

U.S. Department of Justice

FY 2010 PERFORMANCE BUDGET
Congressional Submission

Office of the Inspector General



Table of Contents

	Page No.
I. Overview.....	1
II Summary of Program Changes	3
III. Appropriations Language and Analysis of Appropriations Language	4
IV. Decision Unit Justification	
A. Audits, Inspections, Investigations, and Reviews.....	5
1. Program Description	
2. Performance Measures	
3. Performance and Resources Tables	
4. Performance, Resources, and Strategies	
V. Program Increases by Item	
A. Counterterrorism Oversight	32
B. Enhanced Auditing and Oversight	35
VI. Exhibits	
A. Organizational Chart	
B. Summary of Requirements	
C. Program Increases by Decision Unit	
D. Resources by DOJ Strategic Goal/Objective	
E. Justification for Base Adjustments	
F. Crosswalk of 2008 Availability	
G. Crosswalk of 2009 Availability	
H. Summary of Reimbursable Resources	
I. Detail of Permanent Positions by Category	
J. Financial Analysis of Program Increases/Offsets	
K. Summary of Requirements by Grade	
L. Summary of Requirements by Object Class	
M. Status of Congressionally Requested Studies, Reports, and Evaluations	
N. Additional Required Information for OIG Budget Submissions	

I. Overview for Office of the Inspector General

The Office of the Inspector General (OIG) was statutorily established in the Department of Justice (Department) on April 14, 1989. The OIG investigates allegations of fraud, waste, abuse, and misconduct by Department employees, contractors, and grantees and promotes economy and efficiency in Department operations. The OIG is an independent entity within the Department that reports to both the Attorney General and Congress on issues that affect the Department's personnel or operations.

The OIG has jurisdiction over all complaints of misconduct against Department employees in the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Federal Bureau of Prisons (BOP), U.S. Marshals Service (USMS), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Attorneys' Offices (USAO), Office of Justice Programs (OJP), and other Offices, Boards and Divisions. The OIG investigates alleged violations of criminal and civil law, regulations, and ethical standards arising from the conduct of Department employees in their numerous and diverse activities. The OIG also audits and inspects Department programs and assists management in promoting integrity, economy, efficiency, and efficacy.

In fiscal year (FY) 2010, the Department's top priority will continue to be countering the threat of terrorism and strengthening national security. The Department is requesting more than \$8 billion in FY 2010 towards protecting the American people from terrorist acts. In addition to the significant grant monies the Department receives through the annual appropriations process, the Department was recently provided \$4 billion in supplemental grant funding under the *American Recovery and Reinvestment Act of 2009* (Recovery Act) to enhance state, local, and tribal law enforcement efforts. The Department also estimates that it will request more than \$3 billion for information technology (IT) annually. The OIG, through its audits, inspections, investigations, and reviews, will help assure Congress and the taxpayers that the substantial funding provided to support these Department priorities and infrastructure investments are used efficiently, effectively, and for their intended purposes.

The OIG is committed to assisting the Attorney General and Congress in overseeing the use of counterterrorism resources, improving grant management and accountability, strengthening the Department's internal financial systems, ensuring the efficacy and security of computer systems, and promoting public confidence in the integrity of the Department's programs and employees. The OIG's request for FY 2010 totals \$84.368 million, 495 positions, and 474 direct workyears. This request represents an adjustment-to-base increase of \$2.687 million; a program enhancement for 27 positions, 27 workyears, and \$4.0 million for enhanced oversight of the Department's counterterrorism programs; and a program enhancement for 18 positions, 9 workyears, and \$2.0 million for enhanced oversight of the Department's administration of state and local grant programs, as well as other funds provided to the Department.

The OIG helps the Department pursue its strategic goals and objectives through its audits, investigations, inspections, and program reviews. The OIG has two general goals that support the Department's strategic goals: "detect and deter misconduct in programs and operations within or financed by the Department," and "promote the efficiency and effectiveness of Department programs and operations." To meet the first goal, the OIG targets investigative resources on allegations of fraud, bribery, civil rights violations, theft, sexual crimes, and official

misconduct against Department employees or others who conduct business with the Department. To meet the second goal, the OIG aims resources on reviews of Department programs to promote the economy, efficiency, and efficacy of those programs.

Like other organizations, the OIG must confront a variety of internal and external challenges that affect its work and impede progress towards achievement of its goals. These include the decisions Department employees make while carrying out their numerous and diverse duties, which affects the number of allegations the OIG receives, Department support for the OIG's mission, and financial support from the Office of Management and Budget (OMB) and Congress.

The OIG's biggest internal challenge in FY 2010 will be in the area of human capital. In this regard, the OIG must use all available recruitment tools and hiring flexibilities in a competitive job market to attract highly qualified candidates into its ranks, while ensuring that these new employees have the appropriate analytical and technological skills for the OIG's complex mission.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case Exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.usdoj.gov/jmd/2010justification/>.

II. Summary of Program Changes

Office of the Inspector General (\$ in thousands)					
Item Name	Description	Pos.	FTE	Dollars	Page
Counterterrorism Oversight	The OIG is requesting 10 program analysts, 7 operations research analysts, 6 auditors, and 4 attorneys for Counterterrorism Oversight.	27	27	\$4,000	32
Enhanced Auditing and Oversight	The OIG is requesting 7 program analysts, 7 auditors, and 4 criminal investigators for enhanced oversight of the Department's administration of grant programs, as well as other funds provided to the Department.	18	9	\$2,000	35
	Total	45	36	\$6,000	

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

**OFFICE OF THE INSPECTOR GENERAL
Salaries and Expenses**

For necessary expenses of the Office of the Inspector General, [\$75,681,000] \$84,368,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

Analysis of Appropriations Language

No substantive changes proposed.

IV. Decision Unit Justification

A. Audits, Inspections, Investigations, and Reviews

The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews.

OIG	Perm. Pos.	FTE	Amount
2008 Enacted	434	445	70,603,000
2008 Supplemental	...	...	4,000,000
2008 Enacted with Supplementals	434	445	74,603,000
2009 Enacted	450	453	75,681,000
Adjustments to Base and Technical Adjustments	...	8	2,687,000
2010 Current Services	450	461	78,368,000
2010 Program Increases	45	36	6,000,000
2010 Request	495	497	84,368,000
Total Change 2009-2010	45	36	8,687,000

Note: The FTEs above include reimbursables.

1. Program Description

The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews.

OIG-Information Technology (IT) Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2008 Enacted	11	11	\$4,807,000
2008 Supplemental	...	...	...
2008 Enacted with Supplementals	11	11	\$4,807,000
2009 Enacted	11	11	\$4,921,000
Adjustments to Base and Technical Adjustments	...	...	...
2010 Current Services	11	11	\$5,057,000
2010 Program Increases	...	...	...
2010 Request	11	11	\$5,057,000
Total Change 2009-2010	...	...	\$136,000

The OIG has no IT investment request for FY 2010.

2. Performance Measures

Because of the nature of its work, the OIG provides both qualitative (narrative) and quantitative performance information to better enable the Department, Congress, and the public to assess the value of the work it performs.

The OIG does not set targets for certain law enforcement activities since those measures could be construed as “bounty hunting.” Instead, the OIG reports historical results for these measures.

In addition, consistent with previous budget submissions, the performance indicators cover all of the OIG’s programs, whether funded from direct appropriations or reimbursements.

Examples of Recent OIG Reviews

The Department’s Removal of Nine U.S. Attorneys in 2006

The OIG and the Department’s Office of Professional Responsibility (OPR) jointly investigated the Department’s removal of nine U.S. Attorneys in 2006. Our investigation concluded that the process Department officials used to identify the U.S. Attorneys for removal was fundamentally flawed. We found that partisan political considerations played a part in the removal of several of the U.S. Attorneys, and that Department officials made misleading statements to Congress and the public about the reasons for the removals. We recommended that a counsel specially appointed by the Attorney General conduct further investigation and ultimately determine whether the evidence demonstrates that any criminal offense was committed with regard to the removal of any U.S. Attorney or with regard to the testimony of any witness related to the U.S. Attorneys’ removals. In response to our report, Attorney General Mukasey selected a career prosecutor to conduct further investigation into the removals.

Politicized Hiring and Other Improper Personnel Actions by Bradley Schlozman

The OIG and OPR jointly investigated allegations that Bradley Schlozman, former Deputy Assistant Attorney General (AAG) and Acting AAG for the Civil Rights Division, hired lawyers for career positions and made personnel decisions based on attorneys’ political or ideological affiliations. Our investigation concluded that Schlozman, first as a Deputy AAG and subsequently as Principal Deputy AAG and Acting AAG of the Civil Rights Division, violated federal law (the *Civil Service Reform Act*) and Department policy, both of which prohibit discrimination in federal employment based on political or ideological affiliations, and committed misconduct. Moreover, our report determined that Schlozman made false statements about whether he had considered political and ideological affiliations when he testified before the Senate Judiciary Committee on June 5, 2007, and in his written responses to supplemental questions from the Committee. We also found that senior managers in the Civil Rights Division failed to exercise sufficient oversight to ensure that Schlozman did not engage in inappropriate hiring and personnel practices.

In March 2008, we referred the results of our investigation to the Department for consideration of prosecution of Schlozman for false statements. The Department assigned the matter to the USAO for the District of Columbia, and on January 9, 2009, the USAO declined prosecution.

Politicized Hiring by Monica Goodling and Other Staff in the Office of the Attorney General

In July 2008, the OIG and OPR released a report on their joint investigation into allegations of politicized hiring at the Department by Monica Goodling and other staff in the Office of the Attorney General. This investigation found that Goodling, former Chief of Staff to the Attorney General Kyle Sampson, and other staff improperly considered political or ideological affiliations in screening candidates for certain career positions at the Department, in violation of federal law and Department policy. In addition, the investigation found that Goodling and two other Department employees provided inaccurate information in response to inquiries about Department hiring practices.

Our investigation found that Goodling often used political or ideological affiliations to select or reject career attorney candidates for temporary details to Department offices, which sometimes resulted in high-quality candidates for important details being rejected in favor of less-qualified candidates. For example, Goodling rejected an experienced career terrorism prosecutor for a detail to the Executive Office for U.S. Attorneys (EOUSA) to work on counterterrorism issues because the candidate's wife was active in the local Democratic Party. Instead, EOUSA had to select a more junior attorney who lacked any experience in counterterrorism issues and who EOUSA officials believed was not qualified for the position.

The most systematic use of improper political or ideological affiliations in screening candidates for career positions occurred in the selection of immigration judges, who work in the Department's Executive Office for Immigration Review (EOIR). In the fall of 2003 and the spring of 2004, Sampson created and implemented a new process for selecting immigration judges which ensured that all candidates for these positions were selected by staff in the Office of the Attorney General rather than by EOIR officials, which had been the usual practice up until that time. Sampson said he implemented the new process because he believed that immigration judges were not subject to civil service laws based on advice he received from an EOIR official and from the Department's Office of Legal Counsel. However, we did not find evidence to support Sampson's claim that the EOIR official or the Office of Legal Counsel provided such advice to Sampson.

We determined that under the process implemented by Sampson, the principal sources for immigration judge candidates were the White House Offices of Political Affairs and Presidential Personnel. In addition, several candidates were recommended by Republican Members of Congress. We concluded that Goodling screened candidates for immigration judges by using a variety of techniques for determining their political affiliations, including researching the candidates' political contributions and voter registration records, and using an Internet search string containing political terms. This selection process caused significant delays in appointing immigration judges at a time when the immigration courts were experiencing an increased workload and a high vacancy rate.

Politicized Hiring in DOJ's Honors Program and Summer Law Intern Program

In June 2008, the OIG and OPR issued a report on their joint investigation examining allegations of politicized hiring in the Department's Honors Program and Summer Law Intern Program (SLIP). In 2002, the Attorney General created a Screening Committee, generally comprised of politically appointed employees from the Department's leadership offices to approve all Honors Program and SLIP candidates for interviews by the components. We found that the Screening

Committees in 2002 and 2006 improperly deselected candidates for interviews based on political and ideological affiliations. We determined that candidates with Democratic Party and liberal affiliations apparent on their applications were deselected at a significantly higher rate than applicants with Republican Party, conservative, or neutral affiliations. This pattern continued when we compared a subset of academically highly qualified candidates. We found that one of the three members of the 2006 Screening Committee wrote disparaging statements about candidates' liberal and Democratic Party affiliations on the applications she reviewed and that she voted to deselect candidates on that basis. Another committee member, who was a career attorney on detail to the Office of the Deputy Attorney General, did not use improper considerations in his review of candidates for the Honors Program and SLIP. Instead, this member appropriately raised concerns that political or ideological affiliations were being used to the third Committee member, whose was the head of the Committee. However, we concluded that the head of the Screening Committee not only failed to take appropriate action when he was apprised of the issues, but also wrongly deselected candidates based on impermissible considerations. We recommended changes to ensure that political or ideological affiliations are not inappropriately used to evaluate candidates for the Honors Program and SLIP. The Department agreed to implement our recommendations.

Overtime Payments to FBI and Other DOJ Employees Deployed to Iraq and Afghanistan

In December 2008, the OIG issued a report that examined allegations that FBI employees deployed to Iraq received overtime pay in excess of the amounts permitted under federal pay statutes, federal regulations, and FBI policies. We found that although many FBI employees in Iraq worked long hours under difficult circumstances, few if any worked 16 hours a day, every day for 90 days straight within the meaning of the term “work” as defined in applicable regulations and policies. Our report estimated that FBI employees deployed to Iraq received millions of dollars in excess overtime payments that were not allowable under federal pay statutes, federal regulations, and FBI policies.

The OIG also found problems with overtime payments to FBI special agents who already receive “availability pay” – a 25 percent premium above their regular salary – for unscheduled overtime. While FBI special agents in Iraq claimed overtime pay for hours spent “standing by” or “on call” waiting for assignments, federal pay regulations prohibit paying special agents overtime for such duty because they already are receiving availability pay for this purpose. In addition, the OIG found that the FBI violated federal regulations and FBI policy when it shifted the regular work week for employees in Iraq from Monday through Friday to Sunday through Thursday in order to obtain additional Sunday pay for FBI employees. Changing the regular work week schedule enabled FBI employees to claim a 25 percent bonus for 8 hours of regularly scheduled “Sunday work.” Although federal regulations and FBI policy permit employees to switch work weeks under certain circumstances, we found that those circumstances did not exist in Iraq.

Based on a more limited review, the OIG found similar time and attendance practices of FBI employees deployed in Afghanistan, as well as for the small number of ATF, DEA, and USMS employees deployed in Iraq and Afghanistan. Although the FBI issued several guidance documents in 2008 intended to clarify how FBI employees deployed to Iraq and Afghanistan should report their time, we found that this guidance failed to correct some of the improper pay practices.

The OIG report recommended bringing FBI pay practices in Iraq and Afghanistan into compliance with applicable federal regulations. The FBI acknowledged that its employees had received excess overtime payments, and agreed to implement the OIG's recommendations.

Mishandling of Classified Documents by Attorney General Gonzales

In September 2008, the OIG issued a report on its investigation of allegations that former Attorney General Alberto Gonzales mishandled classified documents. We found that Gonzales inappropriately took home notes containing Top Secret/Sensitive Compartmented Information (SCI) about the National Security Agency's (NSA) surveillance program and stored them for an indeterminate period of time in his briefcase at his residence. When he returned the notes to the Department, he kept them and other SCI documents in a safe outside his office rather than in a Sensitive Compartmented Information Facility, as required by Department regulations. Several members of his staff who were not cleared to see these documents had regular access to this safe. We concluded that Attorney General Gonzales's handling of these classified documents violated Department regulations and procedures governing the proper handling of classified material.

The FBI's Efforts to Combat Crimes Against Children

The FBI's efforts to combat crimes against children focus primarily on online child sexual exploitation, child abductions, and non-cyber sexual exploitation. In January 2009, the OIG issued a report that found that the FBI expends significant resources in these areas, employing the equivalent of 326 full-time special agents and initiating 2,891 investigations to address crimes against children in FY 2007. We also found that the FBI coordinates with law enforcement agencies and non-profit organizations throughout the United States and abroad in its efforts to investigate and prevent the exploitation of children. However, we identified several areas that could impede the FBI's efforts to protect children from violent crimes and sexual exploitation.

Our audit found that the FBI's investigation of online crimes against children has been hampered to some extent by the length of time needed for FBI laboratories to conduct forensic analysis of digital evidence. The overall amount of digital evidence analyzed by the FBI increased nearly 2,200 percent between FYs 2001 and 2007. Although the FBI has tried to reduce its backlog of digital evidence, at the time of our audit a significant backlog still existed. To ensure timely processing of digital evidence, we recommended that the FBI establish appropriate deadlines or benchmarks for completing requests.

In addition, the OIG determined that the FBI needs to provide more specialized training to its special agents stationed at overseas posts who work with foreign governments on international parental kidnapping cases. We also found that the investigation of international parental kidnapping has been hampered by the lack of a shared database among the FBI, Department of State, and the National Center for Missing and Exploited Children (NCMEC). To combat the prostitution of children, the FBI participates in the Innocence Lost National Initiative, a cooperative venture with NCMEC and the Child Exploitation and Obscenity Section in the Criminal Division. However, the FBI has not developed a complementary strategy for child sex tourism, which involves adults who travel to foreign countries to exploit children sexually. We recommended that the FBI develop a comprehensive program on child sex tourism similar to the Innocence Lost National Initiative.

In total, the OIG made 13 recommendations for the FBI to enhance its crimes against children programs. The FBI agreed with our recommendations.

The FBI's Use of National Security Letters and Section 215 Authorities

In March 2008, the OIG issued two follow-up reports evaluating the FBI's use of national security letters (NSL) and Section 215 orders for business records. The NSL report found that the FBI and the Department have made significant progress implementing recommendations in the OIG's first report on NSLs issued the previous year and adopting corrective actions to address the serious problems we identified. We also found that the FBI has devoted substantial time, energy, and resources to ensure that its field managers and agents understood the seriousness of the FBI's shortcomings in its use of NSLs and their responsibility for correcting these deficiencies. With respect to the FBI's use of NSLs, we found a continued upward trend, with more than 49,000 NSL requests issued in 2006. On average, approximately one-third of all counterterrorism, counterintelligence, and cyber investigations that were open at any time during 2006 employed NSLs. We also identified NSL-related deficiencies and possible intelligence violations in 2006 similar to the findings in our first report. In our report, we made 17 recommendations to help improve the FBI's use and oversight of NSLs. The FBI agreed with the recommendations and said it would implement additional actions to address our findings.

With respect to the FBI's use of Section 215 authorities, we found that FBI agents encountered similar processing delays for Section 215 applications in 2006 as those identified in our previous report. Our review did not identify any illegal use of Section 215 orders in 2006, but we found two instances where the FBI received more information than it requested. We also reported on a case in which the *Foreign Intelligence Surveillance Act* Court twice refused to authorize a Section 215 order based on concerns that the investigation was premised on protected First Amendment activity. However, the FBI subsequently issued NSLs to obtain information based on the same factual predicate and without further review to ensure the investigation did not violate the subject's First Amendment rights. In addition, we found that the interim minimization procedures adopted in September 2006 to protect the constitutional rights of U.S. persons were inadequate and did not provide enough specific guidance.

The FBI's Sentinel Case Management System

In December 2008, the OIG released its fourth in a series of reports examining the FBI's ongoing development of its Sentinel case management project. The Sentinel program is intended to upgrade the FBI's electronic case management system and provide the FBI with an automated workflow process. In March 2006, the FBI awarded a \$425 million contract to Lockheed Martin to develop Sentinel in four phases, with completion by December 2009.

In our third audit report, issued in August 2007, we reported that Phase 1 of Sentinel was completed generally within budget and that the contractor delivered two key project components: a web-based portal for employees to log onto the FBI's Automated Case Support System (ACS) and personal and squad workboxes that summarize a user's cases and leads and help supervisors manage resources. However, the FBI deferred one major deliverable: data cleansing of some ACS data for eventual migration to Sentinel. In our third report, we recommended that the FBI continue to implement the "lessons learned" from Phase 1 and consider modifying its four-phase approach to allow for more frequent updates to Sentinel. Finally, we noted that even though the FBI had completed Phase 1, the most difficult portions of the Sentinel project lay ahead.

Our fourth audit determined that the FBI was making progress in addressing most of the concerns identified in the three previous OIG audits of the Sentinel project. Based on FBI actions, the OIG closed 16 of the 21 recommendations from its prior reports, and the FBI is in the process of taking action to close the remaining recommendations. We also found that the FBI implemented several management controls and processes designed to help manage the development of Sentinel and bring it to a successful conclusion.

Our most recent audit also focused on the FBI's replanning of Phases 2 through 4. The FBI's new plan divided each of Sentinel's remaining phases into smaller segments in order to provide more frequent delivery of smaller portions of the overall Sentinel system. The plan also proposed a realignment of the capabilities to be delivered in Phases 2 through 4. In addition, the FBI used the replanning effort to update its requirements for Sentinel. As a result of these changes, the FBI's total estimated cost of Sentinel had increased from \$425 million to \$451 million and the completion date for Phase 4 had been extended from December 2009 to June 2010.

Our audit report raised concerns about the FBI's limited planning for streamlining its business processes to coincide with implementation of Sentinel. While Sentinel offers the FBI an opportunity to make processes such as the collection of performance statistics more efficient, we found the FBI had completed minimal planning in this area. In addition, the FBI needs to make several important decisions about the scope and functionality of Sentinel, such as Sentinel's role in automating the FBI's records management process.

In all, we made 10 new recommendations to help the FBI ensure the success of the Sentinel case management system and to better manage project costs. The FBI agreed with all our recommendations.

The FBI's Involvement in and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan, and Iraq

The OIG examined the FBI's involvement in and observations of detainee interrogations in Guantanamo Bay, Afghanistan, and Iraq. In our report issued in May 2008, we concluded that most FBI agents deployed in the military zones separated themselves from interrogators using non-FBI techniques and continued to adhere to FBI policies. We believe that while the FBI could have provided clearer guidance to its agents earlier, and while the FBI could have pressed harder for resolution of concerns about detainee treatment by other agencies, the FBI should be credited for its conduct and professionalism in detainee interrogations in the military zones in Guantanamo Bay, Afghanistan, and Iraq, and in generally avoiding participation in detainee abuse. The report also described concerns raised by FBI agents who were involved in the early interrogations of two high-value detainees, Abu Zubaydah and Muhammad Al-Qahtani, as well as other detainees. While several FBI agents raised concerns to Department of Defense (DOD) and FBI officials about the interrogation tactics, we found no evidence that these concerns influenced DOD interrogation policies.

The Department's Terrorist Watchlist Nomination Processes

The OIG examined the Department's processes for nominating known or suspected terrorists to the consolidated terrorist watchlist. The FBI is the only Department component that formally

nominates individuals to the consolidated terrorist watchlist, and from January 2005 through November 2007 the FBI processed over 8,000 watchlist nominations.

Our March 2008 audit report concluded that while the FBI has developed a formal policy for nominations to the watchlist, no standard nominations policy exists for other Department components that are involved in watchlisting. We also found that FBI case agents did not always update watchlist records when new information became known, and the FBI did not always remove watchlist records when appropriate. Moreover, watchlist nomination submissions from FBI field offices often were incomplete or contained inaccuracies, which caused delays in the nominations process.

The OIG made seven recommendations regarding nominations to the consolidated terrorist watchlist and the sharing of terrorism-related information. The components agreed with the recommendations and agreed to implement corrective actions.

DOJ's Key Indicators

The OIG examined the Department's key indicators that are used to measure annual progress toward achieving the four broad strategic goals contained in the Department's Strategic Plan for FYs 2003-2008. The Department's key indicators cover a broad range of measurements, including the number of terrorist acts committed by foreign nationals against U.S. interests within U.S. borders, the number of priority drug trafficking organizations disrupted and dismantled, the percent reduction in the DNA backlog, and the rate of assaults in federal prisons.

In our March 2008 audit report, we concluded that components reporting on 12 of the 21 key indicators audited had adequate data collection and storage processes, sufficient data validation and verification processes, and complete and accurate disclosure of data limitations. However, we identified deficiencies and issues related to the remaining nine key indicators that could, and in some cases did, result in the inaccurate collection and reporting of data. For example, we found that the Department was not accurately reporting the percent of civil and criminal cases that were favorably resolved because USAOs and the litigating divisions were using different case disposition dates and at times were reporting the same cases, which resulted in double counting. In addition, the Department was not accurately measuring the reduction of homicides per site funded under its Weed and Seed Program because it was using data that included different grantees from year to year and thus were not comparable to draw a conclusion about yearly changes in the crime rate.

In response to our findings, the Department and affected components modified its key indicator numbers for its FY 2007 Performance and Accountability report. The OIG also made 12 recommendations to components and the Justice Management Division to help improve the data collection, storage, validation, and verification processes and data limitation disclosures for the Department's key indicators. The Department and the components agreed with our recommendations.

DOJ's Management of Information Technology Security Vulnerabilities

In December 2008, the OIG released a report examining the security of the Department's information technology systems. The Federal Information Security Management Act of 2002 mandates yearly audits in which agencies are graded on how well they meet federal information security program evaluation and reporting requirements. In May 2008, the Department received

an A⁺ from the House Committee on Oversight and Government Reform for its efforts to successfully document required information technology security processes. However, the grade did not assess whether the Department has actually implemented these processes, nor did it assess the actual security of the Department's information technology systems.

The OIG's audit found that while the Department has implemented sound processes and procedures for identifying information technology vulnerabilities, it has not fully implemented procedures to remedy the vulnerabilities. Specifically, we noted that the Department lacks effective methodologies for tracking the remediation of identified information technology vulnerabilities, applying Department-wide remedies for known vulnerabilities, and ensuring that monthly system scans include the Department's entire information technology environment. These vulnerabilities increase the risk of unauthorized users gaining access to the Department's information technology systems and potentially compromising sensitive Department information.

The OIG made four recommendations to assist the Department in its efforts to address information technology vulnerabilities, and the Department agreed with our recommendations.

DOJ's Victim Notification System

In January 2008, the OIG issued an audit report of the Department's Victim Notification System (VNS), an automated system managed by the Executive Office for U.S. Attorneys (EOUSA) that notifies federal crime victims regarding developments in their cases, including information about the status of the investigation, prosecution, trial, and incarceration of the offender related to the crime. Victims in the VNS are notified by letter, e-mail, facsimile, or telephone when a particular event in a case occurs, such as a scheduled court date or the release of a prisoner. As of October 5, 2007, the VNS contained information on more than 1.5 million registered victims.

As part of this review, the OIG conducted surveys of active and inactive crime victims in the VNS and found that overall survey respondents generally were satisfied with VNS services. Our survey found that victims generally believed the VNS notifications were understandable and useful, obtained the information they wanted from the VNS Call Center, and were able to easily navigate the VNS website.

However, the surveys also identified areas in which improvements could be made. A quarter of survey respondents indicated that they had not heard of the VNS prior to receiving the OIG's survey, had never received a notification from the VNS, or were not aware that they were registered as crime victims in the VNS. In addition, while the OIG surveys revealed that more than 70 percent of respondents considered the custody status of offenders involved in their cases to be an important piece of information, this information is not consistently entered into the VNS. In addition, 56 percent of victims responding to the survey indicated that they were dissatisfied with the amount of information available to them through the VNS regarding restitution.

Moreover, we found few internal controls in place to ensure the accuracy and completeness of data in the VNS. Our review also identified deficiencies in the security of VNS information, most notably that the sensitive crime victim information contained within the VNS was not adequately protected against loss of confidentiality and that the integrity and availability of data was not appropriately ensured.

The OIG made 19 recommendations to help improve EOUSA's management of the VNS, such as developing an interface to connect all relevant federal agencies to the VNS, formalizing long-term plans for the system and its management, improving certain facets of Call Center services, and addressing the vulnerabilities identified during the information security review of the VNS. EOUSA concurred with our recommendations and has outlined a plan to address them.

OJP's Implementation of the Hometown Heroes Act

The OIG reviewed the Office of Justice Programs' (OJP's) implementation of the *Hometown Heroes Survivors Benefits Act of 2003* (Hometown Heroes Act). This review responded to congressional concerns that OJP took too long to process claims submitted under the Act and that OJP's narrow interpretation of terms found in the Act was causing a high rate of claims denials.

In April 2008, we issued a report that found that as of November 29, 2007, OJP had completed only half of the Hometown Heroes Act claims it received in the first 3 years after the Act's passage. One reason for the delay in processing claims was that OJP took 33 months to issue final regulations implementing the Act, during which time OJP developed a backlog of 201 claims. After OJP issued the necessary regulations in September 2006, it processed claims slowly because: 1) most claims had been submitted without required documentation, 2) its Office of the General Counsel's legal reviews of claims were time consuming, and 3) decisions on some claims were delayed because OJP could not obtain necessary pathology reviews. In late 2007, OJP implemented several initiatives designed to expedite its processing of claims and, by the end of our review, had reduced the backlog of claims to 99. In March 2008, the backlog had been reduced to 27 claims.

Our review also found that OJP initially denied some claims based in part on its narrow legal interpretation of the definition of "nonroutine" activities. In October 2007, OJP issued policy memoranda clarifying that any response to an emergency call should be considered "nonroutine" for purposes of analyzing claims under the Act. The Director of OJP's Public Safety Officers' Benefits Program Office stated that this step has led to more claims being approved and faster claims processing.

The OIG recommended that OJP finalize a guide to the Hometown Heroes Act directed to claimants, have its Office of the General Counsel establish more definitive timeliness standards for its legal reviews of claims, and use a new case management system to expedite processing of claims. OJP agreed with our recommendations.

Management of OJP's Grant Programs for Trafficking Victims

In July 2008, the OIG issued an audit report that examined the management of OJP grant programs for victims of human trafficking. Human trafficking is a form of modern-day slavery in which traffickers lure victims, mostly women and children, with false promises of better lives and then force them to work under inhumane conditions.

OJP awards grants to task forces that identify and rescue trafficking victims and enters into cooperative agreements with service providers to provide food, clothing, shelter, and other forms of assistance to trafficking victims. During FYs 2003 through 2007, the Office for Victims of

Crime awarded \$31.7 million to providers of services for trafficking victims, and the Bureau of Justice Assistance awarded \$19.2 million in grants for 42 task forces across the country.

We found that human trafficking grant programs were effective in building the capacity to serve victims of human trafficking, but the programs were not effective in identifying and serving significant numbers of trafficking victims, ensuring that award amounts were consistent with the anticipated number of victims to be served, and ensuring that service providers and task forces reported accurate performance data on victims identified and served. In addition, OJP had not established an effective system for monitoring service providers and task forces, although improvements to the monitoring system were underway at the time of our audit.

Our audit found that even with the work of the task forces, the service providers were reaching a small number of victims. The Department reported in July 2005 that an estimated 14,500 to 17,500 human trafficking victims are brought into the United States annually. However, from 2005 through 2007 the task forces reported identifying 2,103 potential victims, and the service providers reported serving 1,444 victims. We also found that OJP's agreement award process resulted in a wide variation in funds awarded compared to the number of victims anticipated to be served. For example, one service provider received nearly \$1.9 million to supply services to an estimated 100 victims over the 3-year agreement period (\$18,965 per estimated victim) while another provider received \$490,829 to service an estimated 100 victims over the 3-year agreement period (\$4,908 per estimated victim). For the 19 agreements we tested, the amount awarded per anticipated victim ranged from a high of \$33,333 to a low of \$2,500.

The OIG made 15 recommendations to help OJP improve management of its grant program for human trafficking victims. OJP agreed with all recommendations.

Resource Management of U.S. Attorneys' Offices

In November 2008, the OIG released a report examining the allocation of personnel resources among U.S. Attorneys Offices (USAOs) and among the criminal and civil areas federal prosecutors have emphasized over the past 5 years. As of April 21, 2008, the U.S. Attorneys Offices employed 5,381 attorneys and 5,921 support personnel, and the combined budget of the U.S. Attorneys Offices and the Executive Office for U.S. Attorneys was approximately \$2 billion.

This audit found that although funding and authorized full-time positions for USAOs increased during a 5-year review period, USAOs have experienced a significant gap between allocated attorney positions and the number of attorneys that the USAOs are actually utilizing. Further, the review found that the average number of cases handled per attorney in USAOs increased from fiscal years 2003 to 2007. In addition, our review found weaknesses in the process used by the Executive Office for U.S. Attorneys (EOUSA) and USAOs to allocate attorney resources. Specifically, the EOUSA does not have reliable and specific data to make fully informed resource allocation decisions and to use in reporting statistical data to others, including to the Attorney General and Congress. Moreover, the EOUSA has not developed an objectively sound statistical model to determine the optimal staffing levels for USAOs and also has had difficulty in reallocating existing resources between offices. The EOUSA does not routinely examine the utilization of attorneys within the USAOs nor does it regularly perform an assessment of their casework within prosecutorial areas. While the EOUSA's stated policy is to evaluate USAOs

every 3 years, including utilization and casework assessments, these evaluations were only occurring on a 4-to-5-year basis during the time period of our review.

The OIG report included 10 recommendations to assist EOUSA in its resource planning and allocation decisions, as well as in overseeing the operations of USAOs. The recommendations included conducting in-depth reviews on a more regular basis in order to more accurately assess how district offices are utilizing their resources and implementing policies and processes to assist in improving the accuracy of USAO data. EOUSA agreed with each of the recommendations.

The FBI's Terrorist Threat and Suspicious Incident Tracking System

In November 2008, the OIG issued an audit of the FBI's Guardian Threat Tracking System (Guardian), an automated tracking system that records, stores, and assigns responsibility for follow up on counterterrorism threats and suspicious incidents received by the FBI. Guardian also records the outcome of the FBI's handling of these terrorist threats and suspicious incidents and can be used to disseminate immediate threat information and analyze threat information for trends and patterns.

Our audit found that the Guardian System represents a significant improvement over how the FBI previously tracked and handled threat information. However, our review found that the Guardian system needs improvement to address shortcomings on the accuracy, timeliness, and completeness of the information entered in Guardian. For example, FBI policy requires a supervisor to review and close each threat or suspicious incident in Guardian. However, our review found that supervisory review was not performed in 12 percent of the 218 Guardian incidents tested. Additionally, we found that FBI personnel did not consistently include supplementary information in the Guardian system, which could prevent threat information from being available to all Guardian users, including the FBI's law enforcement and intelligence partners.

In addition to Guardian, the OIG reviewed the FBI's development of E-Guardian, a companion system that will provide state and local law enforcement with the capability to share local terrorism incident information with the FBI and receive nationwide unclassified terrorism incident information from the FBI. Deployment of E-Guardian has been delayed for 1 year because the FBI changed the contractor developing the system. In addition, the implementation of technical patches to Guardian – designed to improve its operation – also has been delayed. Because both Guardian and E-Guardian are critical to the FBI's terrorist threat tracking and management process, any additional delays in the deployment of E-Guardian and the implementation of Guardian technical patches could inhibit the FBI's ability to track terrorist threats and suspicious incidents.

The OIG made seven recommendations to improve the FBI's tracking of terrorist threats and suspicious incidents, including ensuring the timely completion and supervisory review of all Guardian incidents, assuring that appropriate information from ongoing counterterrorism cases is included in Guardian, developing and incorporating performance measures to support the resolution of threats, and developing and implementing a schedule to ensure that technical patches to the Guardian system are completed in a timely manner. The FBI agreed to implement our recommendations.

DOJ's Implementation of the Sex Offender Registration and Notification Act

In December 2008, the OIG released a report that reviewed the Department's implementation of the *Sex Offender Registration and Notification Act* (SORNA). The Act requires the Department to take a number of steps to help identify, arrest, and prosecute sex offenders who violate registration laws and to improve the quality of information available to law enforcement and the public about registered, non-compliant, and fugitive sex offenders. The OIG review found that although implementation of SORNA is not yet complete, the Department's efforts to date have led to more investigations and arrests of fugitive sex offenders. However, the review also found that the registries that comprise the national sex offender registration system are inaccurate and incomplete. The registries are missing records, existing records often fail to identify known fugitives, and the records often do not contain sufficient information to enable law enforcement or the public to accurately identify registered, non-complaint, or fugitive sex offenders. Further, some state data systems were incompatible with the FBI's system, causing records to be rejected or lost when those states attempted to update registry records. As a result, neither law enforcement officials nor the public can rely on the registries to accurately identify registered sex offenders, particularly those who are fugitives.

The OIG recommended that the Department and its components provide additional assistance to jurisdictions to ensure that information in the national registries is accurate and complete. Department components concurred with the recommendations and are taking steps to implement them.

The BOP's Administration of the Witness Security Program

In October 2008, the OIG issued its third audit report examining the Department's Witness Security Program (WITSEC). WITSEC provides protection to federal witnesses and their family members who agree to testify against drug traffickers, terrorists, members of organized crime enterprises, and other major criminals. The OIG previously examined the USMS's and the Criminal Division's roles in the WITSEC program. This audit assessed the BOP's role in WITSEC, including the BOP's security for WITSEC prisoners in its custody.

Our audit report concluded that the BOP provides a secure environment for WITSEC inmates, but several areas of the program need improvement. In our review, we identified at least 120 individuals who posed a threat to 23 WITSEC inmates but who were not entered into the BOP's primary information system because the BOP did not have all the required identifying information. We believe that individuals who may pose a threat to WITSEC inmates should be entered into the BOP's primary information system even when only partial identifying information is available because this information can still be used to avoid placing an inmate in close proximity to an inmate who poses a threat. We also determined that, although the Inmate Monitoring Service's headquarters staff and other select staff members are required to maintain a Top Secret security clearance, other BOP employees with access to WITSEC inmates and information generally undergo only basic background checks.

Since FY 1982, 20 inmates have died while participating in WITSEC, primarily due to natural causes or illness. However, death certificates showing cause of death were on file for only 12 of the deceased inmates. The absence of death certificates for the remaining eight inmates creates uncertainty whether the deaths were related to the inmates' participation in the program. Moreover, we noted that an autopsy report confirmed that one of the deaths was a suicide, and

the lack of an autopsy report in another inmate's file raised questions as to whether the death was confirmed as a suicide. While BOP policy states that the Warden is not required to order an autopsy of a deceased inmate, we believe it would be in the Department's best interest to have an autopsy performed whenever a WITSEC inmate dies in custody by homicide, suicide, accident, or unknown causes and for the BOP to maintain copies of those autopsy reports along with copies of the death certificates.

We also found that the Inmate Monitoring Section did not accumulate statistical data on WITSEC activity in several key areas, including the number of WITSEC inmates terminated from the program or released from the BOP, and released inmates who transferred into the USMS's WITSEC program for post-release services. In addition, the BOP does not separately budget or account for the operating costs of its Protective Custody Units. Without this basic program and budgetary information, BOP management cannot make fully informed decisions on how WITSEC affects its resources.

The OIG made 18 recommendations to assist the BOP in strengthening its management of WITSEC. The BOP agreed with nine of the recommendations.

ATF's Controls Over its Weapons, Laptop Computers, and Other Sensitive Property

In September 2008, the OIG issued an audit report that examined ATF's controls over its weapons, laptop computers, ammunition, and explosives. Our report concluded that ATF had adequate controls over its explosives, but serious weaknesses existed in its controls over weapons, laptop computers, and ammunition.

Our audit found that 76 ATF weapons and 418 laptop computers were lost, stolen, or missing during a 5-year period from 2002 through 2007. We determined that since a 2002 audit by the Department of Treasury OIG (when ATF was part of Treasury), ATF's rate of weapons loss per month has nearly tripled, and its rate of loss per month for laptop computers has increased significantly. We found that 40 of the 76 weapons (53 percent) that were lost, stolen, or missing during this review period appeared to have resulted from employees' carelessness or failure to follow ATF policy. For laptop computers, 50 of the 418 were stolen; 274 were identified as missing during an inventory; and 94 were lost during shipping, left in a public place, or were unexplainably lost. ATF's rate for lost, stolen, or missing weapons was nearly double those of the FBI and the DEA. In addition, ATF's loss of laptop computers was significantly higher than the FBI and DEA, at nearly 3 per 1,000 agents compared to less than 1 per 1,000 for FBI or DEA agents.

We also found that ATF staff did not report many of the lost, stolen, or missing weapons and laptop computers to ATF's Internal Affairs Division, as required by ATF policies. In addition, ATF could not determine what information was on its lost, stolen, or missing laptop computers, and ATF was unable to provide assurance that 398 of the 418 lost, stolen, or missing laptop computers did not contain sensitive or personally identifiable information. Moreover, few of the laptop computers lost, stolen, or missing during our review period were protected by encryption software because ATF did not begin installing such software on its laptops until May 2007.

With regard to explosives, our audit concluded that ATF had adequate controls over the explosives in its possession and had proper physical security over its ammunition. However, we

identified weaknesses in ATF's accountability and controls over ammunition. Of the 20 ATF field offices we tested during the audit, only 11 performed required inventory recordkeeping for ammunition. ATF could not provide documentation that any of its field offices had submitted annual ammunition inventories to ATF headquarters, as required by ATF policy.

Our report made 14 recommendations, including that ATF report all lost, stolen, or missing weapons, laptop computers, and ammunition losses to its Internal Affairs Division; install encryption software on all laptop computers; maintain accurate and complete records in its property management system; follow recordkeeping requirements for ammunition; and determine whether lost, stolen, or missing laptop computers contain sensitive or personally identifiable information. ATF agreed with most of the recommendations.

The DEA's Use of Intelligence Analysts

In May 2008, the OIG issued an audit report that evaluated the DEA's hiring, training, and retention of its intelligence analysts and the timeliness and quality of intelligence products produced by its intelligence analysts. The OIG previously conducted similar audits relating to FBI intelligence analysts.

We found that the attrition rate for DEA intelligence analysts ranged from 3.5 percent to 2.6 percent between FYs 2004 and 2007, which was lower than the attrition rate for FBI intelligence analysts during the same period. Our survey of DEA intelligence analysts found that their job satisfaction was generally good and that most planned to stay at the DEA. We also found that other federal agencies found DEA intelligence products to be useful, logical, and of good quality.

However, our audit determined that the DEA has experienced delays in transmitting intelligence products and has not adequately monitored the status of the security clearances for its intelligence analysts. Our testing of 16 strategic intelligence reports found that the reports were published, on average, about 21 months after the source information was first obtained by the DEA. In addition, the DEA transmitted cables with information that had a foreign nexus to other federal agencies, on average, 34 days after the original information was received by the DEA. Three of the 81 cables we tested contained information related to terrorism and met the DEA's criteria for expedited processing within 24 to 48 hours. However, these cables were not transmitted until 39, 44, and 76 days after initial receipt of the information.

Our audit also found that as of September 2007, 82 of the DEA's 699 intelligence analysts did not have a required Top Secret clearance or had not been reinvestigated to maintain their security clearance within the last 5 years.

The OIG made nine recommendations regarding DEA intelligence analysts, including improving the timeliness for distributing intelligence products to other federal agencies and establishing an adequate system to monitor the status of the security clearances for its intelligence analysts. The DEA agreed with the recommendations.

Examples of Recent Investigations Division Cases

Civil Rights Violations & Obstruction of Justice

An investigation by the OIG's New York Field Office led to the arrest of 11 Federal Bureau of Prisons (BOP) correctional officers on charges of violating the civil rights of 2 inmates at the BOP's Metropolitan Detention Center in Brooklyn, New York. According to indictments returned in the Eastern District of New York, five correctional officers participated in a planned beating of an inmate and then attempted to disguise the attack by claiming in written reports that the inmate became combative as they attempted to prevent him from committing suicide. In a separate incident, five correctional officers, including one who participated in the previously described attack, physically assaulted an inmate in an elevator while escorting him to a special housing unit within the facility. These five correctional officers and two additional officers also were charged with writing false reports concerning this incident. Of the 11 correctional officers arrested, 5 were convicted at trial of violating the civil rights of an inmate or obstruction of justice. Five other correctional officers pled guilty to charges of violating the civil rights of an inmate, obstruction of justice, or making false statements; the eleventh correctional officer was acquitted. Sentences ranged from probation to 51 months' incarceration for a BOP captain involved in the November 2002 attack and subsequent cover-up. All defendants in this case have been sentenced and either resigned or were terminated from the BOP.

Murder

An investigation by the OIG's New York Field Office resulted in the conviction of former FBI Special Agent John Connolly on charges of second-degree murder in connection with the 1982 shooting death of a gambling executive and the murder of two other FBI Boston informants. Connolly was indicted on May 4, 2005, on charges of first degree murder and conspiracy to commit murder in relation to the killing of former World Jai Alai president John Callahan in 1982. A joint investigation by the OIG's Boston Area Office, the U.S. Attorney's Office for the District of Massachusetts, the DEA, the Massachusetts State Police, the Miami-Dade Police Department, and the Miami-Dade State Attorney's Office developed evidence that while employed by the FBI in Boston, Connolly assisted the criminal activities of the Winter Hill Gang led by James "Whitey" Bulger, by supplying gang members with sensitive law enforcement information and intelligence that led directly to the murder of Callahan. Connolly is currently serving a 10-year sentence in federal prison for racketeering, obstruction of justice, and other charges stemming from his role in protecting members of the Winter Hill Gang while simultaneously using them as FBI informants. Connolly received an additional sentence of 40 years in prison for the second-degree murder conviction.

Fraud

A joint investigation by the OIG's Fraud Detection Office and the New York Field Office led to the arrest of a painter at the World Trade Center on charges that he received more than \$1 million from the September 11 Victim Compensation Fund based on his fraudulent claim that he was permanently disabled and unable to work as a result of back injuries sustained during the September 11, 2001, terrorist attacks. Videotape evidence gathered by the OIG demonstrated that the painter continued to engage in physical activities, such as bicycling and dancing, which were inconsistent with the injuries he claimed. In addition, the OIG found that the painter continued to paint houses in his neighborhood and fraudulently concealed from the hearing officer a back injury that he sustained in a motor vehicle accident that occurred prior to September 11, 2001. The painter was sentenced to 30 months' incarceration and 3 years'

supervised release. He was also ordered to pay \$100,000 in restitution and a \$25,000 fine. Measured by the total amount of money he obtained, the painter's scheme is the largest fraud ever perpetrated against the September 11th Fund.

Theft

A joint investigation by the OIG, FBI, Department of Housing and Urban Development (HUD), and Internal Revenue Service led to the arrest of the former Mayor of Fairbanks, Alaska, and his wife on charges of theft of \$450,000 in federal grant funds, conspiracy, and money laundering. The investigation developed evidence that the former Mayor and his wife used grant funds from OJP and HUD that were designated to operate a non-profit organization to purchase a flat screen television and other items for personal use and to partially fund the building of their church. The former Mayor was sentenced to 5½ years incarceration followed by 3 years supervised release and ordered to pay restitution of \$314,000, pursuant to his conviction by a jury of 16 counts of theft of government funds, conspiracy, money laundering, and submitting false tax returns. His wife was sentenced to 3 years' incarceration followed by 3 years' supervised release and ordered to pay restitution of \$447,000, pursuant to her guilty plea to charges of money laundering and theft of federal funds.

Bribery

An investigation by the OIG's Los Angeles Field Office led to two BOP correctional officers assigned to the Federal Correctional Complex in Lompoc, California, being sentenced on charges of bribery and introduction of contraband. The OIG investigation determined that one of the correctional officers accepted \$10,000 in bribes in exchange for smuggling contraband, including tennis shoes, gloves, nutritional supplements, sunglasses, and iPods, into the institution. The second correctional officer met with an undercover agent and accepted 5 ounces of black tar heroin, an iPod, and a \$7,500 bribe in exchange for smuggling contraband into the institution. The first correctional officer was sentenced to 18 months' incarceration followed by 24 months' supervised release. The second correctional officer was sentenced to 30 months' incarceration followed by 24 months' supervised release. Both correctional officers resigned from the BOP as a result of our investigation.

Embezzlement

An investigation by the OIG's Miami Field Office led to the arrest of a DEA special agent on charges of converting the property of another, embezzlement of public funds, and money laundering. An indictment returned in the Northern District of Georgia alleged that the special agent, who served as a team leader and evidence custodian at the DEA's Atlanta Airport Task Force from early 2003 to January 2005, embezzled cash seized from money couriers for drug organizations by instructing local police officers to turn over seized money to him without counting it. The special agent allegedly stole more than \$200,000, and used a portion of the embezzled money to build a custom home in Orlando, Florida. He was sentenced to 21 months' incarceration followed by 12 months' supervised release and was ordered to perform 100 hours community service and to pay \$92,614 in restitution. As part of the plea agreement, the DEA special agent is banned from ever seeking employment in federal, state, or local law enforcement.

A separate investigation by the OIG's Chicago Field Office led to the arrest of an FBI financial manager on charges of embezzlement of government funds. The investigation determined that the financial manager stole \$22,425 designated for undercover operations. She also falsified

receipts to make it appear that invoices were paid, but instead deposited the money into her own bank accounts. The financial manager pled guilty and was sentenced to 6 months' home confinement and 36 months' supervised release. She was also ordered to pay restitution to the FBI in the amount of \$86,025. The financial manager resigned her position as a result of our investigation

Misuse of Position by USMS Attorney

The OIG investigated allegations that U.S. Marshal Service (USMS) attorney Joseph Band misused his official position by requesting and using USMS resources while engaging in his personal employment. Our investigation revealed that when Band attended sporting events as a paid, part-time statistician for Fox Sports, he asked for and received transportation in USMS cars, driven by Deputy U.S. Marshals (DUSM), to and from the games. We concluded that Band's conduct violated USMS standards of ethical conduct for misuse of position and USMS policy on the proper use of government vehicles. We also concluded that three U.S. Marshals inappropriately approved Band's requests to use USMS resources for his personal business.

The OIG did not conduct an exhaustive survey of all instances where Band may have requested and received USMS assistance while he was traveling to sporting events during his outside employment as a sports statistician. However, our investigation concluded that the instances we reviewed demonstrated that Band committed ethical violations in requesting and receiving USMS resources for personal business, and that he lacked candor when we interviewed him about these matters. It is also notable that Band, at the time of several of the incidents that were the subject of this investigation, was assigned to the USMS's "ethics team," which provided guidance to USMS personnel on matters of ethics and integrity with respect to their official duties.

Our January 2009 report was provided to the U.S. Attorneys Offices in Boston and the Eastern District of Virginia, both of which declined criminal prosecution in this matter. We also provided our report to the USMS for appropriate action along with recommendations for the USMS to address weaknesses in its internal controls regarding its policies on outside employment. The USMS has agreed to implement our recommendations. Band retired from federal service at the conclusion of our investigation.

3. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE (Goal 1)										
Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice. OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.										
<u>WORKLOAD/RESOURCES</u>	<u>Targets</u> FY 2008		<u>Actual</u> FY 2008		<u>Projected</u> FY 2009		<u>Changes</u> Between FY 2009 and FY 2010 Current Services		<u>Requested</u> FY 2010 Current Services	
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	445	\$70,603 [\$17,512]	423	\$70,577 [\$16,999]	453	\$75,681 [\$18,582]	8	\$2,687 [\$1,260]	461	\$78,368 [\$19,842]
Performance Report and Performance Plan Number of Cases Opened per 1,000 DOJ employees:										
Fraud	**		0.45		**		**		**	
Bribery	**		0.36		**		**		**	
Rights Violations	**		0.16		**		**		**	
Sexual Crimes	**		0.40		**		**		**	
Official Misconduct	**		1.27		**		**		**	
Theft	**		0.21		**		**		**	
Workload										
Investigations closed		448	355		350		5		355	
Integrity Briefings/Presentations to DOJ employees		140	248		140		0		140	
DOJ employees at Integrity Briefings		4,200	8,342		4,200		0		4,200	

PERFORMANCE AND RESOURCES TABLE (Goal 1)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews

DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.

OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.

WORKLOAD/RESOURCES	Targets FY 2008	(Projected) Actual FY 2008	Projected FY 2009	Changes Between FY 2009 and FY 2010 Current Services	Requested FY 2010 Current Services
Total Costs and FTE	<u>FTE</u> 445	<u>FTE</u> 423	<u>FTE</u> 453	<u>FTE</u> 8	<u>FTE</u> 461
(reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	<u>\$000</u> \$70,603	<u>\$000</u> \$70,577	<u>\$000</u> \$75,681	<u>\$000</u> \$2,687	<u>\$000</u> \$78,368
	[\$17,512]	[\$16,999]	[\$18,582]	[\$1,260]	[\$19,842]
Performance Report and Performance Plan					
Intermediate Outcome					
Percentage of Investigations closed or referred for prosecution within 1 year	75%	78%	75%	0%	75%
Number of closed Investigations substantiated	**	220	**	**	**
Arrests	**	115	**	**	**
End Outcome					
Convictions	**	121	**	**	**
Administrative Actions	**	231	**	**	**
Response to Customer Surveys:					
Report completed in a timely manner (%)	90%	98%	90%	0%	90%
Issues were sufficiently addressed (%)	90%	99%	90%	0%	90%

For the workload measure, "Investigations Closed" the OIG is closing fewer cases than originally estimated due the OIG's increased focus on more complex and document-intensive cases (e.g. grant and contract fraud) that require more in-depth financial and forensic analysis. In addition, the OIG is diversifying its caseload to extend more investigative coverage to other Department components

PERFORMANCE/RESOURCES TABLE (Goal 1)

DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.

OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.

Data Definition, Validation, Verification, and Limitations

A. Data Definition:

The OIG does not project targets and only reports actuals for workload measures, the number of closed investigations substantiated, arrests, convictions, and administrative actions. The number of convictions and administrative actions are not subsets of the number of closed investigations substantiated.

B. Data Sources, Validation, Verification, and Limitations:

Investigations Data Management System (IDMS) – consists of a computer-based relational database system that became operational at the end of June 2005. We anticipate upgrading the system to a newer release which will provide additional functionality. Most of the legacy data from the old IDMS was converted except for records older than FY 1993, which were archived. We developed new reports to run against the database and verified the accuracy of the conversion. We ran the new reports against historical data and also compared them with historical reports and validated the results. The database administrator runs routine maintenance programs against the database. Database maintenance plans are in place to examine the internal physical structure of the database, backup the database and transaction logs, handle index tuning, manage database alerts, and repair the database if necessary. Currently, the general database backup is scheduled nightly and the transaction log is backed up in 3 hour intervals. We are in the process of reducing duplicate person records and incorporating methods to prevent the uploading of additional duplicate person records.

Investigations Division Report of Investigation (ROI) Tracking System - a web-based SQL-Server database was launched in June 2007 to track all aspects of the ROI lifecycle. The ROI and Abbreviated Report of Investigation (AROI) are the culmination of OIG investigations and are submitted to DOJ components. These reports are typically drafted by an agent and go through reviews at the Field Office and at Headquarters levels before final approval by Headquarters. The new ROI Tracking System is integrated with IDMS. By providing up-to-the-minute ROI status information, the Tracking System is expected to be a key tool in improving the timeliness of the Division's reports. The Tracking System also incorporates numerous pre-formatted statistical reports to provide agents and their managers with important performance information.

Investigations Division Monthly Investigative Activity Report – Most of the data for this report was designed into the IDMS application, except for integrity briefing activities and the use of certain investigative techniques. A new tab has been designed to collect the data for this report and it is under review by the Operations Branch. Data for integrity briefings can be captured in the time entry notebook.

Investigations Division Administrative Database - an Access database was launched in August, 2005 to track the administration of customer satisfaction questionnaires sent with each completed investigative report to components. The database captures descriptive survey information as well as questionnaire responses. Descriptive information includes the questionnaire form administered, distribution and receipt dates, and component and responding official. The database captures responses to several open-ended questions seeking more information on deficiencies noted by respondents and whether a case was referred for administrative action and its outcome. Questionnaire responses are returned to Investigations Headquarters and are manually entered into the database by Headquarters personnel. No data validation tools, such as double key entry, are used though responses are entered through a front-end Access Form in an effort to ease input and reduce errors.

C. FY 2008 Performance Report:

For the workload measure "Investigations Closed" the OIG is closing fewer cases than originally estimated due the OIG's increased focus on more complex and document-intensive cases (e.g. grant and contract fraud) that require more in-depth financial and forensic analysis. In addition, the OIG is diversifying its caseload to extend more investigative coverage to other Department components.

PERFORMANCE MEASURE TABLE (Goal 1)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews

DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.

OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.

Performance Report	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006		FY 2007		FY 2008		FY 2009		FY 2010		
	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	
Workload																			
Number of Cases Opened per 1,000 DOJ employees:																			
Fraud	1.33	0.97	0.97	0.59	0.52	0.42	0.37	0.45	**	**	**	**	**	**	**	**	**	**	**
Bribery	1.61	1.63	1.63	0.75	0.58	0.61	0.71	0.36	**	**	**	**	**	**	**	**	**	**	**
Rights Violations	0.36	0.38	0.38	0.19	0.31	0.27	0.13	0.16	**	**	**	**	**	**	**	**	**	**	**
Sexual Crimes	0.56	0.86	0.86	0.44	0.41	0.32	0.35	0.40	**	**	**	**	**	**	**	**	**	**	**
Official Misconduct	1.38	1.63	1.63	1.06	1.03	1.27	1.53	1.27	**	**	**	**	**	**	**	**	**	**	**
Theft	N/A	N/A	N/A	N/A	0.18	0.2	0.26	0.21	**	**	**	**	**	**	**	**	**	**	**
Workload																			
Investigations closed	606	607	607	486	415	441	400	355	448	350	360	350	350	350	350	350	350	350	360
Integrity Briefings and Presentations to DOJ employees	209	107	107	183	235	202	296	248	140	140	140	140	140	140	140	140	140	140	140
DOJ employees attending Integrity Briefings	6,286	4,601	4,601	8,287	11,239	9,308	11,269	8,342	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200
Intermediate Outcome																			
Percentage of Investigations closed or referred for prosecution within 1 year	80%	65%	65%	66%	66%	69%	90%	78%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Number of closed Investigations substantiated	179	194	194	165	180	239	227	220	**	**	**	**	**	**	**	**	**	**	**
Arrests	209	192	192	106	69	134	107	115	**	**	**	**	**	**	**	**	**	**	**
End Outcome																			
Convictions	150	165	165	124	66	112	105	121	**	**	**	**	**	**	**	**	**	**	**
Administrative Actions	161	175	175	137	154	175	239	231	**	**	**	**	**	**	**	**	**	**	**
Response to Customer Surveys:																			
Report completed in a timely manner (%)	99%	98%	98%	93%	94%	97%	99%	98%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
Issues were sufficiently addressed (%)	100%	98%	98%	95%	91%	99%	99%	99%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%

** Indicators for which the OIG only reports actuals.

PERFORMANCE AND RESOURCES TABLE (Goal 2)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews

DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.

OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.

<u>WORKLOAD/RESOURCES</u>	Targets FY 2008		Actual FY 2008		Projected FY 2009		Changes Between FY 2009 and FY 2010 Current Services		Requested FY 2010 Current Services	
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	445	\$70,603 [\$17,512]	423	\$70,577 [\$16,999]	453	\$75,681 [\$18,582]	8	\$2,687 [\$1,260]	461	\$78,368 [\$19,842]
Performance Report and Performance Plan										
Workload										
Audit and E&I assignments initiated		135		142		150		0		150
Percent of Audit CSITAO resources devoted to security reviews of major Dept. information systems		86%		86%		86%		0%		86%
Percent of internal audit assignments that assess component performance measures		10%		10%		10%		0%		10%
Percent of Audit and E&I direct resources devoted to internal reviews of Top Ten Mgt. Challenges and GAO and JMD-Identified High-Risk Areas		78%		78%		80%		0%		80%
Intermediate Outcome										
Audit and E&I assignments completed		134		126		137		13		150

PERFORMANCE AND RESOURCES TABLE (Goal 2)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews		Target		Actual		Projected		Changes		Requested	
DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.		FY 2008		FY 2008		FY 2009		FY 2010		FY 2010	
OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.		EIE		EIE		EIE		EIE		EIE	
WORKLOAD/RESOURCES		FY 2008		FY 2008		FY 2009		FY 2010		FY 2010	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		\$000		\$000		\$000		\$000		\$000	
		445	\$70,603	423	\$70,577	453	\$75,681	8	\$2,687	461	\$78,368
Performance Report and Performance Plan			[\$17,512]		[\$16,999]		[\$18,582]		[\$1,260]		[\$19,842]
Intermediate Outcome											
Percent of Audit resources devoted to reviews of grants and grant management			25%		31%		30%		0%		30%
Components receiving information system audits			5		4		5		0		5
Products issued to the Dept. containing significant findings or information for management decision-making by Audit & E&I			103		99		109		11		120
Products issued to Congress by Audit and E&I			46		48		49		0		49
Percent of E&I assignments completed within the timeframes established by the IG.			71%		70%		70%		0%		70%
Percent of contract, grant, IGA, and other external audits to be completed in draft within 5 months			60%		66%		60%		0%		60%
Percent of internal audits to be completed within 1 year			60%		66%		60%		0%		60%

PERFORMANCE AND RESOURCES TABLE (Goal 2)

DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.

OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.

Data Definition, Validation, Verification, and Limitations

- A. Data Definition:**
"Assignment" covers all audits (including internals, CFO, and Externals, but **not** Single Act Audits), evaluations, and inspections. "Assignments" may also include activities that do not result in a report or product (e.g., a memorandum to file rather than a report).
- B. Data Sources, Validation, Verification, and Limitations:**
The Audit Division Administrative Management (ADAM) System -- collects information that the regional Audit offices provide to headquarters on the status of assignments and the number of workdays expended monthly. This information is reviewed for accuracy, consolidated, and analyzed to determine trends and provide senior management with information on the status of the Audit Division's workplan and the use of Audit Division resources. ADAM is an integrated database that is regularly adjusted based on management decisions.

Evaluation and Inspections Division Management Tracking System -- tracks all assignments by project number and report number, starting with the initiation date and continuing through the closing date and resolution process and the archiving of work products. The Management Tracking System also includes employee workhours, by job, and semiannual report synopses. The system provides senior management with the data to respond to information requests and to track and report on work activities.

Evaluation and Inspections Division Documentation on File -- consists of hard copies of public and non-publicly disseminated correspondence. Because the material is not captured in E&I's management tracking system, a review and count of the documentation on file is the best way to track these indicators.
- C. Performance Report:**

PERFORMANCE MEASURE TABLE (Goal 2)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews		DOJ Strategic Plan: Supporting the Mission: Efficiency and Integrity in the Department of Justice.									
OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.		Performance Report									
	FY 2002 Actual	FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008		FY 2009 Target	2010 Target	
							Target	Actuals			
Workload											
Audit and E&I assignments initiated	266	227	140	118	118	134	135	142	150	150	
Percent of E&I workdays devoted to follow-up reviews	16%	19%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Percent of Audit CSITAO resources devoted to security reviews of major Dept. information systems	79%	48%	51%	86%	86%	86%	86%	86%	86%	86%	
Percent of internal audit assignments that assess component performance measures	66%	32%	13%	10%	11%	10%	10%	10%	10%	10%	
Percent of Audit and E&I direct resources devoted to internal reviews of Top Ten Mgt. Challenges and GAO and JMD-identified High-Risk Areas	62%	55%	76%	92%	85%	78%	78%	78%	80%	80%	
Intermediate Outcome											
Audit and E&I Assignments completed	253	233	123	139	114	133	134	126	137	150	
Percent of Audit resources devoted to reviews of grants and grant management	24%	20%	38%	33%	28%	25%	25%	30%	30%	30%	
Components receiving information system audits	8	7	5	6	4	5	5	4	5	5	
Products issued to the Dept. containing significant findings or information for management decision-making by Audit and E&I	251	233	124	122	97	102	103	99	109	120	
Products issued to Congress by Audit and E&I	50	44	51	51	46	45	46	48	49	49	
Percent of E&I assignments to be completed within 6 months	66%	50%	27%	78%	64%	70%	71%	70%	70%	70%	
Percent of contract, grant, IGA, and other external audits to be completed within 5 months	89%	81%	71%	68%	51%	60%	60%	66%	60%	60%	
Percent of internal audits to be completed within 1 year	83%	65%	43%	59%	68%	60%	60%	66%	60%	60%	

4. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

For the Department's programs and activities to be effective, Department personnel, contractors, and grantees must conduct themselves in accordance with the highest standards of integrity, accountability, and efficiency. The OIG was established to detect and prevent misconduct and mismanagement on the part of the Department's personnel and in its programs. The OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of the Department's employees in their numerous and diverse activities. In addition, the OIG assists management in promoting integrity, economy, efficiency, and effectiveness within the Department and in its financial, contractual, and grant relationships with others using the coordinated efforts of the OIG's investigative, audit, inspection, and special review resources.

The OIG continues to review its performance measures and targets, especially in light of the changing nature of the cases it investigates and the nature of the Department programs it reviews. Today's work is much more complex and expansive than it was only a few years ago. The number of documents to be reviewed, the number of people to interview, the amount of data to examine, and the analytical work involved in many OIG reviews are significantly greater than in prior years. This is especially true for reviews of sensitive Department programs such as the review of the Department's role in the NSA's Terrorist Surveillance Program, as well as cross-cutting work that covers multiple components, such as the OIG's reviews of components use of less than lethal weapons, disciplinary programs, or litigation case management systems. These multi-component reviews can be particularly valuable in identifying "best practices" within the Department and ensuring consistency across component programs.

b. Strategies to Accomplish Outcomes

The OIG will investigate allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern Department employees, contractors, and grantees, and will develop cases for criminal prosecution and civil and administrative action. The OIG will use its audit, inspection, and attorney resources to review Department programs or activities identified as high-priority areas in the Department's strategic plan and devote resources to review the Department's Top Management and Performance Challenges.

V. Program Increases by Item

Item Name: Counterterrorism Oversight

Budget Decision Unit: Audits, Inspections, Investigations, and Reviews
Strategic Goal & Objective: Supporting the Mission: Efficiency and Integrity
in the Department of Justice
Organizational Program: OIG

Program Increase: Positions +27 Agt/Atty +0/+4 FTE +27 Dollars +\$4,000,000

Description of Item

The OIG is requesting 10 program analysts, 7 operations research analysts, 6 auditors, and 4 attorneys for Counterterrorism Oversight.

Justification

Specifically, the requested positions would be deployed in the following area:

Preventing and Combating Terrorism

In fiscal year (FY) 2010, the Department's top priority will continue to be countering the threat of terrorism and strengthening national security. The Department is requesting more than \$8 billion in FY 2010 towards protecting the American people from terrorist acts. As funding requests for the Department's counterterrorism efforts continue to increase, so does the need to monitor and evaluate these Department programs. The OIG is committed to assisting the Attorney General and Congress in overseeing the use of these significant counterterrorism resources.

The FBI's highest priority is to protect and defend the United States against terrorist and foreign intelligence threats. The accomplishment of this critical national security mission requires the FBI to collect, analyze, and appropriately disseminate intelligence and other information needed to disrupt terrorist activities. However, past congressional investigations and OIG reports have found weaknesses in the FBI's efforts. Given the importance of the FBI's counterterrorism mission, the requested resources will enable the OIG to continue its oversight program in the counterterrorism area, and allow the OIG to undertake new reviews in these critical areas.

With these additional resources, the OIG will continue to examine issues such as the FBI's use of National Security Letters and Section 215 orders to obtain business records; its use of exigent letters to obtain telephone records; its ongoing development of its Sentinel case management system; the accuracy, timeliness, and completeness of information entered into the FBI's Guardian Threat Tracking System; and its progress in hiring, training, and retaining intelligence analysts. Moreover, these increased resources will support our ongoing and planned audits and reviews on topics such as the Department's involvement with the Terrorist Surveillance Program, the Department's internal controls over terrorism reporting, intelligence sharing, the FBI's watchlist nominations practices, the FBI's ability to translate critical foreign language material and its success at meeting linguist hiring goals, and the FBI's efforts to prevent and prepare for Weapons of Mass Destruction Threats.

Impact on Performance (Relationship of Increase to Strategic Goals)

All personnel requests are in direct support of the Department's Strategic Goals and Objectives. The OIG is a key player in meeting the Department's Strategic Goals and Objectives by providing leadership in integrity, efficiency and effectiveness, and management excellence. See the performance indicator charts for the description of the OIG's general goals and the plan performance for the FY 2010 enhancements.

Funding
(Dollars in Thousands)

The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews. By the nature of its mission, the OIG must be able to move its resources and funding freely across all functions to address new priorities. Therefore, base funding for the OIG is only meaningful at the single decision unit level.

Personnel Increase Cost Summary

Type of Position	Modular Cost Per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (\$000)
Attorney (GS-15)	210	4	840	\$0
Program Analyst (GS-14)	166	4	664	\$0
Program Analyst (GS-13)	141	6	844	\$0
Ops Research Analyst (GS-13)	145	7	1,012	\$0
Auditor (GS-11)	107	6	640	\$0
Total Personnel		27	\$4,000	\$0

Total Request for This Item

	Pos	Agt/Atty	FTE	Personnel	Non-Personnel	Total
Increases	27	0/4	27	\$4,000	\$0	\$4,000
Grand Total	27	0/4	27	\$4,000	\$0	\$4,000

V. Program Increases by Item

Item Name: Enhanced Auditing and Oversight

Budget Decision Unit: Audits, Inspections, Investigations, and Reviews
Strategic Goal & Objective: Supporting the Mission: Efficiency and Integrity
in the Department of Justice
Organizational Program: OIG

Program Increase: Positions +18 Agt/Atty +4/+0 FTE +9 Dollars +\$2,000,000

Description of Item

The OIG is requesting 7 program analysts, 7 auditors, and 4 agents for Enhanced Auditing and Oversight.

Justification

Specifically, the requested positions would be deployed in the following area:

To Enhance Auditing and Oversight of Grant Monies and Other Funding Provided to DOJ

The requested program increase will enable the OIG to better provide timely and effective oversight of the Department's grant and contract activities while continuing to monitor the performance of the Department's programs and operations. The recent infusion of \$4 billion in supplemental Recovery Act grant monies to the Department has heightened the emphasis on making sure that measures are in place to ensure that these significant public funds are properly expended and utilized. The requested \$2 million program increase will enhance the OIG's ability to perform the rigorous oversight desired by Congress and the public. The OIG will continue its efforts to assist the Department in improving its overall grant management process, and will perform audits in multiple phases throughout the grant making and implementation processes to ensure that Recovery Act funds and other grant monies are properly awarded and spent as these funds flow to the State and local levels.

In addition to the substantial ongoing audit work, it is expected that there will be a sizeable increase in grant fraud investigations resulting from the massive flow of supplemental grant monies. The Recovery Act also includes new protections from reprisal for whistleblowers who are State and local government employees or contractors. When such individuals provide information that is evidence of gross mismanagement, waste, or illegality related to Recovery Act expenditure, OIGs are required to investigate any reprisal complaints that may result. The Act's whistleblower mandates present a broad new area of potentially substantial investigative obligations for the OIG regarding non-federal employees and contractors.

Another recent law is likewise expected to increase the OIG's investigative workload: effective December 12, 2008, the Federal Acquisition Regulation (FAR) was amended in part to require that contractors provide timely notification to the relevant OIG whenever there is credible evidence of violation(s) of criminal law and/or the civil False Claims Act in connection with a Federal contract. Specifically, contractors must disclose to the OIG, in writing, any credible evidence that a principal, employee, agent, or subcontractor of the contractor has committed a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations (found in Title 18 of the United States Code) or a violation of the civil False Claims Act (31 U.S.C. 3729-3733), in connection with the award, performance, or closeout of a

Government contract or a subcontract awarded thereunder. Disclosures must be made by a senior officer or manager authorized to speak for the contractor. Disclosure regarding conduct that occurred before December 12, 2008, is also required under this new FAR rule. Penalties for willing non-disclosure include suspension and/or debarment. The OIG has modified its website to have these disclosures reported directly to its Investigations Division so that these complaints can be reviewed in a timely manner.

Management and oversight of the billions of dollars in Department grants awarded annually remains a top Department management challenge. Concerns about the integrity of the Department's grant award process in recent years focused renewed attention on the Department's efforts to effectively manage these billions of dollars in grant funds. For the past several years, the OIG has identified grant management as a significant challenge for the Department, not only in terms of making timely awards of grant funds, but also in maintaining proper oversight over grantees to ensure the funds are used as intended.

Impact on Performance (Relationship of Increase to Strategic Goals)

All personnel requests are in direct support of the Department's Strategic Goals and Objectives. The OIG is a key player in meeting the Department's Strategic Goals and Objectives by providing leadership in integrity, efficiency and effectiveness, and management excellence. See the performance indicator charts for the description of the OIG's general goals and the plan performance for the FY 2010 enhancements.

Funding
(Dollars in Thousands)

The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews. By the nature of its mission, the OIG must be able to move its resources and funding freely across all functions to address new priorities. Therefore, base funding for the OIG is only meaningful at the single decision unit level.

Personnel Increase Cost Summary

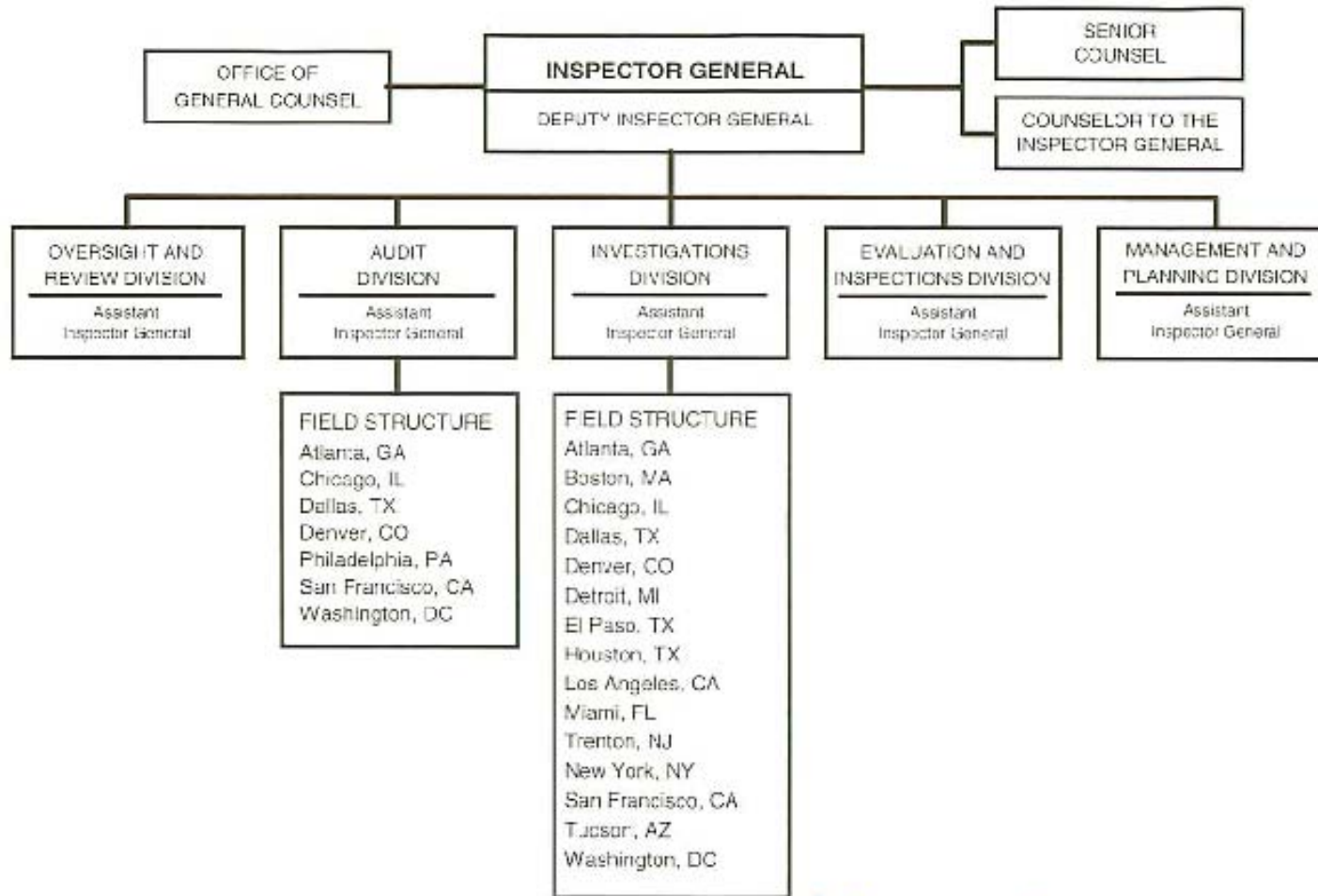
Type of Position	Modular Cost Per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (\$000)
Agent (GS-13)	209	4	834	15
Program Analyst (GS-14)	92	1	92	76
Program Analyst (GS-13)	82	6	491	386
Auditor (GS-14)	92	1	92	76
Auditor (GS-13)	82	6	491	386
Total Personnel		18	\$2,000	\$939

Total Request for This Item

	Pos	Agt/Atty	FTE	Personnel	Non-Personnel	Total
Increases	18	4/0	9	\$2,000	\$0	\$2,000
Grand Total	18	4/0	9	\$2,000	\$0	\$2,000

A: Organizational Chart

OFFICE OF THE INSPECTOR GENERAL



Approved by: Glenn A Fine Date: 4/16/09
 GLENN A. FINE
 Inspector General

B: Summary of Requirements

Summary of Requirements
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted (with Rescissions, direct only)	434	422	70,603
2008 Supplementals	0	0	4,000
Total 2008 Revised Enacted (with Rescissions and Supplementals)	434	422	74,603
2009 Enacted (with Rescissions, direct only)	450	430	75,681
2009 Supplementals (American Recovery and Reinvestment Act of 2009)	0	0	2,000
Total 2009 Enacted (with Rescissions and Supplementals)	450	430	77,681
Technical Adjustments			
American Recovery and Reinvestment Act of 2009	0	0	(2,000)
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)	0	0	811
2009 pay raise annualization (3.9%)	0	0	442
Annualization of 2009 positions	0	8	1,074
Health Insurance	0	0	50
Retirement	0	0	54
GSA Rent	0	0	302
Government Printing Office (GPO)	0	0	1
WCF Rate Increase	0	0	19
Subtotal Increases	0	8	2,753
Decreases:			
Employees Compensation Fund	0	0	(65)
DHS Security Charge	0	0	(1)
Subtotal Decreases	0	0	(66)
Total Adjustments to Base	0	8	2,687
Total Adjustments to Base and Technical Adjustments	0	8	687
2010 Current Services	450	438	78,368
Program Changes			
Counterterrorism Oversight	27	27	4,000
Enhanced Auditing and Oversight	18	9	2,000
Total Program Changes	45	36	6,000
2010 Total Request	495	474	\$84,368
2009 - 2010 Total Change	45	44	8,687

Summary of Requirements
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Appropriation Enacted w/Rescissions and Supplementals			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Audits, Inspections, Investigations, and Reviews (AIIR)	434	422	74,603	450	430	77,681	0	8	687	450	438	78,368	45	36	6,000	0	0	0	495	474	84,368
Total	434	422	\$74,603	450	430	\$77,681	0	8	\$687	450	438	\$78,368	45	36	\$6,000	0	0	\$0	495	474	\$84,368
Reimbursable FTE		23			23			0			23			0			0				23
Total FTE		445			453			8			461			36			0				497
Other FTE:																					
LEAP		[21]			[21]			0			[21]			0			0				[21]
Overtime		[2]			[2]			0			[2]			0			0				[2]
Total Comp. FTE		445			453			8			461			36			0				497

C: Program Increases/Offsets By Decision Unit

2010 Program Increases/Offsets By Decision Unit

Office of the Inspector General

(Dollars in Thousands)

Program Increases	Location of Description by Decision Unit	Decision Unit 1				Total Increases
		Pos.	Agt./Atty.	FTE	Amount	
Counterterrorism Oversight	See note below	27	4	27	4,000	4,000
Enhanced Auditing and Oversight	See note below	18	4	9	2,000	2,000
Total Program Increases		45	8	36	\$6,000	\$6,000

Note: The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews.

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
Office of the Inspector General**
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2008 Appropriation Enacted w/Rescissions and Supplementals		2009 Appropriation Enacted w/Rescissions and Supplementals		2010 Current Services		2010				2010 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s		
Enabling/Administrative*	445	74,603	453	77,681	461	78,368	36	6,000	0	0	497	84,368
GRAND TOTAL	445	\$74,603	453	\$77,681	461	\$78,368	36	\$6,000	0	\$0	497	\$84,368

*The OIG helps the Department pursue its Strategic Goals and Objectives through the OIG's investigations, audits, inspections, and reviews.

E. Justification for Base Adjustments

Justification for Base Adjustments Office of the Inspector General

Technical Adjustments

This technical adjustment in the amount of \$2,000,000 non-recurs funding provided by the American Recovery and Reinvestment Act of 2009.

Increases

2010 pay raise. This request provides for a proposed 2.0 percent pay raise to be effective in January of 2010. This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$811,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$596,000 for pay and \$215,000 for benefits).

Annualization of 2009 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2009 pay increase of 3.9 percent included in the 2009 President's Budget. The amount requested \$442,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$325,000 for pay and \$117,000 for benefits).

Annualization of additional positions approved in 2009. This provides for the annualization of 16 additional positions requested in the 2009 President's budget. Annualization of new positions extends to 3 years to provide for entry level funding in the first year with a 2-year progression to the journeyman level. This request includes an increase of \$1,074,000 for full-year costs associated with these additional positions.

	2009 Increases (\$000)	Annualization Required for 2010 (\$000)
Annual salary rate of 16 new positions	1200	709
Less lapse (50 %)	600	0
Net Compensation	600	709
Associated employee benefits	192	210
Travel	60	69
Transportation of Things	0	0
Communications/Utilities	22	24
Printing/Reproduction	1	1
Other Contractual Services:		0
25.1 Advisory and assistance services	5	0
25.2 Other Services	99	0
25.3 Purchase of Goods and Services from Government Accts.	99	39
25.4 Operation and Maintenance of Facilities	0	0
25.6 Medical Care	0	0
Supplies and Materials	42	22
Equipment	80	0
TOTAL COSTS SUBJECT TO ANNUALIZATION	1200	1074

Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 3 percent per year. The requested increase of \$54,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Health Insurance: Effective January 2008, this component's contribution to Federal employees' health insurance premiums increased by 2.2 percent. Applied against the 2009 estimate of \$2,245,000, the additional amount required is \$50,000.

General Services Administration (GSA) Rent. GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$302,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective in FY 2010 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provided data on the rate increases.

Government Printing Office (GPO): GPO provides an estimated rate increase of 4%. This percentage was applied to the FY 2009 estimate of \$33,000 to arrive at an increase of \$1,000.

WCF Rate Increases. Components in the DC metropolitan area use and rely on the Department's Working Capital Fund (WCF) for support services including telecommunications services, computer services, finance services, as well as internet services. The WCF continues to invest in the infrastructure supporting the telecommunications services, computer services, internet services. Concurrently, several security initiatives are being implemented and additional resources are being directed to financial management in an effort to maintain a clean audit status. Funding of \$19,000 is required for this account.

Decreases

Employees Compensation Fund: The \$65,000 decrease reflects a decrease in payments to the Department of Labor for injury benefits paid in the past year under the Federal Employee Compensation Act. This estimate is based on the first quarter of prior year billing and current year estimates.

DHS Security Charges. The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The decrease of \$1,000 is based on cost estimates that were developed by DHS.

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability
 Office of the Inspector General
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	2008 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Audits, Inspections, Investigations, and Reviews	434	422	70,603	0	0	0	0	0	4,000	0	0	0	0	0	500	434	422	75,103
TOTAL	434	422	\$70,603	0	0	\$0	0	0	\$4,000	0	0	\$0	0	0	\$500	434	422	\$75,103
Reimbursable FTE		23			0			0			0			0			23	
Total FTE		445			0			0			0			0			445	
Other FTE																		
LEAP		[21]			0			0			0			0			[21]	
Overtime		[2]			0			0			0			0			[2]	
Total Compensable FTE		445			0			0			0			0			445	

Supplementals. The amount reflects funds provided by the FY 2008 Global War on Terror Supplemental Appropriation (P.L. 110-252).

Unobligated Balances. Funds were carried over from FY 2007 from the OIG's No-Year account. The OIG brought forward \$500,000 from funds provided in 2007 for auditing and oversight of the FBI as it implements the OIG's recommendations on correcting problems that lead to the misuse of National Security Letters.

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability
 Office of the Inspector General
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	2009 Enacted			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2009 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Investigations, and Reviews	450	430	75,681	0	0	0	0	0	2,000	0	0	0	0	0	4,060	450	430	81,741
TOTAL	450	430	75,681	0	0	0	0	0	2,000	0	0	0	0	0	4,060	450	430	\$81,741
Reimbursable FTE		23			0			0			0			0				23
Total FTE		453			0			0			0			0				453
Other FTE																		
LEAP		[21]			0			0			0			0				[21]
Overtime		[2]			0			0			0			0				[2]
Total Compensable FTE		453			0			0			0			0				453

Supplementals. The amount reflects funds provided by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

Unobligated Balances. Funds were carried over from FY 2008 from the OIG's No-Year and 08/09 accounts. The OIG brought forward \$60,000 from funds provided in 2007, as well as \$4,000,000 from funds provided in 2008, for auditing and oversight of the FBI as it implements the OIG's recommendations on correcting problems that lead to the misuse of National Security Letters.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Office of the Inspector General

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2008 Enacted			2009 Planned			2010 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Bureau of Alcohol, Tobacco, Firearms and Explosives	0	2	1,462	0	2	1,499	0	2	1,576	0	0	77
Drug Enforcement Administration	0	2	1,747	0	2	2,037	0	2	2,222	0	0	185
Federal Bureau of Investigation	0	2	2,163	0	2	2,224	0	2	2,338	0	0	114
Asset Forfeiture Fund	0	2	1,482	0	2	1,717	0	2	1,806	0	0	89
Federal Bureau of Prisons	0	2	1,822	0	2	1,940	0	2	2,116	0	0	176
Federal Prison Industries	0	1	1,069	0	1	1,195	0	1	1,312	0	0	117
Office of Justice Programs	0	2	1,333	0	2	1,465	0	2	1,540	0	0	75
United States Marshals Service	0	1	1,238	0	1	1,264	0	1	1,372	0	0	108
Offices, Boards, and Divisions	0	2	2,320	0	2	2,486	0	2	2,677	0	0	191
Working Capital Fund	0	7	2,363	0	7	2,755	0	7	2,883	0	0	128
Budgetary Resources:	0	23	\$16,999	0	23	\$18,582	0	23	\$19,842	0	0	\$1,260

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Office of the Inspector General
Salaries and Expenses

Category	2008 Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Request					
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Personnel Management (200-299)	8	0	8	0	0	0	0	0	8	0
Clerical and Office Services (300-399)	133	3	140	3	0	17	0	17	157	3
Accounting and Budget (500-599)	108	15	114	15	0	13	0	13	127	15
Attorneys (905)	24	0	26	0	0	4	0	4	30	0
Paralegals / Other Law (900-998)	2	0	2	0	0	0	0	0	2	0
Operations Research Analyst [1515]	2	0	3	0	0	7	0	7	10	0
Investigative Analyst [1801]	7	0	7	0	0	0	0	0	7	0
Investigative Assistant (1802)	2	0	2	0	0	0	0	0	2	0
Criminal Investigative Series (1811)	135	0	135	0	0	4	0	4	139	0
Information Technology Mgmt (2210)	13	5	13	5	0	0	0	0	13	5
Total	434	23	450	23	0	45	0	45	495	23
Headquarters (Washington, D.C.)	214	23	224	23	0	15	0	15	239	23
U.S. Field	220	0	226	0	0	30	0	30	256	0
Foreign Field	0	0	0	0	0	0	0	0	0	0
Total	434	23	450	23	0	45	0	45	495	23

J: Financial Analysis of Program Changes

Financial Analysis of Program Changes

Office of the Inspector General

Salaries and Expenses

(Dollars in Thousands)

Grades:	AIIR		AIIR		Program Changes	
	Inc. 1		Inc. 2		Program Changes	
	Pos.	Amount	Pos.	Amount	Pos.	Amount
GS-15	4	559	0	0	4	559
GS-14	4	433	2	208	6	641
GS-13	13	1,173	16	1,410	29	2,583
GS-11	6	373	0	0	6	373
Total positions & annual amount	27	2,538	18	1,618	45	4,156
Lapse (-)	0	0	(9)	(809)	(9)	(809)
Other personnel compensation	0	0	0	44	0	44
Total FTE & personnel compensation	27	2,538	9	853	36	3,391
Personnel benefits	0	752	0	249	0	1,001
Travel and transportation of persons	0	226	0	98	0	324
Transportation of things	0	0	0	0	0	0
GSA rent	0	0	0	0	0	0
Communication, rents, and utilities	0	80	0	30	0	110
Printing	0	5	0	1	0	6
Advisory and assistance services	0	0	0	0	0	0
Other services	0	73	0	84	0	157
Purchases of goods & services from Government accounts	0	161	0	200	0	361
Research and development contracts	0	0	0	0	0	0
Operation and maintenance of equipment	0	0	0	0	0	0
Supplies and materials	0	135	0	69	0	204
Equipment	0	30	0	376	0	406
Buildout	0	0	0	40	0	40
Total, 2010 program changes requested	27	\$4,000	9	\$2,000	36	\$6,000

K: Summary of Requirements by Grade

Summary of Requirements by Grade

Office of the Inspector General

Salaries and Expenses

Grades and Salary Ranges	2008 Enacted w/Rescissions and		2009 Enacted		2010 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
EX, \$139,600 - \$191,300	1		1		1		0	
SES, \$114,468 - \$172,200	7		7		7		0	
SL, \$138,380 - \$158,500	2		2		2		0	
GS-15, \$115,317 - 149,000	61		63		67		4	
GS-14, \$98,033 - 127,442	79		80		86		6	
GS-13, \$82,961 - 107,854	193		198		229		31	
GS-12, \$69,764 - 90,698	32		36		34		(2)	
GS-11, \$58,206 - 75,669	13		13		28		15	
GS-10, \$52,979 - 68,875	1		1		1		0	
GS-9, \$48,108 - 62,546	21		25		16		(9)	
GS-8, \$43,557 - 56,624	10		10		10		0	
GS-7, \$39,330 - 51,124	14		14		14		0	
Total, appropriated positions	434		450		495		45	
Average SES Salary		\$162,040		\$171,833		\$175,613		
Average GS Salary		\$83,544		\$99,136		\$101,317		
Average GS Grade		13		13		13		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Office of the Inspector General
 Salaries and Expenses
 (Dollars in Thousands)

Object Classes	2008 Actuals		2009 Enacted*		2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	375	37,264	406	38,015	450	40,604	44	2,589
11.3 Other than full-time permanent	25	1,083	24	1,125	24	1,153	0	28
11.5 Total, Other personnel compensation	0	3,469	0	3,578	0	3,622	0	44
<i>Overtime</i>		12	[2]	[39]	[2]	[45]	0	[6]
<i>Other Compensation</i>		3,457	[21]	[3,033]	[21]	[3,074]	0	[41]
11.8 Special personal services payments		(0)	0	25		25	0	0
Total	400	41,816	430	42,743	474	45,404	44	2,661
Other Object Classes:								
12.0 Personnel benefits		12,289		14,321		14,881		560
13.0 Benefits for former personnel		8		0		0		0
14.0 Leave and special		11		0		0		0
21.0 Travel and transportation of persons		3,515		4,302		4,551		249
22.0 Transportation of things		132		133		133		0
23.1 GSA rent		7,738		9,460		9,762		302
23.2 Moving/Lease Expirations/Contract Parking		245		159		159		0
23.3 Comm., util., & other misc. charges		1,123		2,000		2,078		78
24.0 Printing and reproduction		21		82		41		(41)
25.1 Advisory and assistance services		750		1,325		1,325		0
25.2 Other services		270		2,225		2,283		58
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)		1,110		1,159		1,536		377
25.4 Operation and maintenance of facilities		25		33		33		0
25.5 Research and development contracts		0		0		0		0
25.6 Medical care		65		0		0		0
25.7 Operation and maintenance of equipment		149		150		150		0
26.0 Supplies and materials		360		557		736		179
31.0 Equipment		1,061		1,067		1,231		164
32.0 Land and structures		236		0		40		40
42.0 Claims and indemnities		93		25		25		0
Total obligations		\$71,017		\$79,741		\$84,368		\$4,627
Unobligated balance, start of year		500		4,060		0		(4,060)
Unobligated balance, end of year		4,086		0		0		0
Recoveries of prior year obligations		0		0		0		0
Total DIRECT requirements		74,603		75,681		84,368		8,687
Reimbursable FTE:								
Full-time permanent	23		23		23		0	0
23.1 GSA rent (Reimbursable)		0		0		0		0
25.3 DHS Security (Reimbursable)		0		0		0		0

*Funding provided by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) is excluded due to the funds being available for obligation until September 30, 2013, and to the unique nature of the tracking and reporting requirements associated with the funds.

M. Status of Congressionally Requested Studies, Reports, and Evaluations

1. The Conference Report associated with the FY 2006 Department of Justice Appropriations Act directed the OIG to provide the Committees on Appropriations with regular updates during fiscal year 2006 on the financial and programmatic status of SENTINEL. The OIG issued its 4th in a series of reports examining SENTINEL's development in December 2008, and will continue to provide updates in FY 2009 and throughout the life of the project.
2. The Conference Report associated with the FY 2008 Consolidated Appropriations Act directed the OIG to continue to investigate and report to the Appropriations Committees on the firings of U.S. Attorneys. The OIG and the Department's Office of Professional Responsibility jointly investigated the Department's removal of nine U.S. Attorneys in 2006, and the report of investigation was publicly released in September 2008. In response to this report, then-Attorney General Mukasey selected a career prosecutor to conduct further investigation into the removals. The OIG is assisting the career prosecutor in this investigation, and will continue to provide updates in FY 2009 on this investigation.
3. The FY 2008 Consolidated Appropriations Act directed the OIG to conduct an audit and issue a report to the Committees on Appropriations of all expenses of the legislative and public affairs offices in the Department of Justice. The OIG issued its audit report in July 2008.
4. The Explanatory Statement associated with the FY 2009 Omnibus Appropriations Act directed the OIG to continue to investigate and report to the Appropriations Committees on the FBI's use of National Security Letters and PATRIOT Act Section 215 orders. The OIG will continue to provide updates in FY 2009 on these investigations.

N. Additional Required Information for OIG Budget Submissions

The Inspector General Reform Act of 2008 (P.L. 110-409) requires that the Department of Justice OIG submit the following information related to its requested budget for Fiscal Year 2010:

- *the aggregate budget request for the operations of the OIG is \$84.368 million;
- *the portion of this amount needed for OIG training is \$750,000; and
- *the additional amount necessary to support the operations of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), calculated at .24 % of the budget request, is \$202,483.

The Inspector General of the Department of Justice certifies that the amount requested for training satisfies all OIG training needs for FY 2010.