

**OFFICE OF INSPECTOR GENERAL**

**Major Management and  
Performance Challenges  
Facing the Department of  
Homeland Security**



Homeland  
Security

**November 5, 2021**

**OIG-22-05**



**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

November 05, 2021

MEMORANDUM FOR: Alejandro N. Mayorkas  
Secretary

FROM: Joseph V. Cuffari, Ph.D. **JOSEPH V  
CUFFARI**

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JOSEPH V CUFFARI  
Date: 2021.11.10 12:53:01  
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SUBJECT: *Major Management and Performance Challenges Facing  
the Department of Homeland Security*

For your information is our annual report, *Major Management and Performance Challenges Facing the Department of Homeland Security*. Pursuant to the *Reports Consolidation Act of 2000*, the Office of Inspector General must issue an annual statement summarizing what the Inspector General considers the most serious management and performance challenges facing the Department of Homeland Security and assessing its progress addressing them. This requirement is consistent with our duties under the *Inspector General Act of 1978*, as amended, to conduct audits as well as provide leadership and recommend policies to promote economy, efficiency, and effectiveness in DHS programs and operations. We remain committed to conducting independent oversight and making recommendations to help the Department address these major management and performance challenges.

These challenges stem from the Department's operations under its six strategic goals contained in the [Department of Homeland Security's Strategic Plan for Fiscal Years 2020-2024 \(DHS' FY 2020-2024 Strategic Plan\)](#). (See [Appendix A](#) for the goals and objectives in DHS' FY 2020-2024 Strategic Plan).

Based on our recent and prior audits, inspections and evaluations, and investigations, and the ongoing pandemic, DHS' most serious management and performance challenges remain largely unchanged from FY 2020. They include:

- [Performing Fully and Effectively during COVID-19](#);
- [Countering Terrorism and Homeland Security Threats](#);
- [Securing Cyberspace and Critical Infrastructure](#);
- [Ensuring Proper Financial Management](#);
- [Ensuring Technology Supports Essential Mission Operations](#);
- [Improving FEMA's Contracts and Grants Management, Disaster Assistance, and Fraud Prevention](#); and



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- [Strengthening Oversight and Management of Major Systems Acquisition and Procurement.](#)

In this report, we describe each challenge and the risks it poses, summarize actions DHS has taken or is taking to address each challenge, and summarize steps DHS needs to take to further address each challenge. These challenges affect a broad spectrum of the Department's operations and may overlap. They also mirror three major priorities you identified as you assumed leadership of DHS: addressing immigration, cybersecurity, and domestic violence/terrorism.<sup>1</sup> DHS provided technical comments and we amended the report to incorporate them, as appropriate. [Appendix B](#) contains the Department's response in its entirety.

### ***Performing Fully and Effectively during COVID-19***

#### **THE CHALLENGE**

The challenge to maintain mission critical operations and programs during disruptions relates to all of DHS' strategic goals (see [Appendix A](#) for DHS' Strategic Goals for FY 2020–2024). The Department is also charged with leading a whole-of government response to confront the pandemic, keep Americans safe, help detect and slow the spread of the virus and its variants, and make vaccines available to as many people as possible.

#### **WHY IS THIS A CHALLENGE?**

While DHS has been able to continue operating effectively, it comprises components and critical operations that traditionally interact face-to-face with stakeholders. A prolonged emergency response may take a toll on critical mission operations including managing detainee, migrant, and workforce health and safety; response coordination efforts; and unified planning oversight. In addition, the abundance of pandemic-related Federal assistance is susceptible to mismanagement and fraud.

#### **Detainee and Workforce Health and Safety:**

Our unannounced inspections consistently identified weaknesses in measures to prevent COVID-19 outbreaks among detainees, protect staff, and identify and treat those sickened by the virus in ICE detention centers around the country. For example, video footage examined by Office of Inspector General (OIG) shows detainees and detention center staff not wearing masks and not

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<sup>1</sup> Testimony of Alejandro N. Mayorkas during a hearing on "Department of Homeland Security Resource Management and Operational Priorities," before the United States House of Representatives, Committee on Appropriations, Subcommittee on Homeland Security, May 26, 2021.



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distanced from each other.<sup>2</sup> Further, we determined that DHS needs to strengthen its COVID-19 response for migrants at the southwest border.<sup>3</sup> Evaluating detainee, migrant, and workforce health and safety will continue to be a high priority for OIG.

### **Response Coordination Efforts:**

Given the magnitude and importance of the Department's response coordination efforts, we initiated several reviews, including efforts to determine the extent of DHS' coordination with Federal agencies and mission assignments, and the effectiveness of pandemic-related aid and assistance programs.

### **DHS Internal Oversight of Unified Planning:**

We found that DHS did not effectively implement corrective actions intended to provide the operational efficiencies and controls needed in the COVID-19 pandemic.<sup>4</sup> Specifically, DHS did not ensure the office it designated to manage and account for pandemic personal protective equipment (PPE) provided adequate management oversight; confirmed components' compliance with the Integrated Logistics Support Plan; or designated an office to promote continued oversight, review, and approval of the Department's and components' pandemic plans. As a result, early in the pandemic as COVID-19 spread throughout the world, DHS did not have sufficient department-wide oversight of PPE or pandemic planning.

### **DHS Oversight of Pandemic Funding:**

OIG has received a substantial number of COVID-19 fraud complaints nationwide and continues to investigate COVID-19 fraud perpetrated by companies and individuals seeking to exploit DHS-affiliated programs. This is most evident in relief programs that the Federal Emergency Management Agency (FEMA) administers. As of September 17, 2021, OIG had received more than 6,300 complaints and initiated more than 160 investigations related to COVID-19 fraud.

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<sup>2</sup> [Violations of ICE Detention Standards at Adams County Correctional Center, OIG-21-46, July 2021](#); [Violations of ICE Detention Standards at Pulaski County Jail, OIG-21-32, April 2021](#); [Violations of Detention Standards Amidst COVID-19 Outbreak at La Palma Correctional Center in Eloy, AZ, OIG-21-30, March 2021](#); [ICE's Management of COVID-19 in Its Detention Facilities Provides Lessons Learned for Future Pandemic Responses, OIG-21-58, Sept. 2021](#).

<sup>3</sup> [DHS Needs to Enhance Its COVID-19 Response at the Southwest Border, OIG-21-60, Sept. 2021](#).

<sup>4</sup> [Ineffective Implementation of Corrective Actions Diminishes DHS' Oversight of Its Pandemic Planning, OIG-21-14, Dec. 2020](#).



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### WHAT PROGRESS HAS DHS MADE?

#### **Detainee and Workforce Health and Safety:**

DHS is working to implement OIG recommendations for COVID-19 protocols in its ICE detention centers and offering detainees vaccinations, as well as improving its COVID-19 response at the southwest border. DHS is also working more closely with its contractors to fully comply with Centers for Disease Control and Prevention, Health and Human Services (HHS), and other guidance to improve health and safety conditions for detainees and staff.

#### **Coordination Efforts:**

FEMA worked closely with HHS and other Federal agencies to facilitate the shipment of PPE and ventilators to support state, local, territorial, and tribal governments during the pandemic. DHS provided significant logistical support to these stakeholders to fulfill requests for PPE and ventilators. After the Stafford Act declaration, FEMA took further action to coordinate the whole-of-government Federal response by activating and establishing the National Response Coordination Center (NRCC), Regional Response Coordination Centers (RRCCs), and, with HHS, established the Unified Coordination Group (UCG). Also, during the height of the pandemic, the Nation experienced a significant shortage of ventilators used to treat COVID-19 patients. FEMA and the UCG developed and communicated a standard process for allocating limited supplies of ventilators.<sup>5</sup>

#### **DHS Implementation of Unified Planning:**

Responses to OIG recommendations show that DHS has implemented centralized processes to manage department-wide pandemic funding and PPE supplies to ensure greater oversight and control.

#### **DHS Oversight of Pandemic Funding:**

Since the start of the pandemic, OIG has provided significant oversight of DHS' COVID-19 relief efforts. The [CARES Act](#) provided OIG with funding to conduct oversight of DHS' CARES Act funding. We are currently using this funding for audits and inspections of DHS' administration and oversight of the CARES Act and investigations of fraud related to contracts and grants.

### WHAT DHS STILL NEEDS TO DO

Continuing and improving on a centralized strategic approach to its ongoing pandemic response should help DHS better prepare its components to protect the workforce and persons in their care and custody; operate in a well-

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<sup>5</sup> [Lessons Learned from FEMA's Initial Response to COVID-19, OIG-21-64, Sept 2021](#)



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coordinated, effective manner in non-standard circumstances; and better manage funding and supplies during this and future pandemics.

### ***Countering Terrorism and Homeland Security Threats***

#### **THE CHALLENGE**

DHS is challenged to properly plan and provide adequate guidance, oversight, and monitoring of programs and operations to counter terrorism and homeland security threats; make related improvements to U.S. Border Security and Immigration operations; and leverage law enforcement unity of effort. In addition, DHS seeks to achieve specific objectives related to countering terrorism and homeland security threats as well as securing U.S. borders and approaches. (See [Appendix A](#), Goals 1 and 2).

#### **WHY IS THIS A CHALLENGE?**

The threats facing the Nation are dynamic and become more complex over time. Threats are more interconnected, technologically advanced, targeted, and close to home. Developing an understanding of today's challenges includes assessing dangers posed by domestic and international actors abroad, in the Nation's interior, and at its borders.

#### **Countering Terrorism:**

We discovered that, although Transportation Security Administration (TSA) has developed a deployment strategy based on risk for Explosives Detection Canine Teams (EDCT) at airports, there is no such strategy for surface transportation. Consequently, TSA cannot be sure that EDCTs are properly allocated based on risk to protect the traveling public from a terrorist attack.<sup>6</sup> Further, TSA has yet to complete implementation of the 9/11 Act and TSA Modernization Act to develop strategies, programs, regulations, reports, and other initiatives to strengthen transportation security.<sup>7</sup> We also found that the BioWatch Program, charged with bioterror early warning systems, has information sharing and program deployment challenges that reduce nationwide readiness for response to biological terror threats.<sup>8</sup> CBP had not made significant improvement in response to a past audit examining mail inspection and physical security. Further, CBP did not properly document and conduct searches of electronic devices, fully assess the effectiveness of the electronic

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<sup>6</sup> [TSA Did Not Assess Its Explosives Detection Canine Team Program for Surface Transportation Security, OIG-21-52, August 2021](#); [CBP Needs to Improve the Oversight of Its Canine Program to Better Train and Reinforce Canine Performance, OIG-21-19, Feb. 2021](#).

<sup>7</sup> [TSA Has Not Implemented All Requirements of the 9/11 Act and the TSA Modernization Act, OIG-21-68, Sept. 2021](#).

<sup>8</sup> [Biological Threat Detection and Response Challenges Remain for BioWatch, OIG-21-22, March 2021](#).



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device search program, or adequately manage electronic device search equipment..<sup>9</sup> Moreover, DHS did not fully assess the effectiveness of the Transportation Security Card Program, as required by the *Transportation Security Card Program Assessment* statute.<sup>10</sup>

### **Border Security and Immigration:**

We found ICE did not consistently enforce I-9 requirements with employers, allowing unauthorized noncitizens<sup>11</sup> workers to remain in the United States with unlawful employment.<sup>12</sup> Additionally, CBP allowed potentially high-risk drivers into its Free and Secure Trade program, exposing its land ports of entry to heightened threats.<sup>13</sup> We are currently examining multiple facets of [border security and immigration](#), including admissibility operations, medical care, sheltering programs, detention conditions, and benefit programs.

### **Law Enforcement Unity of Effort:**

We found that DHS did not benefit from unity of effort, such as sharing and leveraging processes, data collection, and best practices across components when it did not contribute to the FBI's criminal database DNA samples from those it arrested.<sup>14</sup> ICE Homeland Security Investigations did not accurately track dissemination and receipt of human trafficking tips; did not consistently follow up on tips; and used independently managed program offices with partial responsibilities, creating challenges for HSI to coordinate and oversee human trafficking efforts and assist U.S. Attorney prosecution efforts. In addition, DHS did not have a comprehensive strategy accommodating state and local law enforcement assistance to protect Federal facilities during a disturbance.<sup>15</sup>

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<sup>9</sup> [CBP Continues to Experience Challenges Managing Searches of Electronic Devices at Ports of Entry, OIG-21-63, Sept. 2021.](#)

<sup>10</sup> [DHS Did Not Fully Comply with Requirements in the Transportation Security Card Program Assessment, OIG-21-66, Sept. 2021.](#)

<sup>11</sup> Many existing DHS policies and procedures refer to noncitizens as "aliens."

<sup>12</sup> [ICE Guidance Needs Improvement to Deter Illegal Employment, OIG-21-15, Jan. 2021.](#)

<sup>13</sup> [CBP's FAST Program Exposes Border to Security Risks, OIG-21-70, Sept. 2021.](#)

<sup>14</sup> [DHS Law Enforcement Components Did Not Consistently Collect DNA From Arrestees, OIG-21-35, May 2021.](#)

<sup>15</sup> [ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims, OIG-21-40, June 2021; DHS Had Authority to Deploy Federal Law Enforcement Officers to Protect Federal Facilities in Portland, Oregon, but Should Ensure Better Planning and Execution in Future Cross-Component Activities, OIG-21-31, April 2021.](#)



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### WHAT PROGRESS HAS DHS MADE?

#### **Countering Terrorism:**

TSA provides significant resources and support to law enforcement canine teams within the surface transportation system by providing a canine for each handler, initial team training, and an annual stipend. It is working to improve its resource allocation models and coordination strategies. DHS is also working to update its assessments to optimize the Nation's defense against bioterrorism; improve cooperative agreements with stakeholders; update detection capability; and conduct, document, and assess exercises. CBP continues to struggle with mail inspection and physical security.

#### **Border Security and Immigration:**

Corrective action plans submitted to OIG show that DHS is updating internal guidance to ensure staff fully understand processes, procedures, information gathering systems, and the value of robust controls.

#### **Law Enforcement Unity of Effort:**

DHS is developing more stringent internal control aimed at consistent adherence to the *DNA Fingerprint Act of 2005* and other relevant legislation. It is updating internal directives, policies, procedures, and training plans to support improved controls fostering collaboration among its components and Federal law enforcement partners.<sup>16</sup>

### WHAT DHS STILL NEEDS TO DO

According to OIG's recommendations, DHS needs to remain committed to effective threat assessment methods and law enforcement collaboration, as well as internal control development, including useful and relevant goals, performance indicators, metrics, measures, corrective action plan implementation, and deliberate improvement.

### ***Securing Cyberspace and Critical Infrastructure***

#### **THE CHALLENGE**

DHS' missions in this area, providing enterprise-wide security solutions to protect the Department and partnering with industry and government to understand and manage risk to the Nation's critical infrastructure, are multi-faceted and vast. This challenge relates to every aspect of DHS' mission and

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<sup>16</sup> [ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims, OIG-21-40, June 2021](#); [DHS Had Authority to Deploy Federal Law Enforcement Officers to Protect Federal Facilities in Portland, Oregon, but Should Ensure Better Planning and Execution in Future Cross-Component Activities, OIG-21-31, April 2021](#); [DHS Law Enforcement Components Did Not Consistently Collect DNA From Arrestees, OIG-21-35, May 2021](#).



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relates to all of DHS' strategic goals (See [Appendix A](#) for DHS' Strategic Goals for FY 2020–2024).

### WHY IS THIS A CHALLENGE?

Threats in this area can be characterized similarly to those of countering terrorism in that they are dynamic, more interconnected, technologically advanced, and more targeted. For example, the recent introduction of malicious code into IT monitoring and management software tools at [SolarWinds](#) compromised nine Federal agencies and hundreds of private sector companies. Nation-state hackers are suspected to have caused this unprecedented breach.

#### **Cybersecurity:**

We found that DHS' information security program for Top Secret/Sensitive Compartmented Information intelligence systems is effective. However, we identified deficiencies in some areas. We also found that DHS has not yet strengthened its cybersecurity posture by implementing a Continuous Diagnostics and Mitigation (CDM) program.<sup>17</sup> Additionally, we found that CBP potentially exposed the personally identifiable information of more than 10 million people by not protecting Mobile Passport Control applications from cybersecurity threats.<sup>18</sup> We continue to examine cybersecurity topics such as protections to safeguard sensitive data from malware, ransomware, and phishing attacks; information security requirements on CBP contracts; USCIS access controls; cyber intrusion prevention efforts; and progress in joint cybersecurity efforts.

#### **Critical Infrastructure:**

In [DHS Has Secured the Nation's Election Systems, but Work Remains to Protect the Infrastructure \(OIG-21-01\)](#), we found that DHS had made progress in its coordination efforts to secure election systems, but needed to take additional steps to more effectively address both cyber and physical security risks. In [CISA Can Improve Efforts to Ensure Dam Security and Resilience \(OIG-21-59\)](#), we found that the Cybersecurity and Infrastructure Security Agency (CISA) cannot demonstrate how its oversight has improved Dams Sector security and resilience. We are also in the process of assessing FEMA's and CISA's coordination efforts to improve [Energy Sector resilience](#).

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<sup>17</sup> [Evaluation of DHS' Compliance with Federal Information Security Modernization Act Requirements for Intelligence Systems for Fiscal Year 2020, OIG-21-55, August 2021; DHS Made Limited Progress Implementing the Continuous Diagnostics and Mitigation Program, OIG-21-38, June 2021.](#)

<sup>18</sup> [CBP Has Placed Travelers' PII at Risk of Exploitation, OIG-21-47, July 2021.](#)



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### WHAT PROGRESS HAS DHS MADE?

#### **Cybersecurity:**

Responses to OIG recommendations show that DHS has continued to provide effective oversight of the department-wide intelligence system and has implemented programs to monitor ongoing security practices. It is also working to update relevant plans, address identified vulnerabilities, and continue to improve configuration and patch management. The DHS Office of the Chief Information Officer claims it holds monthly meetings with Component CIOs to focus on information security improvements related to security authorizations, weakness remediation, reducing vulnerabilities, and ensuring prompt installation of software patches, among other things.

#### **Critical Infrastructure:**

DHS is improving coordination efforts and outreach to a broad spectrum of stakeholders.

### WHAT DHS STILL NEEDS TO DO

According to OIG's recommendations, DHS needs to continue making deliberate improvements to manage the risks to information security and critical infrastructure. DHS needs to develop systems, assets, processes, and capabilities to reduce threat, increase visibility into Federal cyberposture, and improve response capabilities. DHS needs to continue to revise planning documents to address risks, improve information sharing, and conduct timely assessments to better secure information systems and critical infrastructure.

### ***Ensuring Proper Financial Management***

#### **THE CHALLENGE**

This challenge is foundational to every aspect of DHS' mission and relates to all of DHS' strategic goals (See [Appendix A](#) for DHS' Strategic Goals for FY 2020–2024). Proper financial management and resulting data are commonly viewed as important strategic assets.

#### **WHY IS THIS A CHALLENGE?**

DHS has shown it has strong financial principles, but notable financial deficiencies can undermine the public's confidence in DHS and its ability to make strategic investments using taxpayer dollars. Strong financial management principles and results are compelling strengths for appropriators.

#### **Financial Management and Oversight:**

Independent auditors identified material weaknesses in Information Technology Controls and Information Systems and Financial Reporting. The auditors



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identified significant deficiencies in Custodial Activities: Entry Processing, Refunds and Drawback, and Seized and Forfeited Property; Grants Management; and Insurance Liabilities. They also noted noncompliance with the *Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019*; *Federal Managers' Financial Integrity Act of 1982*; and *Federal Financial Management Improvement Act of 1996*.<sup>19</sup> We found a pattern of noncompliance with applicable laws, regulations, and policies relative to internal controls, oversight, and reporting.<sup>20</sup>

We are in the process of completing our third mandated *Digital and Transparency Act of 2014* (DATA Act) audit. As previously reported,<sup>21</sup> DHS needed to take action to accurately align budgetary data with the President's budget, reduce award misalignments across DATA Act files, improve the timeliness of financial assistance reporting, implement and use government-wide data standards, and address risks to data quality.

### WHAT PROGRESS HAS DHS MADE?

#### Financial Management and Oversight:

Corrective action plans provided to OIG show that DHS is working to improve compliance with requirements set forth in laws, regulations, directives, and policies by strengthening oversight, internal control, data quality, and transparency.

DHS has taken steps toward remediating issues OIG previously reported, including in Financial Statement Audit reports. DHS has undertaken a Financial Systems Modernization program which is intended to replace outdated systems across the Department. To date, a modernized financial management system has been deployed to the Countering Weapons of Mass Destruction Office and TSA, and according to DHS, United States Coast Guard is on schedule to be deployed in early FY 2022. DHS officials have stated that this modernization effort will help mitigate many of the underlying causes of

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<sup>19</sup> [Independent Auditors' report on DHS' FY 2020 Financial Statements and Internal Control over Financial Reporting, OIG-21-08, Nov. 2020.](#)

<sup>20</sup> [Department of Homeland Security's FY 2020 Compliance with the Payment Integrity Information Act of 2019 and Executive Order 13520, Reducing Improper Payments, OIG-21-33, May 2021; FY 2018 Audit of Science and Technology Bankcard Program Indicates Risks, OIG-21-51, July 2021; FEMA Prematurely Obligated \\$478 Million in Public Assistance Funds from FY 2017 through FY 2019, OIG-21-54, August 2021; TSA Needs to Improve Its Oversight for Human Capital Contracts, OIG-21-39, June 2021.](#)

<sup>21</sup> [DHS' Implementation of the DATA Act, OIG-18-34, Dec. 2017; DHS Has Made Progress in Meeting DATA Act Requirements, But Challenges Remain, OIG-20-62, August 2020.](#)



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the Information Technology Controls and Information Systems and Financial Reporting material weaknesses identified in our previous audit reports.

### WHAT DHS STILL NEEDS TO DO

OIG's recommendations express DHS' need to continue to thoughtfully execute its role as steward of taxpayer investment in its programs and make conscientious progress toward full compliance with applicable laws, regulations, directives, policies, prevailing guidance, and internal control standards.

### ***Ensuring Technology Supports Essential Mission Operations***

#### THE CHALLENGE

DHS continues to struggle to provide technology support for personnel, system functionality and integration, address deficiencies, identify and prioritize systems for modernization, and ensure data is accurate and reliable for strategic decision makers. In addition, DHS seeks to achieve specific objectives related to improving workforce capability and strengthening governance. (See [Appendix A](#), Goal 6).

#### WHY IS THIS A CHALLENGE?

DHS struggles to align DHS technology, personnel, resources, assets, systems, and infrastructure to support its mission. State-of-the-art technology and services are critical tools to that end. It is important for DHS to mitigate risks to operational performance before they become issues and to deploy capability timely.

#### **Systems and Applications:**

We found a pattern of control deficiencies, outdated or incorrectly configured systems, and inadequate operator training.<sup>22</sup> In addition, independent auditors identified material weaknesses in Information Technology Controls and Information Systems.<sup>23</sup>

#### **Data Management:**

In [OIG-21-37 Summary Report: Persistent Data Issues Hinder DHS Mission, Programs, and Operations](#), we reported that significant challenges hinder DHS' day-to-day use of some of the Nation's largest and most diverse databases to support its vast mission operations. DHS needs to improve the collection and

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<sup>22</sup> [CBP's Configuration Management Practices Did Not Effectively Prevent System Outage, OIG-21-13, Dec. 2020](#); [USCIS Needs to Improve Its Electronic Employment Eligibility Process, OIG-21-56, August 2021](#); [CBP Has Placed Travelers' PII at Risk of Exploitation, OIG-21-47, July 2021](#).

<sup>23</sup> [Independent Auditors' Report on DHS' FY 2020 Financial Statements and Internal Control over Financial Reporting, OIG-21-08, Nov. 2020](#).



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management of data across its components to better serve and safeguard the public. The data access, availability, accuracy, completeness, and relevance issues we identified presented numerous obstacles for DHS personnel who did not have essential information they needed for decision making or to effectively and efficiently carry out day-to-day mission operations. OIG also found data quality problems in the National Flood Insurance Program system.<sup>24</sup>

### WHAT PROGRESS HAS DHS MADE?

#### **Systems and Applications:**

Responses to OIG's recommendations show that DHS is working to dedicate necessary resources to oversight, controls, configuration management, modernization, and strategic capability deployment.

#### **Data Management:**

As noted above, DHS has taken steps towards remediating issues OIG previously reported, including in Financial Statement Audit reports. The Department has taken corrective actions to implement recommendations in prior reports and has developed various plans and strategies to improve the quality and management of its data.<sup>25</sup>

### WHAT DHS STILL NEEDS TO DO

OIG's recommendations show that DHS needs to increase and sustain its focus and effort to: (1) improve oversight, (2) ensure consistent configuration management, (3) prioritize systems and applications modernization, and (4) remediate the internal control issues that underlie data deficiencies.

### ***Improving FEMA's Contracts and Grants Management, Disaster Assistance, and Fraud Prevention***

#### **THE CHALLENGE**

FEMA continues to struggle to administer procurements and reimburse procurement costs and continues to experience systemic problems and operational difficulties contributing to inadequate management of disaster relief grants and supplies. In addition, DHS seeks to achieve specific objectives related to strengthening preparedness and resilience (See [Appendix A](#), Goal 5).

#### **WHY IS THIS A CHALLENGE?**

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<sup>24</sup> [FIMA Made Progress Modernizing Its NFIP System, but Data Quality Needs Improvement, OIG-21-04, Nov. 2020](#)

<sup>25</sup> [Independent Auditors' Report on DHS' FY 2020 Financial Statements and Internal Control over Financial Reporting, OIG-21-08, Nov. 2020.](#)



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At times, FEMA has not followed procurement laws, regulations, and procedures, nor has it ensured disaster grant recipients and subrecipients understand and comply with relevant authorities. FEMA has also proven susceptible to widespread fraud and made billions in improper payments.<sup>26</sup>

### **Contracts and Grants Management:**

We have identified a pattern of grantee and subgrantee oversight weakness, insufficient systems to process information and data, inadequate policies and guidance, and improper payments.<sup>27</sup> We continue to examine FEMA's management of contracts and grants, including FEMA's contracting practices during national disaster declarations.

### **Disaster Assistance:**

We identified persistent, systemic shortcomings in FEMA's disaster response and assistance.<sup>28</sup> OIG has published more than two dozen reports and issued 115 recommendations to improve Federal disaster response. We continue to examine [FEMA's disaster response programs](#), including controls over mission

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<sup>26</sup> [FEMA Should Disallow \\$12.2 Million in Disaster Case Management Program Grant Funds Awarded to New York for Hurricane Sandy](#), OIG-21-10, Nov. 2020; [FEMA Needs to Reduce the \\$579 Million Backlog of Projects in Its New York Public Assistance Grant Program](#), OIG-21-23, March 2021; [Inadequate FEMA Oversight Delayed Completion and Closeout of Louisiana's Public Assistance Projects](#), OIG-21-50, July 2021; [FEMA Prematurely Obligated \\$478 Million in Public Assistance Funds from FY 2017 through FY 2019](#), OIG-21-54, August 2021; [FEMA's Procurement and Cost Reimbursement Review Process Needs Improvement](#), OIG-21-26, March 2021; [FEMA Needs Revised Policies and Procedures to Better Manage Recovery of Disallowed Grant Funds](#), OIG-21-28, March 2021; [FEMA Has Not Prioritized Compliance with the Disaster Mitigation Act of 2000, Hindering Its Ability to Reduce Repetitive Damages to Roads and Bridges](#), OIG-21-43, July 2021; [FEMA Initiated the Hurricane Harvey Assistance Agreement without Necessary Processes and Controls](#), OIG-21-42, July 2021; [FEMA Has Paid Billions in Improper Payments for SBA Dependent Other Needs Assistance since 2003](#), OIG-20-60, August 2020.

<sup>27</sup> [FEMA Should Disallow \\$12.2 Million in Disaster Case Management Program Grant Funds Awarded to New York for Hurricane Sandy](#), OIG-21-10, Nov. 2020; [FEMA Needs to Reduce the \\$579 Million Backlog of Projects in Its New York Public Assistance Grant Program](#), OIG-21-23, March 2021; [Inadequate FEMA Oversight Delayed Completion and Closeout of Louisiana's Public Assistance Projects](#), OIG-21-50, July 2021; [FEMA Prematurely Obligated \\$478 Million in Public Assistance Funds from FY 2017 through FY 2019](#), OIG-21-54, August 2021; [FEMA's Procurement and Cost Reimbursement Review Process Needs Improvement](#), OIG-21-26, March 2021; [FEMA Needs Revised Policies and Procedures to Better Manage Recovery of Disallowed Grant Funds](#), OIG-21-28, March 2021; [FEMA Has Not Prioritized Compliance with the Disaster Mitigation Act of 2000, Hindering Its Ability to Reduce Repetitive Damages to Roads and Bridges](#), OIG-21-43, July 2021; [FEMA Initiated the Hurricane Harvey Assistance Agreement without Necessary Processes and Controls](#), OIG-21-42, July 2021.

<sup>28</sup> [Success of Future Disaster Response and Recovery Efforts Depends on FEMA Addressing Current Vulnerabilities](#), OIG-21-25, March 2021; [Better Oversight and Planning Are Needed to Improve FEMA's Transitional Sheltering Assistance Program](#), OIG-21-20, Feb. 2021.



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assignments in response to the pandemic and topics related to supply chain integrity.

### **Fraud Prevention:**

There is overlap between fraud prevention challenges at the Department relative to the pandemic and fraud prevention in FEMA's contracts, grants management, and disaster assistance. As previously discussed, OIG has provided significant oversight of DHS' COVID-19 relief efforts. For example, OIG has investigated fraud allegations related to FEMA's PPE contracts and fraud networks that secured pandemic-related benefits.<sup>29</sup>

### **WHAT PROGRESS HAS DHS MADE?**

#### **Contracts and Grants Management:**

OIG has reviewed corrective action plans showing that FEMA continues to strengthen adherence to Federal regulations and its own policy, oversight, risk assessment, and training.

#### **Disaster Assistance:**

Responses to OIG's recommendations show that FEMA is working to augment staff and systems to improve oversight, and develop resources, tools, and procedures to support more effective programs.

#### **Fraud Prevention:**

Since the passage of the CARES Act, FEMA has collaborated with OIG and others to leverage multi-disciplinary expertise to identify fraud schemes.

### **WHAT DHS STILL NEEDS TO DO**

While DHS and FEMA continue to address the many recommendations in our reports, they need to analyze systemic weaknesses across the spectrum of disaster-related funding and services and make overarching improvements in risk assessment, controls, policies, systems and applications, resources, training, and collaboration with stakeholders.<sup>30</sup>

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<sup>29</sup> [\*Success of Future Disaster Response and Recovery Efforts Depends on FEMA Addressing Current Vulnerabilities\*, OIG-21-25, March 2021.](#)

<sup>30</sup> [\*Lessons Learned from Prior Reports on Disaster-related Procurement and Contracting\*, OIG-18-29, Dec 2017; \*Lessons Learned from FEMA's Initial Response to COVID-19\*, OIG-21-64, Sept 2021; \*Summary and Key Findings of Fiscal Year 2015 FEMA Disaster Grant and Program Audits\*, OIG-17-13, Nov 2016.](#)



## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

### ***Strengthening Oversight and Management of Major Systems Acquisition and Procurement***

#### **THE CHALLENGE**

Systems acquisitions are a key part of DHS' annual budget and are fundamental to accomplishing its many critical missions. This challenge relates to every aspect of DHS' mission and relates to all of DHS' strategic goals (See [Appendix A](#) for DHS' Strategic Goals for FY 2020–2024).

#### **WHY IS THIS A CHALLENGE?**

A successful systems acquisition process requires an effective acquisition management infrastructure. This is especially important for DHS because, in FY 2021 alone, DHS planned to spend more than \$7 billion on major acquisition programs — with lifecycle costs in excess of \$300 million.<sup>31</sup>

#### **Acquisitions and Contracts Oversight and Management:**

We identified issues with poorly defined operational requirements for assets being acquired, adherence to the DHS Acquisition Lifecycle Framework, contract oversight, and reporting.<sup>32</sup>

#### **WHAT PROGRESS HAS DHS MADE?**

The Department has generally made progress in its acquisition oversight processes and controls through implementation of a revised acquisition management directive.

#### **Acquisitions Oversight and Management:**

DHS is working to update acquisition policy and guidance, including specific guidance on developing operational requirements and sharing lessons learned across acquisitions programs.

#### **WHAT DHS STILL NEEDS TO DO**

DHS Office of Program Accountability and Risk Management needs to continue to strengthen oversight of acquisitions programs to ensure they are in compliance with all key steps in the Acquisition Lifecycle Framework and other

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<sup>31</sup> [GAO's DHS Annual Assessment, GAO-21-175](#)

<sup>32</sup> [U.S. Customs and Border Protection's Acquisition Management of Aviation Fleet Needs Improvement to Meet Operational Needs, OIG-21-53, August 2021](#); [ICE's Oversight of the Capgemini Contract Needs Improvement, OIG-21-57, August 2021](#); [DHS Grants and Contracts Awarded through Other Than Full and Open Competition, FYs 2018 and 2019, OIG-21-17, Feb. 2021](#); [DHS Did Not Effectively Oversee TSA's Acquisition of Computed Tomography Systems, OIG-21-69, Sept. 2021](#); [TSA Needs to Improve its Oversight for Human Capital Contracts, OIG-21-39, June 2021](#).



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requirements and guidance. DHS also needs to reinforce the use of the checklists, job aids, and guides developed by the DHS Office of the Chief Procurement Officer.



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### **Appendix A**

#### **GOAL 1: COUNTER TERRORISM AND HOMELAND SECURITY THREATS**

OBJECTIVE 1.1: COLLECT, ANALYZE, AND SHARE ACTIONABLE INTELLIGENCE

OBJECTIVE 1.2: DETECT AND DISRUPT THREATS

OBJECTIVE 1.3: PROTECT DESIGNATED LEADERSHIP, EVENTS, AND SOFT TARGETS

OBJECTIVE 1.4: COUNTER WEAPONS OF MASS DESTRUCTION AND EMERGING THREATS

#### **GOAL 2: SECURE U.S. BORDERS AND APPROACHES**

OBJECTIVE 2.1: SECURE AND MANAGE AIR, LAND, AND MARITIME BORDERS

OBJECTIVE 2.2: EXTEND THE REACH OF U.S. BORDER SECURITY

OBJECTIVE 2.3: ENFORCE U.S. IMMIGRATION LAWS

OBJECTIVE 2.4: ADMINISTER IMMIGRATION BENEFITS TO ADVANCE THE SECURITY AND PROSPERITY OF THE NATION

#### **GOAL 3: SECURE CYBERSPACE AND CRITICAL INFRASTRUCTURE**

OBJECTIVE 3.1: SECURE FEDERAL CIVILIAN NETWORKS

OBJECTIVE 3.2: STRENGTHEN THE SECURITY AND RESILIENCE OF CRITICAL INFRASTRUCTURE

OBJECTIVE 3.3: ASSESS AND COUNTER EVOLVING CYBERSECURITY RISKS

OBJECTIVE 3.4: COMBAT CYBERCRIME

#### **GOAL 4: PRESERVE AND UPHOLD THE NATION'S PROSPERITY AND ECONOMIC SECURITY**

OBJECTIVE 4.1: ENFORCE U.S. TRADE LAWS AND FACILITATE LAWFUL INTERNATIONAL TRADE AND TRAVEL

OBJECTIVE 4.2: SAFEGUARD THE U.S. TRANSPORTATION SYSTEM

OBJECTIVE 4.3: MAINTAIN U.S. WATERWAYS AND MARITIME RESOURCES

OBJECTIVE 4.4: SAFEGUARD U.S. FINANCIAL SYSTEMS

#### **GOAL 5: STRENGTHEN PREPAREDNESS AND RESILIENCE**

OBJECTIVE 5.1: BUILD A NATIONAL CULTURE OF PREPAREDNESS

OBJECTIVE 5.2: RESPOND DURING INCIDENTS

OBJECTIVE 5.3: SUPPORT OUTCOME-DRIVEN COMMUNITY RECOVERY

OBJECTIVE 5.4: TRAIN AND EXERCISE FIRST RESPONDERS

#### **GOAL 6: CHAMPION THE DHS WORKFORCE AND STRENGTHEN THE DEPARTMENT**

OBJECTIVE 6.1: STRENGTHEN DEPARTMENTAL GOVERNANCE AND MANAGEMENT

OBJECTIVE 6.2: DEVELOP AND MAINTAIN A HIGH PERFORMING WORKFORCE

OBJECTIVE 6.3: OPTIMIZE SUPPORT TO MISSION OPERATIONS

Source: [Department of Homeland Security's Strategic Plan for Fiscal Years 2020-2024 \(undated\)](#)  
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**Appendix B**

**DHS Comments to the Draft Report**

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

November 1, 2021

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.  
Inspector General

FROM: Jim H. Crumacker, CIA, CFE  
Director  
Departmental GAO-OIG Liaison Office

SUBJECT: Management Response to Draft Report: “Major Management and Performance Challenges Facing the Department of Homeland Security” (Project No. 21-058-OEA-DHS)

JIM H  
CRUMPACKER

Digitally signed by  
JIM H CRUMPACKER  
Date: 2021.11.01  
15:11:03 -04'00'

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the Office of Inspector General’s (OIG) work preparing and issuing this report, which summarizes the most serious management and performance challenges you believe are facing the Department and assesses progress in addressing them.

As Secretary of Homeland Security Alejandro N. Mayorkas recently stated: “DHS is fundamentally a Department of partnerships.” DHS depends on close coordination with the intelligence community, law enforcement, state, local, tribal and territorial officials, nonprofit organizations, social service groups, and many others to successfully fulfill its vital mission of securing the Nation from the many threats we face. This includes DHS’s partnership with the OIG.

Senior DHS leadership is committed to maintaining a culture where its employees and contractors understand the OIG’s work—providing independent oversight, detecting and preventing waste, fraud, and abuse, and promoting excellence, integrity, and accountability within the Department—truly helps strengthen the Department, and that everyone must be open and transparent during their interactions with the OIG staff.

DHS leadership, program officials, and subject matter experts will consider the OIG perspectives offered in this report when moving forward to further address these management and performance challenges during the coming year. Of particular note, the Department welcomes OIG’s format change to this year’s report which more clearly



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outlines (1) each challenge and why the challenge exists, (2) the progress made to address the challenge, and (3) what remains to be done. Examples of additional context regarding the progress made to address each challenge follows.

#### **Performing Fully and Effectively during COVID-19 Pandemic**

Since the start of the coronavirus (COVID-19) public health emergency, the Federal Emergency Management Agency (FEMA) provided unprecedented assistance to state, local, tribal, and territorial (SLTT) governments in taking action to protect public health and safety. In particular, the FEMA Public Assistance (PA) program awarded more funding in 2020 than in any prior year, amounting to approximately five times the previous annual average. Further, FEMA PA program exceeded this number in just the first half of 2021. As of October 26, 2021, FEMA's PA program obligated more than \$32.8 billion as part of the response to COVID-19, and expects this sum will continue to grow as the Nation combats the surging Delta variant and ongoing emergency.

At the outset of COVID-19, FEMA made significant changes to the PA process to avoid delays and remove barriers to providing assistance to the public and SLTT governments, such as simplifying information and application requirements and enabling applicants to apply directly to FEMA. Despite the increase in PA applications for COVID-19 assistance, the steps FEMA took to simplify and streamline the PA process resulted in significantly faster processing times for COVID-19 emergency protective measure projects. For emergency protective measure projects in all disasters declared from January 1, 2018 to October 26, 2021, COVID-19 applications were processed (from project creation to initial funding) in a median of 85 days, compared to a median of 115 days for non-COVID-19 applications. It is important to recognize that FEMA addressed challenges in delivering COVID-19 assistance with innovative approaches that resulted in significantly improved results, including measurably faster processing timeframes for COVID-19 PA requests while maintaining the health and safety of employees, applicants, and stakeholders.

#### **Countering Terrorism and Homeland Security Threats**

The Department continues to assess past threats to national security and safeguard its law enforcement officers and the communities they serve against new ones. To foster additional unity of effort, this year DHS launched the Law Enforcement Coordination Council (LECC) chaired by Secretary of Homeland Security Mayorkas – the Department's first unified law enforcement coordination body to comprehensively assess a broad range of law enforcement matters, including its law enforcement policies and training. The LECC, led by an Executive Director (selection pending), is comprised of two committees, one covering training and the other use of force policy reform. The training committee met for the first time on October 25, 2021. Through these groups, the



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LECC will conduct comprehensive reviews that ensure more fair, equitable, and impartial policing, as well as officer and community safety.

The LECC includes the leadership of each DHS law enforcement Component, as well as leadership of DHS Headquarters Offices with advisory and oversight roles, including the Office for Civil Rights and Civil Liberties, Privacy Office, and Office of the General Counsel. The LECC will evaluate and respond to emerging law enforcement challenges and opportunities, comprehensively assess potential policy changes, facilitate information sharing, and promote best practices. The LECC will also coordinate closely with partners across every level of government, as well as with other key stakeholders.

#### **Securing Cyberspace and Critical Infrastructure**

The Cybersecurity and Infrastructure Security Agency (CISA) continued to lead the national effort to understand, manage, and mitigate risk to the Nation's physical and cyber infrastructure. For example, CISA is coordinating closely with the FEMA Grants Programs Directorate and National Dam Safety Program to develop the appropriate interagency coordination agreements to formally document and define the respective roles and responsibilities for information-sharing and analytical collaboration for grant decision-making related to the safety, security, and resilience of dams.

At the same time, CISA's Cybersecurity Division has grown its personnel and programs over the past several years to enhance its ability to manage risk to critical infrastructure. This includes the creation of the Joint Cyber Defense Collaborative, which will strengthen CISA's partnerships and planning collaboration with private and public sector stakeholders. Additionally, CISA has grown its Cyber Defense Operations, ensuring that when there is a major cybersecurity attack, the Agency can analyze the many data feeds it receives to inform the impact of the attack on national critical functions. In sum, CISA continues to mature and strengthen its ability to reduce cybersecurity risk by building cybersecurity resilience into our Nation's most critical infrastructure, including partnerships with federal, state, local, and private sector partners.

Also, the DHS Office of the Chief Information Officer is enhancing the use of Continuous Diagnostics and Mitigation through an upgraded dashboard to monitor Component tool use, manage deadlines, and integrate Component data.

#### **Ensuring Proper Financial Management**

During the past year, DHS made significant progress to address this challenge as the Department sustained its unmodified financial statement audit opinion for the 9<sup>th</sup> consecutive year and took significant steps to strengthen internal controls and address audit findings. Many of the root causes behind the material weaknesses identified in the annual audit reports are related to outdated financial and business systems. At the start of



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fiscal year (FY) 2021, DHS deployed a modernized financial, procurement, and asset management solution to the Transportation Security Administration (TSA) – the first major operational Component to modernize. DHS is currently on track to deploy the U.S. Coast Guard on the same modern platform during the first quarter of FY 2022.

Furthermore, in FY 2021, DHS awarded strategic sourcing vehicles for software and system integration services which will support the upcoming modernization of the financial systems used by CISA, FEMA, U.S. Immigration and Customs Enforcement, the Science and Technology Directorate, U.S. Citizenship and Immigration Services, and other DHS Headquarters offices during the next five years. These system modernization efforts, coupled with ongoing efforts to address prior-year audit findings and improve internal controls, will help DHS remediate the remaining auditor-reported material weaknesses and promote more efficient financial operations and effective stewardship of public funds.

#### **Ensuring Technology Supports Essential Mission Operations**

The Department continues to improve oversight and ensure consistent configuration management in three important ways. DHS is implementing the Unified Cybersecurity Maturity Model to standardize cybersecurity maturity level measurement including security practices, controls, and configurations and expanded the DHS Cybersecurity Service Provider program to include operational maturity assessment of the Component Network Operation Centers. In concert with CISA and other agencies, DHS also accelerated our Information Communications and Technology supply chain risk management implementation to ensure and improve the cybersecurity of the vendors entrusted with safeguarding DHS information products, services, and software.

Further, the Department continues to remediate the internal control issues that underlie data deficiencies by continuing to demonstrate improvements in data management operations. For example, DHS established a Data Inventory Program that provides a collection of data assets to create a data catalog that is accurate, complete, timely, secure, and will allow the Department to make more efficient use of the data it has, create new programs, engage in evidence-building activities, and dramatically reduce reporting requirements. DHS enhances mission effectiveness through quality data that is trusted and secure, whereby the Chief Data Officer collaborates with programs across the Department to implement the strategic objectives and information system controls for appropriate access by internal and external sources to protect the confidentiality, integrity, and availability of the data.



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#### **Improving FEMA's Contracts and Grants Management, Disaster Assistance, and Fraud Prevention**

FEMA's Office of the Chief Component Procurement Officer (OCCPO) continues to improve communication and processes to support successful acquisitions during disaster and non-disaster operations. In June 2021, FEMA issued its FEMA Acquisition Manual that supplements the DHS Homeland Security Manual. FEMA OCCPO also revamped its Procurement Policy website to ensure Contracting Officers can easily navigate regulations, alerts, directives, and templates to obtain important information. In addition, the website for Disaster Contracting is continuously updated with advance contract information. OCCPO also has a Community of Practice that supports its core capability of procurement.

Regarding FEMA's disaster relief to state and local governments who procure goods and services, FEMA's Grant Programs Directorate's Procurement Disaster Assistance Team (PDAT) made significant progress to ensure that FEMA award recipients and subrecipients understand the federal rules that govern their purchasing actions under FEMA declarations and grant awards. Since January 2020, PDAT has launched the "Purchasing Under FEMA Awards" website ([www.fema.gov/grants/procurement](http://www.fema.gov/grants/procurement)) designed to aid FEMA award recipients and subrecipients in complying with the Federal procurement rules. This website contains FEMA-wide policy resources, fact sheets, guides, as well as a schedule for upcoming training sessions. From January 2020 through mid-October 2021, PDAT delivered 224 procurement under grant training sessions to 24,332 participants which include FEMA staff; state, local, and tribal government representatives; and nonprofit partners.

#### **Strengthening Oversight of Management and Major Systems Acquisition**

DHS agrees with OIG's assessment that the Department has "made progress in its acquisition processes and controls" and is committed to further improvement and reinforcing the use of various tools and guides designed to facilitate compliance. Components will continue to work openly and collaboratively with DHS oversight organizations, while still following Departmental acquisition policy.

The Department believes that all acquisition programs within the portfolio are in compliance with established processes and policies and that adequate management and oversight is in place to continually monitor program cost, schedule, and performance against DHS-approved baselines. DHS, through the Office of Program Accountability and Risk Management (PARM), effectively manages acquisition program policy, governance, and oversight.

For example, as of September 2021, there are three programs in breach of their approved Acquisition Program Baseline, representing a 50 percent reduction in the number of



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breach programs over the last year (three programs removed from breach status). In accordance with DHS acquisition policy, the remaining three breach programs are aggressively executing DHS-approved remediation plans in an effort to rebaseline and remove the programs from breach status by the end of 2021.

In addition, PARM continues to conduct quarterly portfolio assessments using the improved Acquisition Program Health Assessment tool and report, which provide an accurate picture of program performance. PARM also continues to participate in annual Component Acquisition Executive oversight reviews and individual program reviews for all Level 3 programs on the Master Acquisition Oversight List.

\* \* \*

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you during the coming year.

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