of Jemez, Sandoval County, New Mexico

New York

Audit of the Office of Juvenile Justice and Delinquency Prevention Community-Based Violence Prevention Program Award to Syracuse, New York

Ohio

Audit of the Bureau of Justice Assistance Presidential Candidate Nominating Convention Grant Awarded to Cleveland, Ohio, for the 2016 Republican National Convention

Oklahoma

Audit of the Office of Justice Programs Awards to the Kaw Nation, Kaw City, Oklahoma

Pennsylvania

Audit of the Office of Justice Programs Comprehensive School Safety Initiative Grants Awarded to the Trustees of the University of Pennsylvania, Philadelphia, Pennsylvania

Audit of the Office on Violence Against Women Technical Assistance Grants Awarded to Clery Center for Security on Campus, Strafford, Pennsylvania

Texas

Audit of the Office of Justice Programs Grants Awarded to Family Pathfinders of Tarrant County, Inc., Fort Worth, Texas

Vermont

Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Formula Grants Awarded to the Vermont Center for Crime Victim Services, Waterbury, Vermont

Virginia

Audit of the Office of Justice Programs Office of Juvenile Justice and Delinquency Prevention Cooperative Agreements Awarded to the National Center for Missing and Exploited Children, Alexandria, Virginia

Appendices

Single Audit Act Reports of DOJ Activities

Alaska Network on Domestic Violence and Sexual Assault, Inc., Juneau, Alaska FY 2017
Allen County, Indiana FY 2016
Alliance of Local Service Organizations, Chicago, Illinois FY 2016
Boys and Girls Clubs of America, Atlanta, Georgia FY 2016
Bronson Healthcare Group, Inc., and Subsidiaries, Kalamazoo, Michigan FY 2016
City of Aurora, Illinois FY 2016
City of Reno, Nevada FY 2017
County of Lincoln, Missouri FY 2016
Elbert County, Colorado FY 2016
Forsyth County, Georgia FY 2016
Impact Justice, Oakland, California FY 2016
Margolis, Healy & Associates, LLC, Burlington, Vermont FY 2016
Mississippi Coalition Against Sexual Assault, Inc., Jackson, Mississippi FY 2016
National Shooting Sports Foundation, Inc., Newtown, Connecticut FY 2017
Town of East Bridgewater, Massachusetts FY 2016
Washoe County, Nevada FY 2017

Other Reports

Examination of the U.S. Department of Justice's Compliance with the *Federal Funding Accountability and Transparency Act of 2006*, as Amended by the *Digital Accountability and Transparency Act of 2014*
Joint Report on the Implementation of the *Cybersecurity Information Sharing Act of 2015*
Reviews of the Annual Accounting of Drug Control Funds and Related Performance Fiscal Year 2017

Appendices

Appendix 4

Quantifiable Potential Monetary Benefits

| Audit Report | Questioned Costs (including unsupported costs) | Unsupported Costs | Funds Put to Better Use |
|---|---|-------------------|-------------------------|
| Audits Performed by the DOJ OIG | | | |
| Audit of the Department of Justice Grant Award Closeout Process | \$760,107 | \$0 | \$10,744,009 |
| Audit of the Drug Enforcement Administration's Regional Linguist Services Contract Awarded to Conduit Language Specialists, Inc. | \$2,888,034 | \$0 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Compensation Formula Grants Awarded to the Delaware Victims' Compensation Assistance Program, Wilmington, Delaware | \$1,999 | \$0 | \$0 |
| Audit of the City of Atlanta Police Department's Equitable Sharing Program Activities, Atlanta, Georgia | \$1,445,864 | \$0 | \$0 |
| Audit of the Lexington Police Department's Equitable Sharing Program Activities, Lexington, Kentucky | \$38,735 | \$0 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Formula Grants Awarded to the Governor's Office of Crime Control and Prevention, Crownsville, Maryland | \$186,374 | \$56,164 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Compensation Formula Grants Awarded to the Michigan Department of Health and Human Services, Lansing, Michigan | \$259,414 | \$0 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Grants Awarded to the Missouri Department of Public Safety, Jefferson City, Missouri | \$7,261 | \$0 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Grants Awarded to the Nevada Department of Health and Human Services, Carson City, Nevada | \$2,733,667 | \$2,205,854 | \$0 |
| Audit of the Office of Justice Programs Second Chance Act Adult Offender Reentry Demonstration Program Grant Awarded to Hudson County, New Jersey | \$3,469,733 | \$3,469,733 | \$0 |
| Audit of the Office of Justice Programs Cooperative Agreement Award to the American Indian Development Associates, LLC, Albuquerque, New Mexico | \$55,717 | \$1,575 | \$0 |
| Audit of the Office of Justice Programs Grants and Cooperative Agreements Awarded to the Pueblo of Jemez, Sandoval County, New Mexico | \$160,161 | \$157,192 | \$0 |
| Audit of the Office of Juvenile Justice and Delinquency Prevention Community-Based Violence Prevention Program Award to Syracuse, New York | \$98,858 | \$98,858 | \$0 |
| Audit of the Port Authority of New York and New Jersey Police Department's Equitable Sharing Program Activities, Jersey City, New Jersey | \$741,666 | \$741,666 | \$0 |

Appendices

| Audit Description | Questioned Costs (including unsupported costs) | Unsupported Costs | Funds Put to Better Use |
|--|---|--------------------|-------------------------|
| Audit of the Office of Justice Programs Awards to the Kaw Nation, Kaw City, Oklahoma | \$32,392 | \$0 | \$0 |
| Audit of the Office on Violence Against Women Technical Assistance Grants Awarded to Clery Center for Security on Campus, Strafford, Pennsylvania | \$13,359 | \$0 | \$0 |
| Audit of the Office of Justice Programs Grants Awarded to Family Pathfinders of Tarrant County, Inc., Fort Worth, Texas | \$68,113 | \$0 | \$0 |
| Audit of the Office of Justice Programs Office for Victims of Crime Victim Assistance Formula Grants Awarded to the Vermont Center for Crime Victim Services, Waterbury, Vermont | \$44,690 | \$44,690 | \$0 |
| Subtotal (Audits Performed by the DOJ OIG) | \$13,006,144 | \$6,775,732 | \$10,744,009 |
| Audit Report | Questioned Costs (including unsupported costs) | Unsupported Costs | Funds Put to Better Use |
| Audits Performed by State/Local Auditors and Independent Public Accounting Firms Under the Single Audit Act¹ | | | |
| Mississippi Coalition Against Sexual Assault, Inc., Jackson, Mississippi FY 2016 | \$70,000 | \$0 | \$0 |
| Subtotal (Audits Performed by State/Local Auditors and Independent Public Accounting Firms Under the Single Audit Act) | \$70,000 | \$0 | \$0 |
| Total | \$13,076,144 | \$6,775,732 | \$10,744,009 |

¹ These audits are reviewed by the OIG to assess the quality and the adequacy of the entity's management of federal funds. The OIG issues these audits to the responsible component and performs follow-up on the audit reports' findings and recommendations.

Appendices

Appendix 5

Evaluation and Inspections Division Reports

Review of the Department's Tribal Law Enforcement Efforts Pursuant to the *Tribal Law and Order Act of 2010*

Review of the Federal Bureau of Investigation's Response to Unresolved Results in Polygraph Examinations

Oversight and Review Division Reports

Investigative Summary: Findings of Reasonable Grounds to Believe that an FBI Technician Suffered Reprisal as a Result of Protected Disclosure in Violation of FBI Whistleblower Regulations

Memorandum for the Director of the Office of Attorney Recruitment and Management: Report of Investigation of Alleged Retaliation Against FBI Technician

A Special Inquiry Regarding the Accuracy of FBI Statements Concerning its Capabilities to Exploit an iPhone Seized During the San Bernardino Terror Attack Investigation

Investigative Summary: Findings of Misconduct by a DEA Division Counsel for Using DEA Resources to Raise Funds for a Charitable Organization Outside of the CFC

Appendices

Appendix 6

Peer Reviews

Peer Reviews Conducted by Another OIG

Audit Division

The most recent peer review of the Audit Division was performed by the Treasury OIG. In its report issued March 28, 2016, the DOJ OIG received a peer review rating of *pass* for its system of quality control for FY 2015. The Treasury OIG did not make any recommendations.

Investigations Division

The most recent peer review of the Investigations Division was performed by the Department of Defense (DOD OIG) in February 2017. The DOD OIG found that the DOJ OIG is in compliance with the quality standards established by the CIGIE and the Attorney General Guidelines for Inspectors General with Statutory Law Enforcement Authority. In an accompanying letter of observation, the DOD OIG suggested: 1) that the DOJ OIG monitor field office implementation of policy issued during the review requiring placement of FBI case notification letters in the official case files and 2) that DOJ OIG develop a standard method for recording when management case reviews have been performed. The DOJ OIG agreed with these suggestions and implemented corrective action.

Outstanding Recommendations from Peer Reviews of the OIG

There are no outstanding recommendations from peer reviews of the OIG.

Peer Reviews Conducted by the OIG

Audit Division

At the request of CIGIE, the DOJ OIG Audit Division conducted a peer review of the U.S. Department of Veterans Affairs, Office of Inspector General (VA OIG) for FY 2015. In this report, issued on December 28, 2016, the VA OIG received a rating of pass for its system of quality control.

Investigations Division

The DOJ OIG last conducted a peer review of the Social Security Administration for the period ending June 2016 and the compliance letter was issued on September 12, 2016.

Outstanding Recommendations from Peer Reviews Conducted by the OIG

There are no outstanding recommendations from peer reviews conducted by the OIG.

Appendices

Appendix 7

Reporting Requirements

The IG Act specifies reporting requirements for semiannual reports. The requirements are listed below and indexed to the applicable pages.

| IG Act References | Reporting Requirements | Page |
|-------------------|---|--|
| Section 4(a)(2) | Review of Legislation and Regulations | 57 |
| Section 5(a)(1) | Significant Problems, Abuses, and Deficiencies | 13-55 |
| Section 5(a)(2) | Significant Recommendations for Corrective Actions | 13-55 |
| Section 5(a)(3) | Significant Recommendations for Which Corrective Actions Have Not Been Completed | 61-62 |
| Section 5(a)(4) | Matters Referred to Executive Authorities | 18, 23-25, 27-28, 32-33, 37-38, 40-41, 44-45, 51-52, 54-55 |
| Section 5(a)(5) | Refusal to Provide Information | None |
| Section 5(a)(6) | Listing of Audit Reports | 69-72 |
| Section 5(a)(7) | Summary of Significant Reports | 13-55 |
| Section 5(a)(8) | Questioned Costs | 59 |
| Section 5(a)(9) | Funds Recommended to Be Put to Better Use | 60 |
| Section 5(a)(10) | Prior OIG Reports Unresolved, Uncommented Upon, or Recommendations Not Yet Implemented | 18 |
| Section 5(a)(11) | Description and Explanation of the Reasons for Any Significant Revised Management Decision Made During the Reporting Period | 62 |
| Section 5(a)(12) | Significant Management Decisions with Which the Inspector General Disagreed | None |
| Section 5(a)(14) | Peer Reviews Conducted by Another OIG | 76 |
| Section 5(a)(15) | Outstanding Recommendations from Peer Reviews of the OIG | 76 |
| Section 5(a)(16) | Outstanding Recommendations from Peer Reviews Conducted by the OIG | 76 |
| Section 5(a)(17) | Statistical Table Pertaining to OIG Investigations | 64 |
| Section 5(a)(18) | Description of Metrics for OIG Investigative Table | 64 |
| Section 5(a)(19) | Reports Involving Senior Government Employees Meeting Certain Criteria | 18, 24, 32-33, 37 |
| Section 5(a)(20) | Instance of Whistleblower Retaliation | 26, 53 |
| Section 5(a)(21) | Attempts to Interfere with OIG Independence | None |
| Section 5(a)(22) | Inspections, Evaluations, Audits, and Investigations of Senior Government Employees Undisclosed to the Public | None |

Upon the enactment of the IGEA on December 16, 2016, the OIG is required under IG Act section 5(a)(20) to provide “a detailed description of any instance of whistleblower retaliation, including ... what, if any, consequences the establishment imposed to hold that official accountable.” It is the responsibility of the employing DOJ component to impose any consequences on the retaliating official. Pursuant to the IGEA’s reporting requirement, the OIG will provide information about any consequences imposed by the establishment for retaliation in the semiannual report for the period in which the OIG is informed that the consequences were imposed. This information will be provided as an update to the OIG’s previously reported whistleblower retaliation summaries. For example, see Update to Previously Issued Report Reported Whistleblower Retaliation Finding at [page 26](#).

Report Waste, Fraud, Abuse, or Misconduct

To report allegations of waste, fraud, abuse, or misconduct regarding DOJ programs, employees, contractors, or grants, please go to the OIG website at oig.justice.gov or call the OIG's Hotline at (800) 869-4499.

The OIG website has complaint forms that allow you to report the following to the OIG:

- General allegations of fraud, waste, and abuse in DOJ programs or by DOJ employees;
- Contract fraud, including mandatory disclosures required by contractors when they have credible evidence of violations of the civil *False Claims Act* or certain violations of criminal law;
- Grant fraud, including fraud, waste, or abuse related to DOJ's award of Recovery Act funds; and
- Violations of civil rights or civil liberties by DOJ employees.

To give information by mail or facsimile, please send to:

Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, D.C., 20530
Fax: (202) 616-9881

For further information on how to report a complaint to the OIG, please call (800) 869-4499.

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