

# UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

# Audit of United States Capitol Police Memorial Fund

Report Number OIG-2008-04, April 2008

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# UNITED STATES CAPITOL POLICE WASHINGTON, DC 20003



#### PREFACE

The Office of Inspector General (OIG) prepared this report pursuant to the Inspector General Act of 1978, as amended. It is one of a series of audit, reviews, and investigative and special reports prepared by OIG periodically as part of its oversight responsibility with the respect to the United States Capitol Police to identify and prevent fraud, waste, abuse, and mismanagement.

This report is the result of an assessment of the strengths and weaknesses of the office or function under review. It is based on interviews with employees and officials of relevant agencies and institutions, direct observation, and a review of applicable documents.

The recommendations therein have been developed on the basis of the best knowledge available to the OIG, and have been discussed in draft with those responsible for implementation. It is my hope that these recommendations will result in more effective, efficient, and/or economical operations.

I express my appreciation to all of those who contributed to the preparation of this report.

Carl W. Hoecker Inspector General

Carl W Horeker

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# **Abbreviations**

Capitol Police Board	Board
Fiscal Year	FY
Memorial Fund	the Fund
Office of Financial Management	OFM
Office of Inspector General	OIG
United States Capitol Police	USCP or Department
U.S. Treasury	Treasury

## **Executive Summary**

The Capitol Police Board (Board) is responsible for administering and managing the United States Capitol Police (USCP or Department) Memorial Fund (the Fund), established in the Treasury of the United States (Treasury), including the timing and manner of distribution from the Fund. According to Board regulations, the USCP Director of the Office of Financial Management (OFM) is responsible for the duties of receiving and recording contributions in the Department's financial management system.

At the request of the Board, the Office of Inspector General (OIG) conducted an audit of the Fund. Our objectives were to determine if USCP (1) properly accounted for contributions and distributions made to and from the Fund, (2) had established adequate internal controls over Fund processes, and (3) complied with applicable laws and USCP Board regulations pertaining to the management and administration of the Fund. Our scope included contributions and distributions made after the transfer of the Fund from the House of Representatives to USCP in July 2001 through March 31, 2008. OIG found that

Overall, the Department properly accounted for contributions and distributions made to and from the Fund. In fiscal year 2006, however, USCP underreported contributions to the Fund by \$17,000, which resulted in underreporting the Fund balance for FY 2006 and over reporting FY 2007 contributions in its FY 2007 financial statements. The Department explained that this occurred because of a deposit-in-transit. On September 28, 2006, the Department made a deposit totaling \$17,000, which did not get to Treasury until the next fiscal year. The Department corrected the error in the next fiscal year (2007). USCP made 10 disbursements totaling \$58,735.92 in FY 2006. As of March 31, 2008, USCP/OFM reported a Fund balance of \$91,297, which agreed with Treasury's Fund balance as shown in Table 1.

Table 1 - USCP Memorial Fund as of March 31, 200	8
Beginning Balance (As of October 1, 2007)	\$65,185
Contributions Collected and Deposited with Treasury	\$26,112
Disbursements to Recipients	0
Ending Balance (As of March 31, 2008)	\$91,297

Source: OIG generated from USCP and U.S. Treasury Symbol (02x5083) records as of March 31, 2008. All figures rounded to nearest dollar.

• Although USCP had established internal controls over the Fund, OFM did not consistently follow procedures because of staffing shortages. For example, OFM did not deposit contributions to the Fund or acknowledge the donors in a timely manner or in accordance with USCP or Board regulations. For example, the Department received check #22320 from a donor for \$1,500 on February 1, 2007. However, OFM did not deposit that check until March 12, 2007, 39 days after receipt. OFM also did not send an acknowledgement to that same donor until December 7, 2007, almost a year after the receipt. OFM confirmed that staff

prepared this acknowledgement letter after OIG requested a copy of the letter. Donors who find their tax deduction challenged or denied for lack of proper documentation may not be eager to make future donations to the Fund.

- In addition, OFM did not always separate incompatible duties. OFM also has not updated its standard operating procedures to include the Board's November 2005 amended regulations. Following its procedures, in FY 2007, the Department contacted family members of the fallen officers to confirm banking information before the Board made a decision about disbursements from the Fund. This resulted in a complaint from a fallen officer's family member because the Board did not approve any disbursements in 2007. Furthermore, clarifying the presentation and reporting time frame of Fund activities should assist the Board in managing the Fund and making informed decisions.
- Excepted as previously noted, the Department complied with Board and USCP regulations.

We conducted an exit conference with Department officials on April 15, 2008. Their comments are incorporated in the body of the report as applicable. OIG recommends that the Department strengthen internal controls over the Fund ensuring compliance with applicable USCP and Board regulations.

# Background

Pub. L. 105-223, established the USCP Memorial Fund in August 1998, required funds



be initially disbursed within 6-months for the benefit of the widows and children of Officer Chestnut and Detective Gibson. The Board is to administer and manage the Fund including the timing and manner of making payments in accordance with regulations issued by the Board, subject to the approval of the Committee on House Administration and the Senate Committee Rules and Administration.

In November 2005, the Senate Committee on Rules and Administration and the Committee on House Administration approved amended Board regulations to authorize a one-time distribution from the Fund of to the widow and children of USCP Scrgeant Ency, who was killed in 1984, the only other USCP officer or official to die in the line of duty. The amended Board regulations also established procedures for distribution of Fund assets to any survivor families of USCP members who may be the victim(s) of a future tragedy.

The House of Representatives (House) originally accounted for the Fund on behalf of the Department. Initial deposits totaled about all of which was distributed to the Chestnut and Gibson families in two separate disbursements within 6-months of establishment of the Fund by the House. In 2002, the House officially transferred the Fund account with a balance at Treasury of about \$40,000 to USCP.

Since the transfer of the account from the House to the Department, USCP's OFM has acted as the overall trustee of the Fund. Funds collected are accounted for in the financial management system of the Department and are deposited into a Treasury account. OFM is responsible for maintaining detailed records of collections, sending acknowledgement receipts to donors, requesting authorization from the Board to make distributions, and reporting Fund activity.

# Objectives, Scope, and Methodology

Our objectives were to determine if the Department (1) properly accounted for contributions and distributions made to and from the Fund, (2) had established adequate internal controls over Fund processes, and (3) complied with applicable laws and USCP and Board regulations pertaining to the management and administration of the Fund. Our scope included contributions and distributions made from July 2001 through March 31, 2008.

To accomplish our objectives, OIG coordinated with the House's OIG to obtain House financial information related to the Fund and determine the amounts and date of transfer to the Department. We compared the House's final Fund analysis to the Department's accounting records. We tested all 29 contributions to the Fund recorded on OFM's for the period February 28, 2006, through December 19, 2007, and traced amounts to deposit tickets and supporting schedules to donor acknowledgement receipts. OFM did not maintain a receipt and deposit log for the Fund prior to February 2006.

We also compared OFM's general ledger detail,

for FYs 2004 through the first quarter of FY

2008 to see if they agreed with supporting schedules for each fiscal year. In addition, we traced the Fund's balance with Treasury to the Department's for the 6-months ending September 30, 2005, 2006, and 2007 as well as reviewing payee information, and all 10 disbursements from the Fund. Furthermore, OIG reviewed Board and Department regulations, P.L. 105-223, written polices and procedures, delegation of authority, and supporting documentation related to the Fund. OIG also interviewed the prior and current Fund custodians and OFM staff. To gain an understanding of the

<sup>&</sup>lt;sup>1</sup> The is compiled by USCP/OFM's senior accountant and lists fiscal year, date of contribution, donor, check number, amount, deposit ticket number, and Fund balance.

external collection process, OIG also interviewed the volunteer conducting fundraising activities for the Fund.

To determine compliance, we compared control procedures, records, and data with applicable criteria such as U.S. Capitol Police Board Regulations Pertaining to the Management and Administration of the United States Capitol Police Memorial Fund, dated November 9, 2005 and pertinent Board minutes; Department Directive No. dated August 31, 2006; OFM's Standard Operating Procedure, ; dated May 12, 2006; and the Government Accountability Office's (GAO), Standards for Internal Control in the Federal Government. We further asked Board members and the Chief of Police about any complaints received related to the Fund.

We conducted fieldwork in Washington, D.C. from January 14 through March 27, 2008. Our audit was performed in accordance with *Government Auditing Standards* except for independent referencing<sup>2</sup> and included such procedures, as we considered necessary in the circumstances. In April 2008, OIG conducted an exit conference with Department officials and incorporated applicable comments.

#### Results

In general, from July 2001 through March 31, 2008, the Department properly accounted for contributions and distributions to and from the Fund. Nevertheless, the Department did not fully implement control procedures to ensure the Fund was properly managed resulting in a few instances of noncompliance with Board and USCP regulations.

# ACCOUNTABILITY

In FY 2002, the House, Office of Finance, transferred custodianship of the Fund to the Department. Board regulations state that the Director of OFM of the Capitol Police is the custodian of the Fund and is responsible for the duties of receiving and recording contributions in the agency financial management system, maintaining the appropriate documentation for receipt of contributions, issuing receipts to donors and reconciling the Fund balance with Treasury. OIG found that overall, from July 2001 through March 31, 2008, OFM properly accounted for contributions to the Fund and reconciled its accounting records with Treasury on a monthly basis.

Except for 2006, all end of year general ledger amounts agreed with Treasury's Fund balance and the Department's Statement of Disbursements for the six months ending

<sup>&</sup>lt;sup>2</sup> GAS 8.45 states one technique to help ensure that an audit report meets reporting standards is to use a quality control process such as referencing. Referencing is a process in which an experienced auditor who is independent of the audit verifies that statements of facts, figures, and dates are correctly reported, and that the findings are adequately supported by the audit documentation, and that the conclusions and recommendations flow logically from the support. As of April 2008, OIG had only one auditor on staff.

September 30, 2005, and 2007. In FY 2006, the Department reported a beginning balance of \$33,435 instead of \$50,435. This resulted an understatement of \$17,000 in the Fund's balance. According to an OFM official, this occurred because of a deposit-intransit. On September 28, 2006, the Department made a deposit totaling \$17,000, which did not get to Treasury until the next fiscal year. The Department corrected the error in the next fiscal year (2007) according to an OFM official. However, we did note that the Department overstated Fund contributions by \$17,000 in its FY 2007 financial statement audit notes. Nevertheless, as of March 31, 2008, OFM properly reported a Fund balance of \$91,297 as shown in Table 2.

Fiscal Year	Beginning Balance October 1 (a)	Donations (b)	Disbursements (e)	Transferred (d)	Ending Balance September 30 (a+b-c+d)
2001	\$0	\$1,600	\$0	\$0	\$1,600.00
2002	\$1,600,00	\$2,050	\$0	**\$41,360.92	\$45,010.92
2003	\$45,010.92	\$1,075	\$0	\$0	\$46,085.92
2004	\$46,085.92	\$1,100	\$0	\$0	\$47,185.92
2005	\$47,185.92	\$1,500	\$0	\$0	\$48,685.92
2006	\$48,685.92	\$60,485.00	\$58,735.92	\$0	\$50,435.00
2007	\$50,435.00	\$14,750	\$0	\$0	\$65,185.00
2008	\$65,185.00	\$26,112	\$0	\$0	*\$91,297.00

Sources: OIG generated from USCP/OFM accounting records (Transaction Listing, . Statement of Disbursements, General Ledger Trial Balance, Cash Balance, Finnart Reports and Fund Balance with U.S. Treasury). \* As of March 31, 2008, \*\*Amounts House transferred to the Department:

July 10, 2002 - \$1,727 Balance from Credit Union Account to USCP

July 22, 2002-\$39,633.92 Balance Brought Forward from House (U.S. Treasury).

In FY 2006, the Department made 10 distributions totaling members as shown in Table 3. All distributions had

appropriate payee information and Board approval. OIG noted no distribution exceptions.

Recipient	Date of Dishursement	OFM Control Number	Amoun
110011110111	Date of Distant sement	Oz na Coma de Humber	zintoun.

Sources: OIG generated from USCP/OFM accounting records (Transaction Listing, Statement of Disbursements, General Ledger Trial Balance, Fund Balance with U.S. Treasury) as of March 31, 2008.

#### Conclusions

Overall, the Department properly accounted for receipts and disbursements from the Fund. OIG noted the Department understated contribution receipts for FY 2006 and overstated contributions for FY 2007, which resulted in incomplete financial information. The Department made 10 disbursements totaling about \$59,000 during FY 2006. The Department properly reported a Fund balance of \$91,297, which agreed with Treasury's Fund balance for the period ended March 31, 2008.

#### INTERNAL CONTROLS

The Department did not consistently follow established internal controls to ensure compliance with Board and USCP regulations. OFM established Directive No. dated August 31, 2006, to ensure an accurate accounting, inventory, and recordkeeping of all contributions received for deposit to and distributions made from the Fund. However, OIG found that the Department did not make timely deposits of contributions or acknowledge donors in a timely manner, and did not always separate incompatible duties. Furthermore, the Department needs to update its procedures to include amended Board regulations and clarify oversight reporting.

#### **Untimely Deposit of Contributions**

the bank no later than 72 hours after receipt. However, OIG found that OFM did not deposit receipts to the Fund in a timely manner or accordance with its procedures. For example, the Department received check #22320 from a donor for \$1,500 on February 1, 2007, however, OFM did not deposit that check until March 12, 2007, 39 days after receipt. OFM's receipt and deposit process is shown in Appendix A.

Our analysis of OFM's for FY 2007 and the first quarter of 2008 (October 1, 2007 through December 31, 2007), showed that OFM deposited only 13 percent (3 of 23) of the checks received for the Fund within the 72 hours in accordance with OFM's procedures. For the 23 transactions, the number of days between receipt and deposit of contributions ranged from 1 to 65 days. During FY 2007, the average number of days between receipt and deposit averaged about 30 days. This occurred because of a lack of sufficient accounting staff according to an OFM official. We noted that during the first quarter of 2008, the Department improved the time between receipt and deposit of contributions (average about 7 days).

Yet, the Department deposited only 1 of 13 contributions, received during the first quarter of 2008, within the required 72 hours. Consequently, the Department did not always have a complete accounting of the Fund because receipts were not properly deposited and recorded. The Office of Government Accountability (GAO), Standards of Internal Control in the Federal Government, states that transactions should be promptly

recorded to maintain their relevance and value to management in controlling operations and making decisions. Further, the Department may understate the Fund's balance for a specific period of time, which happened in FY 2006, as previously discussed.

#### Untimely and Lack of Acknowledgement of Contributions

OFM did not acknowledge the donors of contributions in a timely manner or in
accordance with Board or USCP regulations. Board Regulations state the Director of
OFM, as the custodian, shallestablish procedures to ensure that receipts are issued to
identifiable donors. Further, USCP Directive No.

...The custodian or his/her designee shall ...make certain all identifiable donors are provided with a receipt of their contributions....

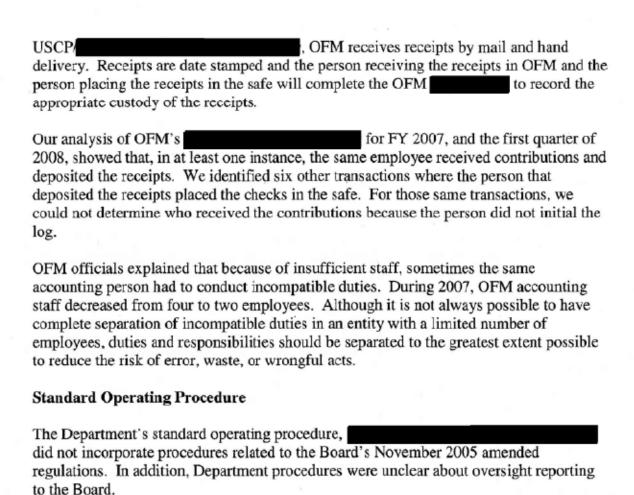
Our analysis of 23 contributions, received during FY 2007 and the first quarter of 2008, showed that OFM acknowledged donors from 23 days to over a year after receipt of the donation. For example, the Department received check #22320 for \$1,500 on February 1, 2007, however, OFM did not send an acknowledgement letter to that donor until December 7, 2007; almost a year after the receipt.

The Department also could not locate acknowledgement letters for 8 of 23 contributions for the during FY 2007 and the first quarter of 2008. After OIG's request, the Department prepared three of the acknowledgement letters for the contributions received during the first quarter of 2008. An OFM official stated the Department might not have prepared the other five letters for contributions received during FY 2007. The official explained that last year the Department asked a contractor to prepare acknowledgement letters and the contractor did not return all files with receipt information such as addresses. Currently, Internal Revenue Service regulations and some state tax regulations require that donors be able to document donations above a certain amount with a letter from the recipient non-profit organization. Donors who find their tax deduction challenged or denied for lack of proper documentation may not be eager to donate to the Fund again.

Furthermore, OIG noted that neither Boa	rd regulations nor the USCP directive defined a
timeframe for acknowledging contributor	rs. In addition, neither OFM's
nor the	had information related to when
an acknowledgement letter was send to a	donor. To enhance its control oversight and
ensure compliance with regulations, OIG	recommended that OFM include the
acknowledgement letter date on its log.	For the second quarter of 2008, OFM included
this information on its	

#### Separation of Duties

GAO, Standards for Internal Control in the Federal Government, states no one individual should control all key aspects of a transaction or event. According to



Although its standard operating procedure, referred to the Board's amended regulations dated November 9, 2005, the Department did not update its procedures related to disbursements. The Board amended regulations established procedures for distribution of Fund assets to any survivor families of USCP members who may be the victim(s) of a future tragedy. Nevertheless, OFM's current procedures require that accounting staff confirm recipient names and banking information prior to a Board decision about distribution of funds as shown in Appendix B. In FY 2007, the Board did not authorize any disbursements from the Fund, which resulted in a complaint from one of the fallen officers' families.

Specifically, the USCP directive states

**Disbursements.** If the cash balance exceeds \$25,000, the accounting staff will notify the Accounting Officer to determine if a request to distribute funds should be initiated .... Regardless of the balance, a request will be made to distribute the balance at August 31 each year.

Once it is decided to request a distribution of funds, the accounting staff will contact the legal recipients and verify names and banking information....

The Accounting Staff will prepare a letter addressed to the Capitol Police Board (CPB) and submit the letter to OFM Management for approval. Once approved, the letter will be forwarded to the Capitol Police Board for approval....

Furthermore, GAO's Standards for Internal Control in the Federal Government, states that pertinent information should be identified, captured, and distributed in a form and time frame that permits people to perform their duties efficiently. However, OFM's procedures were unclear about oversight reporting of Fund activities to the Board. Specifically, OFM procedures stated that the custodian or his/her designee **must be prepared** to submit a report concerning the status, accounting, and distribution of the Fund to the Chief of Police, Board, or any Congressional committee that has oversight over the Department.

The Department does report the Fund **balance** in its annual financial statements and semiannual

Yet, a more complete picture of activities after the Department has recorded receipts from the annual fundraising event (football game between Congress and USCP) would provide more useful and timely information to the Board in controlling the Fund and making informed decisions about distributions.

#### Conclusions

The Department did not consistently follow established internal controls. Specifically, the Department did not deposit receipts or acknowledge donors of contributions in a timely manner or separate incompatible duties in accordance with regulations. In addition, updating procedures related to distributions and clarifying the format and time frame for oversight reporting should ensure there are adequate means of communicating with, and obtaining information from, external stakeholders; thereby avoiding complaints from potential recipients when the Board does not authorize disbursements in a fiscal year. Compliance with pertinent regulations provides the Board with some assurance that the Fund was managed as proposed. Thus, OIG is making the following recommendations.

<u>Recommendation 1</u>: We recommend that the United States Capitol Police comply with its regulation to deposit receipts within 72 hours.

Recommendation 2: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board, establish a specific timeframe for acknowledging contributions. USCP's Office of Financial Management should revise regulations to incorporate the specific timeframe and ensure that donors are acknowledged in a timely manner.

<u>Recommendation 3</u>: We recommend that the United States Capitol Police separate incompatible duties such as receiving, safeguarding, recording, and depositing of contributions among employees to the greatest extent possible to reduce the risk of error, waste, or wrongful acts.

<u>Recommendation 4</u>: We recommend that the United States Capitol Police revise its standard operating procedures to include requesting Capitol Police Board approval for distributions prior to requesting name and banking information from potential recipients.

<u>Recommendation 5</u>: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board, establish a specific format and time frame for reporting Fund activities.

#### COMPLIANCE WITH BOARD AND USCP REGULATIONS

Except as previously noted, the Department did comply with Board and USCP regulations. Specifically as directed by the Board, the Department

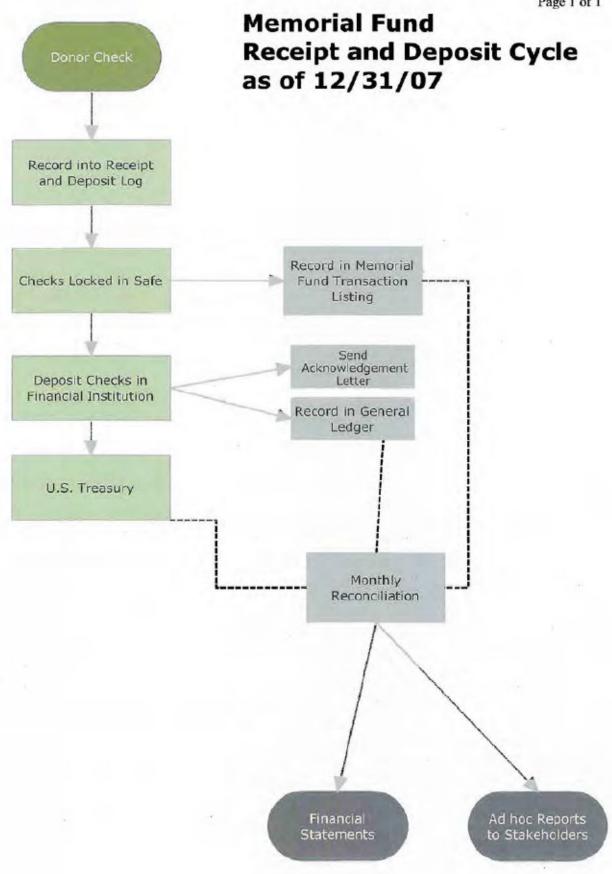
- received and recorded contributions into its financial accounting system.
- established a Treasury account for the Fund (Treasury Symbol 02X5083.1).
- maintained both formal (accounting system) and informal (excel spreadsheets) records of contributions (deposit number, donor's name and address, amount, date of contribution, and the check number).
- reconciled the Fund balance with Treasury monthly.
- · reported the Fund's balance in its annual financial statements and

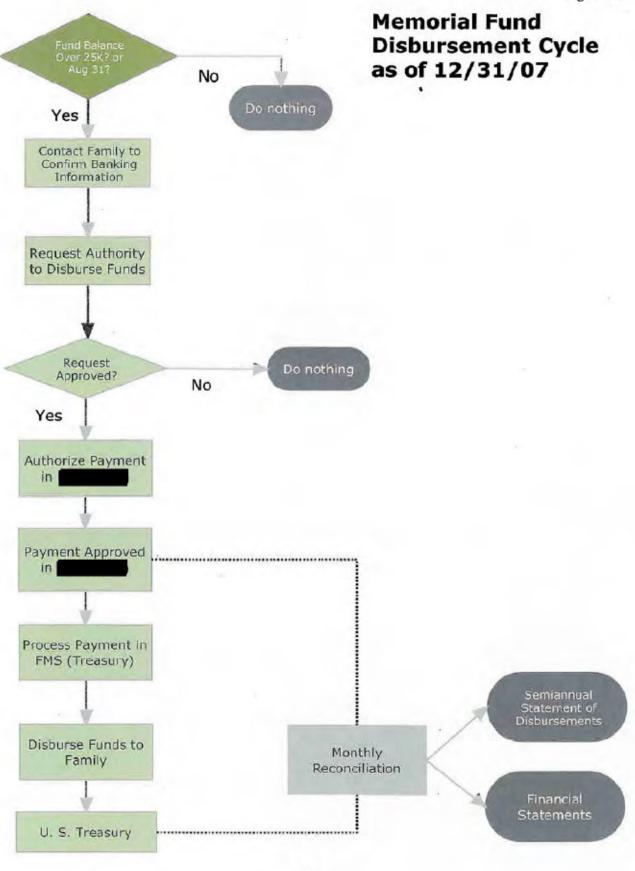
In addition, the Chief of Police provided a delegation of authority for the Fund to the acting director OFM in December 2007.

#### Conclusions

Except as previously noted, the Department complied with pertinent regulations.

# **APPENDICES**







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## UNITED STATES CAPITOL POLICE

USCP-OIG

OFFICE OF THE CHIEF 119 D STREET, NE WASHINGTON, DC 20510-7218 7/19 / 198 30 網 9:53

April 29, 2008

COP 080498

#### MEMORANDUM

TO:

Carl W. Hoecker

Inspector General

FROM:

Phillip D. Morse, Sr.

Chief of Police

SUBJECT:

Response to Draft Report Audit of United States Capitol Police Memorial

Fund (Report No. OIG-2008-04)

The purpose of this memorandum is to provide the United States Capitol Police Department's response to the Office of the Inspector General's (OIG's) Draft Report Audit of United States Capitol Police Memorial Fund (Report No. OIG-2008-04).

After review of the audit findings and recommendations, the Department concurs with all of the recommendations provided in the draft report.

Recommendation 1: We recommend that the United States Capitol Police comply with its regulation to deposit receipts within 72 hours.

<u>USCP Response</u>: Concur. The Department agrees that it should follow the established policies and procedures regarding the deposit of contributions within 72 hours.

Recommendation 2: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board, establish a specific time frame for acknowledging contributions. USCP's Office of Financial Management should revise regulations to incorporate the specific timeframe and ensure that donors are acknowledged in a timely manner.

<u>USCP Response</u>: Concur. The Department agrees that a specific timeframe for providing an acknowledgement should be established. Further, the Department agrees that the Office of Financial Management should revise the related policies and procedures to reflect specific timeframes for acknowledging contributions to the Fund.

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**Recommendation 3:** We recommend that the United States Capitol Police separate incompatible duties such as receiving, safeguarding, recording, and depositing of contributions among employees to the greatest extent possible to reduce the risk of error, waste or wrongful acts.

<u>USCP Response:</u> Concur. The Department agrees that incompatible duties should be separated. Once all positions within the Office of Financial Management have been filled, the Office will ensure that the segregation of duties is considered. This audit report will be provided to the new Director for the Office of Financial Management to ensure compliance with recommendations.

Recommendation 4: We recommend that the United States Capital Police revise its standard operating procedures to include requesting Capital Police Board approval for distributions prior to requesting names and banking information from potential recipients.

<u>USCP Response:</u> Concur. The Department agrees that the standard operating procedures related to the Memorial Fund should be revised, so that expectations for distribution are better managed.

**Recommendation 5:** We recommend that the United States Capitol Police, in coordination with the Capitol Police Board, establish a specific format and time frame for reporting Fund activities.

<u>USCP Response:</u> Concur. The Department agrees that a regular reporting process and schedule should be clearly established for the reporting of the status of funds within the Memorial Fund.

Thank you for the opportunity to respond to the OIG's draft report. Your continued support of the men and women of the United States Capitol Police is appreciated.

Respectfully,

Phillip D. Morse, Sr.

Chief of Police

cc: Capit

Capitol Police Board Chief Administrative Officer Assistant Chief of Police