

UNITED STATES GOVERNMENT
National Labor Relations Board
Office of Inspector General



Memorandum

September 29, 2016

To: Board and General Counsel

From: David Berry
Inspector General

A handwritten signature in black ink, appearing to read "D. Berry", is written over the printed name "David Berry".

Subject: Management Implication Report 2016-01 -- NLRB's DATA Act Readiness

The purpose of this memorandum is to report on the Agency's readiness to implement the reporting requirements in the Digital Accountability and Transparency Act of 2014 (DATA Act) by the May 1, 2017 statutory deadline.

We reviewed the National Labor Relations Board (NLRB) efforts as of September 30, 2016, to comply with steps one through four of the U.S. Department of Treasury DATA Act Implementation Playbook to determine whether the NLRB is ready to meet the requirements of the DATA Act, and to provide appropriate suggestions. In conducting our review, we utilized the Federal Audit Executive Council's DATA Act Readiness Review Guide, U.S. Department of Treasury DATA Act Implementation Playbook 8-Step Agency Implementation Plan, OMB's M-15-12, M-10-06, and OMB Management Procedures Memorandum No. 2016-03.

Our overall assessment is that the NLRB may not be ready to meet the May 2017 DATA Act Reporting Deadline.

We found that the Office of the Chief Financial Officer (OCFO) staff took steps to comply with the U.S. Department of Treasury DATA Act Implementation Playbook, and that they generally met the requirements of steps one through four. Those steps included organizing the DATA Act implementation working group and identifying a Senior Accountable Official (SAO); reviewing and understanding the DATA Act elements; and conducting a formal, adequate, and complete data inventory of the DATA Act elements to enable the NLRB to report complete, reliable, and accurate data. We observed, however, that the SAO is not closely overseeing the progress of the DATA Act implementation.

Despite the DATA Act implementation working group's efforts, we are concerned that the NLRB may not meet the DATA Act reporting requirements. Those reporting requirements are that the NLRB transmits its second quarter FY 2017 data to Treasury's data broker on May 1, 2017. We base this concern on our observation that the NLRB's readiness is wholly dependent upon the Interior Business Center's (IBC), its Federal Shared Service Provider, ability to

implement software patches to the Oracle financial management system. Without those patches, the NLRB will not be able to transmit data from its system to Treasury's data broker. Based on our communication with IBC, we are aware that they missed the initial deadline, and that their revised plan does not provide any additional extensions of time before the reporting deadline. When we reviewed the documentation provided by the DATA Act implementation working group, we did not find any evidence that, prior to the issuance of a draft of this memorandum, the working group was planning a course of action in the event that IBC fails in its efforts to be ready on time.

We suggest that the OCFO:

1. Direct the DATA Act implementation working group to consider alternatives such as workarounds in the event that IBC does not have the software patches in place to meet the May 2017 deadline, or identify the necessary steps to address the NLRB's inability to transmit its data to Treasury's data broker; and
2. Ensure that the SAO more directly oversees the DATA Act implementation working group's progress to meet the DATA Act's reporting requirements.

This report is an unrestricted public document, and it is intended solely for the information and use of NLRB management, Treasury, OMB, and Congress, and it is not intended to be and should not be used by anyone other than those specified parties. This report is not an audit and was not completed in accordance with the Government Auditing Standards. The report should not be relied upon as an audit.

This Management Implication Report is provided under the authority of 5 U.S.C. Appx § 2(3). The purpose of a Management Implication Report is to keep the head of the Agency fully and currently informed about problems and deficiencies relating to the administration of the programs and the operations of the Agency and the necessity for and progress of corrective action. In accordance with paragraph 3.40 of the Government Auditing Standards, a Management Implication Report does not impair the OIG's independence.

cc: CFO