
U.S. COMMODITY FUTURES TRADING COMMISSION
Office of the Inspector General
Office of Audits



Report Number: 21-AU-03

**Performance Audit: CFTC's
Compliance with the Digital
Accountability and Transparency Act
(DATA Act) of 2014
(FY 2021 Quarter II)**



U.S. COMMODITY FUTURES TRADING COMMISSION

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TO: Rostin Behnam, Acting Chairman
Dawn DeBerry Stump, Commissioner
Dan M. Berkovitz, Commissioner

FROM: Miguel A. Castillo, CPA, CRMA
Assistant Inspector General for Audits

DATE: September 28, 2021

SUBJECT: Performance Audit: CFTC's Compliance with the Digital Accountability and Transparency Act of 2014 (FY 2021 Quarter II)

Introduction

The purpose of this performance audit is to fulfill our obligations under the Digital Accountability and Transparency Act of 2014¹ (DATA Act) which derived from the Federal Funding Accountability and Transparency Act of 2006² requiring Federal agencies to disclose direct expenditures and link contract, loan, and grant spending information to agency programs. The Council of Inspectors General on Integrity and Efficiency Federal Audit Executive Council (CIGIE FAEC) issued guidelines³ for IGs to fulfill their obligations. In April 2020, OMB issued M-20-21, Implementation Guidance for Supplemental Funding Provided in Response to the Coronavirus Disease 2019 (COVID-19),⁴ which included changes to the frequency of agency reporting, additional audit testing, and a combination of non-statistical audit techniques for agencies receiving funding under the CARES Act.⁵ We conducted this audit in accordance with *Generally Accepted Government Auditing Standards* ([GAGAS](#)).

¹[P.L. 113-101, 128 Stat. 1146 \(2014\)](#). Section 2 of the DATA Act states the purposes of this Act is to track federal spending more effectively; establish government-wide data standards for financial data; simplify reporting for entities receiving federal funds; and improve the quality of data submitted to USASpending.gov.

² [P.L. 109-282, 120 Stat. 1186 \(2006\)](#).

³ [CIGIE FAEC Inspectors General Guide to Compliance under the DATA Act](#).

⁴ [OMB-20-21](#), Implementation Guidance for Supplemental Funding Provided in Response to the Coronavirus Disease 2019 (COVID-19).

⁵ Coronavirus Aid, Relief, and Economic Security (CARES) Act, [P.L. 116-136, 134 Stat. 281 \(2020\)](#). OMB required additional testing requirements for agencies receiving CARES Act funding. The CFTC did not receive funding under the CARES Act.

For FY 2021 Quarter II (Q2), our audit objectives were to assess (1) the completeness, accuracy, timeliness, and quality of the financial and procurement award data submitted for publication on USASpending.gov,⁶ and (2) CFTC’s implementation and use of Government-wide financial data standards established by OMB and Treasury.

Executive Summary

Overall, our audit noted that CFTC’s quarterly reporting and surrounding controls were effective to ensure the completeness, accuracy, and timeliness of agency submissions. This includes the appropriate use of the Government-wide financial data standards established by OMB and Treasury, the submission quality of summary-level data (Files A and B⁷), and the quality of record-level data and linkages (Files C⁸ and D1/D2⁹). We also found File C suitable for sample testing and projected low error rates for completeness and accuracy of data elements. File C included Quarter I (Q1) transactions that were informational outlays. We concluded this did not impact DATA Act compliance because CFTC is preparing to fulfill an FY 2022 requirement¹⁰ to report cumulative outlays to the DATA Act Broker and management did not report them to the broker. CFTC’s service provider also completed systems updates to comply with a similar but earlier deadline for its CFO Act agency customers. With this forward-looking, early transition to cumulative reporting, the Senior Agency Official appropriately certified the agency’s submission comfortably by the required due date, appropriately reported validation warnings, but made no explicit disclosure of Q1 informational outlays.

Based on CIGIE’s scorecard to consistently evaluate and report on data quality government-wide, CFTC’s submission is considered “excellent” quality – the highest of 4 ratings.

⁶ [USASpending.gov](https://www.usaspending.gov) provides detailed spending data for nearly all accounts across the Federal Government. Agencies are required to report financial and award data to USASpending.gov via the [DATA Act Broker](#), a website used to securely upload, validate, and certify financial data in support of DATA Act compliance.

⁷ File A includes fiscal year cumulative Federal appropriations account summary-level data. File B includes fiscal year cumulative Federal object class and program activity summary-level data. In accordance with FAEC guidance, we determined whether File A included all Treasury Account Symbols (TAS) from which funds were obligated (as reflected in the Government-wide Treasury Account Symbol Adjusted Trial Balance System (GTAS) SF-133), except for Loan Financing Accounts; and assessed the completeness of File A by selecting all summary-level data from File A and matching certain elements to agency records. FAEC guidance, page 16.

⁸ The File C Award Financial Detail report is generated monthly and submitted to the Treasury Broker.

⁹ In accordance with the FAEC guide, sample awards reported in File C should be linked to applicable data elements reported in Files D1 and D2 or vice versa. FAEC guidance, page 21.

¹⁰See, [OMB-20-21](#), *Implementation Guidance for Supplemental Funding Provided in Response to the Coronavirus Disease 2019 (COVID-19)*, April 10, 2020.

Recommendation:

To improve disclosures in DATA Act submissions we recommended the Accounting Officer report items of significance such as informational outlays. There were no open recommendations from prior DATA Act audit reports.

Managements Comments

We provided the Accounting Officer a draft copy of the report. To improve DATA Act reporting, he agreed to enhance disclosures as appropriate with its submissions. Management actions are responsive to the recommendation.

We completed our audit in accordance with GAGAS. This report is intended solely for the use of management of the CFTC and Congress and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. See Appendix A for further audit details, Appendix B for additional background, scope, and methodology and Appendix C for management response dated September 27, 2021.

We will publish this report on the Office of the Inspector General's web page and the report will be summarized in our September 2021 *Semiannual Report to Congress*. If you have any questions, please contact me at (202) 418-5084 or Branco Garcia, lead auditor, at (202) 418-5013.

cc:

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Appendix A

Internal Controls

We assessed internal controls and compliance with laws and regulations necessary to satisfy the audit objective. A control deficiency in internal control exists when the design or operation of a control does not allow management or employees to prevent or detect and correct errors on a timely basis. A significant deficiency is a control deficiency or a combination of control deficiencies that adversely affects CFTC's ability to initiate, authorize, record, process, or report financial data reliably. A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material error will not be prevented or detected. However, because our review was limited to these internal control components and underlying principles, it may not have disclosed all internal control deficiencies that may have existed at the time of this audit.

We assessed CFTC's payment (spending) reporting risk "low" because:

- FY 2019 and 2020 internal control tests performed by independent public accountants contracted by OIG did not identify material control deficiencies for payments. Our review of the IPA's internal control work papers and test results also did not reveal control deficiencies for this matter.
- CFTC executed mitigation strategies documented in its Data Quality Plan (DQP) to ensure Files A-F are valid and reliable.
- CFTC service provider (Department of Transportation ESC)¹¹ validations support the principles of data quality; ensuring completeness, accuracy, and timeliness of submission(s).
- CFTC's accounting system service provider did not disclose material payment weaknesses in their independent audit report.¹²
- Our independent analytic Z tests of Q2 data showed a .12% potential payment integrity risk which considered attributes of completeness, accuracy, and timeliness.

¹¹ Department of Transportation's Enterprise Services Center (ESC) is used for operation and maintenance of the CFTC's financial management and procurement systems (known as Delphi and PRISM, respectively). ESC is located at the Federal Aviation Administration's Center in Oklahoma City, Oklahoma.

¹² The American Institute of Certified Public Accountants (AICPA) Statements on Standards for Attestation Engagements 18 ([SSAE-18](#)) examination of Delphi for the period covering October 1, 2019, through June 30, 2020, was conducted by KPMG LLP. KPMG concluded that management presented its description of ESC controls fairly in all material respects and that the controls, as described, were suitably designed and operating effectively for all stated control objectives. DOT ESC, FY 2020 Agency Financial [Report](#) (2020), page 23.

Data Standards

We have evaluated CFTC’s implementation of the government-wide financial data standards for award and spending information and determined the CFTC is using the standards as defined by OMB and Treasury.¹³

CFTC linked by common identifiers (e.g., PIID, FAIN), all of the data elements in the agency’s procurement and financial systems, as applicable. For the Treasury’s DATA Act Broker files tested, we generally found that the required elements were present in the file and that the record values were presented in accordance with the standards.

CFTC had no responsibility for additional data element and reporting responsibilities required by the CARES Act as communicated in OMB-20-21.

Non-Statistical Results

Completeness of the Agency DATA Act Submission

We evaluated CFTC’s DATA Act submission to Treasury’s DATA Act Broker and determined that the submission was complete. To be considered a complete submission, we evaluated Files A, B and C to determine that all transactions and events that should have been recorded were recorded in the proper period. We noted transactions from Q1 were intended as informational outlays in Q2 because CFTC is preparing to fulfill a FY 2022 requirement to report cumulative outlays to the DATA Act Broker.

Timeliness of the Agency DATA Act Submission

We evaluated CFTC’s fiscal year 2021 Q2 DATA Act submission to Treasury’s DATA Act Broker and determined that the submission was timely. To be considered timely, it had to be submitted and certified by April 29th and May 17th 2021, respectively, per the below reporting schedule.

| FY 2021 DATA Act Monthly Reporting Window Schedule | | | | | | |
|--|----------------|--|--|--------------------------------|---------------------------|-----------------------------|
| Period | Period End | GTAS Reporting Window | Agency Deadline for Program Activities | DATA Act Submission Start Date | DATA Act Monthly Due Date | DATA Act Certification Date |
| March P06 | March 31, 2021 | Tuesday, April 6, 2021, 8 a.m. ET Friday, April 16, 2021, 2 p.m. ET | April 2, 2021 | April 19, 2021 | April 29, 2021 | May 17, 2021 |

¹³ The [DATA Act Information Model Schema Reporting Submission](#) specification provides standards and definitions for Files A, B, and C that specify how each file should be prepared for the DATA Act Broker, including common heading titles for each file.

CFTC’s Senior Accountable Officer (SAO) certified the Q2 submission comfortably before the schedule’s due dates as pictured below.

| | | | | | | |
|-----------|---|--------------------------------------|------------------|------------|-----------|-----|
| ID: 37679 | Commodity Futures Trading Commission (CFTC) | Start: 2021-01-01 End: 2021-03-31 | Joshua C. Pierce | 2021-04-23 | Certified | N/A |
|-----------|---|--------------------------------------|------------------|------------|-----------|-----|

Completeness of Summary-Level Data for Files A and B

We performed summary-level data reconciliations and linkages for Files A and B and did not identify any variances. The test results verified: (1) summary-level data from File A matched the Agency's GTAS SF-133; (2) the totals and TAS identified in File A matched File B; and (3) all object class codes from File B match codes defined in Section 83 of OMB Circular No. A-11.

Results of Linkages from File C to Files B/D1/D2

We tested the linkages between File C to File B by TAS, object class, and program activity, the linkages between File C to File D1 by both the PIID and Parent Award ID. All of the TAS, object class, and program activity data elements from File C existed in File B and all of the PIIDs/Parent Award IDs from File C existed in File D1/D2; and all PIIDs/Parent Award in Files D1/D2 existed in File C.

Analysis of the Accuracy of Dollar Value-related Data Elements

For applicable dollar related PIID data elements, we found no accuracy errors in our selected samples. The Federal Award Identification Number amounts were not applicable to CFTC given it does not administer financial assistance awards or grants.

| Accuracy of Dollar-Value Related Data Elements | | | | | |
|---|-----------------|---------------------|---------------------|-------------------|---------------------------------|
| PIID Data Element | Accurate | Not Accurate | Total Tested | Error Rate | Absolute Value of Errors |
| 14 Current Total Value | 61 | 0 | 61 | 0% | \$0.00 |
| 15 | 61 | 0 | 61 | 0% | \$0.00 |

| Accuracy of Dollar-Value Related Data Elements | | | | | |
|--|-----|---|-----|----|--------|
| Potential Total Value of Award | | | | | |
| 53 Obligation | 61 | 0 | 61 | 0% | \$0.00 |
| Total | 183 | 0 | 183 | 0% | \$0.00 |

Statistical Results

Sample results projected low error rates for completeness and accuracy of data elements. However, sample testing for timeliness of File C data elements showed a significant number of Q1 transactions (nearly 51%) reported in Q2. Transactions from Q1 are considered informational outlays in Q2 because CFTC is preparing to fulfill a FY 2022 requirement to report cumulative outlays to the DATA Act Broker beginning FY 2022. CFTC’s service provider also completed system updates to comply with an earlier similar deadline for its CFO Act agency customers. Management did not report informational outlays to the DATA Act Broker and thus did not impact DATA Act compliance. As such, we considered this condition short-lived and cost-effective, and adjusted our sample projection accordingly.

| Results of PIID Statistical Sample Testing | | | |
|--|------------|------------|----------|
| | Incomplete | Inaccurate | Untimely |
| # Sample Errors | 0 | 1 | 0 |
| Projected Error Rate | 0.00% | 3.33% | 0% |

Note: Revised universe 305¹⁴ and sample size is 30. Max projected error rate is 8.9%, 16.4%, and 8.9%, respectively.

¹⁴ Original Sample Universe = 649 transactions of which 344 transactions were from Q1 and 305 transactions were from Q2 (Revised Sample Universe).

Quality Determination

Without informational outlays, CFTC scored 98.998 points, which is a quality rating of “Excellent”.

| U.S. CFTC | | | Maximum Points Possible | |
|------------------------------------|--|----------------------------|--|------------------------------------|
| FY 2021 DATA Act Quality Scorecard | | | Without Outlays (No COVID-19 Funding) | With Outlays (COVID-19 Funding) |
| | Criteria | Score | | |
| Non-Statistical | Timeliness of Agency Submission | 5.0 | 5.0 | 5.0 |
| | Completeness of Summary Level Data (Files A & B) | 13.0 | 13.0 | 10.0 |
| | Suitability of File C for Sample Selection | 13.0 | 13.0 | 10.0 |
| | Record-Level Linkages (Files C & D1/D2) | 9.0 | 9.0 | 7.0 |
| | COVID-19 Outlay Testing Non-Statistical Sample | <i>No COVID-19 Funding</i> | | 0.0 |
| Statistical | Completeness | 15.0 | 15.0 | 15.0 |
| | Accuracy | 29.0 | 30.0 | 30.0 |
| | Timeliness | 15.0 | 15.0 | 15.0 |
| Quality Score | Excellent | 98.998 | 100.0 | 100.0 |

| Quality Level | | |
|---------------|-------|-----------|
| Range | Level | |
| 0.0 | 69.9 | Lower |
| 70.0 | 84.9 | Moderate |
| 85.0 | 94.9 | Higher |
| 95.0 | 100 | Excellent |

Appendix B

Background

The Digital Accountability and Transparency Act of 2014 (DATA Act) which is derived from Federal Funding Accountability and Transparency Act of 2006 (FFATA) required Federal agencies to disclose direct expenditures and link contract, loan, and grant spending information to agency programs. The DATA Act also requires federal agencies to report such financial and award data to the U.S. Department of the Treasury (Treasury) in accordance with Governmentwide financial data standards or data elements established by the Office of Management and Budget (OMB) and Treasury. In May 2017, Treasury began displaying on USASpending.gov federal agencies' financial and award data submitted pursuant to the DATA Act.

In order to support federal agencies, OMB issued memoranda outlining how agencies are to implement new and existing reporting requirements and link information in Federal financial systems to Federal award management systems¹⁵. OMB also required agencies to develop a Data Quality Plan (DQP) by the end of fiscal year FY 2019.¹⁶ The federal agency DQP needed to consider incremental risks to data quality in Federal spending data and any controls that would manage such risks in accordance with OMB Circular No. A-123.¹⁷ In addition, Treasury developed a DATA Act Implementation Playbook (Playbook). The Playbook provides a high-level discussion of the vision and objectives of the DATA Act and an eight-step implementation plan for federal agencies to develop methodologies for implementing the DATA Act.

A core requirement of the DATA Act is the development of Governmentwide financial data standards to ensure the reporting of reliable, consistent Federal spending data. In May 2015, OMB and Treasury finalized 57 data definition standards, which Treasury used to develop the initial draft of the DATA Act Information Model Schema (DAIMS or Schema).⁸ The Schema gives an overall view of the hundreds of distinct data elements used to explain how Federal dollars are spent. The Schema also provides agencies technical guidance about what data to report to Treasury, including sources of data elements and the submission format.

¹⁵ OMB Memorandum [M-15-12](#), Increasing Transparency of Federal Spending by Making Federal Spending Data Accessible, Searchable, and Reliable (May 8, 2015); and OMB Memorandum [M-17-04](#), Additional Guidance for DATA Act Implementation: Further Requirements for Reporting and Assuring Data Reliability (November 4, 2016).

¹⁶ OMB Memorandum [M-18-16](#), Appendix A to OMB Circular No. [A-123](#), Management of Reporting and Data Integrity Risk (June 6, 2018).

¹⁷ OMB Circular No. [A-123](#), Management's Responsibility for Enterprise Risk Management and Internal Control (July 15, 2016).

To comply with the DATA Act, on a quarterly basis, federal agencies must ensure and attest that their spending data are valid and then submit the data to Treasury for publication on [USAspending.gov](https://www.usaspending.gov) by uploading the data to Treasury’s DATA Act Broker (Broker). The Broker is a system that receives agency data, validates the data against the Schema, and tests linkages between financial data produced by agencies with other spending data on Federal awards, including grants, loans, and procurement data. While agencies submit some data to the Broker, the Broker extracts other data from existing Governmentwide reporting systems and helps ensure the files are in the standard format. Specifically, agencies submit to the Broker data in files known as File A, File B, and File C, and the Broker extracts from existing systems data to generate files known as File D1, File D2, File E, and File F.

Table 1 describes each file and its source.

| Name | Data Description | Data Source |
|----------------|-----------------------------------|--------------------|
| File A | Appropriations Accounts | Agency |
| File B | Object Class and Program Activity | Agency |
| File C | Award Financial | Agency |
| File D1 | Award Procurement | Agency |
| File D2 | Award Financial Assistance | Agency |
| File E | Additional Awardee Attributes | Agency |
| File F | Sub-Award Attributes | Agency |

Under an interagency agreement with a Federal shred service provider, the Department of Transportation’s Enterprise Services Center (ESC) provides operation and maintenance of the CFTC’s financial management and procurement systems (known as Delphi and PRISM). Since CFTC is responsible for agency compliance with the DATA Act, it depends on ESC to inventory and map data elements, make system changes needed to create files submitted to Treasury, and submit required files by the deadlines established in the DATA Act. Thus, providing system support for CFTC to fulfill its reporting obligation under the DATA Act. ESC followed the eight-step implementation plan from the *DATA Act Implementation Playbook*¹⁸ for system development and published procedures¹⁹ for its use which includes data validations. Those tasks that the CFTC cannot perform are delegated to ESC, monitored, and discussed monthly with the Chief Financial Officer/Senior Accountable Officer. Since initial reporting requirements, ESC has made system updates to comply with additional DATA Act requirements embedded in the CARES Act of 2020.

¹⁸ Treasury released versions 1.0 and 2.0 of the DATA Act Implementation Playbook in June 2015 and June 2016, respectively.

¹⁹ AMKWI-333-334-335-00032 *DATA Act Bulk File Submission*.

Scope and Methodology

We followed the [CIGIE FAEC Inspectors General Guide to Compliance under the DATA Act](#), dated December 4, 2020, to complete our audit.

The DATA Act requires the Inspector General (IG) of each Federal agency to audit a statistically valid sample of the spending data submitted by its Federal agency and submit to Congress a publicly available report assessing the completeness, accuracy, timeliness, and quality of the data sampled; and the agency's implementation and use of the Governmentwide financial data standards. The first IG reports were due to Congress in November 2016; however, Federal agencies were not required to submit spending data until May 2017. To address this timing anomaly, in 2016 some Federal IGs, including the CFTC IG, conducted readiness reviews of agencies' progress toward compliance with the DATA Act. The IG community, including the CFTC IG,²⁰ provided Congress the first required reports in November 2017,²¹ with subsequent reports following on a 2-year cycle, in November 2019²² and this year's, due in November 2021.

To foster a consistent methodology and reporting approach across the IG community, the Council of the Inspectors General on Integrity and Efficiency's (CIGIE) Federal Audit Executive Council (FAEC) established the DATA Act Working Group (Working Group). The Working Group consulted with the U.S. Government Accountability Office (GAO) to develop the December 4, 2020, CIGIE FAEC Inspectors General Guide to Compliance under the DATA Act (the IG Guide).²³ According to the IG Guide, IGs should comply with GAO's Government Auditing Standards and conduct a performance audit of their component agency's FY 2020 Q3 through FY 2021 Q2 financial and award data submitted for publication on USASpending.gov. In coordination, as part of the third mandated DATA Act audit, IGs must assess and report on:

- agency internal controls and any identified control deficiencies that may adversely impact the completeness, accuracy, timeliness, and quality of the FY 2021 Q2 data submitted, or the implementation and use of the data standards;
- the completeness and timeliness of the FY 2021 Q2 submission, including assessing the completeness of Files A, B, and C;
- summary-level data linkages between Files A, B, and C;

²⁰ [U.S. Commodity Futures Trading Commission Compliance with DATA Act of 2014 – Readiness Review in Fiscal Year \(FY\) 2016.](#)

²¹ [Compliance with DATA Act of 2014 - Reporting Accuracy \(FY 2017 Quarter II\).](#)

²² [CFTC's Compliance with the Digital Accountability and SUBJECT: Transparency Act \(DATA Act\) of 2014 \(FY 2019 Quarter 1\).](#)

²³ [CIGIE FAEC Inspectors General Guide to Compliance Under the DATA Act, December 4, 2020.](#)

- the results of prescribed test work;²⁴ and
- the final determination of the agency's implementation and use of the data standards.

To evaluate completeness, timeliness, accuracy overall quality of CFTC's FY 2021 Q2 submission, we assessed internal controls over the CFTC procurement cycle to determine the appropriate level of risk and tested a sample of File C transactions among other non-statistical tests. The Inspectors General guide included a detail testing spreadsheet tool to facilitate tests of details and a scorecard, which we used to analyze and conclude on the quality of data submissions, respectively. The CFTC does not administer federal awards and thus our tests were designed for CFTC's procurement operations and payment reporting.

In reference to internal controls, management is responsible for the design, implementation, and operating effectiveness of the agency's internal controls. We assessed applicable internal controls to determine the nature, timing, and extent of testing in accordance with GAO's [Standards](#) for Internal Control in the Federal Government. As part of our assessment, we reviewed FMB's fiscal year 2020 management assurance statements and risk assessments and determined that no significant deficiencies or material weaknesses were identified. Also, we relied on internal control and substantive testing performed by the Department of Transportation OIG, which included a review of ESC's quality controls and concluded that ESC suitably designed and implemented internal controls over hosting and operating Delphi and PRISM; source systems for data submitted to Treasury. We also verified that the SAO's designee timely certified the CFTC's FY 2021 Q2 submission to the Broker.

In addition, we inspected CFTC's FY 2021 Q2 submission to evaluate data elements and summary transactions. We selected a statistically valid sample of underlying transaction data representing payments. Management reconciled underlying payment data to summary transactions submitted in order for us to test accordingly. As such we determined our sample size, 61,²⁵ based on FAEC's formula²⁶ for a smaller population. Our sample was selected from a population of 649 reportable transactions using a confidence level of 95% and an expected

²⁴ Results of prescribed test work include: (1) the results of summary-level testing of Files A and B; (2) the projected error rates for completeness, accuracy, and timeliness of the statistical sample from Files C and D; (3) the final determination of the quality of the data; and (4) supplemental reporting of the results of the sample testing.

²⁵ We used RAT-STATS version 4 to select sample and project attribute results. RAT-STATS is a free statistical software package created by the Department of Health and Human Services (HHS) OIG in the late 1970; among other tasks, the software assists the user in selecting random samples and estimating improper payments. See, HHS OIG, [RAT-STATS - Statistical Software](#).

²⁶ Where the recommended sample size of 385 represents 5 percent or more of the population, we reduced the sample size by applying the finite correction factor $385/[1+(385/N)]$, where "N" represents the population size. Figure 2 presents the inputs associated with our simple random sample.

error rate of 20%. We adjusted our sample size accordingly to address informational outlays in file C.

We measured whether all applicable data elements required by the DATA Act were included or complete. Timeliness was measured as the percentage of transactions reported appropriately within the period and submitted within 30 days of quarter end. Accuracy was measured by agreement with the systems of record and supporting documentation.

In summary, we reviewed:

- assessments of relevant risks and internal controls as reported in FY 2019 – FY 2020 management assurance statements for Office of Administration;
- FY 2020 Agency Financial Report;
- FY 2020 FISMA Compliance Report;
- CFTC’s enterprise risk management (ERM) risk profile, as of July 2020;
- CFTC’s DQP;
- SSAE 18 for Department of Transportation and its OIG as it pertains to ESC; and ESC SOP to understand procedures for certifying and submitting files to the Broker and the steps financial management branch took to validate the CFTC’s FY 2020 Q2 submission.

We conducted this audit in accordance with [GAGAS](#). Systems data used for our audit was sufficiently reliable to support the findings, conclusions and recommendations in our report.²⁷

²⁷ We considered the Government Accountability Office publication [Assessing the Reliability of Computer-Processed Data, GAO-09-680G \(July 2009\)](#) (p.19) to assess accuracy for this purpose. We determined that contract data were sufficiently reliable and thus accurate for the purposes of this report.

Appendix C

Management Response



U.S. COMMODITY FUTURES TRADING COMMISSION

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MEMORANDUM

TO: Miguel A. Castillo, Assistant Inspector General for Audits

FROM: Anthony C. Thompson
Chief Administrative Officer, Division of Administration
Joel Mattingley
Chief Financial Officer

DATE: September 27, 2021

SUBJECT: Commodity Futures Trading Commission Management Response to the Office of Inspector FY 2021 Data Act Performance Audit

Thank you for the opportunity to comment on the Office of the Inspector General's (OIG) draft report, Compliance with the Digital Accountability and Transparency Act of 2014 (FY 2021 Quarter II) (Report Number: 21-AU-03), regarding the accuracy and timing of submission to spend.gov. The Division of Administration (DA), and the Legal Division concurs and submits the attached comments to the recommendation described in the report.

We appreciate the dialogue we have had and your willingness to update your draft report as accordingly. If you require further assistance, please contact Keith Ingram, Accounting Officer at 202-418-5612.

Sincerely,

ANTHONY THOMPSON
Anthony C. Thompson

Digitally signed by ANTHONY THOMPSON
Date: 2021.09.27 13:58:39 -0400



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Date

Anthony Thompson
Executive Director and Chief Administrative Officer

Date

Joel Mattingley
Chief Financial Officer

February 18, 2021
Page 3

Division of Administration
OIG FY 2021 Data Act Performance Audit Response

Management Response

OIG Recommendation:

To improve disclosures in DATA Act submissions we recommended the Accounting Officer report items of significance such as informational outlays. There were no open recommendations from prior DATA Act audit reports.

Management Response:

Management concurs with the recommendation. The Commission will include a note in the FY 2021 4th quarter submission which states that outlays contained in the file are for informational purposes only. Further, please note that, beginning in FY 2022, outlays will be a required reporting element as a part of the monthly Data Act submission. As such, the Commission will no longer submit a note that outlays are for informational purposes only beginning with the October 2022 Data Act submission.