

APPENDIX E

Major Program Evaluations Completed During FY 2008

OIG Audit of Department of Justice Key Indicators

This review examined DOJ's Strategic Plan for FY 2003-2008. That plan included four strategic goals, which are broken into specific long-term outcome goals that state what DOJ hopes to achieve in the future. The outcome goals represent the activities that are considered DOJ's highest priorities. Key indicators are used to measure annual progress toward achieving these outcome goals. The OIG conducted this audit at the request of the Department to determine whether DOJ's data collection, storage and validations processes, and data limitations reported for its key indicators were complete and accurate.

OIG's final report contained recommendations to improve the: 1) data collection and storage processes, 2) data validation and verification processes, and 3) data limitation disclosures for the DOJ's key indicators. The Department has closed each of these recommendations by first issuing a formal policy requiring components to provide supporting documentation and guidelines for submitting them. Second, components provided more specific data validation and verification processes and lastly, revised data limitation disclosures have all been included in the Department's PAR.

GAO Report on Variation in Asylum Outcomes

Immigration judges within the Department's Executive Office for Immigration Review (EOIR) decide whether to grant or deny asylum to aliens in removal proceedings. Those denied asylum may appeal their case to EOIR's Board of Immigration Appeals (BIA). The GAO was asked to assess the variability of immigration judge rulings, and the effects of policy changes related to appeals and claims. The GAO report addresses: (1) factors affecting variability in asylum outcomes; (2) EOIR actions to assist applicants and immigration judges; (3) effects associated with procedural changes at the BIA; and (4) effects of the requirement that asylum seekers apply within one year of entering the country. GAO analyzed DOJ asylum data for fiscal years 1995 through mid-2007; visited five immigration courts in three cities, including those with three of the four top asylum caseloads; observed asylum hearings; and interviewed key officials.

GAO recommends that EOIR use GAO's findings and examine cost-effective options for obtaining statistical information on asylum decisions to help it identify immigration judges with training and supervision needs; and assess resources and guidance needed to supervise immigration judges. The Department and EOIR agreed with GAO's recommendations.

OIG Audit on the U.S. Trustee Program's Oversight of Chapter 7 Panel Trustees and Debtors

The objectives of the OIG audit were to determine if the U.S. Trustee Program (USTP) is providing adequate monitoring and oversight of Chapter 7 panel trustees and to assess the USTP's compliance with the requirements of the Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA) with regard to the implementation of the means test and debtor audits.

The OIG concluded that the USTP's system of audits and reviews was adequate to monitor the effectiveness of panel trustee operations and that in the areas of means testing and debtor audits, the USTP had met its obligations under the requirements of BAPCPA.

The OIG made four recommendations: (1) ensure that CPA audits or U.S. Trustee field examinations are conducted every four years; (2) regional U.S. Trustees should complete annual trustee interim report reviews

for all panel trustees unless a CPA audit or U.S. Trustee field examination has been conducted within the same year; (3) USTP should continue to work with the Administrative Office of the U.S. Courts to require mandatory use of automated bankruptcy forms; and, (4) USTP should formulate a strategic plan to meet means testing requirements in the event that filings increase and resources remain static.

The USTP developed an action plan to address each of the recommendations made by the OIG, including the development and implementation of streamlining procedures that have allowed the USTP to achieve a reduction in the amount of time devoted to case review.

OIG Audit of the Management of OJP's Grant Program for Trafficking Victims

The OIG conducted an audit of the Management of OJP's Grant Program for Trafficking Victims. The objectives of the audit were to: (1) assess the adequacy of OJP's design and management of the grant program; (2) evaluate the extent to which grantees have administered the grants in accordance with applicable laws, regulations, guidelines, and terms and conditions of the grant awards; and (3) assess the effectiveness of the grant program for trafficking victims.

The report contains 15 recommendations and no questioned costs directed to the OJP. In brief, the OIG found that:

- OVC's service provider agreements have built significant capacities to service victims, but have not resulted in significant numbers of trafficking victims being identified and receiving assistance. Moreover, BJA's task force grants have not resulted in long-term increases in the number of trafficking victims being assisted by the OVC service providers.
- the number of victims reported as benefiting from the service providers and identified by the task forces was overstated.
- the process used to award the service provider agreements resulted in a wide variance in the amount of funds awarded compared to the number of victims each grantee anticipated would be identified and served.
- BJA did not ensure that task force grantees established baselines to measure whether the task forces were effectively increasing the number of "trafficking victim saves" each year and task forces actually met the "trafficking victim saves" performance measure.
- the individual audits of the OVC service provider agreements and BJA task force grant found that they did not comply with the essential grant requirements in 9 of the 10 areas tested, i.e., reporting; fund drawdowns; local match; expenditures; indirect costs; monitoring of subrecipients; and goals and accomplishments.
- OVC and BJA need to improve monitoring of the OVC service providers and BJA task forces to ensure that performance data reported is accurate, service providers and task forces are meeting the performance goals, and service providers can show the amount of grant funds that are used to directly assist victims of human trafficking.

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Controls Over Weapons, Laptop Computers, and Other Sensitive Property

In 2001, in order to address concerns about the Department's accountability for such property, the Attorney General requested that OIG conduct audits of the controls over weapons and laptop computers throughout the Department. During fiscal year (FY) 2002, the OIG performed a series of audits that examined controls over

weapons and laptop computers at the FBI, DEA, and the United States Marshals Service. At that time, ATF was an agency under the Department of the Treasury. The Treasury OIG conducted an audit of ATF's controls over firearms, laptop computers, ammunition, and explosives. The September 2008 report is one of a series of follow-up audits that the OIG conducted to examine DOJ component controls over weapons and laptop computers. The OIG audit report refers to the results of the Treasury OIG audit of FY 2002. Audits for the other DOJ components did not include reviews of ammunition and explosives. The DOJ OIG did however include ammunition and explosives as part of the ATF audit, because the Treasury OIG audit report in 2002 identified weaknesses in these areas. The DOJ OIG audit covered the 59-month period from October 1, 2002 through August 31, 2007.

The objectives of the DOJ OIG audit were to assess the following: (1) the adequacy of ATF's actions taken in response to weapons, laptop computers, ammunition, and explosives identified as lost, stolen, or missing; and (2) the effectiveness of ATF's internal controls over weapons, laptop computers, ammunition and explosives. The OIG interviewed various ATF officials, reviewed documents and tested controls at ATF Headquarters offices, field divisions and three training facilities. The audit examined ATF's actions in response to lost, stolen, or missing weapons, laptop computers, ammunition, and explosives, and whether ATF followed current DOJ procedures after weapons or laptop computers were lost, stolen, or missing. The OIG queried the National Crime Information Center to identify lost, stolen, or missing ATF weapons and laptop computers that were recovered or weapons used in the commission of a crime. The OIG also examined whether national security or investigative information may have been contained on ATF lost laptop computers. In addition, the OIG reviewed ATF's internal controls over accountable property, its exit procedures for departing employees, and its disposal of property. The review included a physical verification of a sample of weapons and laptop computers. The OIG also tested the accuracy and completeness of the property records, and reviewed controls over ammunition and explosives to determine whether ATF stores and properly accounts for this property. The OIG reported that 76 weapons and 418 laptop computers were lost, stolen or missing from ATF. The OIG made 14 recommendations to ATF. ATF agreed with ten recommendations, partially agreed with three recommendations, and disagreed with one recommendation. In the instances where ATF disagreed or partially agreed, ATF outlined the policies and procedures that currently exist that address the concerns raised by the OIG. ATF addressed the specific actions ATF will take to increase awareness of those policies and procedures, and to ensure that employees comply with those policies and procedures. With respect to the recommendations that ATF agreed with, ATF outlined the actions it will take to close the recommendation. A status update is due to the OIG in December 2008.

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