#### DEPARTMENT OF HOMELAND SECURITY

## Office of Inspector General





# FISCAL YEAR 2009 ANNUAL PERFORMANCE PLAN (Addendum – April 2009)

#### The Department of Homeland Security

#### Office of Inspector General

Fiscal Year 2009 Annual Performance Plan (Addendum – April 2009)

The Government Performance and Results Act of 1993, Public Law 103-62, requires agencies to submit to the Office of Management and Budget (OMB) an annual performance plan covering each program activity in the agency's budget. The annual performance plan is to provide the direct linkage between the strategic goals outlined in the agency's strategic plan and what managers and employees do day-to-day. The plan is to contain the annual performance goals that the agency will use to gauge its progress toward accomplishing its strategic goals and identify the performance measures the agency will use to assess its progress.

#### A Message From the Inspector General

I am pleased to present an addendum to our *Fiscal Year 2009 Annual Performance Plan* for the Department of Homeland Security. The addendum is an update to our 2009 plan and highlights changes made to our plan since it was published in October 2008. The plan and the addendum are to be used together. The addendum includes a list of the reports that we issued during the first 6 months of FY 2009, as well as new projects initiated after our original plan was published. We also included a list of the projects that we have deferred until FY 2010 or canceled.

The new and canceled projects in the addendum reflect our efforts to address the current interests and concerns of the department's Secretary and senior management officials, the Congress, and the Office of Management and Budget. We continue to focus on our core mission of conducting independent and objective audits, inspections, and investigations to promote economy, efficiency, and effectiveness in the department's programs and operations, and to prevent and detect fraud, waste, abuse, and mismanagement.

We planned new projects that are critical to the success of the Secretary's *Strategic Priorities* and the Congress' *American Recovery and Reinvestment Act of 2009* (Public Law 111-5). These projects are listed in Chapters 3 and 4, respectively, along with projects originally included in our 2009 plan that also address theses issues. For convenience, we provide a reference to the page in our original plan or the addendum that contains a description of the project and its objective(s).

As we conduct our work, we will continue to strive to have a consultative and collaborative working relationship with the Secretary and the department's senior management while providing constructive and objective information to promote the department's management decision making and accountability.

Our original plan can be found at http://www.dhs.gov/xoig/assets/OIG APP FY09.pdf.

Richard L. Skinner Inspector General

Richard L. Skinner

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#### **Chapter 1 – Updated Planning Approach for FY 2009**

This addendum to our Annual Performance Plan is our updated roadmap for the new audits and inspections that we plan to conduct during the remainder of FY 2009. In devising this addendum, we endeavor to reassess conditions within the department and the Nation to ensure that we are allocating our resources to the most critical issues facing the department.

The plan and this addendum may describe more projects than may be completed in FY 2009, especially since developments and requests from DHS management and the Congress during the remainder of the year will necessitate some projects that cannot be anticipated. Resource issues, too, may require changes to the plan as the year progresses. Finally, the addendum includes some projects that will start during FY 2009 but will carry over into FY 2010.

In establishing midyear priorities, we continued to focus on the major management challenges facing the department. In our report titled *Management Challenges Facing the Department of Homeland Security* (OIG-09-08), we identified the following as the most serious FY 2009 management challenges facing DHS:

Acquisition Management Infrastructure Protection Financial Management Border Security

Information Technology Management Transportation Security

Catastrophic Disaster Response and Recovery Trade Operations and Security

Grants Management

Since our original plan was issued, the new DHS Secretary issued a series of *Strategic Priorities* "to instruct specific offices and agencies within the department to gather information, review existing strategies and programs, and to provide oral and written reports back to the Secretary within a defined time frame." The Secretary also gave priority to the department's missions of protection, preparedness, response and recovery, immigration, and efficiency initiatives. The programs and functions associated with each of these missions are not an all-inclusive inventory of DHS' activities. Rather, these activities represent the core of DHS' mission and strategic objectives. By answering certain fundamental questions about each of these program and functional areas, we will determine how well DHS is performing and we will be able to recommend improvement to the efficacy of DHS' programs and operations.

Additionally, we also placed particular emphasis on new legislative mandates such as the *American Recovery and Reinvestment Act of 2009*. We have added projects that will assess the extent to which the department is meeting the goals and objectives set forth in the Act.

<sup>1</sup> Secretary's Action Directives, DHS public website at <a href="http://www.dhs.gov/xabout/gc">http://www.dhs.gov/xabout/gc</a> 1233156996914.shtm.

## **Chapter 2 – Aligning OIG Projects With the Secretary's Strategic Priorities**

In the following tables, we list the Secretary's five strategic priorities: Protection, Preparedness, Response and Recovery, Immigration, and Efficiency. Under each priority, we list our allied FY 2009 new and original projects, and the specific priority mission area that each project will assess. We provide detailed descriptions of new projects in Chapter 4 or on our website, when a report has been issued. A detailed description of original projects can be found in our 2009 plan, which is available on our website at <a href="http://www.dhs.gov/xoig/assets/OIG\_APP\_FY09.pdf">http://www.dhs.gov/xoig/assets/OIG\_APP\_FY09.pdf</a>.

#### **Protection**

Focuses on critical infrastructure protection, counterterrorism, risk analysis, state and local intelligence sharing, transportation security, state, local, and tribal integration, cybersecurity, and developing programs to afford greater protection against unlawful entry at our borders. Several projects listed below (identified by an asterisk) are also included in the chart on page 10.

Responsible Directorate/Component	Project Title	Mission Area	Description/ Objective
Management	Annual Evaluation of DHS' Information Security Program for Fiscal Year 2009	Cybersecurity	2009 Plan Pg. 19
	Department of Homeland Security Web Server Security	Cybersecurity	2009 Plan Pg. 20
	(New) DHS' Efforts to Establish a Primary Data Center	Cybersecurity	Addendum Pg. 11
	(New) DHS Efforts to Address the Insider Threat to Information Technology (IT) Systems	Cybersecurity	Addendum Pg. 12
	LAN A Security and Management Issues	Cybersecurity	2009 Plan Pg. 27
	DHS ONENET	Cybersecurity	2009 Plan Pg. 27
DNDO	(New) Effectiveness of Protective Security Advisors in Reducing Risk to Critical Infrastructure	Critical Infrastructure Protection	Addendum Pg. 13
	Protection of Petroleum and Natural Gas Sub- sectors	Critical Infrastructure Protection	2009 Plan Pg. 30
	National Cyber Security Division's Strategy For Control Systems Security	Cybersecurity	2009 Plan Pg. 28
	The United States Computer Emergency Readiness Team (US-CERT)	Cybersecurity	2009 Plan Pg. 29
	Efforts to Identify Critical Infrastructure Assets and Systems ( <i>Mandatory</i> ) (Original Title – Use and Maintenance of Critical Infrastructure Databases	Critical Infrastructure Protection	2009 Plan Pg. 30

Responsible Directorate/ Component	Project Title	Mission Area	Description/ Objective
FEMA	Efficacy of DHS Grant Programs (Original title – Eliminating Stove-piped Grant Program)	State, Local, and Tribal Integration	2009 Plan Pg. 38
	Continuing Effort To Evaluate States' Management of the State Homeland Security Grant Program and the Urban Areas Security Initiative Program Grants: LA, MN, NV, NY, OK, TN, TX, IL and CA	Risk analysis	2009 Plan Pg. 39
	Continuing Effort To Evaluate States' Management of the State Homeland Security Grant Program and the Urban Areas Security Initiative Program, Six States to be Determined (Mandatory)	Risk analysis	2009 Plan Pg. 54
Office of Intelligence & Analysis	Annual Evaluation of DHS' Information Security Program for Fiscal Year 2009 – Intelligence (Mandatory)	Efficiency Review	2009 Plan Pg. 57
	Annual Evaluation of DHS' Information Security Program for Fiscal Year 2009 – DNI Intelligence Systems (Mandatory)	Efficiency Review	2009 Plan Pg. 57
	DHS' Role in State and Local Fusion Centers Is Evolving (Original title – Office of Intelligence and Analysis' Fusion Center Initiative)	State and Local Intelligence Sharing	2009 Plan Pg. 58
Office of Operations Coordination	Information Sharing at the National Operations Center (Congressional)	State and Local Intelligence Sharing	2009 Plan Pg. 59
TSA	TSA's Preparedness for Handling Mass Transit Emergencies*	Transportation Security	2009 Plan Pg. 60
	Security of Air Cargo During Ground Movement *	Transportation Security	2009 Plan Pg. 60
	Penetration Testing of Law Enforcement Credentials Accepted To Bypass Screening*	Transportation Security	2009 Plan Pg. 60
	Newly Deployed and Enhanced Technology at the Passenger Screening Checkpoint* (Original title – Whole Body Imaging Testing (Red Team))	Transportation Security	2009 Plan Pg. 59
	(New) Effectiveness of TSA's Surface Transportation Security Inspectors (Mandatory)	Transportation Security	http://www.dhs.gov/xo ig/assets/mgmtrpts/OI G_09-24_Feb09.pdf
	(New) TSA's Security Screening Procedures for Employees at Orlando International Airport and the Feasibility of 100 Percent Employee Screening (Congressional)	Transportation Security	http://www.dhs.gov/xo ig/assets/mgmtrpts/OI G 09-05 Oct08.pdf
	(New) Workforce Strength and Deployment in TSA's Federal Air Marshal Service	Transportation Security	Addendum Pg. 20
	Ability To Communicate With Federal Air Marshals While In Mission	Transportation Security	2009 Plan Pg. 61
	System and Procedures Used To Identify and Resolve Threats (Original title – TSA On-Screen Alarm Resolution Protocols for Checked Baggage)	Transportation Security	2009 Plan Pg. 62
	Role of TSA's No Fly and Selectee Lists in Securing Commercial Aviation (SSI) (Mandatory) (Original title – Potential Vulnerabilities in TSA's Secure Flight Watchlist Screening)	Transportation Security	2009 Plan Pg. 63
	TSA Security Regulations Governing General Aviation (Congressional)	Transportation Security	2009 Plan Pg. 63

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Responsible Directorate/ Component	Project Title	Mission Area	Description/ Objective
USCG	(New) United States Coast Guard's Maritime Security and Safety Teams	Transportation Security	Addendum Pg. 22
	(New) United States Coast Guard's Inspection and Investigation Efforts To Ensure Safety of Marine Commerce	Transportation Security	Addendum Pg. 23
USCBP	CBP's Use of Container Security Initiative Information to Identify and Detect High-Risk Containers Prior to Loading	Risk Analysis	2009 Plan Pg. 67
	CBP Cash Collections and Deposits Revenue FY 2008 (Mandatory)	Risk Analysis	2009 Plan Pg. 72
	Small Vessel Security	Transportation Security	2009 Plan Pg. 71
Multiple	(New) Use of Multiple Databases in Intelligence Watchlists	State and Local Intelligence Sharing	Addendum Pg. 28
	(New) Coordination and Effectiveness of TSA's and S&T's Behavior Screening Programs	Transportation Security	Addendum Pg. 29
	Intelligence and Information Sharing Among DHS Immigration Components	State and Local Intelligence Sharing	2009 Plan Pg. 76
	DHS Counterintelligence Activities	State and Local Intelligence Sharing	2009 Plan Pg. 78
	Effectiveness of the DHS Traveler Redress Inquiry Program (TRIP) (Congressional)	Transportation Security	2009 Plan Pg. 79

#### **Preparedness**

Focuses on Federal Emergency Management Agency (FEMA) state and local integration; and national planning with the expectation for inter-agencies to develop plans at multiple levels to address eight scenario sets, which are based on the 15 National Planning Scenarios crafted by the Homeland Security Council.

Responsible Directorate/ Component	Project Title	Mission Area	Description/ Objective
DNDO	TOPOFF 4 Full-Scale Exercise	FEMA – State and Local Integration	2009 Plan Pg. 31
FEMA	State, Tribal, and Community Level Incident Management Planning Efforts	FEMA – State and Local Integration	2009 Plan Pg. 34
	Disaster Assistance Grants (Nationwide)	FEMA – State and Local Integration	2009 Plan Pg. 32
	FEMA's Incident Management Assistance Teams	National Planning	2009 Plan Pg. 36
	Federal Incident Management Planning Efforts	National Planning	2009 Plan Pg. 50
	State Administration of FEMA's Public Assistance Projects – Multiple State Audits	FEMA – State and Local Integration	2009 Plan Pg. 51
USICE	Federal Protective Service Contract Guard Procurement Process*	National Planning	2009 Plan Pg. 73

#### **Response and Recovery**

Focuses on the current state of medical readiness, including local first responder capabilities, hospital bed capacity, and the ability to surge existing capacity in an emergency, as well as any gaps and current efforts to address them. The department will also look at rebuilding the communities impacted by Hurricane Katrina.

Responsible Directorate/ Component	Project Title	Mission Area	Description/ Objective
FEMA	(New) FEMA and HUD Housing Assistance to	Hurricane Katrina –	Addendum Pg. 16
	Hurricane Katrina and Rita Disaster Victims	Housing	
	Public Assistance Appeals Process	Hurricane Katrina –	2009 Plan Pg. 33
		Public Assistance	
		Projects	
	All-Hazards Mitigation Efforts	Hurricane Katrina –	2009 Plan Pg. 37
		Hazard Mitigation	
	FEMA's Hazard Mitigation Grant Program	Hurricane Katrina –	2009 Plan Pg. 44
		Hazard Mitigation	
	FEMA's Public Assistance Project Management	Hurricane Katrina –	2009 Plan Pg. 46
	Process (Congressional)	Public Assistance	
		Projects	
	FEMA's Public Assistance Program Funding for	Hurricane Katrina –	2009 Plan Pg. 47
	Hazard Mitigation Measures	Public Assistance	
		Projects	
	FEMA's Housing Strategy for Future Disasters	Hurricane Katrina –	2009 Plan Pg. 48
		Housing	
	FEMA's Temporary Housing Unit Program –	Hurricane Katrina –	2009 Plan Pg. 52
	Multiple	Housing	
	Tracking Public Assistance Insurance Requirements	Hurricane Katrina –	2009 Plan Pg. 51
	•	Public Assistance	
		Projects	
	FEMA's Management and Oversight of Public	Hurricane Katrina –	2009 Plan Pg. 54
	<b>Assistance Technical Assistance Contractors</b>	Public Assistance	
		Projects	

#### **Immigration**

Focuses on enforcement of immigration and border security laws; criminal and fugitive aliens; legal immigration benefit backlog; gun smuggling at our southern (Mexican) border; assessing the deployment of our National Guard at our borders; widows and widowers of U.S. citizens who had petitioned for the alien spouse's immigration, but whose petitions were not adjudicated before the citizen spouse's death, immigration detention facilities; electronic employment verification aimed at reducing unauthorized employment; and, controlling the problem of illicit migration. One project listed below (identified by an asterisk) was also included in the chart on page 10.

Responsible Directorate/	Project Title	Mission Area	Description/
Component			Objective
USCIS	USCIS Adjudication Process Part 2	Legal Immigration	2009 Plan Pg. 64
		Benefit Backlogs	
	(New) Nonminister Immigrant Religious Worker	Immigration and	Addendum Pg. 21
	Visa Program (Mandatory)	Border Security	
	Management Controls To Deter Adjudicator Fraud	Immigration and Border Security	2009 Plan Pg. 64
	(New) Kendell Frederick Act (PL 110-251)	Legal Immigration	Addendum Pg. 21
	Implementation (Mandatory)	Benefit Backlogs	
USCBP	CBP's Handling of Unaccompanied Alien Minors	Immigration	2009 Plan Pg. 77
	(Original title – Treatment of Unaccompanied Alien	Detention Facilities	
	Minors)		
USICE	(New) U.S. Immigration and Customs	Criminal and	Addendum Pg. 25
	Enforcement's Program for Identifying and	Fugitive Aliens	
	Removing Deportable Criminal Aliens		
	(New) Age Determination Practices for	Immigration	Addendum Pg. 26
	Unaccompanied Alien Children in ICE Custody	Detention Facilities	
	(Mandatory)	G : 1 1	4 11 1 D 27
	(New) The Performance of 287(g) Agreements with	Criminal and	Addendum Pg. 27
	State and Local Authorities (Mandatory)	Fugitive Aliens	2000 Pl P - 72
	ICE's Review of Medical Treatment Requests	Immigration Detention Facilities	2009 Plan Pg. 73
	(New) ICE IT Modernization*	Legal Immigration Benefit Backlogs	Addendum Pg. 27
	Removals Involving Illegal Alien Parents of United	Criminal and	2009 Plan Pg. 74
	States Citizen Children (Mandatory) (Original title –	Fugitive Aliens	
	Detention and Deportation Involving the Parents of		
	U.S. Citizen Children)		
	Transfer of Detainees in ICE Custody	Criminal and	2009 Plan Pg. 74
		Fugitive Aliens	
Multiple	DHS Employment Verification Programs	Electronic	2009 Plan Pg. 78
		Employment	
		Verification	

#### **Efficiency**

Focuses on department components and agencies generating new efficiencies to promote greater accountability, transparency, and customer satisfaction. Specifically, the Secretary recently established initiatives to reduce or eliminate business travel; restrict travel for meetings, trainings, and conferences; and seek opportunities to eliminate printing costs by sending communications electronically. Another initiative is set to generate savings by centralizing certain contracting efforts.

Responsible	D	Mission	Narrative/
Directorate/ Component	Project Title	Area	
Management	Information Technology Matters Related to the FY 2008 Financial Statement Audit – DHS Consolidated (Mandatory)	Efficiency Initiative	2009 Plan Pg. 20
	(New) Follow-up Review of DHS' Implementation of Homeland Security Presidential Directive	Efficiency Initiative	Addendum Pg. 11
	(New) Follow-up Evaluation of the Washington Dulles International Airport	Efficiency Initiative	Addendum Pg. 12
	DHS' IT Disaster Recovery Programs Follow-up	Efficiency Initiative	2009 Plan Pg. 27
S&T	Science and Technology Management of Contracts with a Small Business	Efficiency Initiative	2009 Plan Pg. 31
	The Science and Technology Directorate's Processes for Funding Research and Development Programs (Congressional)	Efficiency Initiative	2009 Plan Pg. 32
FEMA	<b>NEMIS Controls</b> ( <i>Mandatory</i> ) (Original title – Federal Disaster Relief Assistance Applications and Databases)	Efficiency Initiative	2009 Plan Pg. 55
FLETC	Information Technology Matters Related to the FY 2008 Financial Statement Audit of FLETC (Mandatory)	Efficiency Initiative	2009 Plan Pg. 56
Office of Counter- Narcotic Enforcement	Implementation of the DHS Interagency Statement of Intent for Counternarcotics Enforcement	Efficiency Initiative	2009 Plan Pg. 56
TSA	Information Technology Matters Related to the FY 2008 Financial Statement Audit of TSA (Mandatory)	Efficiency Initiative	2009 Plan Pg. 61
	TSA Privacy Stewardship (revised title)	Efficiency Initiative	2009 Plan Pg. 63
USCG	Information Technology Matters Related to the FY 2008 Financial Statement Audit of USCG (Mandatory)	Efficiency Initiative	2009 Plan Pg. 66
USCBP	CBP's Actions in Response to Los Angeles International Airport Network Outage	Efficiency Initiative	2009 Plan Pg. 69
	Information Technology Matters Related to the FY 2008 Financial Statement Audit of CBP (Mandatory)	Efficiency Initiative	2009 Plan Pg. 69
USICE	(New) ICE Privacy	Efficiency Initiative	Addendum Pg. 27
	ICE Contracting and Procurement Overseas	Efficiency Initiative	2009 Plan Pg. 74
Multiple	DHS Conference Spending (Congressional)	Efficiency Initiative	2009 Plan Pg. 77
	Position Management in Selected DHS Internal Affairs Offices	Efficiency Initiative	2009 Plan Pg. 79

## Chapter 3 – Aligning OIG Projects With the *American Recovery and Reinvestment Act of 2009*

Below, we identify projects that will be conducted to assess specific requirements of the *American Recovery and Reinvestment Act of 2009 (Recovery Act)*. The projects and the resulting reports should help the department evaluate its progress on accomplishing and fulfilling requirements of the *Recovery Act*. We describe each project and its objectives in Chapter 4 and in our original plan, which can be found on our website at <a href="http://www.dhs.gov/xoig/assets/OIG\_APP\_FY09.pdf">http://www.dhs.gov/xoig/assets/OIG\_APP\_FY09.pdf</a>. Several projects listed below and identified by an asterisk were also included in the charts on pages 2–8 of this addendum.

#### Recovery Act 2009

Responsible Directorate/ Component	New Project Title	Narrative/ Objective Location
Management	(New) Advisory Report on DHS Capabilities	Addendum Pg. 10
	(New) Expenditure Plan Review: DHS Headquarters (USM)	Addendum Pg. 10
	(New) DHS Agency Recovery Plan (OMB Guidance)	Addendum Pg. 10
	FY 2009 Integrated DHS Consolidated Chief Financial Office Act and	2009 Plan Pg. 16
	Internal Control Over Financial Reporting Audit; and the Individual	
	Financial Statement Audits of CBP, FLETC, TSA, ICE, and USCIS	
	(Mandatory) (Original title revised)	
TSA	(New) Expenditure Plan Review: Explosive Detection Systems and	Addendum Pg. 19
	Equipment	
	TSA's Preparedness for Handling Mass Transit Emergencies*	2009 Plan Pg. 60
	Security of Air Cargo During Ground Movement *	2009 Plan Pg. 60
	Penetration Testing of Law Enforcement Credentials Accepted To Bypass Screening*	2009 Plan Pg. 60
	Newly Deployed and Enhanced Technology at the Passenger Screening	2009 Plan Pg. 59
	Checkpoint (Original title – Whole Body Imaging Testing (Red Team)*	_
	Effectiveness of the Checked Baggage Screening System and Procedures	2009 Plan Pg. 62
	Used To Identify and Resolve Threats (Original title –TSA On-Screen	
	Alarm Resolution Protocols for Checked Baggage Screening)*	
USCG	(New) Expenditure Plan Review: Alteration of Bridges Planning	Addendum Pg. 22
	(New) Expenditure Plan Review: Shore Facilities and Aids to Navigation Facilities	Addendum Pg. 22
USCBP	(New) Expenditure Plan Review: Nonintrusive Inspection (NII) System	Addendum Pg. 24
	(New) Expenditure Plan Review: Construction of CBP-Owned Land Ports of Entry	Addendum Pg. 24
	(New) Expenditure Plan Review: Southwest Border Security Fencing, Infrastructure and Technology	Addendum Pg. 24
USICE	Federal Protective Service Contract Guard Procurement Process*	2009 Plan Pg. 73
	(New) ICE IT Modernization*	Addendum Pg. 27
Multiple	(New) Expenditure Plan Review: Tactical Communications Equipment and Radios	Addendum Pg. 29

#### **Chapter 4 – New Project Narratives by Directorate**

#### DIRECTORATE FOR MANAGEMENT

#### (New) Advisory Report on DHS Capabilities

The American Recovery and Reinvestment Act of 2009 gives DHS \$2.8 billion to acquire goods and services as a means of helping stimulate the United States economy. The magnitude and unprecedented nature of this legislation bring into question the adequacy of the department's capabilities to effectively expend, allocate, monitor, and manage these funds within established timeframes. Title VI of the Act requires OIG to oversee and audit plans and programs for using the funds to meet objectives of the legislation. We are providing an advisory report based on previous audit work over the past several years, identifying risks the department should address in its Agency Recovery Plan, as well as open recommendations for which implementation should be expedited to successfully achieve Recovery Act goals.

*Objective:* Identify and summarize risks the department should address in its Agency Recovery Plan, as well as open OIG recommendations for which implementation should be expedited to successfully achieve *Recovery Act* goals. *Office of Audits* 

#### (New) Expenditure Plan Review: DHS Headquarters (USM)

The American Recovery and Reinvestment Act of 2009 includes \$650 million (\$200 million to DHS; \$450 million to the General Services Administration [GSA]) for planning, design, construction, site security, information technology infrastructure, fixtures, and related costs to consolidate DHS headquarters. Adequate planning for the expenditure of these funds is imperative to ensure that the objectives of the Recovery Act are met and that the new facility is well designed and constructed.

*Objective:* In cooperation with the GSA OIG, determine whether DHS (1) developed a practical and comprehensive plan to consolidate DHS' headquarters, and (2) has a management control structure in place to oversee the construction of the new facility. *Office of Audits* 

#### (New) DHS Agency Recovery Plan (OMB Guidance)

The American Recovery and Reinvestment Act of 2009 gives DHS \$2.8 billion to acquire goods and services as a means of helping stimulate the United States economy. According to Office of Management and Budget (OMB) guidance, each agency receiving

recovery funds must develop formal documented plans for how these funds will be applied and managed. Agency Recovery Plans should incorporate sound program management principles and describe both broad *Recovery Act* goals and how different parts of the agency are coordinating efforts toward successful implementation and monitoring.

*Objective:* Determine whether the department's Recovery Plan complies with OMB guidance and adheres to prudent management principles. *Office of Audits* 

#### (New) DHS Contracts with Low Wage Payments (Congressional)

The Honorable Bennie Thompson, Chairman of the House Committee on Homeland Security, requested that we review DHS roles and responsibilities in the application of and adherence to labor protection laws that cover low-wage service workers.

*Objective:* Determine whether the actual wages paid for subcontracted low-wage service work comply with prevailing wage structure and the prime contractor's initial wage schedule. *Office of Inspections* 

## (New) Follow-up Review of DHS' Implementation of Homeland Security Presidential Directive—12

Homeland Security Presidential Directive (HSPD)–12 establishes the policy for a common identification standard for federal employees and contractors. The standard was established to help ensure that people are who they say they are, so government facilities and sensitive information stored in networks remain protected. In October 2007, we issued a report titled *Progress Has Been Made But More Work Remains in Meeting Homeland Security Presidential Directive 12 Requirements* (OIG-08-01). In that report, we made a number of recommendations to improve the program, including developing department-wide cost estimates to implement HSPD-12; and certifying and accrediting information systems used for implementation of HSPD-12 and Federal Information Processing Standards 201 requirements. As of August 2008, several recommendations were still open.

*Objective:* Determine whether DHS is meeting HSPD-12 implementation requirements and that corrective actions to past recommendations have been completed. *Office of IT Audits* 

#### (New) DHS' Efforts to Establish a Primary Data Center

To support its strategies for disaster recovery and data center consolidation, DHS is establishing two main data centers. Congressional intent and appropriations language has funded the first data center at the Stennis Space Center in Mississippi. In addition to DHS, the National Aeronautics and Space Administration, the U.S. Army, and the Navy

have a stake in this facility. As DHS' primary data center, the cost-effective operation of the Stennis data center may be constrained due to the multiple operating entities at the facility.

*Objective:* Determine DHS' progress in establishing a primary data center at the Stennis Space Center and whether Stennis Space Center is best suited for DHS' needs and requirements. *Office of IT Audits* 

#### (New) DHS Efforts To Address the Insider Threat to IT Systems

The "trusted insider" continues to pose the biggest threat to the preservation of confidentiality, integrity, and availability of mission-critical information. As vetted members, DHS employees are in a position of trust and are expected to have a vested interest in the productivity and success of the organization. The risk from the insider includes information technology (IT) sabotage, theft, and modification of information. Considering the population that has authorized access to DHS information technology systems, the insider threat is potentially significant.

*Objective:* Determine the effectiveness of DHS' program to protect its mission-critical systems from an insider threat. *Office of IT Audits* 

#### (New) Follow-up Evaluation of the Washington Dulles International Airport

In January 2007, we reported various deficiencies in operational, technical, and managerial computer security controls at Dulles International Airport that could place the programs and operations of U.S. Customs and Border Protection and the Transportation Security Agency at risk. These components agreed with our findings and recommendations, and initiated efforts to establish a comprehensive program.

*Objective:* Determine what improvements DHS components have made to resolve deficiencies at Dulles International Airport that were reported in our January 2007 report. *Office of IT Audits* 

#### DIRECTORATE FOR NATIONAL PROTECTION AND PROGRAMS

#### (New) <u>Department of Homeland Security's Process Control Systems Forum</u> <u>Conference Fees</u>

The DHS Chief Financial Officer has requested that we conduct a full review of conferences held in FYs 2005, 2006, and 2007 that may have involved funding irregularities. The conferences, known as the Process Control Systems Forum, were sponsored by the Control Systems Security Program within DHS' National Protection and Programs Directorate, National Cyber Security Division. Through an interagency agreement with the Department of Energy, DHS contracted the work to several subcontractors, the last of which (Noblis Corporation) charged registration and vendor fees. The federal government is prohibited from charging such fees. Further, a preliminary investigation conducted by the DHS Chief Financial Officer determined that Noblis Corporation's alleged use of the fees to plan, manage, and run the 2007 conference were inappropriate, potentially constituting an *Anti-Deficiency Act* (31 U.S.C. 1341) violation.

*Objective:* Determine whether a violation of the *Miscellaneous Receipts Act* (31 U.S.C. 3302) and/or the *Anti-Deficiency Act* occurred from the receipt of conference registration fees. *Office of Audits* 

## (New) Effectiveness of Protective Security Advisors in Reducing Risk to Critical Infrastructure

In 2004, the Office of Infrastructure Protection's Risk Management Division established the Protective Security Advisor (PSA) Program. PSAs have a number of responsibilities, including identifying and assessing critical infrastructure and key resource assets in their assigned state or region; developing and maintaining close working relationships with state and local government personnel and critical infrastructure operators; serving as a communication conduit between DHS and stakeholders and providing threat information to relevant parties; and supporting local security plans before and during security incidents at critical infrastructure facilities. Currently, DHS has 78 PSAs that serve 60 metropolitan areas across the nation.

PSAs have many responsibilities, but it is not clear how they prioritize these responsibilities. It is also not clear how they determine which critical infrastructure receives their attention, or if the PSA function is similar in each metropolitan area. As a relatively mature program within the department, PSAs should have internal performance metrics which may be useful to similar DHS programs. This program has received interest from Congress and was highlighted as a key initiative in the FY2009 DHS Budget-in-Brief.

Objectives: Determine (1) to what extent PSAs are aligned to support the National Protection and Programs Directorate's primary national preparedness mission and the department's overall critical infrastructure protection strategy; (2) whether adequate guidance and resources have been provided to support the program's growth; (3) the methods that PSAs use to identify, prioritize, and assess critical infrastructure and key resources; (4) how facility operators and state and local emergency responders use the work that is done by PSAs; and (5) the metrics that the PSA Program uses to assess its own performance. Office of Inspections

#### (New) Site Selection – National Bio and Agro-Defense Facility (Congressional)

United States Representative Paul C. Broun requested that we review the process that resulted in the selection of a site in Manhattan, Kansas, for the new National Bio and Agro-Defense Facility.

*Objectives:* Determine whether (1) the Environmental Impact Statement meets the legal requirements of the *National Environmental Policy Act* (42 U.S.C. 4321); (2) DHS officials inappropriately lobbied for the Kansas site; and (3) the evaluation criteria assessed, weighed, and scored each site fairly. In addition, determine why DHS did not inform the public of the importance of in-kind contributions in the first public notice requesting Expressions of Interest, and the rationale for allowing the public only 30 days to comment on the final Environmental Impact Statement. Finally, determine why DHS officials approached the site selection process as they would a contract and whether any laws were broken or DHS policies violated. *Office of Inspections* 

#### DIRECTORATE FOR SCIENCE AND TECHNOLOGY

No new projects – Please see projects listed in our original plan.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### (New) FEMA's Capabilities To Oversee Recovery Act Grant Programs

FEMA received \$300 million from the *American Recovery and Reinvestment Act of 2009* (Public Law 111-5) for state and local programs, including \$150 million for Public Transportation Security Assistance and Railroad Security Assistance grants, and \$150 million for Port Security Grants. Awards for these programs are typically made directly to entities other than State Administrative Agencies, providing one fewer level of review and oversight than can be expected for other preparedness grant programs.

Although FEMA requires coordination with the State Administrative Agencies, FEMA must undertake additional direct oversight roles for these programs.

Objective: Determine whether FEMA has established appropriate capabilities to oversee Recovery Act grant programs, including adequate processes and internal controls over the programs for Public Transportation Security Assistance, Railroad Security Assistance, Port Security, Firefighters Assistance, and Emergency Food and Shelter grants. Office of Audits

#### (New) Selected FY 2008 Disaster Contracts

In 2008 there were 75 presidentially declared disasters. These disasters ranged from the spring Midwest floods, to hurricanes Ike and Gustav in the Gulf Coast, to wildfires in the West. FEMA spent hundreds of millions of dollars responding to these disasters. Since Hurricane Katrina, the focus has been on contracting in the Gulf Coast states, with limited audit attention on other disaster activities. Because of the many lessons learned and since reported, new legislation has been enacted. FEMA has implemented a number of significant changes in the acquisition area. However, there are concerns whether the significant policy changes have been properly documented, and if staff has been informed and trained so that there is effective and efficient implementation of these policies in the field.

Objectives: Determine (1) the efficacy of FEMA's ability to track, manage, and monitor the contracts; (2) whether the contracts included adequate provisions to deter and detect fraud, waste, and abuse; (3) the effectiveness of communication and coordination within FEMA to ensure continuous monitoring of contracts transferred between offices and acquisition professionals; (4) the extent that established controls and processes have or have not been implemented, and the resulting impact on providing goods and services; and (5) what impact, if any, acquisition-related legislation enacted after October 1, 2006, has had on the selected contracts. Office of Emergency Management Oversight

#### (New) FEMA's Response to Hurricane Ike

Our Office of Emergency Management Oversight deployed an Emergency Management Oversight Team to review FEMA's response activities for Hurricane Ike. The goal of this team is to assist FEMA in becoming as effective and efficient as possible in its delivery of disaster relief programs. Our review included interviews with FEMA and state of Texas officials and a review of pertinent documentation such as e-mails, task orders, contracts, and invoices; and visits to Disaster Recovery Centers and FEMA base camps. We reviewed several disaster response activities, including public assistance, disaster response operations, contracting, individual assistance, and other actions taken by FEMA in response to Hurricane Ike.

**Objective:** Determine whether FEMA effectively and efficiently responded to Hurricane Ike in compliance with FEMA policies and the principles of the National Response Framework. *Office of Emergency Management Oversight* 

## (New) FEMA and HUD Housing Assistance to Hurricane Katrina and Rita Disaster Victims

Hurricanes Katrina and Rita destroyed or damaged several hundred thousand homes and displaced more than one million people. Numerous federal agencies and private organizations provided emergency shelter and other temporary housing assistance to the hurricane victims.

FEMA established, as part of its Individuals and Households Program, a Landlord Direct Payment Plan using Corporate Lodging Consultants, Inc., a commercial provider of customized lodging programs, to qualify landlords and process lease payments. FEMA also established, under an interagency agreement with the Department of Housing and Urban Development (HUD), the Disaster Housing Assistance Program to provide long-term rental assistance and other services to previously non-HUD assisted individuals and households displaced by hurricanes Katrina and Rita. HUD and FEMA entered into an agreement under the *Computer Matching and Privacy Protection Act of 1988* (5 U.S.C. § 552a, as amended) to compare data from participants in HUD's assisted housing programs with FEMA disaster assistance recipients.

*Objective:* To conduct data matching of the two programs to increase the availability of assistance to individuals who meet the requirements of the rental assistance programs, and to deter and correct abuse in these assistance programs. *Office of Emergency Management Oversight* 

#### (New) FEMA's Internal Controls for Applicant Registration Process

FEMA has made significant improvements to the Individuals and Households Program (IHP) disaster assistance registration approval process. Since 2007, FEMA has been obtaining information to validate assertions concerning (1) identity, (2) occupancy, and (3) ownership made by all IHP registrants. FEMA also established a standard policy that it will authorize IHP payments only after an inspector meets with the IHP registrant, inspects the damaged property, reviews documentation provided by the registrant, and provides a report back to FEMA.

*Objective:* To determine (1) whether FEMA has instituted changes to respond to recommendations issued by the OIG and the Government Accountability Office (GAO) designed to prevent fraud, waste, and abuse in the IHP disaster assistance program observed after hurricanes Katrina and Rita; and (2) the extent to which IHP remains vulnerable to waste, fraud, and abuse. *Office of Emergency Management Oversight* 

## (New) FEMA's Cost Allocation Process for Employee-related Expenses Associated with Presidentially-declared Disasters

Salary, travel, and expenses of disaster assistance employees are a key element of disaster response and recovery. To ensure proper accountability for expenses of individual disasters, it is important that proper controls are in place and working effectively. The accuracy of this information is important in estimating costs and efforts required for future disasters.

*Objectives:* Determine the effectiveness of FEMA's internal controls to provide reasonable assurance that salary, travel, and other expenses associated with disaster assistance employees are charged to the appropriate presidentially declared disaster or administrative account. *Office of Emergency Management Oversight* 

#### (New) FEMA's Disaster Purchase Card Use

A crucial tool FEMA uses to expedite the government's response to disasters is the SmartPay® purchase card program, a program implemented to provide federal agencies and their employees a more flexible and efficient way to purchase commercial goods and services. This program, when well controlled, reduces transaction processing costs and provides agencies with flexibility to achieve their mission objectives. However, as recently as March 2008, the GAO identified government-wide internal control weaknesses in the purchase card programs. Less than 2 years earlier, the GAO and DHS OIG had reported that a weak control environment and breakdowns in key controls exposed DHS to fraud and abuse in its use of the purchase card.

On September 2, 2008, DHS temporarily increased the micro-purchase level for a single transaction to \$15,000 and promoted use of the Government Purchase Card for such purchases. All purchases made using this temporary procurement authority were to have a clear and direct relationship to contingency operations in support of hurricanes Gustav and Ike disaster relief efforts. This increased micro-purchase threshold remained in effect until October 31, 2008.

*Objectives:* Determine whether FEMA has adequate internal controls in place to deter and detect fraud, waste, and abuse in its SmartPay® purchase card program. *Office of Emergency Management Oversight* 

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<sup>&</sup>lt;sup>2</sup> By June 30, 2009, DHS will have transitioned from GSA SmartPay® 1 (U.S. Bank) charge cards to GSASmartPay®2 (JPMorgan Chase).

#### FEDERAL LAW ENFORCEMENT TRAINING CENTER

(New) DHS' Anti-Deficiency Act Determination for Dormitory Leases 1 and 3 at the Federal Law Enforcement Training Center (Requested)

During 2001 and 2002, Federal Law Enforcement Training Center (FLETC) awarded a build lease contract to construct three student dormitories on property adjacent to its Glynco, Georgia, facility. FLETC determined that all three leases were operating leases. However, during our FY 2002 and 2006 financial statement audits, independent public accounting firms determined that the leases were capital leases. In 2002, FLETC notified the Department of Treasury of this potential *Anti-Deficiency Act* violation and asked OMB to determine whether the leases were operating or capital. According to FLETC, OMB determined in September 2007 that the leases for Buildings 1 and 3 were properly scored as operating leases, but the lease for Building 2 should have been a capital lease and, as such, FLETC violated the *Anti-Deficiency Act*. In November 2008, FLETC notified the DHS Chief Financial Officer of management actions related to the alleged violation.

*Objectives:* Determine whether the dormitory building leases at FLETC's Glynco, Georgia facility were correctly reported by the department as operating leases under Office of Management and Budget Circular No. A-11, *Preparations, Submission, and Execution of the Budget. Office of Audits* 

#### OFFICE OF COUNTERNARCOTICS ENFORCEMENT

No new projects - Please see projects listed in our original plan.

#### OFFICE OF INTELLIGENCE AND ANALYSIS

(New) <u>Initiation of Quarterly Reports on the Data Collections Activities of the National Applications Office</u> (Mandatory) (Recurring Quarterly Report)

We have been charged by Congress in the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of* 2009 (Public Law 110-329) to provide to the House and Senate Appropriations Committees a classified report reviewing the data collected by the National Applications Office.

The DHS National Applications Office is a component of the Office of Intelligence and Analysis, and is intended to serve as an interface and clearing house in providing imagery collected by national technical means to consumers outside the main intelligence community. The predecessor of the National Applications Office, the Civil Applications Committee, operated with little controversy, providing access to national technical means for scientific purposes and providing support during natural disasters. However, the National Applications Office will, in addition to continuing the Civil Applications Committee's missions, also support state and local law enforcement authorities. This planned support is controversial and has raised substantial civil liberty and other legal concerns.

**Objectives:** Identify any National Applications Office collection activities and determine the legal authorities under which the collection activities were authorized. Additionally, we will review the National Applications Office for any potential intelligence oversight violations. *Office of Inspections* 

#### (New) Office of Intelligence and Analysis IT Disaster Recovery Program Follow-up

In May 2005, we reported that DHS and its components did not have a comprehensive IT disaster recovery program, leaving its programs and operations at risk. For example, 15 of the 19 (79%) facilities reviewed did not have a recovery site, or the recovery site was not fully operational. DHS agreed with our findings and recommendations, and initiated efforts to establish a comprehensive program.

*Objective:* Determine what improvements the Office of Intelligence and Analysis has made in its disaster recovery capabilities since our May 2005 report. *Office of IT Audits* 

#### OFFICE OF OPERATIONS COORDINATION

No new projects – Please see projects listed in our original plan.

#### TRANSPORTATION SECURITY ADMINISTRATION

#### (New) Expenditure Plan Review: Explosive Detection Systems and Equipment

The American Recovery and Reinvestment Act of 2009 provides \$1 billion for the procurement and installation of checked baggage explosives detection systems and checkpoint explosives detection equipment. Adequate planning for the expenditure of these funds is necessary to ensure that the purpose of the Recovery Act will be met as Congress intended.

*Objective:* Determine whether TSA has developed a practical and comprehensive plan to procure and install explosives detection systems and equipment. *Office of Audits* 

#### (New) TSA's Logistics Center

During the FY 2008 Financial Statement Audit, we identified a material weakness related to property, plant, and equipment attributable to the unreported amount of equipment stored at the TSA Logistics Center. TSA supports its mission of protecting the Nation's transportation systems to ensure freedom of movement for people and commerce by purchasing, storing, and maintaining transportation security equipment.

In February 2005, TSA contracted for a single warehouse at the TSA Logistics Center to store transportation security equipment that TSA personnel classified for deployment, redeployment, or disposal. TSA contracted for two additional warehouses in April 2008 and October 2008. TSA has more than 13,500 units of equipment with a cost of more than \$2 billion deployed to 450 airports nationwide. In FY 2008, TSA shipped 1,721 units of equipment with a total value of \$253 million through its Logistics Center. The increasing volume of equipment stored by TSA and, improvements needed in financial reporting of the stored equipment, raised questions about TSA's logistics processes and procedures.

**Objective:** Determine whether TSA is procuring, maintaining, storing, and deploying equipment through its Logistics Center in an effective and efficient manner. *Office of Audits* 

#### (New) Workforce Strength and Deployment in TSA's Federal Air Marshal Service

The TSA Federal Air Marshal Service is responsible for deterring hijackings and other hostile acts against commercial aircraft in the United States and on certain overseas flights. Air marshals served aboard U.S. aircraft as early as 1970, but the September 11, 2001, terrorist attacks gave the service new urgency. Air marshals gained widespread public recognition as a bulwark against similar attacks in the future. For additional security, TSA runs the Federal Flight Deck Officer Program, which trains pilots to carry and use handguns on aircraft, and the Law Enforcement Officers Flying Armed Training Program, which certifies law enforcement personnel to carry handguns in flight. For the flying public, affirmation of an effective Federal Air Marshal Service matched with other complementary security measures and helps maintain confidence in the security of U.S. air travel.

However, the Federal Air Marshal Service suffered public criticism based on charges of high attrition rates, inadequate coverage of flights, and hiring of less experienced personnel. TSA responded that the service remains adequately staffed and that its risk-based approach to deployment delivers reasonable security. Yet media criticism persists, frequently based on anonymous sources in TSA and the airline industry. Prolonged staffing shortages, hiring and retention difficulties, and insufficient coverage of flights would signal serious vulnerabilities in airline security, especially during unanticipated

periods of heightened threats. Plans to overcome such challenges and adjust deployments accordingly are vital to ensuring the service's long-term effectiveness.

*Objectives:* Determine the adequacy of TSA's Federal Air Marshal Service workforce readiness, including numbers of available marshals, staffing models and projected needs, attrition rates, and hiring plans, and turnover rates. *Office of Inspections* 

#### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

#### (New) Nonminister Immigrant Religious Worker Visa Program (Mandatory)

Pursuant to Section 2 (c) of the *Special Immigrant Nonminister Religious Worker Program Act* (P.L. 110-391), we are required to review USCIS efforts to reduce fraud in petitions filed for special immigrant nonminister religious workers. Individuals admitted under the program are eligible for admission to the United States as permanent residents. In 2006, USCIS determined, based on a sample of 220 cases, that special immigrant religious worker petitions had a fraud rate of 33%. Examples of fraud included submissions by nonexistent religious organizations and material misrepresentation regarding individuals who would receive special immigrant status. Concerns about the rate of fraud prompted USCIS to undertake a major effort to reduce fraudulent petitions. Congress required that USCIS issue final regulations to eliminate or reduce special immigrant nonminister religious worker fraud.

*Objectives:* Determine whether (1) USCIS has taken reasonable efforts to reduce nonminister religious worker benefit fraud, and (2) the final regulations are effective in deterring or eliminating religious worker petition fraud. *Office of Inspections* 

#### (New) Kendell Frederick Act (PL 110-251) Implementation (Mandatory)

The *Kendell Frederick Citizenship Assistance Act* is intended to facilitate the naturalization of individuals enlisted in the Armed Forces, by directing the DHS Secretary to use the fingerprints provided by the individual at the time of enlistment. The Act requires our office to conduct a study of the Act's implementation, including an assessment of any technology that may be used to improve the efficiency of the naturalization process for members of the Armed Forces and an assessment of the impact of this Act on privacy and civil liberties.

*Objective*: Determine USCIS' progress in implementing the *Kendell Frederick Act*. *Office of IT Audits* 

#### **UNITED STATES COAST GUARD**

#### (New) Expenditure Plan Review: Alteration of Bridges Planning

The American Recovery and Reinvestment Act of 2009 provides \$142 million for the alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516). The intent of the Act is to stimulate the economy by creating jobs and projects using the funding. The United States Coast Guard (USCG) shall award the funds for those bridges that are ready to proceed to construction. Additionally, no later than 45 days after the enactment of the Recovery Act, the Secretary of Homeland Security shall submit to Congress an expenditure plan on how it intends to use the funding.

**Objective:** Determine whether USCG has developed a practical and comprehensive plan for the alteration or removal of obstructive bridges using *Recovery Act* funds. *Office of Audits* 

#### (New) Expenditure Plan Review: Shore Facilities and Aids to Navigation Facilities

The American Recovery and Reinvestment Act provides \$98 million for the acquisition, construction, and improvement of shore facilities and aids to navigation facilities. The funds should be used for priority procurements due to materials and labor costs increases, and for costs to repair, renovate, assess, or improve vessels. The intent of the Recovery Act is to stimulate the economy through the creation of jobs and projects using the funding. Additionally, no later than 45 days after enactment of the Recovery Act, the Secretary of Homeland Security shall submit to Congress an expenditure plan on how it intends to use the funding.

*Objective:* Determine whether USCG has developed a practical and comprehensive plan for the acquisition, construction, and improvement of shore facilities and aids to navigation facilities. *Office of Audits* 

#### (New) United States Coast Guard's Maritime Security and Safety Teams

The *Port and Maritime Security Act of 2001*, which arose from the events of September 11, 2001, requires the USCG to establish maritime safety and security teams as needed to safeguard the public and protect vessels, harbors, ports, facilities, and cargo in waters under United States jurisdiction from destruction, loss, or injury due to crime, or sabotage, due to terrorist activity. The mission of the Maritime Safety and Security Teams is to "provide security for their homeports and to deploy nationwide in response to emerging threats against other high-priority waterside targets."

*Objective:* Determine the readiness of the Maritime Safety and Security Teams to perform their Law Enforcement and Maritime Homeland Security missions. *Office of Audits* 

## (New) <u>Allegations of Misconduct within the USCG's Administrative Law Judge</u> Program

The USCG Office of the Vice Admiral requested that our office investigate allegations of misconduct by the USCG Administrative Law Judges (ALJ). Specifically, we were asked to investigate claims by a former ALJ that a chief ALJ and others committed misconduct in connection with the adjudication of cases involving suspension and revocation of merchant mariner documents and licenses.

*Objectives:* Determine whether the chief ALJ (1) directed subordinate judges to rule in favor of the USCG, and (2) discussed desired outcomes in specific cases in *ex parte* meetings with other ALJs and other employees. *Office of Inspections* 

#### (New) <u>United States Coast Guard's Inspection and Investigation Efforts To Ensure</u> <u>Safety of Marine Commerce</u>

The USCG ensures the safety of maritime commerce through a layered system of authorities, capabilities, and partnerships. There is a direct link between safety and security measures which improve the effectiveness of front-line operations and the efficiency of global commerce. The USCG regulates 20,000 U.S. and foreign-flagged vessels employing more than 10 million industry employees, and these vessels carry billions of gallons of oil and hazardous material. The USCG regulatory efforts involve conducting 80,000 inspections annually and 14,000 investigations to ensure compliance with U.S. law and to determine whether regulatory and policy changes are needed to prevent future safety issues and casualties.

Objectives: Determine whether the USCG's inspection and investigation capabilities to carry out its authorities for the safety of maritime commerce of U.S. and foreign-flagged vessels are sufficient to regulate these vessels and the safety of maritime commerce; and (2) whether resource changes are needed to enhance inspection and investigation capabilities to prevent future maritime commerce safety issues. Office of Inspections

#### UNITED STATES CUSTOMS AND BORDER PROTECTION

#### (New) Expenditure Plan Review: Nonintrusive Inspection (NII) System

The American Recovery and Reinvestment Act of 2009 includes approximately \$100 million to procure and deploy nonintrusive inspection (NII) systems to improve port security. NII technology is a large part of CBP's layered enforcement strategy. CBP uses the NII technologies to identify weapons of mass destruction and weapons of mass effect, illegal contraband, and illegal aliens before they enter U.S. commerce, and allow officers to perform inspections on targeted containers or conveyances quickly and safely. Adequate planning for the expenditure of Recovery Act funds for NII systems is necessary to ensure that the intent of Congress will be met.

*Objective:* Determine whether CBP has developed a practical and comprehensive plan for procurement and deployment of nonintrusive inspection systems. *Office of Audits* 

#### (New) Expenditure Plan Review: Construction of CBP-Owned Land Ports of Entry

The American Recovery and Reinvestment Act of 2009 includes \$420 million for the planning, management, design, alteration, and construction of CBP-owned land border ports of entry. Adequate planning for the expenditure of these funds is necessary to ensure that the purpose of the Recovery Act will be met as Congress intended and that land border ports of entry are well designed and constructed.

*Objective:* Determine whether CBP has developed a practical and comprehensive plan for the construction of CBP-owned land border ports of entry. *Office of Audits* 

## (New) Expenditure Plan Review: Southwest Border Security Fencing, Infrastructure and Technology

The *American Recovery and Reinvestment Act of 2009* includes \$100 million for expedited development and deployment of border security technology on the southwest border. Adequate planning for the expenditure of these funds is necessary to ensure that the purpose of the *Recovery Act* will be met as Congress intended.

*Objective:* Determine whether CBP has developed a practical and comprehensive plan for the development and deployment of border security technology on the southwest border. *Office of Audits* 

#### (New) Quality of Inspections of Oceangoing Cargo Containers (Mandatory)

The *Coast Guard and Maritime Transportation Act of 2004* (Public Law 108-293, Section 809 (g) requires the Inspector General to evaluate and report on the effectiveness of the targeting system for detecting international cargo containers potentially being used for acts of terrorism. CBP uses a multilayered strategy for screening high-risk cargo

shipped to the United States. CBP's Automated Targeting System is a critical component of this strategy and will be used to identify high-risk cargo that warrants physical screening and inspection. CBP uses the targeting system to screen more than 11 million containers that arrive annually and identify those containers that pose a higher risk. CBP officers physically inspect the high-risk containers for terrorism-related materials. CBP officers must have the tools and information needed to effectively detect and mitigate the risks of biological and chemical threats potentially contained in the cargo they inspect.

*Objective:* Determine whether CBP's inspection process is sufficient to detect biological and chemical threats. *Office of Audits* 

#### (New) Western Hemisphere Travel Initiative – Land Entry

The *Intelligence Reform and Terrorism Prevention Act of 2004*, as amended (Public Law 108-458) established the Western Hemisphere Travel Initiative (WHTI). WHTI requires that all people, including U.S. and Canadian citizens who historically have been exempt from passport requirements, present a passport or other approved document that establishes the bearer's identity and citizenship to enter or re-enter the United States. WHTI is designed to strengthen border security and facilitate entry into the United States for citizens and legitimate international visitors. WHTI will greatly reduce the opportunities for misrepresentation of one's identity. Advanced technology embedded in the officially sanctioned travel documents will allow CBP to verify an individual's identity and perform real-time queries against terrorist watchlists and lookout databases. WHTI will become mandatory at land border ports of entry on June 1, 2009.

*Objective:* Determine whether CBP's implementation of WHTI secure document requirement at land border ports has improved its ability to detect and deter individuals who should not be granted admission to the United States. *Office of Audits* 

#### UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT

## (New) <u>U.S. Immigration and Customs Enforcement's Program for Identifying and</u> Removing Deportable Criminal Aliens

Each year, hundreds of thousands of criminal aliens, who for a variety of reasons do not have the legal right to be in the United States, are detained at federal, state, county, and local jails and prisons. The exact number of criminal aliens at these correctional facilities is not known, given the absence of a nationwide reporting system capable of providing real-time information on the number, location, and immigration status of the foreign-born criminals detained. U.S. Immigration and Customs Enforcement (ICE) estimates that fewer than 115,000 (25%) of the approximately 450,000 criminal aliens eligible for deportation were removed from the United States during FY 2008.

ICE's Criminal Alien Program is responsible for identifying, processing, and removing criminal aliens incarcerated in federal, state, county, and local prisons and jails throughout the United States. The goal is to prevent the release of criminal aliens into the general population by securing a final order of removal prior to the termination or completion of their sentences. The issuance of removal orders allows ICE to detain, for longer than 90 days (where removal is foreseeable), high-priority criminal aliens who are associated with an ongoing significant criminal investigation or who represent an articulable danger to the community. Congress has provided ICE with significant funding to help meet the ever-increasing demand for enforcement personnel and detention bed space. Despite these efforts, most of the criminal aliens eligible for removal continue to be released into the U.S. population.

*Objective:* Determine the effectiveness of ICE's processes for identifying and removing criminal aliens eligible for deportation. *Office of Audits* 

## (New) Age Determination Practices for Unaccompanied Alien Children in ICE Custody (Mandatory)

DHS annually apprehends thousands of individuals illegally entering the United States. Many possess no documentation when taken into custody. Adult detainees are subject to immediate mandatory detention or deportation. When detainees are unaccompanied children, additional avenues and resources through a juvenile system are available. Since children and adult detainees are subject to different housing and processing policies, ICE conducts age determinations for undocumented aliens whose age is questionable. Undocumented detainees whose ages are questionable have been subject to X-rays of their wrist and hand area as well as a dental examination as the forensic determination of their age. Normal growth patterns are thought to show physical development within a range for individuals of a certain age. A detainee's X-rays and the results of his or her dental exam are compared to accepted standards for male and female subjects to determine their age.

During the 110th Congress, members of the House of Representatives objected to ICE's reliance on skeletal and dental radiographs in determining the age of detainees. House Report 110-862 directs DHS, through ICE, to "cease immediately its reliance on fallible forensic evidence as determinative of a child's age." In addition, the House Report cited that as a result of ICE reliance on bone and dental forensics for child age determinations, there have been erroneous placements of children in facilities commingled with adults. In addition, Public Law 110-457 directed DHS to consult with the Department of Health and Human Services in developing procedures to make a prompt determination of the age of an alien.

*Objectives:* Determine whether ICE implemented age determination methodologies as identified in House Report 110-181, and ceased its reliance on skeletal and dental examinations as directed in House Report 110-862. *Office of Inspections* 

## (New) The Performance of 287(g) Agreements with State and Local Authorities (Mandatory)

DHS is authorized to delegate immigration enforcement authorities to state and local government agencies in section 287(g) of the *Immigration and Nationality Act*. Section 287(g) requires DHS to delegate immigration authorities through formal written agreements with state and local jurisdictions, and supervise the immigration enforcement activities of participating officers in these jurisdictions.

ICE has entered into 67 agreements with state and local jurisdictions under Section 287(g). These agreements set the conditions under which personnel are eligible to participate, training requirements, complaint reporting procedures, and notification and reporting requirements. In addition to a number of other conditions, the agreements bind state and local participants in the program to abide by federal civil rights statutes and regulations, including the Department of Justice "Guidance Regarding the Use of Race by Federal Law Enforcement Agencies." The *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009* requires our office to determine whether the terms of these agreements have been violated by any party.

*Objectives:* Determine whether the terms of 287(g) agreements have been violated by any party, with a particular focus on (1) civil rights and civil liberties protections, including those against racial profiling; (2) the quality and extent of ICE supervision of 287(g) programs; and (3) data collection and reporting. *Office of Inspections* 

#### (New) ICE IT Modernization

Effective use of IT, coupled with updated processes, is vital to increase efficiency and address demands in meeting ICE's mission. ICE has embarked on a multimillion-dollar effort to modernize its aging IT systems and related IT infrastructure. The *Recovery Act* provides \$20 million dollars for this effort, in addition to what was appropriated previously.

*Objective:* Determine ICE's progress in modernizing its IT systems and related infrastructure. *Office of IT Audits* 

#### (New) ICE Privacy Management

The DHS Privacy Office works with DHS components to build a culture of privacy within DHS. However, DHS does not currently have a means to rapidly evaluate the high-level management support of privacy programs and assurance of transparency and accountability for privacy practices once operationalized at each of its components. The *Privacy Act of 1974*, as amended, and the *E-Government Act of 2002* require that DHS management and its components protect sensitive, mission-critical data and personally identifiable information contained in its systems of record.

**Objectives:** Determine how effectively ICE and its components are developing and implementing privacy programs to protect personally identifiable information. *Office of IT Audits* 

#### UNITED STATES SECRET SERVICE

#### (New) Inaugural Security (Congressional)

House Homeland Security Committee Chairman Bennie Thompson requested that we review the United States Secret Service's (USSS) protective operations and security procedures relating to two specific inaugural events. A few participants at these events had reported perceived deficiencies in the security arrangements. Their perceptions became the basis for a January 30, 2009, *Washington Post* article, "Security Around Obama Alarms Some VIP Donors." We will review security plans for these events, interview USSS and other law enforcement personnel with firsthand knowledge of the plans and the events, and research public records to determine whether there is additional information or other allegations of lax security. We will also interview the participants.

*Objectives:* Determine whether the perceptions of lax security are based on fact. Determine how, if at all, security planning for, and operations at, these events suggest possible improvements for future events. *Office of Inspections* 

#### MULTIPLE COMPONENTS

#### (New) Use of Multiple Databases in Intelligence Watchlists

DHS has the mission of deterring and preventing terrorist attacks and ensuring safe and secure borders for the homeland. In pursuit of this mission, several of the department's operating components use or sponsor various databases and separate terrorist or criminal watchlists used to determine the potential threat posed by individuals to the homeland.

These databases and watchlists contain both DHS-controlled information and information housed in databases and watchlists sponsored by other government agencies. Examples include the Treasury Enforcement Communication System and the Interagency Border Inspection System, which aggregates several biographic databases of interest to homeland security officials and is used to determine whether federal laws have been violated; the U.S. Visitor and Immigrant Status Indicator Technology Program (US-VISIT), the biometrics database used to record data on visitors to the United States; Enforcement Operational Immigration Records, the ICE case management database; and the Student and Exchange Visitor Information System, used to track foreign students in the United States. Examples of other databases used by DHS, but based on data from

other agencies, include the Terrorist Identities Datamart Environment, an aggregate of information on international terrorism-related individuals; the FBI's Violent Gang/Terrorist Organization File; and the State Department's Consular Lookout and Support System, used primarily for checking visa applications. Each of these different databases or watchlist systems contains information that may be germane to the department's mission to secure the homeland.

*Objectives*: Determine the utility of the databases and watchlists accessed on a regular basis to the DHS mission and whether they support current and future missions. *Office of Inspections* 

## (New) Coordination and Effectiveness of TSA's and S&T's Behavior Screening Programs

TSA has begun assessing airport travelers' behavior to screen them for hostile intent. One of TSA's behavior-based screening programs is called Screening of Passengers by Observation Techniques, or SPOT, which in FY 2008 had a budget of \$45 million and about 1,200 agents trained in these techniques working at 70 large airports. That number is expected to double to 2,400 agents at 160 airports by September 2008, and grow to 4,000 by mid-2009. Since expanding the program in January 2006, TSA identified 43,000 people as warranting a closer look. Of those, 3,100 generated calls from the TSA to police for further questioning. The police arrested 278 of those people, none on terror charges, but for other charges such as immigration violations and possession of illegal guns or prescription drugs.

As the research and development arm of DHS, the Science and Technology (S&T) Directorate coordinates the scientific research and programs supporting the department's components, such as TSA. S&T funds behavior-based or "hostile intent" research through its Center of Excellence for Behavioral and Social Research on Terrorism and Counter-Terrorism at the University of Maryland. It also has the duty to leverage for the department's components work conducted by other government, academic, and private organizations.

*Objectives:* Determine the extent to which S&T and TSA have coordinated their efforts in this scientific area; and, the effectiveness of TSA's behavior screening or hostile intent programs. *Office of Inspections* 

#### (New) Expenditure Plan Review: Tactical Communications Equipment and Radios

The American Recovery and Reinvestment Act of 2009 includes \$80 million for the procurement and deployment of tactical communications equipment and radios. Adequate planning for the expenditure of these funds is necessary to ensure that the purpose of the Recovery Act will be met as Congress intended. Communication equipment and the infrastructure necessary to support it are critical to the prevention and response to terrorist attacks or natural disasters. Inadequate planning for the expenditure of these funds could unnecessarily increase the risk to U.S. citizens and visitors.

*Objective:* Determine whether CBP and ICE have developed a practical and comprehensive plan to procure and deploy tactical communications equipment and radios. *Office of Audits* 

#### (New) Controls Over Accountable Property – Firearms

Several DHS components, such as the USSS, Federal Air Marshals, CBP, and ICE, have large, armed workforces. In addition, several components have internal affairs agents who carry weapons. Federal property regulations categorize the weapons, along with ammunition and protective clothing, as sensitive property from several perspectives—security, safety, and high value. Specific inventory control requirements apply to sensitive property to limit accessibility to authorized individuals and ensure accountability.

*Objective:* Determine whether DHS is complying with applicable federal and DHS policies, procedures, and internal controls over weapons, ammunition, and protective clothing. For selected offices, evaluate implementation of applicable policies, procedures, and internal controls. *Office of Audits* 

#### OTHER OIG ACTIVITIES PLANNED FOR FY 2009

Listed below is a nontraditional project that our Office of Audits will undertake in FY 2009.

#### (New) EPA Peer Review

We are conducting a peer review of the U.S. Environmental Protection Agency's audit operations according to the January 2009 draft of the President's Council on Integrity and Efficiency *Guide for Conducting External Peer Reviews of the Audit Operations of Offices of Inspector General*. The peer review will determine whether elements of the Environmental Protection Agency OIG's quality control system are designed to provide reasonable assurance that its audits and attestation engagements are carried out in accordance with *Government Auditing Standards*.

*Objective:* Determine whether, for the period under review, the Environmental Protection Agency OIG's system of quality control was suitably designed and whether the office is complying with its quality control system in order to provide reasonable assurance of conforming with applicable professional standards. *Office of Audits* 

## **Chapter 5 – Completed Projects (9/1/2008 – 3/31/2009)**

Report Title	Report Number	Issued
Technical Security Evaluation of DHS Activities at Los Angeles International Airport	OIG-09-01	October-08
FEMA's Exit Strategy for Temporary Housing in the Gulf Coast Region	OIG-09-02	October-08
DHS' Plan for Implementation of Secure Systems of Transportation	OIG-09-03	October-08
Maryland State Police Use of Grant Awards	OIG-09-04	October-08
(New) TSA's Security Screening Procedures for Employees at Orlando International Airport and the Feasibility of 100 Percent Employee Screening (Congressional)	OIG-09-05	October-08
The State of Illinois' Management of State Homeland Security Grants Awarded During Fiscal Years 2004 through 2006	OIG-09-06	October-08
DHS' Efforts to Improve the Homeland Security Information Network	OIG-09-07	October-08
Major Management Challenges Facing the Department of Homeland Security	OIG-09-08	November-08
Independent Auditor's Report on DHS' FY 2008 Financial Statements Management Report	OIG-09-09	November-08
FY 2008 Audit of DHS' Internal Control Over Financial Reporting	OIG-09-10	November-08
Challenges Facing FEMA's Acquisition Workforce	OIG-09-11	November-08
DHS' Role in State and Local Fusion Centers Is Evolving	OIG-09-12	December-08
Annual Review of USCG's Mission Performance FY 2007	OIG-09-13	December-08
Independent Auditor's Report on CBP's FY 2008 Consolidated Financial Statements	OIG-09-14	January-09
Removals Involving Illegal Alien Parents of U.S. Citizen Children	OIG-09-15	January-09
2007 Debris Removal Pilot Program and Initiatives	OIG-09-16	January-09
Annual Report to Congress on States' and Urban Areas' Management of Homeland Security Grant Programs	OIG-09-17	January-09
CBP Award Fees for Enforcement Equipment Maintenance and Field Operations Support Contract	OIG-09-18	January-09
Independent Review of U.S. ICE's Reporting of FY 2008 Drug Control Obligations	OIG-09-19	January-09
Independent Review of U.S. ICE's FY Reporting of 2008 Drug Control Performance Summary Report	OIG-09-20	January-09
Independent Review of U.S. CBP's Reporting of FY 2008 Drug Control Performance Summary Report	OIG-09-21	February-09
U.S. ICE's Management of 2005 Gulf Coast Hurricanes Mission Assignment Funding	OIG-09-22	February-09
National Communications System's Management of 2005 Gulf Coast Hurricanes Mission Assignment Funding	OIG-09-23	February-09
(New) Effectiveness of TSA's Surface Transportation Security Inspectors (Mandatory)	OIG-09-24	February-09
FEMA: In or Out?	OIG-09-25	February-09
Independent Review of USCG's Reporting of FY 2008 Drug Control Obligations	OIG-09-26	February-09
Independent Review of USCG's Reporting of the FY 2008 Drug Control Performance Summary Report	OIG-09-27	February-09

## **Chapter 5 – Completed Projects – Continued**

Report Title	Report Number	Issued
Independent Review of CBP's Reporting of FY 2008 Drug Control Obligations	OIG-09-28	February-09
Management of CBP Revenue Analysis Functions	OIG-09-29	February-09
Management Oversight Challenges Remain for DHS' Intelligence Systems Information Technology Security Program	OIG-09-30	February-09
FEMA's Implementations of Best Practices in the Acquisition Process	OIG-09-31	February-09
Internal Controls in the FEMA Disaster Acquisition Process	OIG-09-32	February-09
The State of California Management of State Homeland Security Program Grants Awarded During FY 2004 through 2006	OIG-09-33	February-09
USCG's Management of 2005 Gulf Coast Hurricanes Mission Assignment Funding	OIG-09-34	March-09
TSA's Known Shipper Program	OIG-09-35	March-09
Potentially High Costs and Insufficient Grant Funds Pose a Challenge to REAL ID Implementation	OIG-09-36	March-09
Management Oversight of Immigration Benefit Applications Intake Processes	OIG-09-37	March-09
Improvements Needed in FEMA's Monitoring of Grantees	OIG-09-38	March-09
Summary of Significant Investigations – March 1, 2003–September 30, 2008	OIG-09-39	March-09
Management Letter for U.S. CBP's FY 2008 Consolidated Financial Statements	OIG-09-40	March-09
ICE's Tracking and Transfers of Detainees	OIG-09-41	March-09
Audit of the Effectiveness of the Checked Baggage Screening System and Procedures Used to Identify and Resolve Threats	OIG-09-42	March-09
Investigation Concerning TSA's Compromise of Covert Testing	OIG-09-43	March-09
Review of CBP's Certification of Automated Targeting System – Passenger Enhancements	OIG-09-44	March-09
FEMA's Implementations of the Flood Insurance Reform Act of 2004	OIG-09-45	March-09
Management Letter for the FY 2008 DHS Financial Statement Audit	OIG-09-46	March-09
Information Technology Management Letter for the USCG Component of the FY 2008 DHS Financial Statement Audit	OIG-09-47	March-09
Information Technology Management Letter for the FEMA Component of the FY 2008 DHS Financial Statement Audit	OIG-09-48	March-09
(New) FEMA's Management of Donated Goods (Congressional)	Congressional Letter	March-09

## **Chapter 6 – Projects Deferred**

Title	DHS Component	Start
Automated Targeting System Use in Foreign Ports	CBP	June 2010
U.S. Customs and Border Protection's User Fees Authorized under the <i>Consolidated Omnibus Budget Reconciliation Act of 1985</i> (COBRA), as amended (Original title – DHS User Fees)	СВР	October 2009
Customs and Border Protection IT Management	СВР	July 2010
The Enforcement Communications System (TECS) Modernization	СВР	August 2010
Public Assistance Pilot Program	FEMA	January 2010
Infrastructure Protection Activities Grants Awards	FEMA	February 2010
DHS Networks' Vulnerability to External Threats and Penetration	Management	January 2010
Plan to Migrate Components to Standard DHS Financial Systems	Management	May 2010

## **Chapter 7 – Canceled Projects**

Title	DHS Component
FEMA's Management, Coordination, and Delivery of Disaster Response Assistance	FEMA
FEMA's Management of Mission Assignments	FEMA
FEMA's Use of Interagency Agreements	FEMA
FEMA's Disaster Relief Fund's Support Accounts	FEMA
Flood Map Modernization Follow-up	FEMA
Federal Disaster Relief Assistance Applications and Databases	FEMA
Federal Emergency Management Agency's Enterprise Architecture Implementation Process	FEMA
Automated Deployment Database	FEMA
DHS' Methodology for Cyclical Testing of Internal Controls	Management
FY 2009 Audit of DHS' Internal Controls over Financial Reporting	Management
Integrated Wireless Network (IWN)	Management
Technical Security Evaluation of the National Center for Critical Information Processing and Storage	Management
DHS' IT Plans of Action of Milestones and Implementation of OMB Circular A-123	Management
DHS Financial Services Center Security	Management
Technical Security Evaluation Program for the Port of Buffalo, NY/Canadian Border Crossing	Management
Protection of Personally Identifiable Information (PII) in DHS Data Mining Programs	Multiple
Evaluation of National Cyber Security Division's Role in the Trusted Internet	National Protections
Connections (TIC) Initiative	and Programs
TSA's Clear Registered Traveler's Program	TSA
USCG IT Management	USCG

### Appendix Acronyms

ALJ	Administrative Law Judges
CBP	U.S. Customs and Border Protection
DHS	Department of Homeland Security
FEMA	Federal Emergency Management Agency
FLETC	Federal Law Enforcement Training Center
GAO	Government Accountability Office
GSA	General Services Administration
HSPD-12	Homeland Security Presidential Directive 12
HUD	Department of Housing and Urban Development
ICE	U.S. Immigration and Customs Enforcement
IHP	Individuals and Households Program
IT	information technology
NII	nonintrusive inspection
OIG	Office of Inspector General
OMB	Office of Management and Budget
PSA	Protective Security Advisor
S&T	Directorate for Science and Technology
SBIR	Small Business Innovative Research
TSA	Transportation Security Administration
USCG	United States Coast Guard
USCIS	United States Citizenship and Immigration Service
USSS	United States Secret Service
WHTI	Western Hemisphere Travel Initiative



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