

APPENDIX E

Major Program Evaluations Completed During FY 2006

Government Accountability Office (GAO) Study on Thefts of Explosives from State and Local Government Storage Facilities

More than 5.5 billion pounds of explosives are used each year in the United States by private sector companies and government entities. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has authority to regulate explosives and to license privately owned explosives storage facilities. After the July 2004 theft of several hundred pounds of explosives from a State and local government storage facility, concerns arose about vulnerability to theft. As a result of these concerns, the GAO analyzed (1) the extent of explosives thefts from State and local government facilities, (2) ATF's authority to regulate and oversee State and local government explosives storage facilities, (3) the information ATF collects about State and local government storage facilities, and (4) security oversight measures in place at selected State and local government storage facilities.

Judging from available ATF data, GAO found that there have been few thefts of explosives from State and local government storage facilities. From January 2002 to February 2005, ATF received only nine reports of thefts or missing explosives from State and local facilities, compared to a total of 205 explosives thefts reported nationwide during this same period. During the course of the audit, GAO found evidence of five thefts from State and local government facilities, one of which did not appear in ATF's national database on thefts and missing explosives. Thus, the actual number of thefts occurring at State and local storage facilities could be higher than that identified by ATF data.

The GAO recommended that the Attorney General direct the ATF Director to clarify explosives incident reporting regulations to ensure that all entities storing explosives, including State and local government agencies, understand their obligation to report all thefts or missing explosives. The Department agreed with GAO's recommendation and indicated it would take steps towards implementation.

Department of Justice Office of the Inspector General (OIG) Follow-up Audit of ATF Forensic Science Laboratories Workload Management

The OIG evaluated whether the ATF laboratories managed workloads effectively to provide timely services to ATF field divisions. This audit followed up on findings reported in 2001 by the Department of Treasury OIG, – which was responsible for auditing ATF until its transfer to the Department in 2003 – that found the laboratories did not always provide timely service and did not properly prioritize workloads.

The OIG audit found that processing times have not significantly improved in the past four years. Two-thirds of completed forensic examinations continued to take more than 30 days to complete and about one-third of examinations took more than 90 days. Although customers appreciated the quality of work the laboratories produced, more than half the special agents that the OIG interviewed said they used other laboratories at times to obtain more timely results.

The OIG recommendations focused on managing the incoming workload and existing examination backlog by developing and implementing a revised priority system and a plan to eliminate the backlog, and developing approaches to reducing the time it takes to fill examiner vacancies. Otherwise, the backlog, inadequate priority system, and vacant examiner positions will continue to interfere with the laboratories' ability to handle the incoming workload of evidence on a timely basis. Serious consequences may occur if delays in identifying suspects, making arrests, and bringing offenders to trial allow offenders to commit additional crimes.

The ATF concurred with the OIG recommendations and indicated that ATF is in the process of taking corrective actions.

OIG Audit of the Management of Seized Assets and Evidence by ATF

The OIG conducted an audit to assess ATF's management of seized assets. The objectives were to: (1) determine the status of ATF's transition to DOJ's system for managing seized assets, and (2) assess the adequacy of ATF's accounting for, storing, safeguarding, and disposing of seized assets and evidence in its possession.

The audit disclosed areas where improvements could be made to ATF's management of seized assets relating to the use of DOJ's asset management system; accounting for, storing, and safeguarding seized property; and proactively responding to natural disasters. The report contained five recommendations that focused on the need to resolve ATF's asset management system requirements that are necessary to fully support migration of data into the DOJ automated system; provide appropriate supporting documentation to DOJ about seized and forfeited assets; and expedite the reconciliation so that current and future funds at Treasury can be promptly transferred to the DOJ Asset Forfeiture Fund.

Impact of Law Enforcement Activities on Cocaine Availability: Atlanta, Chicago, and Dallas

As a result of an earlier audit titled, "The Drug Enforcement Administration's (DEA) Implementation of the Government Performance and Results Act (GPRA)," the OIG recommended that DEA establish a system to collect, analyze, and report performance data related to the reduction in drug use and availability. In accordance with OIG recommendation, DEA and the Office of National Drug Control Policy (ONDCP) contracted with CNA Corporation (CNA) to conduct a study to develop a model to determine the impact of law enforcement operations on the cocaine market. The study called for a determination of law enforcement impact on cocaine availability in the Dallas, Atlanta, and Chicago markets.

The results of the 16 month study, documented by CNA in a 109 page final report, showed that while DEA enforcement operations (e.g., arrests per case and drug seizures) did have a short term impact on the market (cocaine availability as measured by price and purity), there was no single model that could measure the impact. DEA is currently working with ONDCP to assess the study and determine if it should be expanded to further explore if the impact of DEA's enforcement operations on drug availability can be measured.

Use of Polygraph Examinations in the Department of Justice

The OIG conducted a review on polygraph use by the Department's components to identify all that use or administer polygraph examinations and determine how they are used throughout the Department. The review began with a survey, and upon analysis of the results, OIG examined the components' management and use of polygraph examinations; the Department's policies governing the use of polygraph examinations; and the oversight mechanisms for ensuring that the components conduct and use polygraph examinations in accordance with established professional and technical standards. The FBI Security Division (Polygraph Unit) was not generally satisfied with the content of the report, and their concerns were noted and provided to OIG. Many of the requested changes were incorporated into the final report. The report does not make recommendations regarding the Department's polygraph use, but the report provides a detailed description of how polygraphs are used throughout the Department, for informational purposes.

Study on the Management and Performance of the Immigration Courts

The GAO conducted an evaluation of the Executive Office for Immigration Review (EOIR) and the management and performance of its immigration courts from March 2005 through August 2006. The GAO assessed: (1) the trend in immigration courts' caseload in recent years, (2) how the Office of the Chief

Immigration Judge (OCIJ) assigns and manages the immigration court caseload, and (3) how EOIR/OCIJ evaluates the immigration courts' performance.

The EOIR mandate is to provide fair, expeditious, and uniform interpretation and application of immigration law. To achieve its mission, EOIR has established case completion goals for various case types. As demonstrated in various reporting mechanisms, EOIR has been highly successful in meeting its goals for priority case types.

The GAO found that there have been an increasing number of newly filed cases in recent years and that OCIJ has managed the growing caseload through resource reallocation and use of technology, such as video conferencing. To more accurately and consistently reflect immigration courts' progress in the timely adjudication of immigration cases, GAO recommended that the Director of EOIR maintain appropriate documentation to demonstrate the accuracy of case completion goal reports, and clearly state what cases are being counted in the reports.

Effectiveness of the Office for Victims of Crime (OVC) Tribal Victim Assistance Program

The OIG initiated an audit to evaluate the effectiveness of the Office of Justice Programs (OJP)/OVC tribal victim assistance grant program. The objective of the audit was to obtain grant performance information directly from tribal grantees and to evaluate whether the grants were fully implemented and the program objectives achieved. The OIG audit disclosed that overall OVC did not incorporate adequate strategic planning into its victim assistance program, which is necessary to implement effective performance-based management.

Specific OIG findings include the following: (1) OVC did not establish any long-term or annual program goals for its tribal victim assistance program; (2) OVC did not ensure that resource allocation decisions reflect program effectiveness; (3) OVC did not establish a standardized progress report that captures required performance measure information; (4) OVC did not summarize the performance information reported by tribal grantees on the effectiveness of this tribal victim assistance program as a whole; (4) OVC did not provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported; and (5) OVC did not ensure that progress reports include required performance measure data. In addition, OIG recommended that OVC utilize the performance information reported by tribal grantees to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor performance.