WORK PLAN
2005 - 2007

INSPECTOR GENERAL

OIG

COMMERCE

From Vision to Action:

The 2005 - 2007 Office of Inspector General Work Plan

U.S. Department of Commerce
Office of Inspector General
From Vision to Action: The 2005-2007 OIG Work Plan

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MESSAGE FROM THE INSPECTOR GENERAL

I am pleased to present the Office of Inspector General's draft work plan for 2005-2007—our roadmap for monitoring the Department of Commerce's most critical activities, for assessing how effectively Commerce uses taxpayer dollars and serves the American public, and ultimately for apprising Congress and agency officials of needed improvements.

Our broad objectives in this plan reflect our mission as set forth in the Inspector General Act of 1978: to prevent and detect fraud, waste, and abuse in Commerce programs, while enhancing operational effectiveness. In the 25-plus years since enactment of the IG Act, audits, inspections, and investigations have provided significant returns on the government's investment in OIGs: recoveries of millions of misspent federal dollars, systemic improvements in programs and operations, better service to American taxpayers, and increased efficiency and accountability.

For example, our audits and investigations of financial assistance awards have resulted in the return of millions to the Treasury. Likewise, our evaluations of critical procurement contracts have revealed inappropriate claims and excessive costs and have identified serious program vulnerabilities.

> **"Our work within Commerce is part of the larger equation for ensuring good government as envisioned by the IG Act. Our success rests on the vitality of our agenda and the strength of our partnership with Congress, senior agency officials, and the entire IG community."**
>
> **Johnnie E. Frazier**
> **Inspector General**

OIGs also promote returns on investment as agents of positive change. By identifying problems early, we enable agencies to implement solutions before taxpayer dollars are wasted. For example, a review of one bureau's contracting procedures revealed weaknesses in the procurement process that could have led to unfair competition.

The work detailed in our plan encompasses our broad base of legislatively mandated work—reviews of IT security and export controls, along with annual financial statements audits, to name a few—while allowing the flexibility we need to respond swiftly to congressional requests and emerging priorities—historically, the primary drivers of the work we ultimately perform. The plan keeps us sharply focused on our crucial oversight responsibility for key departmental activities, many of which have broad impact on the nation as a whole. We will, for instance, give close scrutiny to the Census Bureau's preparations for the 2010 decennial, which will be the basis for allocating millions of federal dollars to states and local communities.

We give great attention to the environmental stewardship activities of the National Oceanic and Atmospheric Administration (NOAA), which accounts for more than 60 percent of the Department's entire budget. NOAA is entrusted with protecting and enhancing the nation's most vital resources—our coasts, oceans, and atmosphere. In September 2004, the U.S. Commission on Ocean Policy envisioned an even larger stewardship role for NOAA in the future. We plan to assess the broad range of NOAA's ocean programs and responsibilities, with a view toward its protection and restoration of coastal resources.

Likewise, we will conduct work in the critical area of acquisition reform. The Department spends more than $1.7 billion annually procuring goods and services, and the emphasis on

competitive sourcing throughout the federal government suggests that these expenditures will grow ever larger. As noted earlier, our past reviews of departmental acquisitions and related practices have consistently revealed serious shortcomings and a variety of problems, such as failure to obtain best value, and in some cases substantial overpayment for products and services that may not have been the most appropriate for departmental needs.

You will note our continued focus on Commerce's security and emergency preparedness responsibilities, many of which directly impact the security of the some of the nation's critical assets. Our work will focus on a range of activities—including the Department's efforts to safeguard its employees and facilities nationwide and around the world. Equally important, we continue our collaboration with the IG community on crosscutting issues that can improve the overall security and performance of the entire federal government.

Our plan is, by necessity, selective in its treatment of the myriad activities conducted by this very diverse Department, which has a FY 2005 appropriation of more than $6 billion. By comparison, OIG's FY 2005 appropriation is about $21 million. To decide how to target our resources most effectively, we held a series of planning seminars to prioritize the issues against the backdrop of the Department's top management challenges and strategic goals, as well as the President's Management Agenda. We sought input from stakeholders— Congress, the Office of Management and Budget, and Commerce officials and employees. And we consulted with our colleagues throughout the IG community regarding the broader challenges facing the federal government and the specific role of Commerce in meeting them.

> **The President's Management Agenda**
>
> 1. **Strategic management of human capital**
>
> 2. **Competitive sourcing**
>
> 3. **Improve financial performance**
>
> 4. **Electronic government**
>
> 5. **Budget and performance integration**

> **Commerce Strategic Goals**
>
> **Goal 1: Provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers, and consumers.**
>
> **Goal 2: Foster science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science.**
>
> **Goal 3: Observe, protect, and manage the earth's resources to promote environmental stewardship.**
>
> **Goal 4: Achieve organizational and management excellence.**

Ultimately, our work within Commerce is part of the larger equation for ensuring good government envisioned by the IG Act. Our success rests on the vitality of our agenda and the strength of our partnership with Congress, senior agency officials, and the entire IG community. As you read this draft plan, I invite you to share your thoughts with us so that we might consider them in finalizing our agenda. We look forward to working with you to enhance the operations of this Department and, by extension, the sound functioning of the federal government as a whole.

Johnnie Frazier

Johnnie E. Frazier
Inspector General

Securing the Nation and Safeguarding Commerce's People and Critical Assets

Striking a balance between the need to protect national security and foreign policy interests without restricting U.S. competitiveness is an important management challenge for the Department.

We plan to review selected aspects of Commerce's responsibilities for security and emergency preparedness, and we will address a number of critical national security issues. We will, for example, follow up on our export control work, mandated by the National Defense Authorization Act (NDAA), to assess the adequacy of BIS' export licensing and enforcement processes in preventing countries and entities of concern from obtaining sensitive dual-use technology.

We also plan to assess BIS' efforts to oversee compliance with the Chemical Weapons Convention Treaty, and will continue to evaluate the effectiveness of Commerce's IT security policies and measures for safeguarding critical information. OIG may also assess the Department's procedures for designating positions according to the level of risk and sensitivity, and the effectiveness of NOAA's program to protect vital environmental and weather data.

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· MINES ·

BIS Export Licensing and Enforcement Processes

Objective:

To assess the adequacy and effectiveness of the Bureau of Industry and Security's (BIS') multiagency export licensing and enforcement processes in preventing the acquisition of sensitive dual-use technology and technical information by countries and entities of concern.

OIG plans to follow up on previous work in this area, completed pursuant to the National Defense Authorization Act (NDAA) for FY 2000, as amended. Prior reviews have assessed the timeliness, efficiency, and effectiveness of the licensing process as well as enforcement of export controls and other issues.

We also will continue our NDAA-required annual follow-up reviews of actions taken on prior OIG recommendations. Our interagency assessments could include an analysis of the Committee on Foreign Investment in the United States and/or the cumulative effect of dual-use and munitions export controls and counterintelligence measures.

Background:

The United States controls the export of certain goods and technologies for national security and foreign policy purposes. BIS administers the interagency licensing process for equipment and technologies that have both military and civilian applications, called dual-use commodities.

Striking a balance between the need to protect national security and foreign policy interests without restricting U.S. trade opportunities or competitiveness poses a problem that both OIG and the Government Accountability Office (GAO) have identified as a major management challenge for the Department.

What Are Dual-Use Commodities?

The term "dual use" identifies items regulated by Export Administration Regulations (EAR) that can be used in both sensitive (e.g., military or nuclear) or nonsensitive (civil or commercial) applications. In general, the term distinguishes EAR-controlled items from those subject to the controls of the Department of State or to the nuclear-related controls of either the Department of Energy or the Nuclear Regulatory Commission.

Source: Export Administration Regulations, Part 730.3.

BIS Efforts to Ensure U.S. Compliance with the Chemical Weapons Convention Treaty

Objective:

To assess BIS efforts to oversee fulfillment of U.S. obligations to comply with the Chemical Weapons Convention Treaty (CWC).

OIG may evaluate BIS' CWC-related outreach to industry, assess the bureau's efforts to identify U.S. companies that are not complying with the implementation of the CWC, and describe best practices that BIS could use to assist U.S. companies and oversee U.S. compliance with the treaty.

Background:
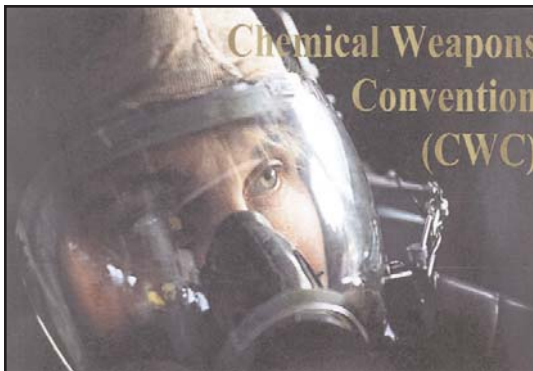
Source: www.nawcwpns.navy.mil/ ~treaty/CWC.html.

On April 25, 1997, the United States ratified the Convention on the Prohibition of the Development, Production, and Use of Chemical Weapons and their Destruction. The U.S. enacted implementing legislation on October 21, 1998. The CWC bans the development, production, stockpiling, and use of chemical weapons among its signatories and provides for an extensive verification regime to ensure compliance with its nonproliferation tenets. Part of BIS' role is to collect and validate data from U.S. chemical companies, assist them before and during international inspections, and educate them about compliance obligations.

U.S. industries produce, process, consume, import, and export a number of chemicals that can be used to make chemical weapons. Under the terms of the CWC, certain commercial chemical facilities are required to submit data declarations that include information on chemical production and consumption levels. Companies exceeding certain thresholds are required to submit appropriate documents to BIS. This information is then compiled and forwarded to the Organization for the Prohibition of Chemical Weapons (OPCW), the international body that administers the treaty.

During FY 2004, BIS staff received and verified 805 declarations and reports from 623 U.S. plant sites. BIS forwarded 783 of the declarations/reports to the OPCW. BIS also led 10 on-site inspections of U.S. facilities engaged in chemical-related activities. In addition, BIS conducted 12 assistance visits at the request of U.S. companies that needed help preparing their facilities for inspection by OPCW.

Information Security Policies, Management, and Oversight
Department-Wide

Objective:

To determine the effectiveness of information security policies, management, and oversight within selected Commerce operating units, as well as the effectiveness of information security measures in safeguarding the integrity, confidentiality, authenticity, and availability of information entrusted to the Department of Commerce.

OIG will continue to evaluate the effectiveness of information security policies, planning, management, and oversight in selected operating units by assessing their compliance with federal laws and with federal and departmental policies and guidelines. Reviews will include evaluating system certification and accreditation packages and the units' use of plans of action and milestones to document IT security weaknesses and remediation efforts.

System certification and accreditation packages are the documents that support the formal testing and evaluation of the security safeguards on computer systems to determine whether they are implemented correctly and performing as intended and for the formal authorization by management for system operation, including an explicit acceptance of risk.

OIG also will conduct evaluations of information security on selected systems and networks, including penetration testing, throughout the Department. These evaluations will cover IT systems, activities, and resources, including each Commerce financial management system and its related networks. Reviews of individual financial management systems and networks are conducted on a 2-year, rotating basis in conjunction with our contractor-performed audits of Commerce operating units' financial statements. The information security reviews will address the control areas identified in NIST's *Security Self-Assessment Guide for Information Technology Systems* and GAO's *Federal Information System Controls Audit Manual.*

Background:

Many of Commerce's information technology systems and the data they contain have national significance. Loss of, or serious damage to, any of these critical systems could be devastating, so identifying weaknesses and recommend-

Vulnerabilities Reported 2000-2004

Year	Vulnerabilities
2000	1090
2001	2437
2002	4129
2003	3784
2004	2683
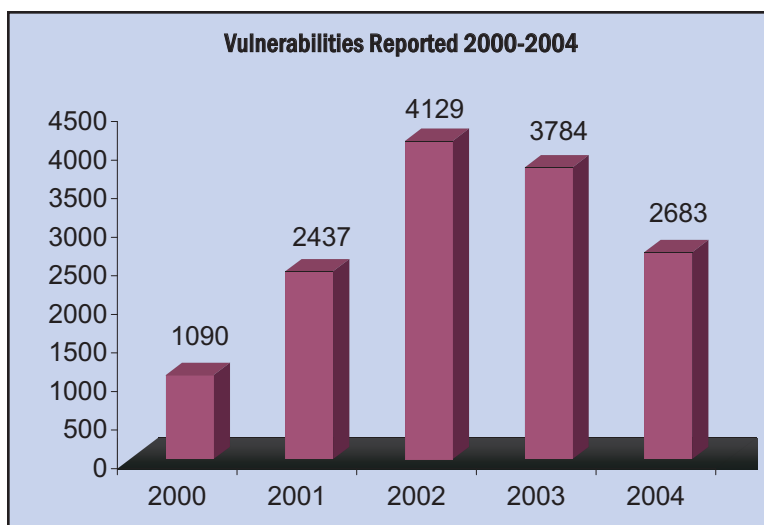
Source: CERT Coordination Center. www.cert.org/stats/cert_stats.html.

ing solutions is a continuing top priority for the Office of Inspector General. The Federal Information Security Management Act of 2002 (FISMA) requires federal information resources and assets to have effective security controls. FISMA also requires OIGs to perform annual independent security evaluations of their respective agencies.

Strengthening information security Department-wide remains a top management challenge for Commerce. The Department has reported information security as a Federal Management Financial Integrity Act (FMFIA) material weakness in its *Performance & Accountability Report* for the past 4 fiscal years, although Commerce has made significant progress in improving information security and has complied with the requirements of FISMA in many areas.

The development of a comprehensive, up-to-date information security policy in FY 2003 was an important accomplishment. But there is still a need for improvement in policies, management, and oversight in the Commerce operating units we have evaluated. For example, our FY 2004 evaluation found that the Department still faces considerable challenges in adequately safeguarding the hundreds of Commerce systems, including the critical areas of assessing risk and determining appropriate security controls; testing and evaluating these controls; certifying and accrediting systems; and ensuring that personnel with specialized information security responsibilities receive the necessary training.

Commerce Procedures for Designating Positions According to Level of Risk/Sensitivity

Objective:

To assess the Department's policies and procedures for designating positions according to their potential impact on government programs and operations or national security and for verifying that appropriate background investigations are completed for current and prospective employees.

OIG plans to review procedures for position designations and background investigations at selected operating units to determine whether procedures are appropriate, designations are accurate, proper background checks are being conducted, and the employee database containing this information is current, correct, and complete.

Background:

Numerous positions within Commerce involve crucial policy-making roles as well as public safety and health, law enforcement, fiduciary, and other responsibilities. Employees in these positions are accorded a significant degree of public trust because they may have considerable influence on the efficiency and integrity of government programs. The Department also has positions that could materially, adversely affect national security.

Personnel attrition requires hiring on a continuous basis, employee background checks must be updated periodically, and investigative technologies are constantly being advanced. Therefore, procedures for designating positions according to their level of risk (the potential harm an individual in the position could cause to government operations) and sensitivity (the potential adverse impact on national security the position holder could have), as well as for completing appropriate background investigations, need to be reviewed periodically.

> **"September 11, 2001, changed everything. The Department has various positions that can be critical to national security. Four years ago, OIG found the Department's records on employee background investigations were incomplete and outdated. In a post-911 era, such findings would be viewed by most as unacceptable."**
>
> **—Johnnie E. Frazier**

Heads of operating units are required to designate competitive service positions within their unit according to level of risk and sensitivity. In FY 2001, OIG evaluated certain aspects of this process and concluded that the Department's guidance for determining these designations needed to be strengthened. We also found instances where records on employee background investigations were incomplete and outdated. Moreover, we found that inappropriate sensitivity and risk designations and inadequate background checks were problems within Commerce operating units.

NOAA Protection of Environmental and Weather Data

Objective:

To assess the efforts of the National Oceanic and Atmospheric Administration's (NOAA's) data centers to safeguard and provide access to irreplaceable environmental data.

OIG plans to review NOAA's data centers to determine if they have adequately safeguarded irreplaceable environmental data while providing appropriate access to archived data.

Background:

NOAA operates three discipline-oriented data centers:

■ The National Oceanographic Data Center (NODC) in Silver Spring, Maryland, manages the world's largest collection of publicly available global physical, chemical, and biological oceanographic data used by researchers worldwide.

■ The National Climatic Data Center (NCDC) in Asheville, North Carolina, is the world's largest active archive of weather data. NCDC acquires, processes, summarizes, disseminates, and preserves a vast array of climatological data generated by national and international meteorological services.

Appropriations for NOAA's Data Centers (in Millions)

64 — FY 2003
68.8 — FY 2004 Est
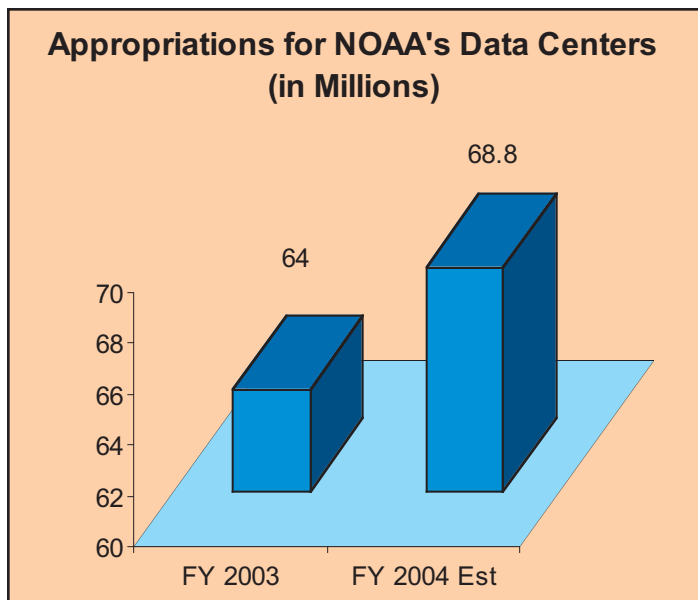
Source: U.S. Department of Commerce, 2005 Congressional Budget Submission, National Environmental Satellite, Data, and Information Service, Operations Research and Facilities, FY 2005 Overview, Summarized Financial Data.

■ The National Geophysical Data Center (NGDC) in Boulder, Colorado, provides scientific stewardship, products, and services for geophysical data describing the solid earth, marine, and solar-terrestrial environment, as well as earth observations from space. NGDC's data holdings contain more than 300 digital and analog databases.

The data archives of these centers provide a record of Earth's changing environment and support numerous research and operational applications.

Promoting Economic Growth and Global U.S. Competitiveness

The Census Bureau, the International Trade Administration, the National Telecommunications and Information Administration, and the U.S. Patent and Trademark Office are responsible for various programs pertaining to key business and economic functions of Commerce. For example, ITA plays a major role in the federal government's efforts to increase U.S. exports and is an important resource for the American business community. USPTO's operations impact the quality and pro-ductivity of our intellectual property system. Census results are used to apportion seats in the House of Representatives, redraw congressional districts, and allocate federal funding to states and local communities, and the NTIA's role in managing the radio frequency spectrum has a major impact on the broadcasting business.

OIG will continue working to determine whether ITA's efforts to promote U.S. exports and enforce trade agreements are effective in preventing unfairly traded imports. We will assess whether USPTO is effectively responding to its increasing workload, and whether the Census Bureau's preparations for the 2010 census are sound and cost-effective. In addition, we will examine NTIA's management of the radio spectrum and its stewardship of the Internet.

USPTO's Performance-Based Organization

Objective:

To assess whether the United States Patent and Trademark Office (USPTO) is effectively utilizing its authorities as a performance-based organization to become more efficient.

OIG will perform targeted reviews of USPTO's operation as a performance-based organization to determine if it is effectively handling important operational matters and logistical issues.

Background:

In response to the American Inventors Protection Act of 1999, USPTO has been reorganized so it will operate more like a business. It now has increased authority over and responsibility for the management of its operations, as well as greater control over its budget allocations and expenditures, personnel decisions and processes, and procurement operations.

Despite the potential benefits of the change, a performance-based operation is a formidable undertaking. To succeed, USPTO must formulate the necessary personnel, procurement, and administrative policies and develop a performance-oriented process and standards for evaluating cost-effectiveness while meeting its performance goals under the Government Performance and Results Act (GPRA).

As a performance-based organization, USPTO must address two primary challenges: it must attract and retain a qualified corps of patent examiners to respond to the increased number of patent applications, and it must solve significant information technology challenges.

Key USPTO Statistics 2004		
	Patents	**Trademarks**
Number of Examiners	3,681	286
Applications Filed	355,527	298,489
Applications Granted	170,637	120,056
Backlog	508,878	127,060
First Actions	288,315	268,865
Final Disposals	287,188	211,062
Average Pendency	27.6 mos.	19.5 mos.

Source: USPTO

NTIA Spectrum Management

Objective:

To evaluate the progress National Telecommunications and Information Administration (NTIA) is making toward achieving the national spectrum management goals.

OIG reviews may focus on evaluating the program goals NTIA established to address the issues identified in June 2004 reports relating to U.S. spectrum policy for the 21st century and the plans developed to reach those goals. Additional reviews may address the progress NTIA has made in implementing the plan and reaching its goals.

Background:

The Communications Act of 1934 established spectrum management objectives, including making available a rapid, efficient, nationwide, and worldwide wire and radio communication service for the purpose of national defense and for promoting safety of life and property. NTIA was assigned the responsibility of regulating radio spectrum for federal users. Increased demands on the use of the radio frequency spectrum prompted the President in 2003 to issue a policy initiative to develop a U.S. spectrum policy for the 21st century that will foster economic growth; ensure national and homeland security; maintain America's global leadership in communications technology; and satisfy other vital U.S. needs.
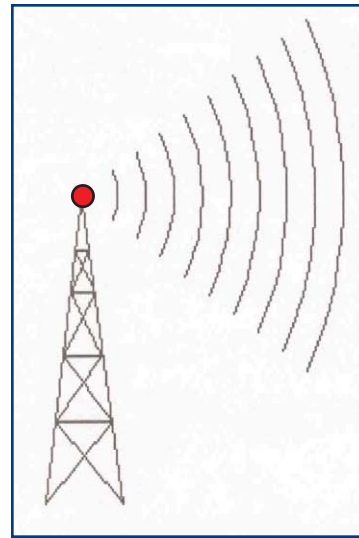
Subsequently, NTIA was charged to deliver two reports to the President: one to address recommendations for policy reform regarding the federal government's radio spectrum usage and the second to address recommendations for policy reform regarding U.S. radio spectrum usage as a whole, including its use by federal agencies, state agencies, and industry. In response to this policy initiative, NTIA released two reports in June 2004 proposing ways to better manage the nation's airwaves.
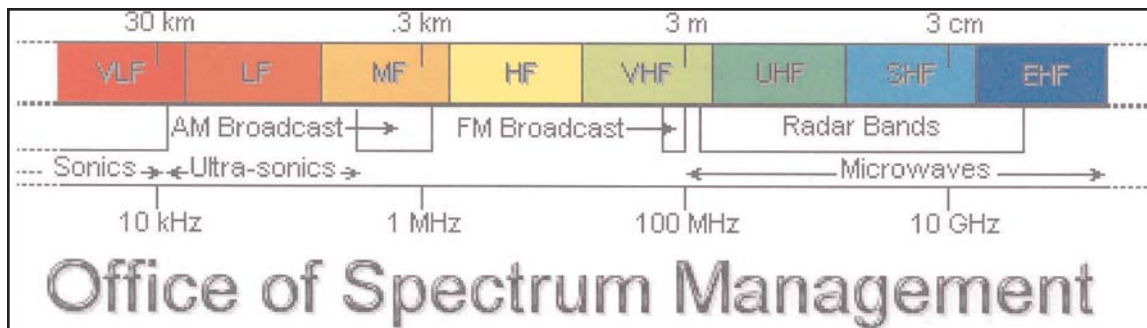
Source: www.ntia.doc.gov/osmhome/osmhome.html.

Office of Inspector General/U.S. Department of Commerce

NTIA Internet Stewardship

Objective:

To assess whether NTIA adequately oversees the Internet domain name system (DNS).

OIG plans to review the memorandum of understanding between the Department and the Internet Corporation for Assigned Names and Numbers (ICANN) to assess whether it adequately addresses the responsibilities and strategies needed to maintain a stable and secure DNS. As part of this review, we may:

■ Assess the program goals established by NTIA and ICANN under the memorandum of understanding and determine if they are being achieved; and

■ Assess how NTIA is addressing the security concerns associated with DNS.

Background:

The Department, through NTIA, is responsible for the DNS database, which contains the web site addresses of web site owners worldwide with domain names such as ".com," ".net," and ".org." The DNS database is operated and maintained under a memorandum of understanding by ICANN, a nonprofit corporation formed in 1998.

Under the memorandum of understanding, ICANN is responsible for DNS' technical management, security, and stability, and it uses regional contract Internet registrars to collect information about applicants who register domain names. In turn, the registrars sell bulk access to the DNS database to Internet users.

The population of Internet users is becoming more international as global populations register domain names using their local country codes. More than 60 percent of new domain names are registered with a ".com" ending.

Domain Identifiers

.net 11%
.org 6%
.com 61%
Country Domains 22%

- .com
- .net
- .org
- Country Domains
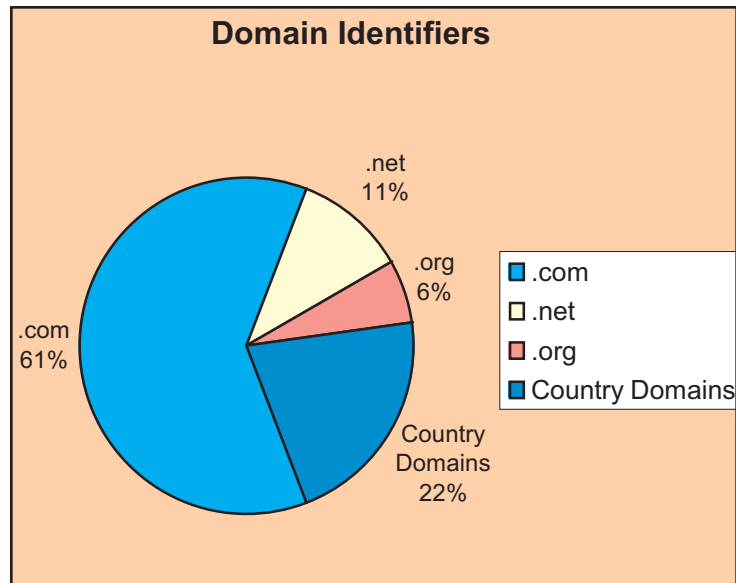
Source: www.icann.org/tlds/tel2/Business_Plan_Summary_Attach_7.doc.

Census Planning for the 2010 Decennial

Objective:

To determine whether the Census Bureau's planning and preparation for the 2010 census can be integrated and tested in a timely fashion and will enable the bureau to effectively manage and control costs, increase accuracy, and reduce information security risks.

OIG will examine selected decennial design changes to determine the extent to which they help manage costs, increase accuracy, and reduce risk. We will continue to assess the feasibility of the design and of the integration and early testing of design components. We plan to review major decennial contracts and some of the evolving operational and logistical issues associated with preparing for the decennial.

Background:

Source: www.census.gov/pubinfo/www/photos/2004testphotos/2004testphotos.html.

The 2004 Census Test was conducted in northwest Queens, New York, and in three counties in Georgia.

The Census Bureau is responsible for conducting the nation's decennial census. The results are used to apportion seats in the House of Representatives, redraw congressional districts, and allocate federal funding to states and local communities.

Early planning and agreement on a design are essential to ensure a successful decennial census. Census officials are concerned that the design used to produce the 2000 decennial cannot be repeated in 2010 without incurring significant additional cost and risk. According to the Government Accountability Office, in constant 2000 dollars, the 1990 census cost $3.3 billion, and the 2000 census cost $6.6 billion. The 2010 census is estimated to cost $9.3 billion.

In September 2002, the bureau adopted a reengineered framework for conducting the decennial: an American Community Survey to collect and tabulate long-form data throughout the decade; an enhanced address list and geographic information database; and a program of early planning, development, and testing for a short-form-only census. The strategy uses the latest technology, such as handheld computers equipped with global positioning system capabilities for field operations, including address canvassing and non-response follow-up data collection.

ITA Promotion of U.S. Exports

Objective:

To determine the effectiveness of the International Trade Administration's (ITA's) efforts to promote U.S. exports.

We will continue inspections at International Trade Administration Commercial Service's (CS') overseas posts and domestic U.S. export assistance centers (USEACs) to assess their effectiveness at delivering timely and quality services and market assistance to their business clients; coordinating trade efforts with partner organizations; and managing CS resources. These inspections often reveal issues that may affect CS' operations in entire regions or worldwide. We also will review ITA's new Manufacturing and Services Unit and its efforts to support U.S. manufacturing and industry competitiveness. In addition, we plan to continue reviews that focus on ITA program management and operational issues.

Background:

ITA plays a major role in the federal government's efforts to increase U.S. exports and is a key resource for the American business community. Commercial Service, as the Department's export promotion agency, works closely with the private business sector and federal, state, and local trade partners to promote U.S. sales abroad.

Source: http://ia.ita.doc.gov/ia-highlights-and-news.html.
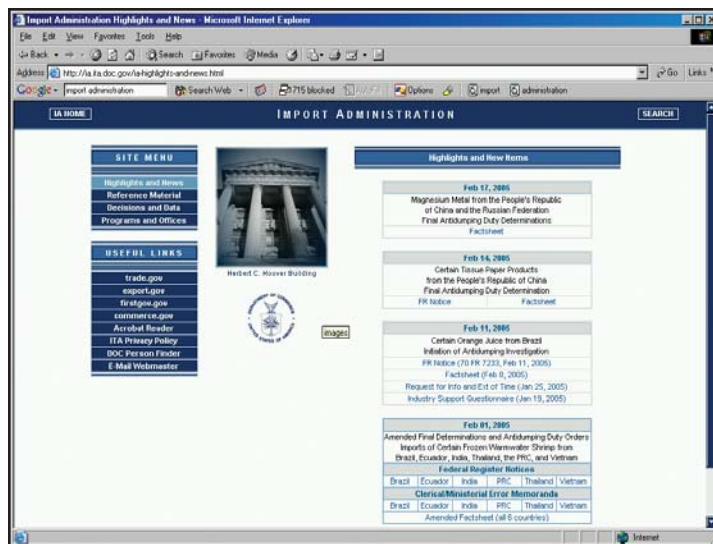
The Omnibus Trade and Competitiveness Act of 1988 mandates that OIG report to Congress its assessment of the management and effectiveness of CS operations, including personnel systems and placement of domestic and foreign staff. Congress, GAO, and OIG frequently focus on whether federal resources are sufficiently coordinated and strategically directed at helping U.S. businesses compete in foreign markets. To that end, during 2003 and 2004, we inspected CS' posts in Turkey, Greece, and India, as well as 3 of its 12 domestic USEAC networks, a total of 28 offices in the Chicago, Pacific Northwest, and Philadelphia regions. Inspections evaluated the effectiveness and efficiency of management, program operations, products and services, and financial and administrative practices in those locations.

ITA Trade Compliance and Market Access Activities

Objective:

To determine if ITA's efforts to enforce trade agreements and laws designed to help U.S. exporters overcome trade barriers, prevent unfairly traded imports, and cooper-ate with other agencies working on these issues are effective.

Part of OIG's focus will be on ITA's strategies for helping U.S. companies reduce trade barriers, gain greater market access, and reap benefits of trade agreements. We will continue to review the Commercial Service's efforts to help U.S. companies address unfair trade practices, trade disputes with foreign firms, and noncompliance with or violations of trade agreements.

We also intend to build upon previous work in the Import Administration. This may include examining selected aspects of its investigations and administrative reviews of foreign producers and governments to determine whether dumping or sub-sidization has occurred, as well as its efforts to work with U.S. Customs and other agencies to enforce the assessment and collection of antidumping and countervailing duties. Our reviews may also cover specific components of both existing and new com-pliance initiatives in the Import Administration.

Background:

The Department's work to monitor and ensure compliance with trade agreements has received considerable attention from the Office of Management and Budget (OMB) and Congress. ITA also has a role in protecting American businesses from inequitable competition from imports priced at less than normal value or subsidized by foreign governments. In the past few years, there has also been strong interest from OMB and Congress in trade compliance efforts with China and other countries because of grow-ing trade imbalances.

Source: www.export.gov/comm_svc/.

During 2003 and 2004, OIG inspected CS' posts in Turkey, Greece, and India, as well as 3 of its 12 domestic USEAC networks, a total of 28 offices.

Protecting Our Environment, Advancing Scientific Discovery, and Spurring Technological Innovation

NOAA accounts for more than half of the annual budget of the Department of Commerce and is charged with safeguarding our nation's most vital resources--our oceans, coasts, and atmosphere. NIST laboratories perform research to develop state-of-the-art measurement tools, data, and models for advanced science and technology such as building and fire research and electronics. And the National Weather Service's work is crucial to protecting the lives and property of every American. Programs in each of these agencies must work efficiently and without fail.

OIG plans several reviews of NOAA programs that have high impact on science, technology, and the protection of our natural environment. We may review NOAA's ocean programs and responsibilities, and the efforts of the agency's data centers to safeguard and provide access to irreplaceable environmental and weather information. We also will examine NOAA's administrative research management, and we plan to review the management and oversight of NIST laboratories.

1807

COAST & GEO
DETIC SURVEY

NOAA Ocean Stewardship Responsibilities

Objective:

To determine if selected National Oceanic and Atmospheric Administration (NOAA) coastal, ocean, and fishery stewardship programs and operations protect, restore, and manage coastal and marine resources efficiently and effectively.

OIG will focus on the broad spectrum of NOAA's ocean programs and responsibilities. Possible reviews include examining NOAA's programs for protecting and restoring coastal resources, such as the Pribilof Island restoration project, or coastal management and stewardship programs, such as the Coastal Zone Management, National Estuarine Research Reserve System, and National Marine Sanctuary programs. Other reviews may target areas such as NOAA's coral reef, aquaculture, and marine debris responsibilities, and the potential multibillion dollar Integrated Ocean Observing System. Finally, some reviews may examine the effectiveness of ongoing salmon recovery programs.

Background:

The oceans and coasts have changed drastically since NOAA was created more than 35 years ago. In that time, more than 37 million people, 19 million homes, and countless businesses have been added to coastal areas.

In September 2004, the U.S. Commission on Ocean Policy presented its final report, *An Ocean Blueprint for the 21st Century*, which details the state of our nation's ocean and coastal resources and presents recommendations for a coordinated and comprehensive national ocean policy. The Commission found that NOAA, the nation's primary ocean agency, should better manage some of its programs and activities.
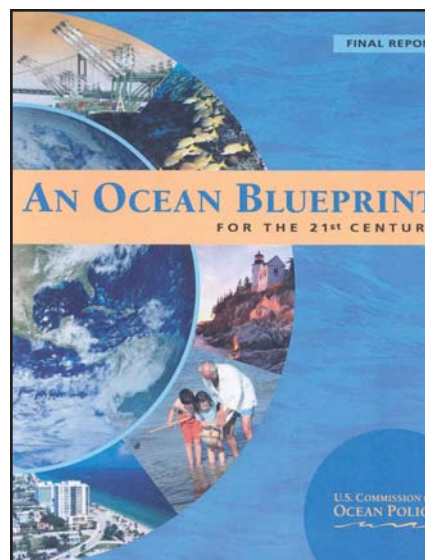
Source: www.oceancommission/gov/full_color_rpt /000_ocean_full_report.pdf.

"A stronger, more effective, science-based and service-oriented ocean agency is needed—one that works with others to achieve better management of oceans and coasts through an ecosystem-based approach."-- An Ocean Blueprint for the 21st Century

National Weather Service's Actions to Protect Life and Property

Objective:

To determine how effectively the National Weather Service (NWS) forecasts, warns, and provides other climate-related information for the purpose of protecting life and property.

NWS' mission is to provide weather, water, and climate forecasts and warnings for the protection of life and property and the enhancement of the national economy. Its forecasts of thunderstorms, hurricanes, flooding, tornadoes, winter weather, tsunamis, and other severe weather activity are of vital importance to emergency managers and other public officials, businesses, and the general public. OIG plans to continue oversight of weather forecast offices, river forecast centers, and national centers associated with severe weather and hazards related to climate, weather, and hydrological events. This may include assessing the efficiency and effectiveness of operations, reviewing the administrative and financial management activities of the office or center, and ensuring that appropriate measures are being taken to accomplish the NWS mission.

Background:

NWS has about 4,700 employees in 122 weather forecast offices, 13 river forecast centers, 9 national centers for environmental prediction, and other national and support offices around the country. According to the *NWS Strategic Plan for 2005-2010, Working Together to Save Lives*, the NWS vision is for these offices to work together to provide the best weather, water, and climate information in the world by producing and delivering quality information; incorporating proven advances in science and technology; measuring, reporting, and evaluating performance; reducing weather- and water-related fatalities; and working with others to make its weather, water, and climate operations, research, and other products more effective.

Source: www.spc.noaa.gov/.

Accurate weather forecasts help prevent loss of lives and properties from events such as this tornado. The National Weather Service's vision is for all its offices to work together to provide the best weather, water, and climate information in the world.

NOAA Research

Objective:

To examine whether NOAA organizational structure and processes ensure that its research effectively supports operational and scientific needs.

OIG may examine NOAA administrative research management, including the effectiveness of the processes used to (1) maintain scientific integrity and quality at National Marine Fisheries Service (NMFS) regional offices and science centers, (2) integrate research results and associated grant programs designed to help address endangered species and other environmental issues, or (3) assess the effectiveness of specific research areas.

Background:

NOAA conducts a variety of research to support its environmental assessment, prediction, and stewardship roles. The Office of Oceanic and Atmospheric Research (OAR) has primary responsibility for performing research.

After Congress directed NOAA to review its OAR lab configuration in early 2004, NOAA's Scientific Advisory Board established a research review team to address the issue. The team's findings, outlined in a final report issued August 2004, called for NOAA to develop a stronger and more coherent research management structure and to ensure that reimbursable programs are restructured to meet NOAA's mission.

NOAA research programs are being called on to respond to several new initiatives including the Global Change Research Act, which initiated the Climate Change Science Program.

Both the U.S. Commission on Ocean Policy and the Pew Oceans Commission made formal recommendations to Congress and the nation in the 2004 *Ocean Blueprint* report and in a June 2003 Pew report, *America's Living Oceans: Charting a Course for Sea Change*.

NIST Scientific and Technical Research and Services

Objective:

To review management and oversight of National Institute of Standards and Technology (NIST) laboratories and assess cooperative research efforts between NIST labs and personnel and the private sector.

OIG plans to review management and oversight of NIST laboratories, including peer review processes, customer service, equipment, human resources, and research results. OIG also will assess cooperative research efforts between NIST labs and personnel and the private sector.

Background:

NIST laboratories, located in Gaithersburg, Maryland, and Boulder, Colorado, perform research to develop state-of-the-art measurement tools, data, and models needed for advanced science and technology, such as building and fire research, chemical science and technology, electronics and electrical engineering, information technology, manufacturing engineering, materials science and engineering, and physics. NIST researchers collaborate with colleagues in industry, academic institutions, and other government agencies.

NIST Scientific and Technical Research and Services Estimated FY 2004 Appropriations

Category	Value
BFR	21.2
CS&AM	48.6
CS&T	41.6
E&EE	43.8
ME	21.4
MS&E	51.8
P	37.1
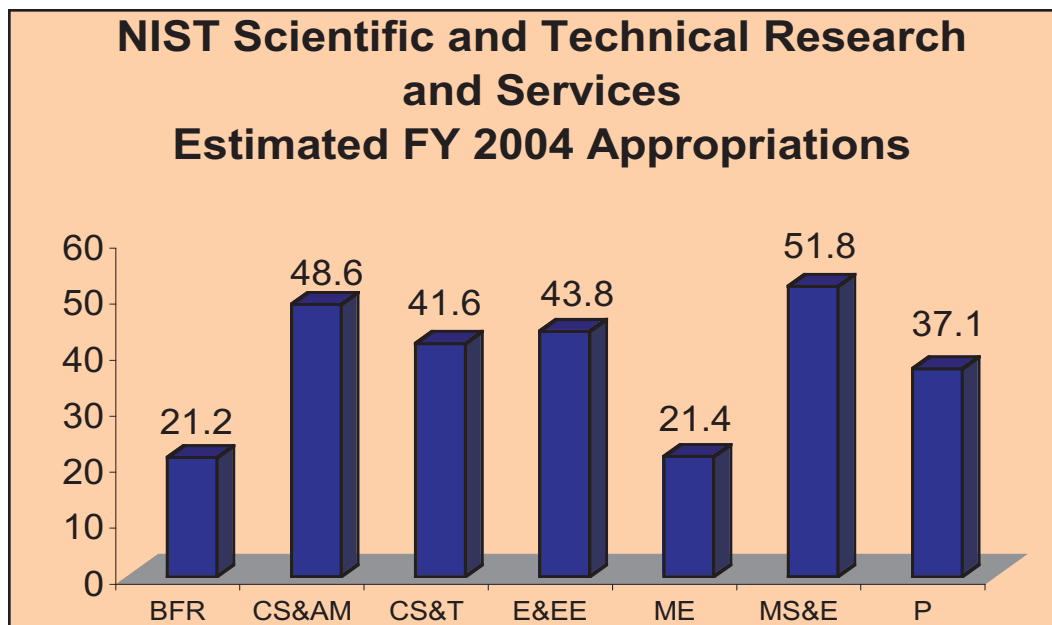
Source: U.S. Department of Commerce 2005 Congressional Budget Submission, NIST Scientific & Technical Research and Services, Summary of Resource Requirements.

Chart Key:

BFR	Building & Fire Research	**ME**	Manufacturing Engineering
CS&AM	Computer Science & Applied Mathematics	**MS& E**	Materials Science & Engineering
CS&T	Chemical Science & Technology	**P**	Physics
E&EE	Electronics & Electrical Engineering		

Ensuring Sound Fiscal Management, Investment, and Accountability

Financial assistance programs routinely distribute awards ranging from a few thousand to many millions of dollars to nonfederal entities and organizations, a process that is inherently vulnerable to waste, fraud, and abuse. We plan to perform at least 20-30 financial assistance audits each year, focusing on deterrence and recovery of misspent funds. In addition, we will conduct work to identify fiscally irresponsible financial assistance applicants, review all single audit reports with findings related to Commerce, and, finally, examine audit reports of the for-profit companies receiving ATP funds.

Federal law requires the annual preparation and audit of the Department's financial statements. This audit must report whether Commerce's financial management systems comply substantially with federal requirements and applicable federal accounting standards. In addition, ensuring that performance measures for programs and operating units are accurate and complete requires reliable information. We will continue to monitor the work of the contractor performing the Department's annual audit and determine whether internal controls are operating effectively, financial statements are presented fairly, and selected Commerce operating units are properly managing reimbursable activities. Finally, we plan to summarize common issues noted in prior reviews of bureau performance measures and assess progress in addressing deficiencies.

Department-Wide Financial Management Controls and Consolidated Financial Reporting

Objective:

To determine whether (1) the Department's internal controls for financial management and reporting processes are operating effectively, (2) the financial statements are presented fairly, and (3) the Department and its bureaus are institutionalizing sound financial management practices.

OIG will ensure that audits of Commerce's consolidated financial statements and of the individual operating units (as necessary) are conducted annually, primarily through contract with an independent certified public accounting firm. OIG will monitor the work of the contractor and ensure compliance with generally accepted government auditing standards. In addition to issuing an audit report, a management letter will be submitted to the Department with recommendations to improve internal controls and promote operating efficiencies in areas noted during the audit as problematic but not reportable.

Background:

The Government Management Reform Act of 1994 and the Accountability of Tax Dollars Act of 2002 require annual preparation and audit of organization-wide financial statements by Commerce and other executive departments and agencies. In addition, the 1996 Federal Financial Management Improvement Act mandates that an auditor report on whether the agency's financial management systems comply substantially with federal requirements, applicable federal accounting standards, and the

Consolidated Audit Findings by Fiscal Year
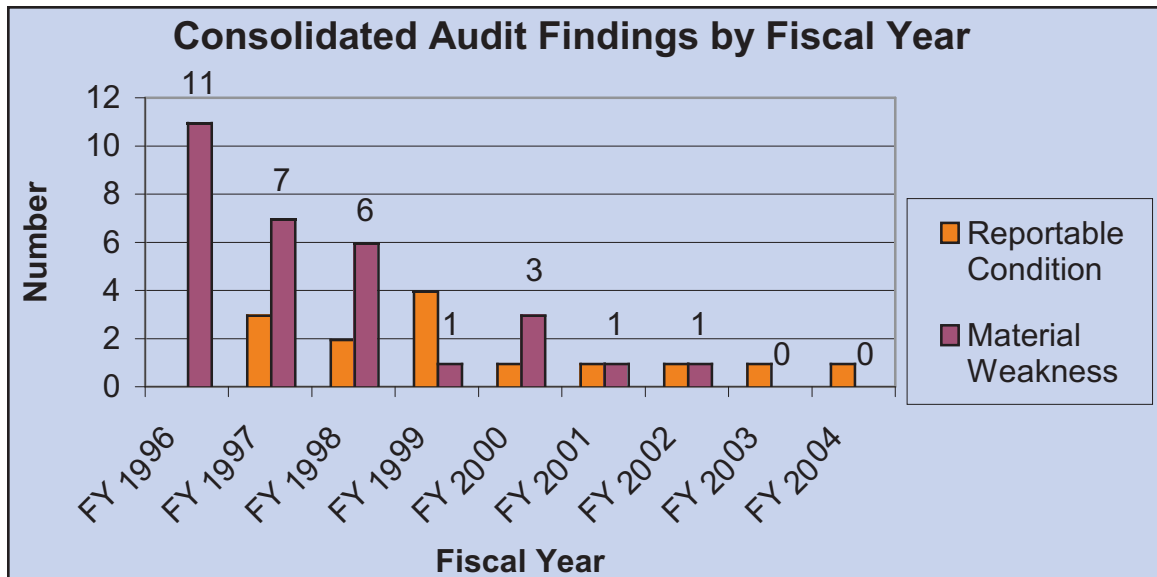
Source: FY 1996-FY 2004 U.S. Department of Commerce financial statements audit reports.

U.S. Government Standard General Ledger at the transaction level.

Audit reports must state whether the Department (1) has consolidated financial statements that are presented fairly, in all material respects, and in accordance with generally accepted accounting principles; (2) has an internal control structure that provides reasonable assurance of achieving control objectives set forth by the Office of Management and Budget (OMB); and (3) is in compliance with applicable federal laws and regulations. These audit reports are issued to OMB, the Government Accountability Office, and Congress. OMB issues quarterly assessments of each agency's financial management performance.

The audit of the Department's FY 2004 financial statements identified one deficiency in the internal controls related to weaknesses in general information technology controls (a reportable condition) and one instance of noncompliance with laws and regulations. We identified "Continue to strengthen financial management controls and systems" as one of the Top 10 Management Challenges facing the Department, and will continue to monitor its progress in resolving these findings as well as other financial management issues.

Effective Cost Recovery: Reimbursable Activities and User Fees

Objective:

To determine whether selected Commerce operating units are properly managing reimbursable activities, including recovering the costs of work performed under reimbursable agreements or user fee arrangements.

OIG will assess the Department's operating units' review, reporting, and charging of user fees and reimbursable costs. Reviews will also assess the adequacy of operating units' systems and controls related to accounting for costs and associated revenues.

Background:

OMB Circular A-25, *User Fees*, requires federal agencies to charge the full cost of providing products and services. Three Commerce operating units—Census, NOAA, and NIST—combined, collect more than $600 million in revenue annually from user fees and reimbursable agreements.

EXCERPT: OMB Circular A-25, *User Fees*

"...Determining the amount of user charges to assess.

(a) Except as provided in Section 6c, user charges will be sufficient to recover the full cost to the federal government (as defined in Section 6d) of providing the service, resource, or good when the government is acting in its capacity as sovereign.

(b) Except as provided in Section 6c, user charges will be based on market prices (as defined in Section 6d) when the government, not acting in its capacity as sovereign, is leasing or selling goods or resources, or is providing a service (e.g., leasing space in federally owned buildings). Under these business-type conditions, user charges need not be limited to the recovery of full cost and may yield net revenues.

(c) User charges will be collected in advance of, or simultaneously with, the rendering of services unless appropriations and authority are provided in advance to allow reimbursable services.

(d) Whenever possible, charges should be set as rates rather than fixed dollar amounts in order to adjust for changes in costs to the government or changes in market prices of the good, resource, or service provided (as defined in Section 6d)."

NTIS Business Operations

Objective:

To assess the impact of National Technical Information Service's (NTIS') information systems and dissemination efforts and the continued financial viability of its web-based business model.

OIG may review NTIS' information collection and dissemination efforts, including the comprehensiveness of its database and the effectiveness of its Internet and other distribution services. We also plan to review whether revenue from the sale of services to federal agencies, as well as the sale of technical reports and virtual library products, are sufficient to ensure NTIS' financial viability.

Background:

Since 1993, NTIS' revenue has come from sales of services to federal agencies and sales of technical reports to business and industry, schools and universities, state and local government offices, and the public.

NTIS operates a central clearinghouse of scientific and technical information for U.S. businesses and industry. To expand its customer base, NTIS added a virtual library at its web site in April 2002 that offers abstracts and downloads of reports produced since 1997, in addition to the products previously provided. OIG conducts follow-up reviews to ensure that agencies have implemented prior recommendations, so we may follow up on our earlier review of NTIS' business model.

NTIS Total Business Obligations

FY 04
19.2 M
13%

FY 00
38.3 M
25%

FY 03
27.7 M
19%

FY 02
27.7 M
19%

FY 01
34.7 M
24%
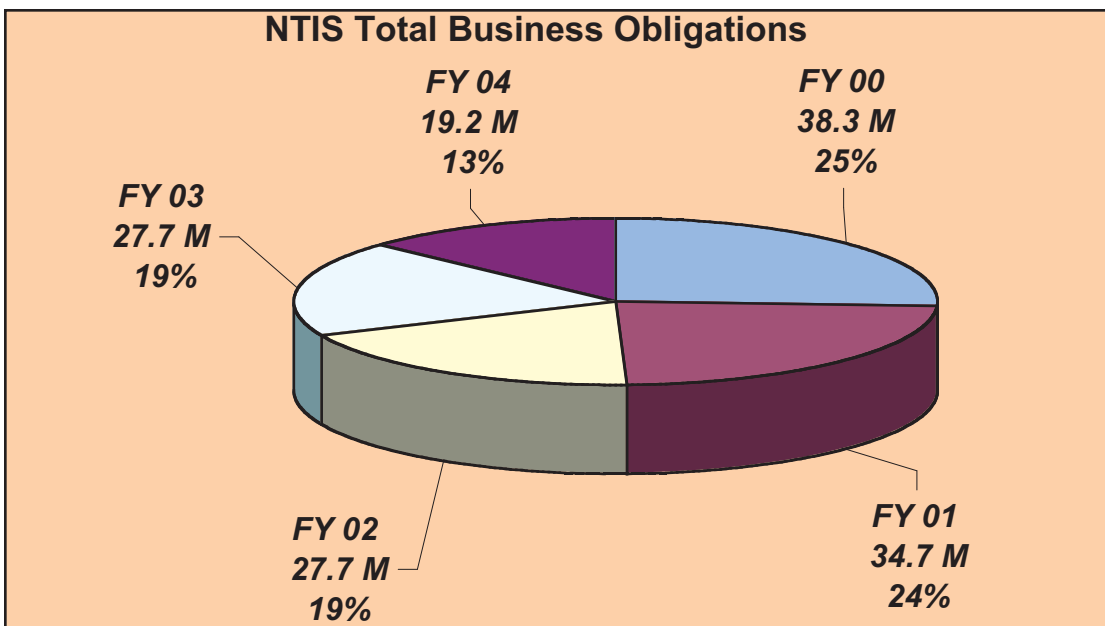
Source: U.S. Department of Commerce 2005 Congressional Budget Submission, NTIS Resource Requirements Summary.

Financial Assistance Recipients' Compliance with Federal and Program Requirements

Objective:

To determine selected financial assistance award recipients' compliance with laws, regulations, and award terms; adequacy of accounting systems and internal controls; allowability of costs; and the level of a project's intended results actually achieved.

OIG's External Audits Task Force plans and conducts all financial assistance audits and typically performs 20 to 30 audits each year. Some audits are prompted by requests from agency officials, but most are self-initiated. We use a combination of survey and selection techniques to identify projects susceptible to noncompliance. High-vulnerability financial assistance projects include those that (1) have never been audited; (2) have previously been audited and found to have significant noncompliance issues and questioned costs; or (3) have shown evidence of certain financial indicators of fraud, waste, and abuse. We also follow up on complaints received via the OIG Hotline about specific financial assistance recipients.

Background:

Commerce distributed more than $1.4 billion in FY 2004 in financial assistance awards under 73 programs administered by its agencies. These awards range from thousands to millions of dollars and support specific projects and programs conducted by about 3,000 nonfederal entities. Because most awards cover multiple years, the Department's exposure at any one time is even more significant. For example, EDA's Revolving Loan Fund Program alone has about 500 operators around the country that manage an estimated $1 billion in cash, outstanding loans, and other assets.

OIG regularly conducts cost and compliance audits of selected projects—often at the request of agency officials. We focus on those that offer the greatest potential return on investment, as measured in terms of deterrence value or actual recovery of misspent funds. In fact, these audits lead agencies to recover millions of dollars each year and improve project financial management systems and performance.

Department of Commerce Awards, FY2004

NOAA 62%
EDA 18%
NIST 13%
NTIA 3%
MBDA 2%
ITA 1%
OS 1%
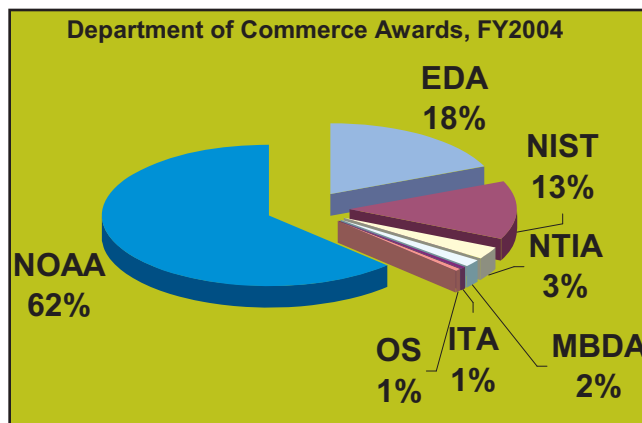
Source: U.S. Department of Commerce, Office of Acquisition Management, Federal Assistance Award Data System.

Prescreening of Financial Assistance Candidates

Objective:

To identify and screen out fiscally irresponsible candidates for Commerce financial assistance awards before final funding actions are taken.

Our goal is to identify fiscally irresponsible candidates and prevent them from getting Commerce financial assistance awards before they reach the end of the applications process and actually receive money.

Background:

The Department awards more than $1 billion per year in financial assistance to thousands of state and local governments, nonprofits, and for-profit organizations. To ensure that the organizations are fiscally responsible, OIG assesses the financial condition of each applicant before awards are made and determines whether they have any unresolved audit issues. In some cases, OIG also conducts limited background checks of individuals in those organizations to determine whether the organization or individuals in the organization have any criminal history.

Depending on the screening results, OIG might recommend that the operating unit deny or delay an award, or approve it with special conditions to better protect the government's financial interests. If we discover significant adverse information, we notify the grants officer, who then consults with both the program officer and OIG before making a final award decision.

Department of Commerce's Financial Assistance Awards Process
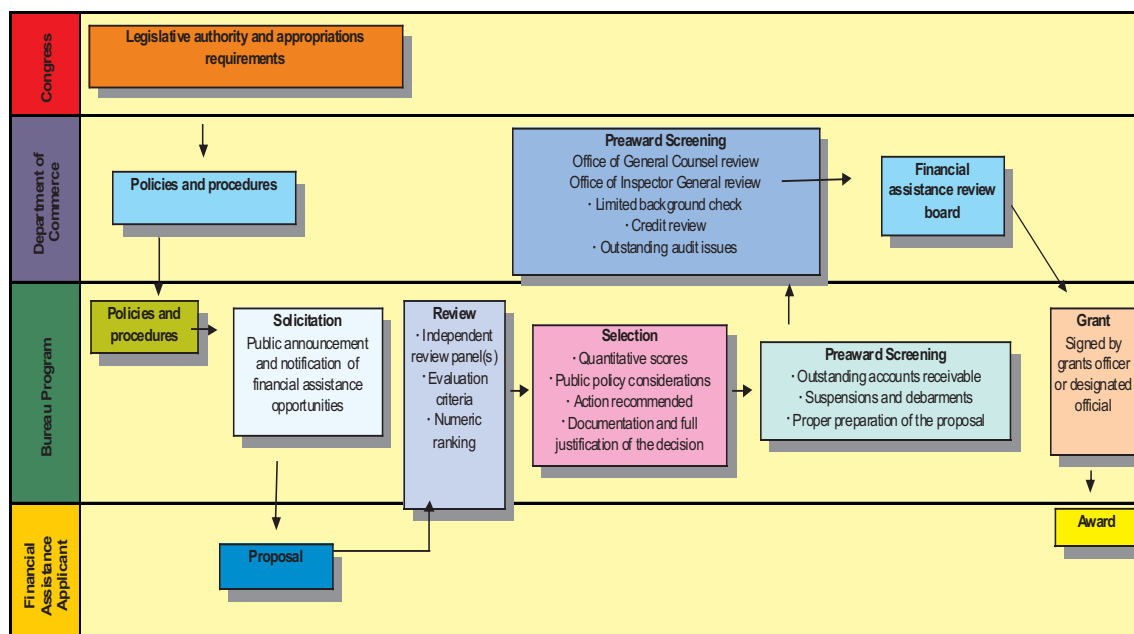
NIST ATP Program-Specific Audits

Objective:

To review the program-specific audits of the for-profit companies receiving NIST Advanced Technology Program (ATP) cooperative agreements and participate in the resolution of audit findings reported in these audits.

OIG will review all ATP audit reports received from outside CPA firms or Defense Contract Audit Agency and work with the NIST audit action official to resolve the findings and recommendations in them. In addition, our office will provide technical assistance related to the audit requirements of the ATP program to award recipients and their independent public accountants.

Background:

From its inception in 1990 through September 2004, the Advanced Technology Program bestowed 768 awards totaling $2.3 billion in federal funding to companies developing technologies. About 85 percent of the joint ventures and individual companies receiving these federal awards are for-profit entities not subject to the Single Audit Act. NIST requires that independent public accountants audit for-profit companies using ATP program-specific audit guidelines audit for-profit companies.

As with single audits, a written agreement on the resolution of the audit findings is required, and this is a coordinated effort between the Office of Inspector General and NIST. Our office reviews about 150 ATP program-specific audit reports annually and participates in the audit resolution of findings in approximately 30 of these reports.

ATP Budget History Through 2004 (in Millions)

FY	Value
FY 1999	203.50
FY 2000	142.60
FY 2001	145.70
FY 2002	184.50
FY 2003	180.00
FY 2004	179.18
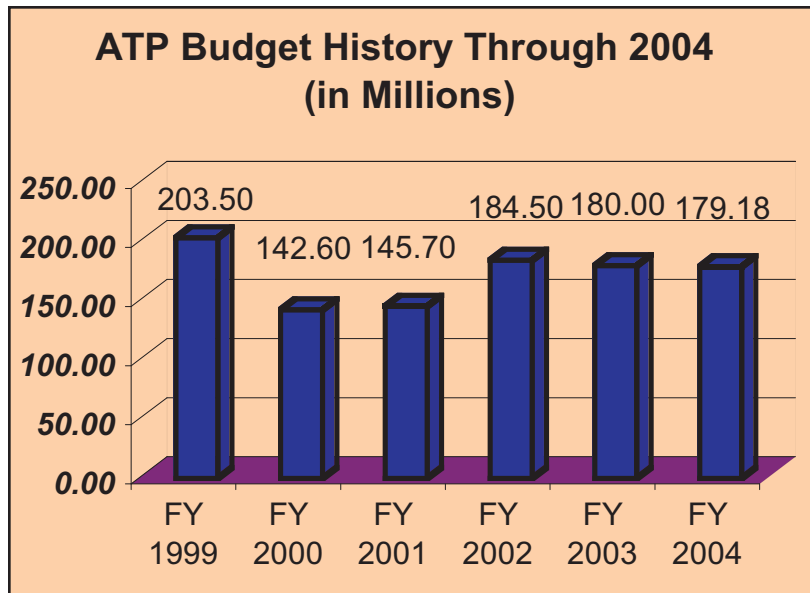
Source: U.S. Department of Commerce annual appropriations bills, 1999-2004.

Review and Resolution of Commerce Single Audit Act Audits

Objective:

To assist Commerce agencies awarding financial assistance in fulfilling our joint responsibilities under the Single Audit Act, as implemented by OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

OIG will review all single audit reports with findings related to Commerce awards and work with the appropriate agency's audit action official to resolve the findings and recommendations in these reports. In addition, our office will provide technical assistance (related to the Single Audit Act) to Commerce award recipients and their independent accountants performing the audits. To assess and ensure audit quality, our office will participate in the National Single Audit Sampling Project and perform other quality control reviews as needed.

Background:

Federal Awarding Agency Responsibilities:

■ Advise grantees of requirements imposed on them by federal laws, regulations, and the provisions of contracts or grant agreements.

■ Ensure that audits are completed and reports are received in a timely manner and in accordance with Circular A-133's requirements.

■ Provide technical advice to auditees and auditors as requested.

■ Issue management decisions on audit findings within 6 months after receipt of the audit report and ensure that the recipient takes appropriate and timely corrective action.

■ Assign a person responsible for providing annual updates of Circular A-133's Compliance Supplement.

■ Adequately identify federal awards to the recipient.

Source: OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations.*

The Single Audit Act Amendments of 1996 require each state, local government, and not-for-profit organization expending $500,000 or more in federal funds in a year to have an annual audit of its financial statements and federal awards performed by an independent public accountant or state auditor. The Single Audit Act requires that the audit findings be resolved within 6 months of issuance of the audit report. A written agreement including the necessary corrective action to be taken by the auditee to resolve the audit findings is coordinated by the Office of Inspector General and the federal awarding agency. Our office reviews about 200 single audit reports annually and participates in the audit resolution of approximately 20 of these single audits each year.

OIGs and federal agencies that rely on single audits are collaborating on a National Single Audit Sampling Project to determine whether such audits are conducted in accordance with appropriate standards and if reports are reliable. OIG will perform at least one quality control review of an organization under our oversight.

Verification and Validation of Performance

Objective:

To monitor and assess the Department's efforts to establish relevant performance measures and report credible performance information.

OIG plans to summarize common issues identified in prior reviews of bureau performance measures; assess the bureau's progress in addressing identified deficiencies; and provide insight as to whether reported performance results are accurate, reliable, and useful to Commerce management, OMB, and Congress. Reviews will focus primarily on performance measures addressed in the *Performance & Accountability Report*, and will seek to determine whether internal controls sufficiently ensure the accuracy of performance data.

Background:

OIG has conducted audits of selected performance measures at six Commerce operating units—BIS, Census, NTIA, NIST, NOAA, and USPTO—since 2000, and these reviews have identified improvements needed to strengthen the Department's performance measures. Congress has demonstrated its interest in performance measurement by requesting relevant assessments and by passing the Reports Consolidation Act of 2000, which, among other things, requires the Secretary of Commerce to evaluate the completeness and reliability of performance information provided in departmental reports.

Commerce officials' recognition that performance data must be credible is reflected in the Department's *FY 2004 Performance & Accountability Report*. In that report, the Secretary noted that the Department, in collaboration with the bureaus and the inspector general, is working to continuously strengthen GPRA implementation and ensure that Commerce's performance information is appropriate, complete, and reliable.

> ### EXCERPT: Government Performance Results Act of 1993
>
> "SECTION 2. FINDINGS AND PURPOSES.
>
> (a) Findings. The Congress finds that-
>
> (1) waste and inefficiency in federal programs undermine the confidence of the American people in the government and reduces the federal government's ability to address adequately vital public needs;
>
> (2) federal managers are seriously disadvantaged in their efforts to improve program efficiency and effectiveness, because of insufficient articulation of program goals and inadequate information on program performance; and
>
> (3) congressional policymaking, spending decisions and program oversight are seriously handicapped by insufficient attention to program performance and results."

1789

LIGHTHOUSE
SERVICE

Effectively Acquiring and Managing Major Systems and Other Key Resources

Commerce spends more than $1.7 billion procuring goods and services from a variety of sources, and its reliance on contractor support is increasing. The Department also spends a large portion of its budget on major computer systems critical to its operations. Adequate oversight of the Department's acquisition is crucial to ensure that taxpayer dollars are wisely spent and laws and regulations followed. OIG plans to address several aspects of acquisition management at Commerce to determine whether its acquisition processes comply with applicable laws, regulations, and sound business practices.

We plan to assess the Department's progress in implementing the Clinger-Cohen Act, and NOAA's acquisition approach for high performance computing resources. We also plan work to determine the effectiveness of the Department's acquisition strategies for major computing systems. We may evaluate NOAA's management of its real property as well as the agency's management controls over acquisition of a third fisheries research vessel.

OIG may examine the effectiveness of NESDIS' acquisition activities and management of the nation's polar and geostationary environmental satellites, in addition to assessing the Department's oversight of major construction and renovation projects.

1838

STEAMBOAT
INSPECTION

Department-Wide Planning, Management, and Oversight of IT Projects

Objective:

To determine whether the policies, plans, processes, and oversight of Commerce's information technology projects comply with the Clinger-Cohen Act of 1996 and sound business practices.

OIG plans to assess the progress of the Department and selected operating units in implementing the capital planning and investment process, managing IT programs, and establishing and using enterprise architectures.

Background:

Commerce bureaus plan significant expenditures on information technology systems and services in FY 2005 to support the Department's strategic missions. But OIG has found that planning and management of IT investments throughout the Department often fails to ensure they meet cost, schedule, or performance goals.

The Clinger-Cohen Act requires that agencies integrate IT management with the Department's capital planning and investment process to ensure that the Department's IT programs will make tangible improvements in mission achievement while staying on schedule and within budget. The administration has made implementation of the act a top priority, which means agencies must improve capital planning, meet annual performance measures, and complete enterprise architectures.

> **IT Planning Mission Statement**
>
> The primary goal of the Commerce IT Capital Planning and Investment Control program is to improve the IT management process by ensuring that executives have accurate and meaningful information for IT decision-making. This includes critical information on the proposed IT investment's overall value to the organization, the return on the investment, and effective risk management plans.

Source: www.osec.doc.gov/cio/oipr/ITPLAN-PAGE.HTM.

In late 2001 the Secretary directed a Department-wide IT management restructuring to improve compliance with the act. The restructuring increased the authority of bureau chief information officers, making them more integral members of their respective management teams. Subsequently, the Department instituted a process for regularly evaluating IT investments based on factors such as the investment's business case and risks, the bureau's ability to manage the program, compliance with the Department's enterprise architecture, and progress in meeting measurable cost, schedule, and performance goals. The Department also is using the results of assessments based on OMB's Program Assessment and Rating Tool in IT investment decision-making to determine where IT investments can best support Commerce programs in improving performance and meeting strategic goals.

Implementation and Oversight of Acquisition Processes
Department-Wide

Objective:

To determine if the implementation and oversight of federal acquisition processes by the Department and its bureaus are effective and are carried out in accordance with applicable laws, regulations, policies, and sound business practices.

OIG reviews may encompass several aspects of acquisition management at Commerce, including overall acquisition management processes and practices, service procurement, and contract planning and administration. They may assess the use, collection, and maintenance of past performance information in selecting vendors, and the training and skill level of contracting personnel. They may also entail reviews of specific acquisitions.

What Commerce Buys
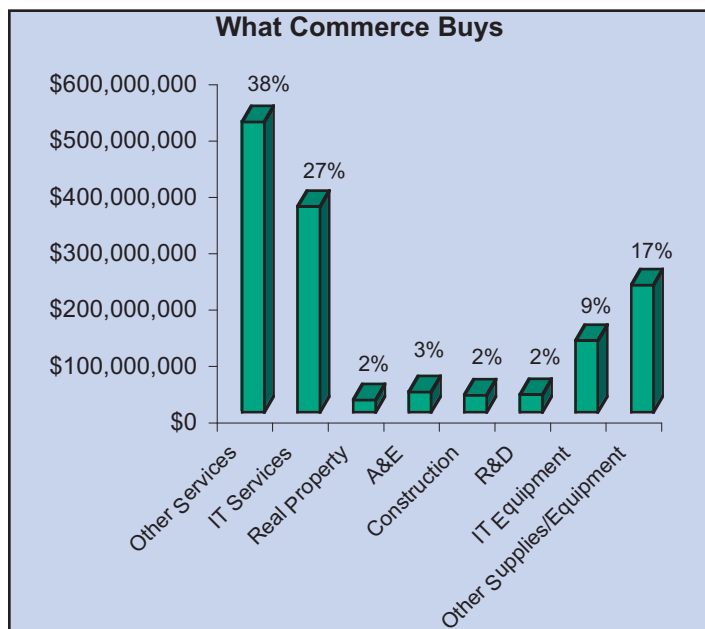
Source: U.S. Department of Commerce, Systems Acquisition Division.

Background:

Commerce spends more than $1.7 billion per year, which amounts to nearly 30 percent of its yearly budget, procuring goods and services from a variety of sources, and its reliance on contractor-provided support is increasing. Adequate oversight of acquisitions by the Department is critical. Inadequate oversight of procurements has been cited as a problem in several OIG reports and by the Office of Management and Budget (OMB) and the Government Accountability Office (GAO).

Commerce operating units that have been delegated procurement authority, as well as the senior procurement executive and the Office of Acquisition Management, all are challenged with developing and implementing innovative practices and procedures while operating with limited resources.

Strategies for Major Systems Acquisitions

Objective:

To determine the effectiveness of Department-wide acquisition strategies for obtaining major computing systems.

OIG will assess the planning and management of a number of systems acquisitions. These may include systems being acquired by the Census Bureau for the 2010 decennial census, such as Field Data Collection Automation and the 2010 Decennial Response Integration System. We may assess progress on the Master Address File and mapping system (Topologically Integrated Geographic Encoding and Referencing, or TIGER), which is being developed internally by the bureau, as a follow-up to our FY 2003 review. Acquisitions supporting USPTO's migration to full electronic processing of patents and trademarks, as well as those supporting selected NOAA operations, may also be reviewed.

Background:

Commerce spends a large portion of its budget on major computer systems critical to operations. Successful systems acquisition requires a disciplined approach that integrates the technical, management, and contractual elements of the acquisition process. The goal is to obtain the best value product in a timely manner, while maintaining the public's trust and fulfilling public policy objectives.

IT Funding as a Proportion of the Department's Total Budget Authority

DOC Budget Authority for FY 2005 80%

Agency IT Investment Portfolio for FY 2005 20%
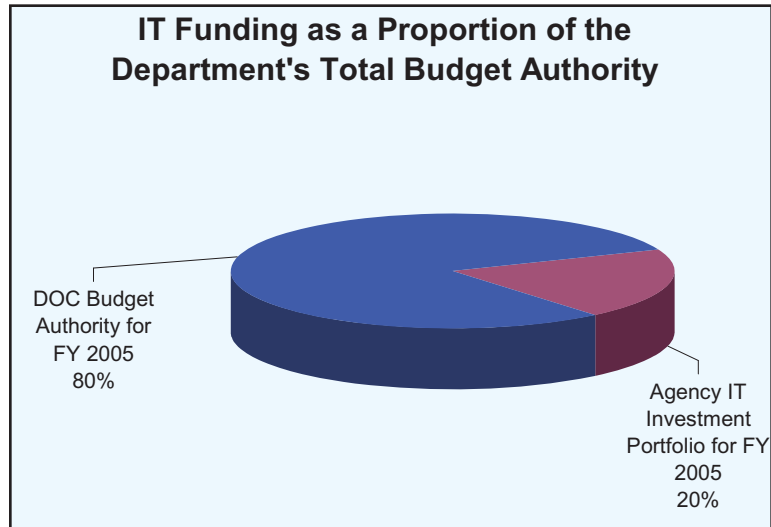
Source: Exhibit 53, U.S. Department of Commerce FY 2005 Budget Submission.

All appropriate parties must be involved in defining and documenting requirements early in the planning stages. In addition, the contract's statement of work and technical specifications must be complete and unambiguous, and cost and time estimates should provide realistic budgets and schedules. An experienced project manager and effective project management structure should be in place, and disciplined system and software engineering practices must be employed. Finally, agency managers responsible for overseeing the project must remain involved throughout the acquisition process, as previous OIG reports have emphasized.

Major Capital Facilities Improvement Projects

Objective:

To assess the Department's oversight of Commerce's major facilities construction and renovation projects.

OIG will assess several of the Department's current major renovation and construction projects to determine if they have been properly planned and monitored. Projects we are considering for review include:

■ **NOAA.** NOAA has 21 major projects scheduled or in process, including construction of a Pacific Region Center in Hawaii, a fisheries research facility in Alaska, and a center for weather and climate prediction in Maryland.

■ **NIST.** The bureau continues its multimillion-dollar program to upgrade laboratories and facilities in Maryland and Colorado.

Photo by Richard Reed for U.S. Census Bureau.
The new Census Bureau building, scheduled for completion in late 2006, is part of a complex under construction in Suitland, Maryland.

■ **Census.** Two buildings are being constructed at the Suitland, Maryland, headquarters. Completion of the Phase I building has been postponed from March to May 2006. The Phase 2 office building completion is now scheduled for October 2006.

■ **Commerce Headquarters (Herbert C. Hoover Building).** The Department is working with GSA to plan a complete renovation of the building.

Background:

At any given time, Commerce is either planning or is actively engaged in numerous major renovation and construction projects. The planning and contracting for and management of large, costly, and complex capital improvement and construction projects involves a great deal of inherent risk, and is an area of particular vulnerability for Commerce. Department leadership and OIG oversight are crucial to the detection and resolution of problems early to save time and money.

NOAA Management of Real Property, Plant, and Equipment

Objective:

To evaluate NOAA's strategies, plans, and controls over leased and government-owned space.

OIG may:

■ Evaluate NOAA's strategies, plans, and controls to manage leased and government-owned space;

■ Review selected facilities and assess controls over capitalized equipment; and

■ Review the use of NOAA-owned houses.

Background:

NOAA's capital assets, totaling 513 installations across all 50 states, are valued in the hundreds of millions of dollars. Among these assets, NOAA currently owns about 50 houses, most of which are located in Alaska and the Pacific territory and are primarily occupied by National Weather Service research employees, who would have difficulty finding housing in those remote areas.

NOAA Consolidated FY 2004 PP&E Net (Total $4.6 Billion)

Construction in Progress 2617.7 M 58%

Land & Improvements 15.6 M <1%

Structures 605.6 M 13%

Systems 763.5 M 16%

Other Personal Property 611.3 M

Capital Lease 19.2 M <1%
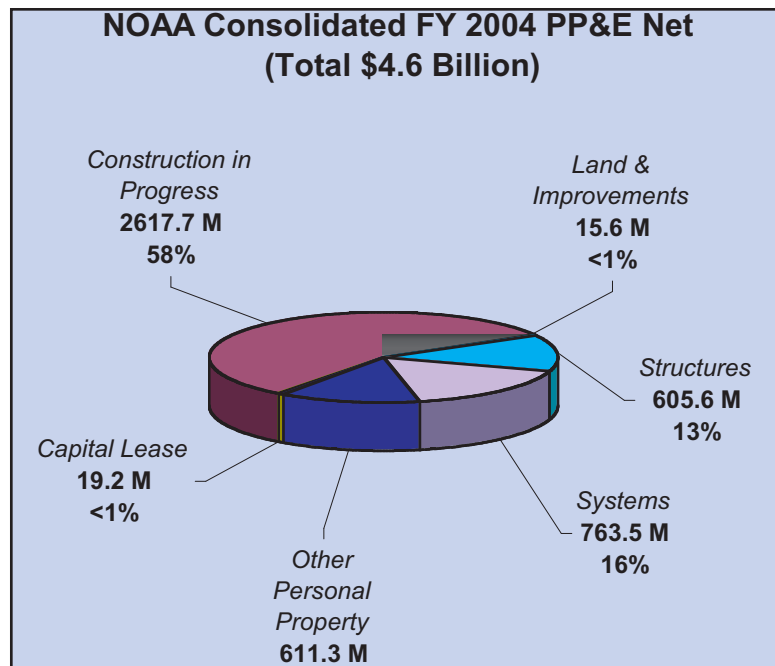
Source: U.S. Department of Commerce, *FY 2004 Performance & Accountability Report* (Notes to the Financial Statements, Note 7-General Property, Plant, and Equipment, Net, p. 220).

NOAA Acquisition of High Performance Computing Resources

Objective:

To determine NOAA's progress in implementing its consolidated acquisition approach for high performance computing (HPC) resources, and assess its program management and risk reduction activities.

OIG plans to assess NOAA's consolidated HPC resources planning and acquisition approach, requirements management, program management, and risk reduction activities.

Background:

High performance computing plays a critical role in the design, development, and efficient delivery of products in support of NOAA's mission. NOAA HPC system facilities are used to produce timely information and assessments of climate variability and changes, run earth system models, and conduct applied meteorological research and development to create short-term warning and weather forecast systems and to improve observing technology. Three NOAA organizations have independently acquired, managed, and operated HPC resources: the Geophysical Fluid Dynamics Laboratory in Princeton, New Jersey; the Forecast Systems Laboratory in Boulder, Colorado; and the National Centers for Environmental Predictions in Camp Springs, Maryland.

Source: www.noaanews.noaa.gov/stories/s1156.htm.

NOAA's Forecast Systems Laboratory in Boulder, Colorado, is a leader in high performance computing, providing essential infrastructure for weather and other environmental research.

In late 2003, NOAA adopted a "corporate view" of acquiring, managing, and operating these resources to address increasing requirements and budgetary constraints, and to expedite the transition of products from research to production. Four strategic HPC objectives emerged: (1) conduct NOAA-wide planning, programming, budgeting, and execution for requirements; (2) migrate to two technical architectures (one for operations, operational development and backup, and the other for applied R&D); (3) acquire systems based on functional, not organizational, needs; and (4) implement an integrated approach for managing the consolidated HPC program. NOAA projects the benefits from this consolidated approach will include more effective use of HPC resources and faster transition of products from research to production.

NOAA Acquisition of Fisheries Research Vessels

Objective:

To determine the effectiveness of management controls associated with acquiring and managing fisheries research vessels.

OIG plans to evaluate the acquisition of the third vessel to ensure that contractual cost and timeliness performance goals are being met.

Background:

Acquisitions reform is a critical challenge facing Commerce. All too frequently, failure to analyze and manage risk inherent in the acquisitions process leads to cost over-runs, schedule delays, and poor purchasing decisions. Agencies need a disciplined capital assets procurement process that incorporates the key controls of planning, risk management, portfolio analysis, performance-based acquisition management, accountability for meeting goals, and cost-effective management of the asset throughout its life cycle.

In January 2001, NOAA awarded a contract to construct four state-of-the-art fisheries research vessels (FRVs). NOAA expects this program to extend into 2008 and cost more than $200 million. In FY 2003, NOAA received funding for a second ship, which is currently under construction and expected to be completed by 2006. In FY 2004, Congress approved funding of $33.8 million for the third planned vessel. When OIG reviewed the acquisition of the first vessel in 2002, we found management controls needed improvement.

Source: www.noaanews.noaa.gov/stories2005/s2392.htm.

NOAA's newest ship, FSV Oscar Dyson, was launched Oct. 17, 2003, at the VT Halter Marine shipyard in Moss Point, Mississippi.

NESDIS National Polar Convergence and Geostationary Satellites

Objective:

To determine the effectiveness of the National Environmental Satellite, Data, and Information Service's (NESDIS') acquisition activities and management of the nation's polar and geostationary environmental satellites.

OIG may examine NESDIS satellite programs, paying close attention to one or more of the following areas: program management, acquisition plans and contract structures, contract administration, cost control activities, cost estimation and development, requirements development, system development and testing, ground systems operations, and assumptions related to satellite operational life expectancy.

Background:

NESDIS satellite systems collect environmental data and provide continuous monitoring of short-term severe weather, such as hurricanes and thunderstorms. NESDIS Polar Convergence Program is attempting to consolidate the nation's civilian, military, and research polar satellites into one program to achieve a projected savings of $1.3 billion. The Geostationary Satellite Program comprises satellites and ground systems either in development, production, or operation by various contractors. NESDIS appropriations for acquisitions for both satellite programs were more than $700 million in FY 2005. The polar and geostationary satellite programs, which in turn are made up of multiple programs each, have life-cycle costs estimated in billions of dollars. Those individual programs have multiple contracts both planned and in place.

Both OIG and GAO have reported on specific problems in the acquisition and management of NESDIS satellites. Previously estimated to cost $6.9 billion with a planned first launch in March 2008, the National Polar-orbiting Operational Environmental Satellite System (NPOESS) satellite is now estimated to cost $8.1 billion, with launch of the first satellite scheduled for November 2009.

Source: www.nesdis.noaa.gov/.

Department-Wide Data Management Programs and Operations

Objective:

To determine whether Commerce operating units' data management capabilities support mission-critical operations, data sharing with other government entities, and the public's access to data.

OIG plans to assess selected data management programs, such as NOAA's Integrated Global Environmental Observation and Data Management System, to determine if they efficiently and effectively preserve and store information, control the quality of data, and provide user access to holdings. OIG also will assess operating units' efforts to modernize data systems, operations, and services.

Background:

Government agencies are required to handle rapidly increasing amounts of scientific, statistical, geographic, business, and personal data. The government's emphasis on performance and results creates the need to expedite access to and use of this data. Moreover, protecting data from damage or loss poses significant maintenance and storage challenges that require modern systems and operations.

The missions of Commerce operating units present a wide variety of data management needs including collecting large amounts of weather information to support weather prediction and climate research; administering the growing patent and trademark database; and processing massive quantities of confidential resident data gathered by the decennial and other censuses and surveys.

The patent and trademark database administered by USPTO is an example of the significant maintenance and storage challenges that Commerce bureaus face as they manage huge quantities of data. Government agencies are required to handle increasing amounts of scientific, statistical, geographic, business, and personal data.
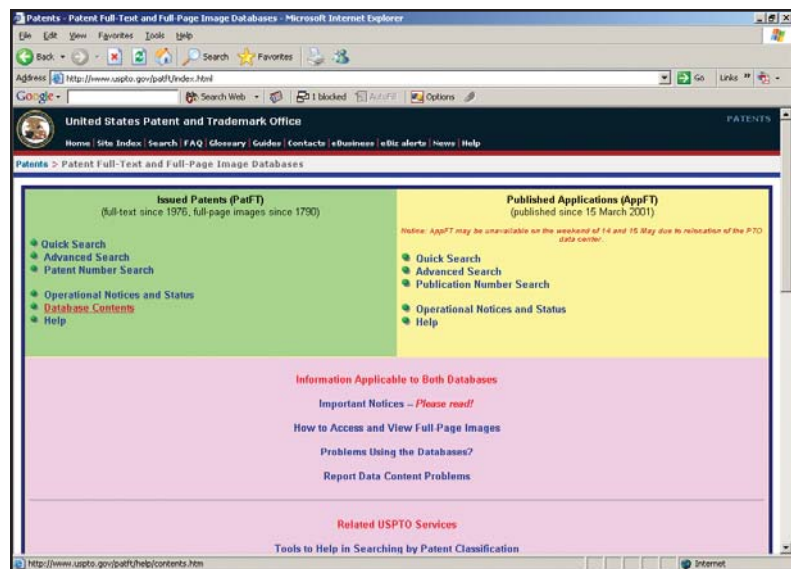
Source: www.uspto.gov/patft/.

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BUREAU OF
NAVIGATION

Interagency OIG Initiatives: Fostering Government-Wide Improvements

In recent years, Congress has been pressing for government-wide examinations of some matters the legislature deems critical to the nation. In addition, the President's Council on Integrity and Efficiency, the interagency group of inspectors general from cabinet-level departments and major agencies, often discovers that issues that affect multiple federal agencies are ripe for review. Thus, OIG at the Department of Commerce frequently gets involved in multi-OIG projects.

Potential multi-OIG projects may include examining agencies' use of interagency and other special agreements to carry out missions. This is an area we found to be problematic for a number of Commerce operating units in the late 1990s.

We also intend to examine Commerce's progress in implementing e-government initiatives and assess security measures used to maintain personal privacy and protect government assets.
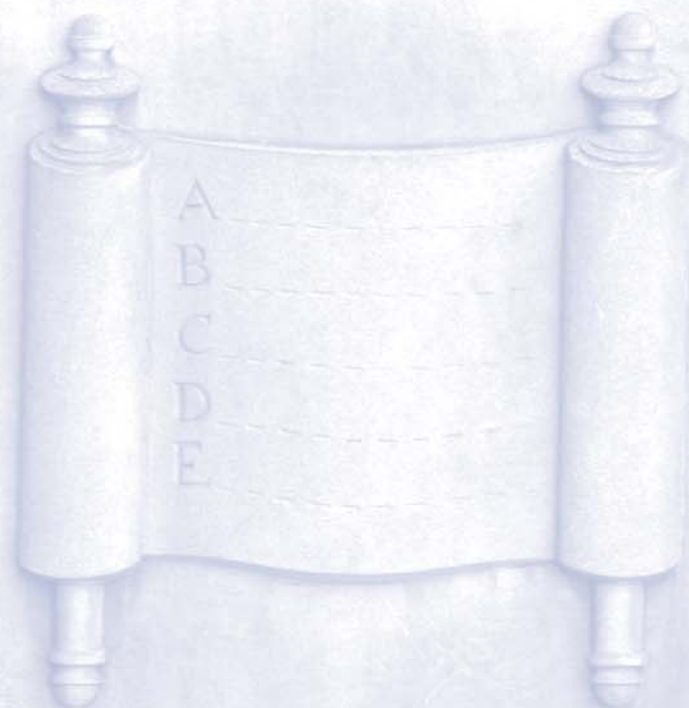
Government-Wide and Crosscutting Projects Involving Multiple Offices of Inspector General

Objective:

To perform work on government-wide and crosscutting issues best addressed by review teams made up of representatives from multiple OIGs.

Current and potential multi-OIG projects include:

■ A series of reviews to assess the adequacy and effectiveness of export controls and counterintelligence measures in preventing the acquisition of sensitive U.S. technology and technical information by countries or entities of concern. These are being conducted by six OIGs pursuant to the National Defense Authorization Act for fiscal year 2000, which mandated annual reporting on this subject until 2007.

■ An examination of agencies' use of interagency and other special agreements to carry out missions—an area noted as problematic for Commerce operating units in a series of reviews conducted in the late 1990s.

■ An assessment of the adequacy of emergency preparedness and physical security of government facilities and personnel.

Background:

Although some crosscutting issues have agency-specific characteristics that make review by one agency's OIG most suitable, in some instances a broader perspective through joint reviews by two or more OIGs is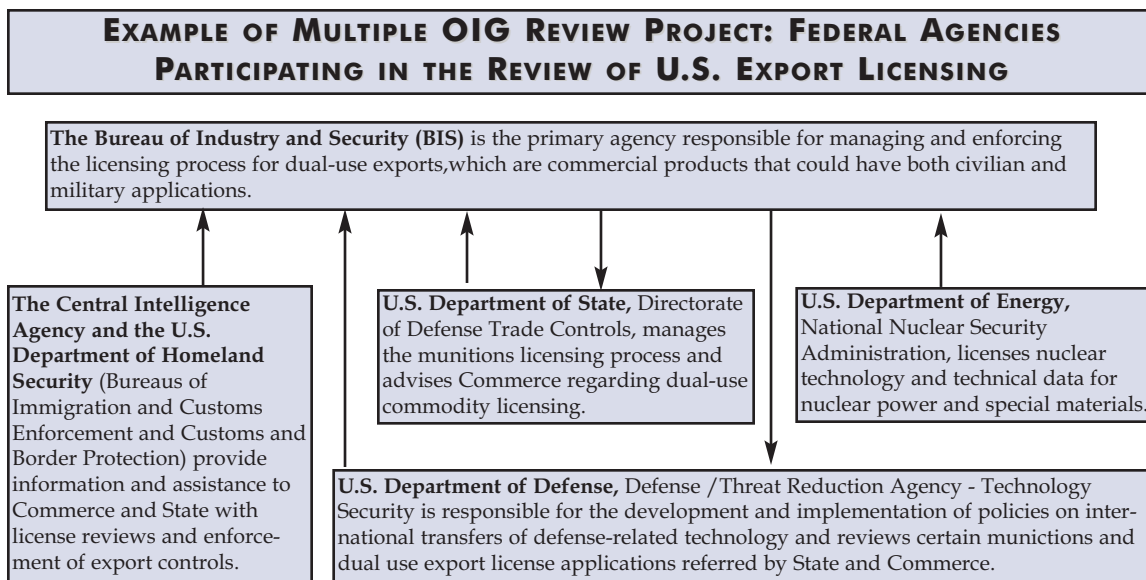 more appropriate. On occasion, congressional committees seeking a government-wide examination of critical matters involving multiple agencies request these broader reviews. At other times, they grow out of discussions by the President's Council on Integrity and Efficiency, the interagency group composed of IGs from larger federal agencies.

EXAMPLE OF MULTIPLE OIG REVIEW PROJECT: FEDERAL AGENCIES PARTICIPATING IN THE REVIEW OF U.S. EXPORT LICENSING

The Bureau of Industry and Security (BIS) is the primary agency responsible for managing and enforcing the licensing process for dual-use exports, which are commercial products that could have both civilian and military applications.

The Central Intelligence Agency and the U.S. Department of Homeland Security (Bureaus of Immigration and Customs Enforcement and Customs and Border Protection) provide information and assistance to Commerce and State with license reviews and enforcement of export controls.

U.S. Department of State, Directorate of Defense Trade Controls, manages the munitions licensing process and advises Commerce regarding dual-use commodity licensing.

U.S. Department of Energy, National Nuclear Security Administration, licenses nuclear technology and technical data for nuclear power and special materials.

U.S. Department of Defense, Defense /Threat Reduction Agency - Technology Security is responsible for the development and implementation of policies on international transfers of defense-related technology and reviews certain munitions and dual use export license applications referred by State and Commerce.

Electronic-Government Initiatives

Objective:

To determine the Department's progress in implementing electronic government (e-gov) initiatives and assess security measures used to maintain personal privacy and protect government assets in e-gov transactions.

OIG may examine how well the Department and selected agencies are integrating their online processing with government-wide e-gov initiatives, such as the Integrated Acquisition Environment, and addressing the technical challenges of e-gov implementation in areas such as electronic authentication (systems that remotely ensure users of a network are who they claim to be), access for persons with disabilities, and privacy. OIG may also examine Commerce's efforts to identify investments and possible savings and benefits within the lines of business being promoted by OMB.

Background:

E-gov is a government-wide initiative for using Internet technology to make it easier for citizens and businesses to interact with the government, save taxpayer dollars, and streamline citizen-to-government communications. Commerce actively uses the Internet, providing information to the public and the ability to perform transactions online. Citizens can apply for fishing permits, export licenses, grants, patents, and trademarks, and complete survey forms, as well as perform many other online business activities. Commerce participates in 15 of the 24 government-wide e-gov initiatives.
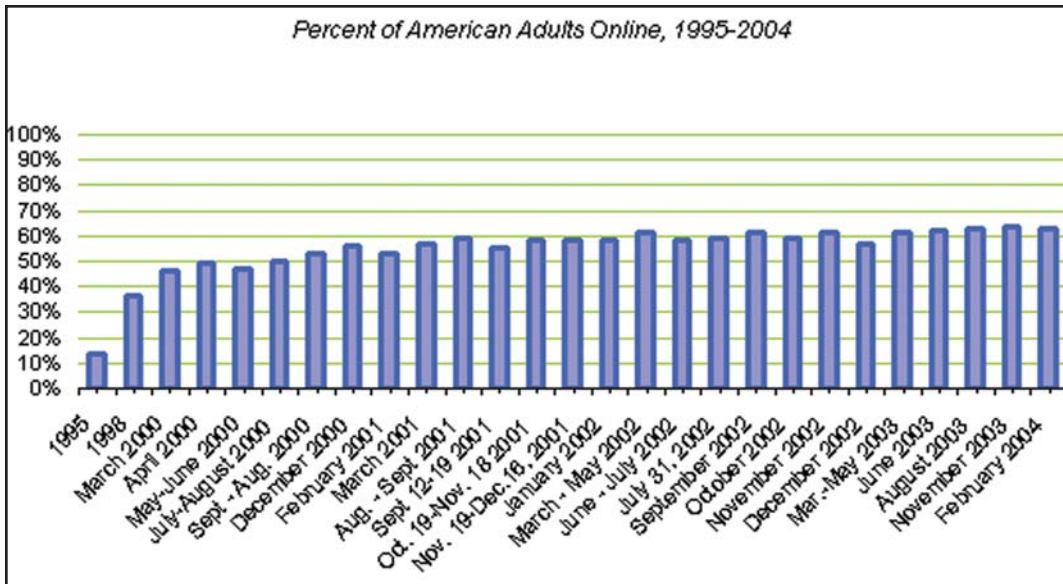
Source: www.pewinternet.org/trends/InternetAdoption.jpg.

Over a 10-year period, the percentage of American adults online has increased from about 10 percent to 60 percent. Of the 128 million Internet users, 66 percent visit government web sites.

Special OIG Focus: Emerging Issues, Investigations, and Follow-up on Major Recommendations

Ensuring appropriate coverage of the Department's programs and operations requires a great deal of thoughtful, organized planning, and the OIG work plan is designed to be an informative guide to the work to be done. But the very nature of the work we do means that much of it is impossible to schedule. Often allegations of fraud, waste, abuse, mismanagement or other misconduct requires us to begin an investigation that could not have been foreseen.

By the same token, OIG must ensure that the Department implements action to resolve problems we have identified in prior work. Therefore, we dedicate some effort each year to determining the status of our most critical findings and recommendations, as required by Department Administrative Order 213-5, Audit Resolution and Follow-up.

U.S. Department of Commerce
Office of Inspector General

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Emerging Issues, Investigations, and Follow-up on Major Recommendations

The Department of Commerce is composed of 13 very diverse bureaus, with more than 35,000 employees spread out in locations all over the globe. The Office of Inspector General, by contrast, has only about 120 employees located in three regional offices and the Washington, D.C., headquarters. Clearly, ensuring appropriate coverage of the Department's programs and operations requires a great deal of thoughtful, organized planning.

Despite our extensive planning, the fact is, much of our work derives from circumstances we cannot schedule ahead of time. Experience has long shown us we cannot predict, for example, when allegations of fraud, waste, abuse, mismanagement, or other misconduct from employees, contractors, or the OIG Hotline will require us to launch an investigation. There is no way to know when information relating to a specific instance of theft and/or abuse of government property, travel fraud, conflict of interest, illegal kickbacks, improper contracting and procurement, or grant fraud will arrive in our office. In addition, high profile issues requiring immediate attention often emerge quickly and unexpectedly, and changing budget priorities also inherently affect our work flow and resources.

Our work plan serves as a roadmap to guide the efforts of the professionals who fulfill the mission of OIG and improve government. Moreover, we focus our follow-up reviews on the most critical issues facing Commerce and its operating units as things stand now. But we recognize that our work plan is a starting point, not an ending. If Congress should make an inquiry or issue a request, OIG must respond in timely fashion. Likewise, if an allegation leads to an in depth, long-term investigation, review plans may have to change or be abandoned in the short term to be revisited later.

Ultimately, the tangible value of our work is realized in the actions the Department takes to implement our recommendations, in the recovery of abused or misused funds, and in the improvement of programs that did not work well prior to OIG's initiation of an inspection or evaluation. Our work impacts the lives of millions of Americans, whether the average person realizes it or not. And so, we continue to plan specific tasks while recognizing that the reality of the world is such that sometimes a plan must briefly stand idle while immediate concerns are addressed.

Appendixes

Appendix A

Types of OIG Reviews

The various kinds of audits, evaluations, inspections, and investigations at our disposal enable the IG's office to assess Commerce programs and operations from a range of perspectives. Thus we are able to provide program managers with reviews and recommendations that are either narrowly focused or comprehensive, as needed, to aid them in ensuring the most efficient and effective use of taxpayer dollars.

AUDITS

Performance Audits address the efficiency, effectiveness, and economy of the Department's programs, activities, and information technology systems. They may check a unit's compliance with laws and regulations, and evaluate its success in achieving program objectives. They may also involve reviewing the Department's financial assistance awards by assessing an award recipient's compliance with laws, regulations, and award terms; allowance of costs; and the degree to which projects achieved intended results.

Financial Audits determine whether (1) a reporting entity's financial statements are presented fairly and in accordance with generally accepted accounting principles; (2) the entity has an internal control structure that provides reasonable assurance of achieving the control objectives set forth by OMB; and (3) the entity complied with laws and regulations that could have a direct and material effect on the financial statements, the Federal Financial Management Improvement Act, and other laws and regulations.

Attestation Engagements involve examining, reviewing, or performing agreed-upon procedures on a subject matter or an assertion about a subject matter and reporting the results. Attestation engagements can have a broad range of financial or nonfinancial focuses, such as an entity's compliance with laws and regulations; management's discussion and analysis presentations; and allowability and reasonableness of final grant and contract costs.

INSPECTIONS

Inspections are reviews of an activity, unit, or office, or a contractor or other nonfederal entity that receives funds from the Department. They focus on an organization, not a whole program, and are often designed to give agency managers timely and useful information about operations, including current and foreseeable problems.

EVALUATIONS

Program Evaluations are in-depth reviews of specific management issues, policies, or programs.

Systems Evaluations review system development, acquisitions, operations, and policy, focusing on computer systems and other technologies.

INVESTIGATIONS

Investigations are conducted based on alleged or suspected wrongdoing by Department employees, contractors, recipients of financial assistance, and others responsible for handling federal resources. Investigations that expose violations of Department rules and regulations or acts of fraud committed against the U.S. government can result in administrative sanctions and/or criminal or civil prosecution.

APPENDIX B:

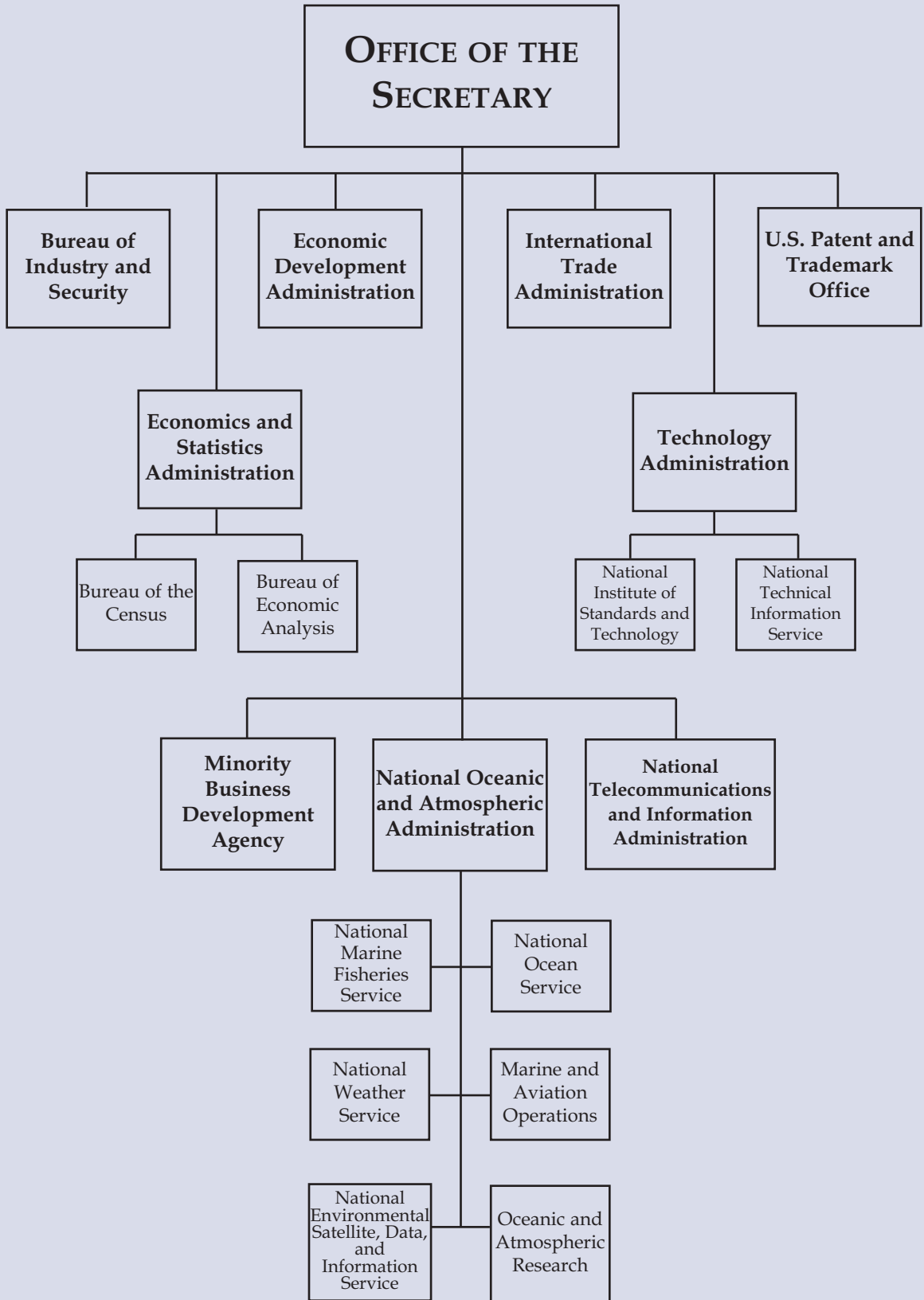## U.S. Department of Commerce Management Challenges

The Office of Inspector General, in assessing its work at the close of each semiannual period, develops the Top 10 Management Challenges the Department faces. Each challenge meets one or more of the following criteria: (1) it is important to the Department's mission or the nation's well-being, (2) it is complex, (3) it involves sizable expenditures, or (4) it requires significant management improvements. Because of the diverse nature of Commerce activities, many of these criteria cut across bureau and program lines. We believe that by addressing these challenges the Department can enhance program efficiency and effectiveness; eliminate serious operational problems; decrease fraud, waste, and abuse; and achieve substantial savings.

Top 10 Management Challenges

(as reported in the September 2004 *Semiannual Report to Congress*)

1. Strengthen Department-wide information security.

2. Effectively manage departmental and bureau acquisition processes.

3   Successfully operate USPTO as a performance-based organization.

4. Control the cost and improve the accuracy of Census 2010.

5. Increase the effectiveness of marine resource management.

6. Promote fair competition in international trade.

7. Enhance export controls for dual-use commodities.

8. Enhance emergency preparedness, safety, and security of Commerce facilities and personnel.

9. Strengthen financial management controls and systems.

10. Continue to improve the Department's strategic planning and performance.

Appendix C: U.S. Department of Commerce Organization Chart

OFFICE OF THE SECRETARY

- **Bureau of Industry and Security**
- **Economic Development Administration**
- **International Trade Administration**
- **U.S. Patent and Trademark Office**

Economics and Statistics Administration
- Bureau of the Census
- Bureau of Economic Analysis

Technology Administration
- National Institute of Standards and Technology
- National Technical Information Service

Minority Business Development Agency

National Oceanic and Atmospheric Administration
- National Marine Fisheries Service
- National Ocean Service
- National Weather Service
- Marine and Aviation Operations
- National Environmental Satellite, Data, and Information Service
- Oceanic and Atmospheric Research

National Telecommunications and Information Administration

APPENDIX D:

Office of Inspector General Organization Chart

Inspector General

Office of Compliance & Administration

Office of Counsel

Deputy Inspector General

Office of Inspections and Program Evaluations

Office of Systems Evaluation

Office of Audits

Office of Investigations

Business & Science Division

Financial Statements & Accountability Audits

Regional Audits

Investigative Services

Investigative Field Offices

Investigative Resident Offices

APPENDIX E:

Office of Inspector General
Contact Phone Numbers

INSPECTOR GENERAL   (202) 482-4661

LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS   (202) 482-2187

OFFICE OF AUDITS   (202) 482-1934

OFFICE OF COMPLIANCE AND ADMINISTRATION   (202) 482-2637

OFFICE OF COUNSEL   (202) 482-5992

OFFICE OF INSPECTIONS AND PROGRAM EVALUATIONS   (202) 482-2754

OFFICE OF SYSTEMS EVALUATION   (202) 482-6186

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