



UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

Review of Specialty Assignment and Proficiency Pay Programs

**Report Number OIG-2008-06
July 2008**

~~Important Notice - Distribution of This Document Is Restricted~~

~~This report is intended solely for the official use of the United States Capitol Police or the Capitol Police Board, or any agency or organization receiving a copy directly from the Office of Inspector General. No secondary distribution may be made, in whole or in part, outside the United States Capitol Police or the Capitol Police Board, by them or by other agencies or organizations, without prior authorization by the Inspector General or the Capitol Police Board.~~

UNITED STATES CAPITOL POLICE
WASHINGTON, DC 20003



INSPECTOR GENERAL

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.

A handwritten signature in cursive script, reading "Carl W. Hoecker", is positioned above the printed name.

Carl W. Hoecker
Inspector General

TABLE OF CONTENTS

	<u>Page</u>
Abbreviations	4
Executive Summary	5
Background	7
Objectives, Scope, and Methodology	8
Results	9
Inadequate Accounting By Specific Program	10
Noncompliance with Directives	12
Specialty Assignment Pay Program	12
Hazardous Duty Pay	13
Physical Fitness Incentive Program	15
Plainclothes Pay	16
Firearms Proficiency Pay	17
Field Training Officer Pay	17
Amounts Exceeded Annual Pay Limitation	20
Program Management	21
Payment Amounts	23
Payment Cycles	24
Benchmarking with Other Law Enforcement Organizations	24
Schedules	
Schedule 1 – Schedule of Questioned Costs	27
Schedule 2 – Schedule of Funds Put to Better Use	28
Schedule 3 – Matrix of Multiple Payments	29
Appendices	
Appendix A – Specialty Assignment and Proficiency Pay Programs	30
[REDACTED]	31
Appendix C – Department Comments	33

Abbreviations

Budget Object Class	BOC
Containment and Emergency Response Team	CERT
Dignitary Protection Division	DPD
Field Training Officer	FTO
Firearms Proficiency Pay	FPP
Fiscal Year	FY
Hazardous Devices Section	HDS
National Finance Center	NFC
Office of Human Resources	OFM
Office of Inspector General	OIG
Physical Fitness Incentive Program	FIT
Training Services Bureau	TSB
United States Capitol Police	USCP or Department

Executive Summary

The United States Capitol Police (USCP or Department) spending for specialty assignment pay grew rapidly from FY 2005 to 2007, increasing from \$456,444 to \$765,000, a growth rate of over 66 percent. Thus, at the request of the Chief of Police, the Office of Inspector General (OIG) conducted a review of USCP specialty assignment and proficiency pay programs. Our objectives were to determine (1) if USCP complied with applicable directives related to the personnel compensation programs such as eligibility requirements, (2) the efficiency and effectiveness of the current payment cycles for the various programs, and (3) the criteria or benchmarks used for determining payment amounts. Our scope included the *Specialty Assignment Pay Program*, *Hazardous Duty Pay*, *Physical Fitness Incentive Program*, *Plainclothes Pay*, *Firearms Proficiency Pay*, and *Field Officer Training Pay* during FYs 2005 through 2007.

OIG found that the Department did not have an adequate and official accounting of each specialty assignment and proficiency pay program. Neither the National Finance Center (NFC)¹ nor the Department's accounting system capture costs for each specialty pay programs by a specific budget object class (BOC). Basically, the Department relied upon cuff records to track the costs of these programs.

The Department also did not always comply with its specialty assignment and proficiency pay program directives, which resulted in questioned costs and/or funds put to better use totaling \$506,239. For example,

- Our test of 81 employees receiving specialty assignment pay during FYs 2005, 2006, and 2007, showed that the Department paid 27 ineligible employees, which resulted in \$90,000 in questioned costs. Specifically, 5 of these 27 employees did not complete the required 12 continuous months and the remaining 22 employees exceeded the 45-day absence limit. In addition, we classified an additional \$12,000 as unsupported because the supervisor did not approve four [REDACTED] forms [REDACTED]
- Our test of 46 employees receiving hazardous duty pay during FYs 2005, 2006, and 2007, showed the Department paid ineligible employees, which resulted in \$41,779 in questioned costs. Seventy-two percent, or 33 of 46, tested did not comply with time and division and/or eligibility requirements. Additionally, our analysis of all FYs 2005, 2006, and 2007, payments showed that the Department could have avoided about \$260,000 had the Department not paid sworn employees for both specialty assignment and hazardous duty pay for the same qualifying criteria.
- Our analysis of all physical fitness proficiency pay (FIT) payments for FYs 2005, 2006, and 2007, showed that the Department inappropriately paid \$31,750 to ineligible employees, who were members of specialty assignment areas such as Containment and

¹ The United States Department of Agriculture (USDA), National Finance Center is the payroll service provider for the Department.

Emergency Response Team (CERT), Hazardous Devices Section (HDS), Dignitary Protection Division (DPD) and, thus, ineligible to receive FIT pay since they were already receiving specialty assignment pay, which identified fitness as a criteria for such pay.

- Our test of 87 payments for FYs 2005, 2006, 2007, showed the Department paid ineligible employees for plainclothes pay. As a result, we questioned costs totaling \$35,460. Of that amount \$16,860 was unallowable because the division did not qualify for plainclothes pay, and/or the employee did not perform the duties of that position for more than 50 percent of the previous 6-month period for pay purposes, and/or duplicate payments. The remaining \$18,600 was classified as unsupported because Form [REDACTED] was missing.
- Our analysis of all Firearms Proficiency Pay (FPP) payments for FYs 2005, 2006, and 2007, identified employees that received payments in addition to FPP from both hazardous duty and/or specialty assignment programs. The Department could have avoided \$19,375. These sworn employees were members of specialty assignment areas such as CERT, HDS, and DPD and already received specialty assignment pay that identified maintenance of certifications or proficiencies, such as weapons qualifications, as one of the defining criteria for such pay.
- Our test of 45 Field Training Officer's (FTO) payments for FYs 2005, 2006, and 2007, showed underpayments, duplicate payments, and inconsistent forms, training and compensation periods. Accordingly, we identified four instances when the performance periods overlapped fiscal years and the Department erroneously paid \$2,300 from the wrong appropriation.

Furthermore, we noted five instances of an employee's total compensation exceeding the Department's maximum annual payable rate during calendar year 2005 and 2006. Amounts that exceeded the pay limitation ranged from about \$22 to \$4,840.

Additionally, the Department did not have an efficient and effective process for determining, eligible positions, payment amounts, and/or payment cycles for specialty assignment and proficiency pay programs. USCP also did not benchmark with other police forces when implementing its additional compensation programs. In fact, we found that other executive branch and regional police forces did not pay specialty assignment or proficiency pay. Moreover, the Department had not linked the specialty assignment pay program objectives and measures to attract and retain qualified personnel. As a result, the Department did not know if these programs added any value or were effective in achieving its intended purpose of recruitment or retention.

Thus, OIG is recommending that the Department consider whether all the specialty assignment and proficiency pay programs are needed and, if so, develop and implement a sound, effective method of accounting for each program, enhance oversight and internal controls to ensure compliance with established regulations, and link the programs to recruitment and retention. In addition, the Department should take actions to collect questioned costs from ineligible employees.

We conducted an exit conference with Department officials on May 9, 2008. Their comments are incorporated in the body of the report as applicable and attached in its entirety in Appendix C.

Background

2 USC 1931² states the Chief of the Capitol Police may establish and determine from, time to time, positions in salary classes of employees of the Capitol Police to be designated as employees with specialty assignments or proficiencies. In 2004, the Department implemented *Specialty Assignment Pay*. The pay flexibility permitted the USCP to establish and determine positions that may be designated as specialty assignments or require proficiencies (based on experience, education, training, or other appropriate factors) that are required to carry of the duties of the position – and provide additional gross compensation in the amount of \$3,000³ in a lump sum payment, based on specific requirements. *Specialty Assignment and Proficiency Pay Programs*, amounts and frequency of payments, and applicable authority and guidance as of October 1, 2007, is shown in Appendix A. According to officials, the Department has paid hazardous duty and plainclothes pay since 1997. USCP Administrative Directives, [REDACTED] cancelled General Order [REDACTED], issued August 11, 1997.

According to USCP Administrative Directive [REDACTED]

The Certifying Official is responsible for ensuring and documenting that all required criteria have been met for employees eligible to receive specialty assignment pay.

The Office of Human Resources (OHR) is to review all relevant documentation to ensure compliance with the requirements of the program.

Bureau Commanders are responsible for establishing and conducting regular program reviews of job competencies, certifications, and performance objectives for purpose of monitoring and validating program requirements for employees in specialty assignment positions.

In determining whether or not a position is considered a specialty assignment, six criteria are applied: Specialized Training, Maintenance of Certifications or Proficiencies, Supervisory Controls, Specialized Physical Fitness, Risk to

² Pub. L. 108-7, February 20, 2003.

³ As of October 2007.

Mission, and Risk to Self. To be considered a specialty assignment, a minimum of three of the six criteria must be met.

Administrative Directive [REDACTED] states Form [REDACTED] is used to document and certify that employees have met all required criteria to receive additional compensation for the specialty assignment or proficiency as shown in Appendix B. Authorized officials are required to complete and submit Form [REDACTED] to ensure proper and timely payment to the employee.

Objectives, Scope, and Methodology

The objectives of our review were to determine (1) if USCP complied with applicable directives related to the personnel compensation programs such as eligibility requirements, (2) the efficiency and effectiveness of the current payment cycles for the various programs, and (3) the criteria or benchmarks used for determining payment amounts. Our scope included the *Specialty Assignment Program*, *Physical Fitness Incentive Program*, *Hazardous Duty Pay*, *Field Officer Training Pay*, *Firearms Proficiency Pay*, and *Plainclothes Pay* during FYs 2005 through 2007.

To accomplish our review objectives, OIG engaged contract auditors to conduct agreed-upon procedures related to the specialty and proficiency pay programs. In addition, OIG staff conducted analytical procedures; reviewed USCP operational and program data and applicable Federal laws and Department directives; written policies and procedures; and supporting documentation related to the program. OIG also interviewed Department officials. Further, OIG met with the Government Accountability Office (GAO) several times related to their on-going payroll and additional compensation work.

For each of the FYs (2005, 2006, 2007), we selected a sample proportionate to each FY and each Division and reviewed documentation to support program eligibility as specified for each of the six pay programs. Table 2 shows the universe and number of items tested by specific program. When we noted an exception such as payments from multiple programs using the same qualifying criteria, we conducted a 100 percent analysis of all FYs 2005, 2006, and 2007 transactions.

Table 1 – Number Tested by Program for FYs 2005, 2006, and 2007

<i>Test Attributes</i>	<i>Specialty Assignment</i>	<i>Hazardous Duty</i>	<i>Physical Fitness</i>	<i>Plainclothes</i>	<i>Firearms Proficiency</i>	<i>Field Officer Training</i>
Universe	594	279	165	721	1,283	183
Number tested	81	46	36	87	45	82

Source: OIG generated from FYs 2005, 2006, and 2007 specialty assignment and proficiency programs.

We reviewed several criteria for eligibility, including proper submission of Form [REDACTED] proper processing of the form, and compliance with USCP directive requirements

such as eligible position and time worked in that position, among others. We also compared the Department's time and attendance system [REDACTED] and NFC data. We prepared a matrix of deficiencies using applicable criteria USCP Administrative Directives [REDACTED] Draft Operational Directive [REDACTED] and Pub. L. 108-7; and GAO's, *Standards for Internal Control in the Federal Government*.

To determine benchmarking, we discussed the process with Department officials, reviewed executive branch and other regional police officers websites for starting salaries and specialty assignment and proficiency pay programs. We also reviewed other regional law enforcement data (Public Safety Forum as of October 2007) provided by OHR.

We conducted fieldwork in Washington, D.C. from February 5, 2008 through May 2, 2008. We conducted our review in accordance with attestation standards established by the American Institute of Certified Public Accountants and *Government Auditing Standards* issued by the Comptroller General of the United States except for independent referencing⁴.

On May 9, 2008, we conducted an exit conference with the Chief and Department officials and provided a draft report for comment. Department comments are incorporated in this report as applicable and attached in its entirety in Appendix C.

Results

OIG found inadequate accounting of specialty assignment and proficiency pay programs, noncompliance with applicable USCP Directives and the annual pay limitation resulting in questioned costs and/or funds put to better use totaling \$506,239. In addition, the Department did not have any specific criteria or benchmarks for determining, eligible positions, payment amounts, and/or payment cycles for specialty assignment and proficiency pay programs. Furthermore, the Department had not linked the specialty assignment pay program objectives and measures to attract and retain qualified personnel. As a result, the Department did not know if its program was effective or achieving its intended purpose of recruitment or retention.

⁴ 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 May 2008, OIG had only one auditor on staff.

Inadequate Accounting by Specific Program

The Department did have an adequate and official accounting of each specialty assignment and proficiency pay program. Specialty assignment and proficiency pay programs are a component of salaries and benefits and not specifically allocated by program. Neither NFC nor the Department's accounting system capture specialty pay programs by a specific BOC. Thus, the Department could not provide a comparison of budgeted and/or expended amounts by each specialty pay program by fiscal year. Currently, the Department combines 4 of the 6 programs (*Specialty Assignment, Physical Fitness Incentive Program, Firearms Proficiency, and Field Officer Training Pay*) into the same BOC, 1198⁵. The other two programs hazardous duty and plainclothes are captured under BOC 1187 and 1210, respectively. The prior OHR director explained that the Department established specific BOCs for these two programs with the NFC prior to the implementation of its new accounting system, [REDACTED]. We also found that the Department did not consistently use BOC 1198. Comparing OHR cuff records with NFC and [REDACTED] records, we also found that OHR erroneously used BOC 1152⁶.

Additionally, OHR's operating plans do not present a breakout of proposed expenditures for the specialty pay and proficiency assignment programs in any manner that would allow meaningful comparison of budgeted and expended amounts. In fact, we determined that current up-to-date information related to these programs did not exist and that the Department relied primarily upon cuff records.

A document prepared in June 2004, estimated a total of \$1,378,447 for all these specialty assignment and proficiency pay programs. The Department has not updated this information since 2004. Although the total amount for all specialty assignment and proficiency pay programs has shown only a 32 percent increase, individual programs such as physical fitness, field officer training, and specialty assignment have shown large increases from FY 2005 to FY 2007, as shown in Table 2. In March 2007, the Department approved four new assignment units (Physical Security Section, Technical Countermeasures Division, Physical Skills Division, and the Command Center) for specialty assignment pay with retroactive coverage for FY 2006.

Table 2 – Program Amounts Disbursed by Fiscal Year and Percentage of Increase/Decrease

Program	FY 2005	FY 2006	FY 2007	Increase/Decrease
Physical Fitness Incentive Pay	\$15,500	\$26,500	\$ 31,500	103%
Field Officer Training Pay	\$38,425	\$50,575	\$ 71,075	85%
Specialty Assignment Pay	\$459,444	\$546,000	\$765,000	67%
Firearms Proficiency Pay	\$95,750	\$101,375	\$ 94,875	(.9%)
Hazardous Duty Pay	\$177,191	\$180,016	\$168,100	(5%)
Plainclothes Pay	\$270,960	\$265,260	\$ 262,260	(3%)
Total	\$1,057,270	\$1,169,726	\$1,392,810	32%

Source: USCP Accounting Records and/or National Finance Center. Amounts and percentages rounded.

⁵ BOC 1198 – NFC, Limited Payability Credits; USCP, Inventive Pay.

⁶ BOC 1152 – NFC, Cash and Suggestion Awards; USCP, Performance Bonus.

Furthermore, we noted that OHR prepared spreadsheets (cuff records) were inaccurate and OHR did not reconcile these records to the NFC or [REDACTED] OHR's tracking and reconciliation of these records are important because each program does not have a separate BOCs. According to GAO/AIMD-00-21.3.1, *Standards for Internal Control in the Federal Government*, transactions should be promptly recorded to maintain their relevance and value to management in controlling operations and making decisions. This applies to the entire process or life cycle of a transaction or event from the initiation and authorization through its final classification in summary records. In addition, control activities help to ensure that all transactions are completely and accurately recorded. Many elements of NFC and [REDACTED] require manual entry of data, which is subject to human error. A lack of a reconciliation process between these two systems prevents consistency in data elements such as assignment coding. GAO's *Internal Control Management and Evaluation Tool*, Page 5, Section 2 states

...appropriate control activities are employed, such as reconciliations of summary information to supporting detail and checking the accuracy of summarizations of operations....

In addition, we noted that OHR did not have written detailed standard operating procedures for processing and recording specialty assignment and proficiency pay programs.

A Department official stated the NFC system and/or the Department's accounting system could be modified to capture the payment data by specific BOC for each program. OHR explained that it would be expensive to modify these systems.

Conclusions

Specialty assignment and proficiency pay programs are a component of salaries and benefits and not specifically allocated by program. Neither NFC nor the Department's accounting system capture specialty pay programs by a specific BOC. Additionally, OHR did not conduct any type of reconciliation of this data. Thus, the Department relied primarily on OHR cuff records to track such payments. In addition, OHR did not have written procedures documenting its controls over such payment programs.

Recommendation 1: We recommend that the United States Capitol Police develop and implement a sound, effective method of accounting for each specialty assignment and proficiency pay program in the National Finance Center and the [REDACTED] accounting systems. During the interim, the Office of Human Resources should establish written procedures for processing and reconciling its cuff records with actual disbursements.

Noncompliance with Directives and Annual Compensation Limitation

The Department did not always comply with its specialty assignment and proficiency pay program directives. As a result, OIG questioned costs of \$227,020 as unauthorized or unsupported because of a lack of or inadequate documentation as shown in Schedule 1. The Department also could have avoided unnecessary costs of about \$279,000 as shown in Schedule 2. In addition, we noted five instances totaling about \$13,306 when an employee's total compensation exceeded the Department's annual salary limitation.

Specialty Assignment Pay Program

According to Administrative Directive [REDACTED], the Department pays compensation in the amount of \$3,000 to employees who were assigned or detailed to a position traditionally considered a specialty assignment in the Department for at least 12 months of full-duty, and who received at least an effective and competent performance rating.

Our test of 81 employees receiving specialty assignment pay during FYs 2005, 2006, and 2007, showed that the Department paid 27 ineligible employees, which resulted in \$90,000 in questioned costs. For example, 5 of these 27 employees did not complete the required 12 continuous months and the remaining 22 employees exceeded the 45-day absence limit. USCP Administrative Directive [REDACTED] states

...an employee is only eligible to receive Specialty Assignment Pay if he/she has been assigned to an eligible specialty assignment position for a minimum of 12 continuous months in the same specialty assignment....

...Employees who are unable to perform the requisite specialty assignment duties for more than 45 calendar days due to such events as non-pay status, extended leave (e.g. military duty or medical incapacity), temporary reassignment, restricted duty, or assignment to the Extended Absence Section are not eligible for Specialty Assignment Pay for the applicable 12-month period....

We also questioned \$12,000 as unsupported because of lack of or inadequate documentation. We found that assignment date details from [REDACTED] for 32 employees did not agree to assignment date details in NFC assignments. In fact, four [REDACTED] forms had certification dates later than the date of receipt by OHR. We further noted that a member of Training Services Bureau (TSB) completed one employee's [REDACTED] [REDACTED] However, per assignment coding in NFC and in [REDACTED] the employee had never been assigned to TSB nor in a position qualifying for specialty pay. USCP Administrative Directive [REDACTED] states

...Ensure and document that all required criteria have been met for employees eligible to receive Specialty Assignment Pay...Certify the eligibility of employees to receive Specialty Assignment Pay upon completion of 12 months of full-duty assignment to the

position...Attach all relevant documentation (the performance appraisal and any attachments) to the [REDACTED]
[REDACTED]

We further noted that Directive [REDACTED] has provisions (most notably the 45-day leave provision) that can be treated inconsistently based on interpretation because the directive is silent with regards to how the leave should be calculated. OHR calculates leave taken for 45 consecutive days (exclude weekends and holidays), which can make an employee ineligible for specialty assignment pay. The Directive states the type of leaves that that are counted towards the 45 days include Leave Without Pay (LWOP), extended leave (such as military duty and medical incapacity), temporary reassignment, and restricted duty. The OHR Director stated that military duty is no longer counted towards the 45 days. In other words, if an employee is on military duty for 45 consecutive days, the employee is still eligible for specialty assignment pay. This change is not reflected in the current directive.

Additionally, the directive states that in determining whether or not a position is considered a specialty assignment, six criteria are applied. To be considered a specialty assignment, a minimum of 3 of 6 criteria must be met. However, we noted that the Department added a new unit, Communications, to the March 2007 *Designation of Specialty Assignments* without assigning any qualifying criteria.

Incorporating the specialty assignment and proficiency pay into the classification of the position would eliminate the various forms, errors, and arduous cuff records. For example, the job category "Technician" already exists at the Department. Members of specialized areas such as CERT or HDS could be given the job category of "Technician" rather than "Private First Class" and receive the pay differential, which corresponds to the job category. Assignment to one of the specialty assignment areas with a unique job category would eliminate the need to complete eligibility verifications and save on staff time and costs of completing and processing such payments.

Hazardous Duty Pay

Employees certified as eligible for hazardous duty pay receive \$2,000 per annum. For calculation purposes, the payment period is from October 1 through March 31 and from April 1 through September 30. According to Administrative Directive [REDACTED] [REDACTED] "An employee is only eligible to receive hazardous duty pay if the employee has been assigned or detailed to an eligible position, and has regularly performed the duties of that position for more than an aggregate of 50% of the previous six-month period for pay purposes." "Extended Absence Section, etc., are ineligible to receive Hazardous Duty Pay." Hazardous Duty Pay is exclusively for employees assigned to a position in one of the following units:

- Hazardous Devices Section
- Canine Instructors

- Containment Emergency Response Team
- Hazardous Material Response Team
- Tactical Flight Officer

Our test of 46 employees receiving hazardous duty pay during FYs 2005, 2006, and 2007, showed the Department paid ineligible employees, which resulted in \$41,779 in questioned costs. Seventy-two percent or 33 of 46 tested did not comply with time and division and/or eligibility requirements. For example, the Department paid

- 13 employees that were not in a division/section that qualified for hazardous duty pay. Three of the 13 employees not holding eligible positions were still receiving hazardous duty pay as of pay period 3 – 2008.
- 5 employees had not been in the eligible position for more than an aggregate of 50 percent of the previous 6-month period. In 4 of these 5 instances, the employees took leave for more than 60 days during the period tested.
- 17 instances in which the [REDACTED] form for individuals who became ineligible for hazardous duty pay was missing (2 of the same employees lacked the initial form). Nine of these 17 employees continued to receive pay following the date they became ineligible.

According to the OHR Director, the Department has taken into account the hazardous duty and/or physical hardship in the classification of the above positions. Thus, these employees are already compensated for such risk. Furthermore, the Department paid sworn employees for both hazardous duty and specialty assignment payments using the same qualifying criteria. For example, Administrative Directive [REDACTED] states additional compensation pay to sworn or civilian employees in an assignment that requires exposure to unusual hazards and/or physical conditions in the performance of their official duties.

Administrative Directive [REDACTED] for sworn employees at the rank of Sergeant/Special Technician and below, states

“In determining whether or not a position is considered a specialty assignment, six criteria are applied: Specialized Training, Maintenance of Certifications or Proficiencies, Supervisory Controls, Specialized Physical Fitness, Risk to Mission, and Risk to Self...Risk to Self – It is used to rate a position that exceeds normal everyday physical risks or the exercise of normal safety precautions, i.e., a position that regularly and routinely exposes the employee to hazardous (or potentially hazardous) materials, situations that require adherence to special safety requirements or where special precautions must be observed, and the regular use of specialized protective clothing or gear.”

Both directives are silent as to whether a sworn employee can be paid for both hazardous duty and specialty assignment for the same qualifying criteria. Our analysis of all hazardous duty and specialty assignment payments for FYs 2005 through 2007 showed sworn employees received both hazardous duty and specialty assignment payments as

shown in Schedule 3. OIG concluded that the Department could have avoided unnecessary costs of about \$260,000.

Physical Fitness Incentive Program

USCP Administrative Directive [REDACTED] states

...Employees who occupy positions that, due to the nature of the duties and responsibilities of the position, already require physical fitness at or above a score of 80% **are excluded from receiving Physical Fitness Proficiency Pay....** (Emphasis Added)

...Physical Fitness Proficiency Pay is disbursed on an annual basis beginning each fiscal year....

Our test of 36 employees receiving physical fitness proficiency pay (FIT) during FYs 2005 through 2007, showed that the Department inappropriately paid FIT to all 36 employees, which resulted in overpayments of \$17,000. All 36 employees were members of specialty assignment areas such as CERT, HDS, DPD and, thus, ineligible to receive FIT pay since they were already receiving specialty assignment pay that identified fitness as one of the qualifying criteria for such pay. In addition, the Department paid one employee a duplicate payment during the same fiscal year. The FIT directive describes FIT as an annual payment. This resulted in an additional overpayment of \$500.

Our analysis of all FIT payments for FYs 2005, 2006, and 2007, identified additional questioned costs of \$14,250 resulting in total questioned costs of \$31,750 because employees received payments in addition to FIT from both hazardous duty and/or specialty assignment programs as shown in Schedule 3.

USCP Administrative Directive [REDACTED] also states

...If employees score at or above 80%, [TSB must] complete and certify Form [REDACTED] and submit it to the Office of Human Resources (OHR) within five business days of qualification....

OHR must "log receipt of Form [REDACTED]" and "process the payment in the pay period following the one in which the [REDACTED] was received."

However, we found that

- TSB submitted 18 [REDACTED] an average of 74 days later than the period established by the directive. For example, an employee was evaluated on October 25, 2006, but TSB did not certify the [REDACTED] until September 24, 2007.
- OHR did not date stamp six [REDACTED] when received.
- OHR did not have a [REDACTED] on file for one employee.
- OHR did not make three payments within the prescribed timeframes.

- o Two [REDACTED] were received December 2005, but not processed until October 2006.
 - o One [REDACTED] was received April 2006 but not processed until October 2006.
- Six payments did not appear on the 1198 BOC report.

Plainclothes Pay

According to USCP Directive [REDACTED] compensation is paid to sworn personnel who are assigned to a unit that requires the wearing of plainclothes in the performance of their official duties. An employee is eligible to receive payment if the employee has been assigned or detailed to an eligible position, and has regularly performed the duties of that position for more than an aggregate of 50 percent of the previous six-month period for pay purposes. Employees certified as eligible for plainclothes pay receive \$1,200 per annum. This amount is equally divided into two payments and is payable on a semi-annual basis (\$600 per payment).

Our test of 87 payments showed the Department paid ineligible employees for plainclothes pay. As a result, we questioned costs totaling \$35,460. Of that amount \$16,860 was unallowable because of either erroneous or duplicate payments, or the division did not qualify for plainclothes pay, and/or the employee did not perform the duties of that position for more than 50 percent of the previous 6-month period for pay purposes. The remaining \$18,600 was classified as unsupported because of missing [REDACTED] forms or records. For example,

- 27 payments did not meet eligibility requirements because the division/section (for example, Homeland Security/Command Center, Assistant Chief, and Emergency Management Division) was not listed as an organizational element entitled to plainclothes pay.
- 4 cases in which the time of performance could not be verified because of the inconsistency of available records.
- 43 payments had missing [REDACTED] forms. In most of these cases, certifying officials were sending only lists to OHR, instead of individual [REDACTED] as required.

In an analytical procedure of all 354 employees for FYs 2005 through 2007, we identified nine improper or duplicate payments. In five of these cases, OHR had taken action and recovered the money. However, in the other four cases, OHR had not yet initiated collection procedures.

Furthermore, there were 42 unexplainable transactions related to 21 employees. In each case there was a minus \$60 and a plus \$60. The minus \$60 transaction was related to budget fiscal year 2008 and plus \$60 was related to budget fiscal year 2007. OHR did not provide an explanation of the nature of the transaction. Our further review showed that the Department erroneously paid all or a portion of these plainclothes transactions from the wrong fiscal year appropriation.

Firearms Proficiency Pay

According to USCP Operational Draft Directive [REDACTED]



[REDACTED] is compensation paid to sworn personnel who achieve a certain level of proficiency with their personally issued (non-specialty) service weapon in conjunction with the regular qualification cycle established by TSB, Firearms Training Section. Employees who score in the following ranges are eligible to receive a maximum of \$500 per fiscal year, payable in two payments (April and October).

- Sharpshooter Score (270-284): \$125.00
- Expert Score (285+): \$250.00

We tested 45 FPP payments for FYs 2005, 2006, and 2007 (15 from each FY) reviewing documentation to support the accuracy of payments. Additionally, we compared OHR documentation to TSB data for consistency. We found that 53 percent or 24 of 45 [REDACTED] forms did not have dates of the evaluation. In fact, one employee certified his own form. When TSB data was compared against the OHR list of recipients, 14 names were listed under the wrong classification (expert rather than sharpshooter). We also noted 17 names were on the OHR list but not on the TSB list. Further, 24 names were on the TSB list but not on the OHR list. None of these exceptions resulted in any over or under payments.

However, our analysis of all FPP payments for FYs 2005 through 2007, identified employees that received payments in addition to FPP from both hazardous duty and/or specialty assignment programs. These sworn employees were members of specialty assignment areas such as CERT, HDS, DPD and were already receiving specialty assignment pay that identified maintenance of certifications or proficiencies such as weapons qualifications as one of the qualifying criteria for such pay. Thus, the Department could have avoided \$19,375 in unnecessary costs.

Field Training Officer Pay

According to the draft directive, *Field Training Officers* (FTOs) are responsible for providing on-the-job training to new recruits directly upon graduation from the Basic Training Academy. FTOs are eligible to receive \$25.00 per day per recruit, payable in 2 payments (April and October). According to the [REDACTED] Draft Directive, both the Field Training Supervisor and Field Training Coordinator are responsible for reviewing the [REDACTED] forms submitted for payment by FTOs for accuracy and eligibility prior to forwarding the forms to OHR. Of 82 [REDACTED] submitted for FTO payment, OIG found

- 1 duplicate payment, which resulted in questioned cost of \$425.

- 5 instances in which the Department incorrectly calculated the payment resulting in a total underpayment of \$300.
- 15 FTOs were responsible for more than 2 trainees per day. While the current directive is silent with respect to this attribute, the draft policy states that "every effort should be made to assign only one trainee per FTO...."
- 16 instances where the performance periods of the training were not consistent with the compensation periods indicated in the draft Directive (October 1- March 31 and April 1 – September 30). In 4 of these 16 instances the performance periods overlapped fiscal years and the Department erroneously paid \$2,300 from the wrong fiscal year appropriation as shown in Table 3.

Table 3 – Amounts Erroneously Paid Due to Performance Period in Two Fiscal Years

<i>Sample #</i>	<i>Amount</i>	<i>Performance Period</i>	<i>Payment Period</i>	<i>Portion that should have been paid from prior year appropriation</i>
49	\$ 2,100	04/08/05 - 03/10/06	PP07 – 2006	\$750
53	\$1,975	03/31/05 - 04/06/06	PP08 – 2006	\$1,325
64	\$625	09/27/05 - 11/04/05	PP12 – 2006	\$100
69	\$575	09/26/05 - 11/04/05	PP07 – 2006	\$125
Total	\$5,275			\$2,300

Source: OIG generated from USCP accounting records and National Finance Center data.

Many of these exceptions occurred because employees did not submit [REDACTED] in a timely manner. The Department also did not consistently use the [REDACTED]. For example, not all forms have Field Training Supervisor and/or Field Training Coordinator's approvals. There were two versions of [REDACTED] form; a revised form (version September 2006) was on the USCP intranet. However, a prior version, which does not have a line for approval, continues to be submitted. In fact, there was one instance where the certification report was handwritten on a piece of plain paper with no signature. Additionally, as of May 2008, the FTO Directive was still in draft and the requirement of using the correct form had not been fully enforced.

Conclusions

The Department did not always comply with its directives and inappropriately paid ineligible employees and could have avoided unnecessary costs resulting in \$506,239 of questioned costs and/or funds put to better use.

These noncompliance issues occurred because (1) unlike the physical fitness directive, other directives were silent as to whether the Department could pay sworn employees for hazardous duty, firearms, and specialty assignment pay using one or more of the same qualifying criteria for such payments; (2) Directive [REDACTED] was subject to varying

interpretations when employees who are unable to perform the requisite specialty assignment duties for more than 45 calendar days due to such events as non-pay status, extended leave, temporary reassignment, or restricted duty are not eligible for specialty assignment pay for the applicable 12-month period; and (3) the [REDACTED] form was not always timely, accurate, complete, or certified, thus resulting in some payments from the wrong appropriation.

Incorporating specialty assignment pay into the base pay for sworn officers would eradicate OHR's labor-intensive effort (arduous cuff records) and, thereby eliminate erroneous payments. Thus, OIG is making the following recommendations.

Recommendation 2: We recommend that the United States Capitol Police take action(s) to collect questioned costs totaling \$196,420 and provide supporting documentation for \$30,600.

Recommendation 3: We recommend that the United States Capitol Police consider whether all the specialty assignment and proficiency pay programs are needed and, if so, determine the most efficient and effective method of implementation and allocate the necessary resources to effectively administrate the program(s).

Recommendation 4: We recommend that the United States Capitol Police, in the interim, clarify [REDACTED] regarding

- a. Exclusion(s) or payment(s) from multiple programs when using the same defining criteria such physical fitness, firearms proficiency, risk to self, and maintenance of certification or proficiencies, thereby avoiding costs of \$279,219 and putting funds to better use.
- b. the aggregate of 50 percent of the previous six-month period for pay purposes for hazardous duty and plainclothes.
- c. the 45-calendar day requirement for specialty assignment pay.

Recommendation 5: We recommend that the United States Capitol Police finalize its draft firearms and field officer training directives and enforce the consistent use of a standard [REDACTED] Form.

Recommendation 6: We recommend that the United States Capitol Police strengthen tracking and reconciliation procedures to ensure employees do not improperly receive payments within the same fiscal year or when ineligible for such pay.

Recommendation 7: We recommend that the United States Capitol Police immediately determine the availability of funds from prior years and correct any payment(s) made from the wrong appropriation.

Amounts Exceeded Annual Pay Limitation

Pub. L. 108-7 states in addition to the regularly scheduled rate of basic pay, each employee holding a position designated under this section shall receive an amount determined by the Chief, except that

...such amount may not be paid in a calendar year to the extent that, when added to the total basic pay paid or payable to such employee for service performed in the year, such amount would cause the total to exceed the annual rate of basic pay payable for level II of the Executive Schedule, as of the end such year....

The pay rates for the Executive Schedule, Level II, for FY 2005, 2006, and 2007, was \$162,100, \$165,200, and \$172,200, respectively. To determine if any employee receiving additional compensation for specialty assignments and proficiencies exceeded these caps, we analyzed the *USCP Pay Cap Reports* for FYs 2005, 2006, and 2007, the applicable controls, and compared at risk employees to leave and earnings reports obtained from NFC. We noted eight instances when an employee was going to exceed the annual pay limitation and the Department deferred payment for specialty assignment and proficiencies until the next calendar year. However, Pub. L. 108-7 is silent with regards to compensation deferral.

Although the Department is not subject to executive branch guidance, the Office of Personnel Management (OPM) states that when an agency authorizes a discretionary payment for an employee, the agency must defer any portion of the payment that, when added to the employee's estimated aggregate compensation, would cause it to exceed the applicable aggregate limitation. An agency must pay the amounts that were deferred because they were in excess of the applicable aggregate limitation as a lump-sum payment at the beginning of the following calendar year.

Nevertheless, we noted five instances of an employee's total compensation exceeding the USCP annual aggregate compensation limitation, which is set in the annual pay schedule approved by the Department's oversight committees, as shown in Table 4. Amounts that exceeded the pay cap ranged from \$22 to \$4,840. This pay limitation is applied on an annual basis (2 U.S.C. sect. 1932; USCP Pay Regulations, sect. d.)

Table 4 – Employee Compensation Exceeding Salary Cap during FYs 2005 and 2006

Employee	CY	Aggregate Cap	Leave & Earnings	Cap Exceeded	Status	Bureau
1	2005	\$156,848	\$156,870	\$22	Sworn-exempt	PSB
2	2005	\$156,848	\$160,705	\$3,857	Non-exempt	PSB
3	2005	\$156,848	\$161,688	\$4,840	Non-exempt	PSB
4	2005	\$156,848	\$160,563	\$3,715	Non-exempt	PSB
5	2006	\$159,828	\$160,700	\$872	Non-exempt	PSB
TOTAL				\$13,306		

Conclusions

Pub. L. 108-7 and USCP's annual payable rates conflict. For 2005, the pay rate for Executive Schedule, Level II was \$162,100, while the Department's maximum annual payable rate was \$156,848 a difference of \$5,252. Pub. L. 108-7 was silent with regards to compensation deferrals to the next fiscal year when an employee was going to exceed the USCP annual salary limitation. During 2005 and 2006, the Department paid amounts in excess of USCP's maximum annual payable rate.

Recommendation 8: We recommend that the United States Capitol Police take action(s) to clarify its *Maximum Annual Payable Rate* in light of Public Law 108-7. In addition, we recommend that the Chief of Police request the Office of the General Counsel provide a legal opinion regarding: (1) USCP authority to defer payments to the next calendar year when an employee may exceed the annual salary limitation; and, (2) appropriate options for collecting amounts from employees who received amounts in excess of the annual salary limitation.

Program Management

Pub. L. 108-7 states the Chief may establish and determine, from time to time, positions in salary classes of employee of the Capitol Police to be designated as employees with specialty assignment or proficiencies, based on the experience, education, training, or other appropriate factors required to carry out the duties of such employees. USCP Administrative Directive [REDACTED] states the goal of the USCP is to attract and retain a highly skilled, trained, and diverse sworn workforce.

However, OIG found that the Department did not have any specific criteria or benchmarks for determining eligible positions, payment amounts, and/or payment cycles for specialty assignment and proficiency pay programs. Furthermore, the Department had not linked the specialty assignment pay program objectives and measures to recruitment and retention. As a result, the Department did not know if its program was effective or achieving its intended purpose.

The Department has paid hazardous duty pay differential and clothing allowance for members required to wear civilian attire since 1997. As of October 2007, the following specialty assignment and proficiencies programs provide additional compensation to employees.

- [REDACTED] directive was effective November 1, 2003. Prior to 2003, USCP General Order [REDACTED] was applicable to hazardous duty allowance. The program was designed exclusively for civilian and sworn employees assigned to:

Hazardous Devices Section (HDS), K-9 Instructors, Containment Emergency Response Team (CERT), Hazardous Materials Response Team (HMRT), and Tactical Flight Officer. There was no evidence of how these five units were determined as eligible other than the policy statement that USCP provides additional compensation to employees whose assigned duties require exposure to hazards and or physical conditions that regularly exceed those typically associated with other assignments in the Department.

- [REDACTED] directive was effective November 1, 2003. Prior to 2003, USCP General Order [REDACTED] was applicable to clothing allowance. The program was designed to offset the cost clothing and its maintenance to sworn employees whose duties require the wearing of plainclothes. The directive states that the Chief has sole discretion to update the units eligible. There was no evidence provided to determine how the initial list of organizations was selected.
- The [REDACTED] directive became effective on February 19, 2004. The program is eligible to all sworn and civilian USCP employees. Currently, the Department does not have any physical fitness standards and sworn employees are not required to qualify annually. The Capitol Police Board action items dated November 30, 2007, listed physical fitness for USCP officers that incorporates criteria from the Library of Congress program.
- The [REDACTED] directive became effective November 18, 2005. The program is for sworn employees at the rank of Sergeant/Special Technician and below.
- The [REDACTED] directive provided is still in draft and does not have an effective date. This program is available to all USCP sworn employees. (*Emphasis Added*)
- The [REDACTED] directive provided is still in draft and does not have an effective date. FTOs must meet the criteria established by the Training Services Bureau. Additionally, any bureau can determine their need for a Field Training program and upon approving authority from the Training Bureau any bureau can create FTOs. (*Emphasis Added*)

OIG was unable to determine what process the Department used for identifying eligible positions for the specialty assignment and proficiency pay programs. OHR officials explained that upon the passage of Pub. L.108-7 in 2003, the then Chief, Assistant Chief and the sworn Bureau commanders planned the direction of the specialty pay programs. The law enables the Chief to establish and determine the positions designated as specialty assignments. The legislation does not specify how the Chief will determine the assignments. We found no supporting documentation to demonstrate how the Department interpreted the law in developing the policies adopted in the then Deputy Chief's memorandum dated October 20, 2003, which identified positions eligible for specialty pay.

However the memo did state that, "Based on the computation of the draft [REDACTED] Directive recently conducted by the Operational Services Bureau, the following Specialty Pay recommendations are made." Evidence to document the process used by USCP was in the form of the "FY 2006 Review of Proposed Specialty Pay Assignments for 2006". The document describes that a panel of six USCP Bureau Commanders/Office Directors recommended or declined a specialty pay proposal submitted by the requesting bureau.

OIG found that the proposals were merely justifications for specialty pay prepared by a requesting bureau, which identified criteria from the directive and discussed how a specific criterion applied. This process relied on the judgment and experience of the Commanders and Directors approving the proposals and the integrity of the Bureau preparing the proposal. We found no other evidence to support the information in the proposals provided.

As part of the development of the Department's directive, a work group of Bureau Commanders, chaired by OHR, identified criteria against which positions throughout the entire Department were assessed. The workgroup reviewed the results of the criteria; made adjustments to assumptions and criteria; and agree to the number of criteria that must be met to qualify for designation of "specialty assignment." The outcome of these discussions resulted in the development of the Administrative Directive [REDACTED], which clearly indicates the approved Designated Specialty Assignments by major organizational unit and identifies the qualifying criteria for each.

Payment Amounts

OHR was unaware of any criteria used by previous officials in determining the payment amounts for each specialty assignment and proficiency pay program. The prior OHR director provided copies of emails and memos sent to USCP officials that indicate that there was a decision making process in place when the amounts were decided; however, these memos were incomplete and there was no analytical study or survey conducted to determine that the amounts would be the most effective in meeting USCP objectives. In fact, one official stated the amounts were determined by the availability of funds. The amounts of payment and intended benefit of each pay programs are shown in Table 5.

Table 5 – Specialty and Proficiency Pay Programs Payment Amount and Benefit

<i>Specialty Assignment and Proficiency Pay</i>	<i>Payment Amount</i>	<i>Intended Benefit</i>
<i>Specialty Assignment</i>	\$3,000	Increased compensation for special skills
<i>Hazardous Duty</i>	\$2,000	Compensation for hazardous exposure
<i>Plainclothes</i>	\$1,200	Reimbursement of expenses
<i>Firearms Proficiency</i>	Up to \$500	Award for achievement of proficiency
<i>Physical Fitness</i>	Up to \$500	Award for Fitness Incentive Test (80% or better)
<i>Field Officer Training</i>	\$25 per Trainee/day	Pair up certified training officer with newly sworn

Source: USCP Directives and Draft Directives as of April 2008.

As stated previously in the report, some of the specialty assignment and proficiency programs intended benefit duplicated the criteria for another program such as firearms proficiency is a criteria for some units receiving specialty assignment and hazardous duty pay.

Payment Cycles

OIG found no criteria for the current established payment cycles for these programs. Most of the Department's current payment cycles for specialty assignment and proficiency pay programs are inefficient and ineffective and contributed to an arduous accounting process. As shown in Table 6, an employee must wait 6-months before the Department pays the individual for hazardous duty and plainclothes. If this payment is needed to purchase civilian attire, the employee should be paid when first assigned to the eligible unit.

Table 6 - Specialty Assignment and Proficiency Pay Program Payment Cycles

<i>Program</i>	<i>Pay Cycle</i>	<i>Conditions</i>
Specialty Assignment	Annual	Must complete 12 months of service prior to pay
Physical Fitness Incentive Pay	Annual	Results are submitted to OHR for immediate payment
FTO Pay	Semi-annual	Forms are submitted throughout the year and OHR tallies the results
Firearms Pay	Semi-annual	Results are submitted to OHR for immediate payment
Plainclothes Pay	Semi-annual	Must complete 6-months of service prior to pay
Hazardous Duty Pay	Every two weeks	Must complete 6 months of service prior to pay

Source: USCP Directives and Draft Directives as of April 2008.

Benchmarking with Other Law Enforcement Organizations

The Department did not benchmark against other law enforcement organizations when establishing its specialty assignment and proficiency pay programs. OIG found that none of the executive branch police forces had authority for specialty pay programs. However, OPM (5 U.S.C. 5545 (d)) has established a schedule of pay differentials for such specialties as hazardous duty. 5 CFR 550.904 allows an agency to approve payment of hazardous duty pay when the hazardous duty or physical hardship has not been taken into account in the classification of the position. An employee may receive no more than 25 percent of his or her rate of basic pay and hazardous duty pay is paid only for the hours in which the employee is in a pay status on the day on which the hazardous duty is performed.

Our review of respective executive branch police force websites showed that USCP starting salary exceeded all executive branch agencies as shown in Table 7. Also, as shown in Table 8, the Department's starting salary for a police officer also exceeded all regional police forces' starting salaries.

Table 7 –USCP/Executive Branch Starting Salaries

<i>Police Force</i>	<i>Starting Salary</i>
Secret Service Uniform Division	\$48,470
Park Police	\$48,470
Pentagon Police	\$51,388
USCP	\$51,859

Source: Respective executive branch police force websites as of April 2008.
USCP website as of July 2008. Upon successful completion of training,
USCP's salary for a police officer increases to \$53,677.

Table 8 - Starting Salaries for Police Officer

<i>Regional Police Forces</i>	<i>Starting Salary</i>
Alexandria	\$43,600
Arlington	\$45,300
Fairfax County	\$45,700
Loudoun	\$41,300
MPD DC	\$48,715
Montgomery	\$45,200
Prince Georges	\$44,100
Prince William	\$44,100
USCP	\$51,859

Source: OHR provided (Public Safety Forum Data) as of October 2007.
USCP website as of July 2008.

Furthermore, based on OHR's research in the federal pay arena, other Federal Law enforcement agencies did not pay sworn employees specialty assignment or proficiency pay. OHR explained that Metropolitan Police Department, D.C. (MPD) did not have pay programs for firearms proficiency, physical fitness incentive, or field officer training as this is considered duties of a police officer. However, MPD did compensate its officers for technical skills such as hazardous duty.

Conclusions

The Department did not have a formal process for determining, eligible positions, payment amounts, and/or payment cycles for specialty assignment and proficiency pay programs. In addition, the payment cycles were inefficient and ineffective and, in some cases, caused OHR to defer and/or obligate funds to an incorrect appropriation. OIG's benchmarking with executive branch and regional police forces showed that other law enforcement organizations did not pay officers' specialty assignment or proficiency pay, but included it the position classification with equivalent salary.

The starting salaries for USCP officers exceeded all but one other police force surveyed. Furthermore, the Department also had not linked the specialty assignment pay program objectives and measures to recruitment and retention. As a result, the Department did not know if these programs added value or were effective in achieving its intended purpose of recruitment or retention. If these types of additional compensation programs are needed, the Department must tailor their use of specialty assignment and proficiency pay programs to meet their specific human capital management goals. Thus, OIG is making the following recommendation.

Recommendation 9: We recommend that the United States Capitol Police consider whether these specialty assignment and proficiency pay programs are needed to compete with other police forces and, if so, then the Department should link its goals and measures of these programs with retention and recruitment of Department personnel.

**United States Capitol Police
Specialty Assignment and Proficiency Pay Programs
FYs 2005, 2006, and 2007**

Schedule of Questioned Costs⁷

<i>Questioned Costs</i>		<i>Notes</i>	<i>Criteria</i>
<i>Unallowable/ Unauthorized</i>	<i>Unsupported</i>		
\$16,860		Division did not qualify and/or employee did not perform the duties for more than 50 percent of the previous 6-months.	
	\$18,600	Missing [REDACTED] forms.	
\$31,750		Ineligible employees already receiving specialty assignment pay that identified fitness as criteria for such pay.	
\$41,779		Time and division eligibility requirements. 50 percent of the previous 6-month period. [REDACTED] missing to cancel payments to ineligible employees.	
\$90,000		12 months of service. 45-day absence limit. Disbursement to ineligible employees who did not meet annual performance rating criteria.	
	\$12,000	Incorrect classification of BOC. [REDACTED] not properly approved by line officials.	
\$2,725		\$2,300 charged to wrong appropriation. \$425 duplicate payment	Draft Directive [REDACTED]
\$13,306		Exceeded annual pay limitation.	USCP Annual Compensation Limitation
\$196,420	\$30,600		

Source: OIG generated. Amounts rounded.

⁷ A "questioned cost" denotes that one or more of the following three situations exist: (1) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, other agreement, or document governing the expenditure of funds; (2) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (3) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

**United States Capitol Police
Specialty Assignment and Proficiency Pay Programs
FYs 2005, 2006, and 2007**

Schedule of Funds Put to Better Use

FUNDS PUT TO BETTER USE⁸	
\$259,844	Directives [REDACTED] and [REDACTED] are silent about whether a sworn officer sergeant and below could receive both hazard duty and specialty assignment pay. During FYs 2005, 2006, and 2007, the Department could have avoided unnecessary payments for employees who received payments from both programs for the same qualifying criteria.
\$19,375	The draft Operational Directive [REDACTED] is silent about whether a sworn officer could receive hazardous duty, specialty assignment pay, and firearms pay for the same qualifying criteria. Employees assigned to CERT, HDS, DPD, and were already receiving specialty assignment pay that identified maintenance of certification or proficiencies such as weapons qualifications as a criteria.
\$279,219	

Source: OIG generated. Amounts rounded.

⁸ A recommendation that funds be put to better use is a recommendation by the OIG that funds could be used more efficiently if Department management took actions to implement and complete the recommendations, including: reductions in outlays, deobligation of funds from programs or operations; withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds; costs not incurred by implementing recommended improvements related to the operations of the Department, a contractor, or a grantee; avoidance of unnecessary expenditures noted in preaward reviews of contract or grant agreements; or any other savings which are specifically identified.

Schedule 3
Page 1 of 1

United States Capitol Police
Specialty Assignment and Proficiency Pay Programs
FYS 2005, 2006, AND 2007
Matrix of Multiple Payments

Employee	Specialty Assignment and Proficiency Program						Total
	Fitness	Hazardous	Specialty Pay	Firearms	Plainclothes	FTO	
1		1,848.33	9,000.00	125.00			\$10,971.32
2		4,154.22	3,000.00				\$7,154.22
3		2,923.34	3,000.00	500.00		1,500.00	\$7,923.34
4	1,500.00	5,892.84	9,000.00	500.00			\$16,892.84
5	250.00	5,892.84	9,000.00	1,000.00			\$16,142.84
6		5,892.84	9,000.00				\$14,892.84
7		5,892.84	6,000.00				\$11,892.84
8	1,500.00	5,892.83	6,000.00	500.00			\$13,892.83
9	750.00	5,892.84	9,000.00	750.00			\$16,392.84
10	2,000.00	6,615.98	9,000.00	500.00			\$18,115.98
11		5,154.31	6,000.00		1,200.00		\$12,354.31
12		5,892.83	9,000.00	500.00			\$15,392.83
13	1,500.00		9,000.00		3,600.00		\$14,100.00
14		5,892.84	9,000.00		1,800.00		\$16,692.84
15	500.00		3,000.00	250.00	600.00		\$4,350.00
16	1,500.00	6,615.98	9,000.00	1,250.00			\$16,365.98
17		5,892.84	9,000.00	1,000.00	1,800.00		\$17,692.84
18	1,250.00	3,692.64	3,000.00	1,250.00			\$9,192.64
19	500.00		9,000.00	125.00	3,600.00		\$13,225.00
20		2,923.34	3,000.00				\$5,923.34
21		6,615.98	9,000.00	625.00			\$16,240.98
22	1,000.00		9,000.00	125.00	3,600.00		\$13,725.00
23	1,250.00	2,923.34	3,000.00	1,125.00			\$8,298.34
24		3,123.37	3,000.00	750.00			\$6,873.37
25		5,154.31	6,000.00	125.00	1,200.00		\$12,479.31
26	1,500.00	2,923.34					\$4,423.34
27	1,500.00	2,923.34	3,000.00	250.00			\$7,673.34
28	1,500.00	6,615.98	9,000.00	375.00			\$17,490.98
29		5,123.53	6,000.00				\$11,123.53
30	500.00		6,000.00	125.00	2,400.00		\$9,025.00
31	500.00	5,892.84	9,000.00	500.00			\$15,892.84
32	500.00		6,000.00	625.00	2,400.00		\$9,525.00
33	1,000.00		9,000.00		3,600.00		\$13,600.00
34		5,892.84	9,000.00				\$14,892.84
35		6,615.98	6,000.00	250.00			\$12,865.98
36		5,892.84	9,000.00		1,800.00		\$16,692.84
37	500.00		9,000.00		3,600.00		\$13,100.00
38		7,462.21	9,000.00		1,800.00		\$18,262.21
39		4,852.75	6,000.00	375.00	600.00		\$11,827.75
40		3,277.22	3,000.00		1,200.00		\$7,477.22
41		6,615.98	9,000.00	375.00			\$15,990.98
42	1,500.00	5,892.84	9,000.00	375.00			\$16,767.84
43	500.00		3,000.00	250.00	600.00		\$4,350.00
44	500.00		3,000.00		600.00		\$4,100.00
45		10,662.50	6,000.00	125.00	600.00		\$17,387.50
46		5,738.97	3,000.00		1,800.00		\$10,538.97
47	1,000.00		3,000.00		600.00		\$4,600.00
48	1,500.00		3,000.00		1,200.00		\$5,700.00
49	1,000.00	3,692.64	3,000.00	875.00			\$8,557.64
50	1,500.00	5,892.84	9,000.00	625.00			\$17,017.84
51		2,923.34	3,000.00				\$5,923.34
52		5,892.84	6,000.00	500.00			\$12,392.84
53		4,769.66	6,000.00		600.00		\$11,369.66
54		7,462.21	9,000.00	250.00	1,800.00		\$18,512.21
55		8,539.23	9,000.00		1,800.00		\$19,339.23
56	1,250.00	3,692.64	3,000.00	1,250.00			\$9,192.64
57	500.00	5,892.83	9,000.00	750.00			\$16,142.83
58		3,123.36	6,000.00	125.00	2,400.00		\$11,648.36
59	1,000.00	3,123.35					\$4,123.35
60		4,738.89	3,000.00				\$7,738.89
61		5,892.84	9,000.00	125.00			\$15,017.84
62		5,815.90	9,000.00	125.00	1,800.00		\$16,740.90
63	500.00	3,277.21	3,000.00	125.00			\$6,902.21
Total	\$31,750.00	\$265,931.61	\$396,000.00	\$19,375.00	\$48,720.00	\$1,500.00	\$763,276.61

***United States Capitol Police
Specialty Pay and Proficiency Pay Programs
as of October 1, 2007***

<i>Program</i>	<i>Organizational Elements Entitled</i>	<i>Amount</i>	<i>Frequency of Payments</i>	<i>USCP Directive</i>
Plainclothes Pay	Office of the Chief (IAD) Protective Services Bureau Uniformed Services Bureau Operational Service Bureau Chief of Operations (Special Events) Security Services Bureau Office of Human Resources (Recruiting Division)	\$1,200	Payments disbursed on a semi-annual basis (\$600)	██████████ Directive cancelled ██████████ dated August 11, 1997
Physical Fitness Incentive Program	Employees who reach 90% to 100% on the current FLETC Physical Efficiency Battery (PEB) Employees who score 80% to 89% according to FLETC PEB	\$500 \$250	Annual Beginning each fiscal year	██████████
Hazardous Duty Pay	Hazardous Devices Section K-9 Instructors Containment Emergency Response Team (CERT) Hazardous Material Response Team (HMRT) Tactical Flight Officer	\$2,000	Prorated in bi-weekly pay calculations	██████████ Directive cancelled General Order ██████████ August 11, 1997
Specialty Assignment Program	Designated Specialty Assignments Threat Assessment Section Criminal Investigation Section Dignitary Protection Division	\$3,000	Annually end of fiscal year	██████████
Firearms Proficiency Pay	All sworn officers	Up to \$500	Semi-annual	DRAFT Operational Directive ██████████
Field Officer Training Pay	Certified FTO	\$25 per trainee/day	Semi-annual	DRAFT

Source: USCP Directives as of October 1, 2007.

DEPARTMENT COMMENTS



UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
710 D STREET, NE
WASHINGTON, DC 20510-7212

June 13, 2008

USCP-OIG

JUN 27 PM 9:32

Form 200-614-0001

MEMORANDUM

COP 080751

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 Specialty Assignment and Proficiency Pay Programs (Report No. OIG-2008-XX)

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 Specialty Assignment and Proficiency Pay Programs* (Report No. OIG-2008-XX).

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

Recommendation 1: We recommend that the United States Capitol Police develop and implement a sound, effective method of accounting for each specialty assignment and proficiency pay program in the National Finance Center and the [REDACTED] accounting systems. During the interim, the Office of Human Resources should establish written procedures for processing and reconciling its staff records with actual disbursements.

USCP Response: Concur. The Department agrees that it should develop and implement sound, effective accounting procedures for each specialty assignment and proficiency pay program utilizing National Finance Center and [REDACTED] accounting systems. The Office of Human Resources and the Office of Financial Management have worked together to develop a report entitled "Mapping of Salaries Appropriation Budget Object Codes" which will be used to reconcile disbursements. OHR will be able to crosswalk payments between NFC and [REDACTED] accounting systems. OFM has also developed a reconciliation report that will be provided to OHR every six months, in pay periods 7 and 20, when bulk payments are issued.

Recommendation 2: We recommend that the United States Capitol Police take action(s) to collect questioned costs totaling \$196,420 and provide supporting documentation for \$30,600.

Nationally Accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc.

USCP Response: Concur. The Department agrees that it should take action to collect questioned costs. The Office of Human Resources will review and evaluate questionable payments and take the appropriate action to correct or collect the payments. Currently, the Department is seeking a legal opinion from the Office of General Counsel on its authority to waive unallowable costs.

Recommendation 3: *We recommend that the United States Capitol Police consider whether all the specialty assignment and proficiency pay programs are needed and, if so, determine the most efficient and effective method of implementation and allocate the necessary resources to effectively administrate the program.*

USCP Response: Concur. The Department agrees that it should determine if specialty assignment and proficiency pay programs are needed, and if so, determine the most efficient and effective method of implementation. The Office of Human Resources will begin a review of these programs to determine if the programs are warranted.

Recommendation 4: *We recommend that the United States Capitol Police, in the interim, clarify [REDACTED]*

[REDACTED] Directives regarding a) Exclusions or payment(s) from multiple programs when using the same defining criteria such as physical fitness, firearms proficiency, risk to self, and maintenance of certification or proficiencies, thereby avoiding costs of \$279,219 and putting funds to better use b) the aggregate of 50 percent of the previous six-month period for pay purposes for hazardous duty and plainclothes c) the 45-calendar day requirement for specialty assignment pay.

USCP Response: Concur. The Department agrees that it should review the appropriate regulations and clarify the intent of Department directives. The Office of Human Resources will review directives and regulations and make recommendations concerning the eligibility criteria of the programs and the appropriateness of making payments for multiple programs using the same criteria.

Recommendation 5: *We recommend that the United States Capitol Police finalize its draft firearms and field officer training directives and enforce the consistent use of a standard [REDACTED] Form.*

USCP Response: Concur. The Department agrees that it should take action to finalize the policies. The Office of Human Resources will work to put procedures in place to ensure consistent use of the [REDACTED] Form.

Recommendation 6: We recommend that the United States Capitol Police strengthen tracking and reconciliation procedures to ensure employees do not improperly receive payments within the same fiscal year or when ineligible for such pay.

USCP Response: Concur. The Department agrees that tracking and reconciliation procedures need to be strengthened to ensure that employees do not receive payment for which they are not entitled.

Recommendation 7: We recommend that the United States Capitol Police immediately determine the availability of funds from prior years and correct any payments made from the wrong appropriation.

USCP Response: The Department agrees that it should immediately determine the availability of funds from prior years and correct any payments that were made from the wrong appropriation. The Office of Human Resources is currently reviewing available funding from prior years and will make the appropriate corrections for payments that were charged to the wrong appropriation.

Recommendation 8: We recommend that the United States Capitol Police take action(s) to clarify its Maximum Annual Payable Rate in light of Public Law 108-7. In addition, we recommend that the Chief of Police request the Office of the General Counsel provide a legal opinion regarding: (1) USCP authority to defer payments to the next calendar year when an employee may exceed the annual salary limitation; and, (2) appropriate options for collecting amounts from employees who received amounts in excess of the annual salary limitation.

USCP Response: The Department agrees that it should seek a legal opinion from the Office of General Counsel regarding the USCP's authority to defer payments to the next calendar year if a payment would cause the employee to exceed the annual salary limitation and to determine the options for collection amounts from employees who received amounts in excess of the annual salary limitation.

Recommendation 9: We recommend that the United States Capitol Police consider whether these specialty assignment and proficiency pay programs are needed to compete with other police forces then the Department should link its goals and measure of these programs with retention and recruitment of Department personnel.

USCP Response: The Department agrees that it should evaluate the effectiveness of these programs to determine if they are necessary, and if so, link the programs with the Department's recruitment and retention goals. The Office of Human Resources will begin a review and evaluation of these programs and make a recommendation.

June 13, 2008

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.

Very respectfully,



Phillip D. Morse, Sr.
Chief of Police

cc: Capitol Police Board
Chief Administrative Officer
Assistant Chief of Police