

**DHS Needs to Improve Its  
Oversight of Misconduct  
and Discipline**





# DHS OIG HIGHLIGHTS

## *DHS Needs to Improve Its Oversight of Misconduct and Discipline*

June 17, 2019

### Why We Did This Audit

We conducted this department-wide audit to determine whether the Department of Homeland Security has sufficient processes and procedures to address conduct issues. This report presents our findings on DHS oversight and the results of our employee survey.

### What We Recommend

We made eight recommendations to ensure effective Department oversight of efforts to address conduct issues.

**For Further Information:**

Contact our Office of Public Affairs at (202) 981-6000, or email us at [DHS-OIG.OfficePublicAffairs@oig.dhs.gov](mailto:DHS-OIG.OfficePublicAffairs@oig.dhs.gov)

### What We Found

DHS does not have sufficient policies and procedures to address employee misconduct. Specifically, the Department's policy does not include procedures for reporting allegations of misconduct, clear and specific supervisor roles and expectations, or clearly defined key discipline terms. These deficiencies occurred because DHS' Employee Relations office has limited staff, who do not believe they are responsible for managing the allegation process. DHS also does not effectively manage the misconduct program throughout the Department, lacking data monitoring and metrics to gauge program performance. Without oversight through defined policies and program management, DHS cannot make informed decisions to improve the program and ensure all components manage the misconduct process consistently. Additionally, this shortcoming could lead to costly litigation due to inappropriate or unenforceable disciplinary determinations.

We distributed a survey to identify how DHS employees perceive the Department's disciplinary process. Although the results of the employee survey were overall favorable, respondents identified areas of weakness, including negative perceptions of senior leaders' behavior and the need for more employee relations training for supervisors. Given the survey results and the lack of sufficient policies and procedures, the Department cannot ensure it treats all employees equally or that components have properly addressed or referred all misconduct allegations.

### DHS Response

DHS concurred with all eight of our recommendations and has begun taking corrective action to address them.



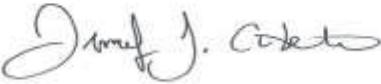
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Department of Homeland Security

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

June 17, 2019

MEMORANDUM FOR: Randolph D. Alles  
Acting Deputy Under Secretary for Management  
Department of Homeland Security

FROM: Jennifer L. Costello   
Acting Inspector General

SUBJECT: *DHS Needs to Improve Its Oversight of Misconduct and Discipline*

Attached for your action is our final report, *DHS Needs to Improve Its Oversight of Misconduct and Discipline*. We incorporated the formal comments provided by DHS Management Directorate.

The report contains eight recommendations aimed at improving the overall effectiveness of Management Directorate and Office of the Chief Human Capital Officer oversight of the misconduct program within DHS and its components. Your office concurred with eight recommendations. Based on information provided in your response to the draft report, we consider recommendations 5 and 6 open and unresolved. As prescribed by the Department of Homeland Security Directive 077-01, *Follow-Up and Resolutions for the Office of Inspector General Report Recommendations*, within 90 days of the date of this memorandum, please provide our office with a written response that includes your (1) agreement or disagreement, (2) corrective action plan, and (3) target completion date for each recommendation. Also, please include responsible parties and any other supporting documentation necessary to inform us about the current status of the recommendation. Until your response is received and evaluated, the recommendations will be considered open and unresolved.

Based on information provided in your response to the draft report, we consider recommendations 1 through 4 and recommendations 7 and 8 open and resolved. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts.

Please send your response or closure request to [OIGAuditsFollowup@oig.dhs.gov](mailto:OIGAuditsFollowup@oig.dhs.gov).



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Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Sondra McCauley, Assistant Inspector General for Audits, at (202) 981-6000.

Attachment



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**Abbreviations**

CBP	U.S. Customs and Border Protection
DNDO	Domestic Nuclear Detection Office
FEMA	Federal Emergency Management Agency
FLETC	Federal Law Enforcement Training Centers
GAO	Government Accountability Office
HR	human resources
HRMS	Human Resources Management and Services
I&A	Office of Intelligence & Analysis
ICE	U.S. Immigration and Customs Enforcement
IG Act	<i>Inspector General Act of 1978</i>
NPPD	National Protection and Programs Directorate
OCHCO	Office of the Chief Human Capital Officer
OIG	Office of Inspector General
OPM	U.S. Office of Personnel Management
S&T	Science and Technology Directorate
TSA	Transportation Security Administration
USCG	United States Coast Guard
USCIS	U.S. Citizenship and Immigration Services
USSS	United States Secret Service



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### Background

Within the Department of Homeland Security, managers, supervisors, and designees are responsible for assessing the conduct of employees and providing assistance, feedback, and corrective action. The U.S. Office of Personnel Management (OPM) describes misconduct generally as the failure to follow workplace rules. Examples of misconduct include being absent without leave, improper use of a government-issued credit card, and sleeping on the job. Once an allegation of misconduct has occurred, components will gather the facts and determine whether to administer disciplinary or adverse action to correct behavior. Conduct standards are critical to maintaining the public's confidence in the integrity of the Federal government.

Between 2012 and 2016, seven Office of Inspector General (OIG), two Government Accountability Office (GAO), and three internal Department or component reports identified issues related to DHS and component misconduct or disciplinary programs. (See appendix C.) Although DHS has no department-wide misconduct allegation data, the Joint Intake Center for U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) received more than 16,368 allegations of misconduct and other reportable information in fiscal year 2014 alone.<sup>1</sup>

Human Capital Policy and Programs' Employee Relations (Employee Relations) within the Office of the Chief Human Capital Officer (OCHCO) assumed the responsibility for developing and administering policy and overseeing the disciplinary and adverse action program across DHS. Components have the decision-making authority on the type of disciplinary action to administer. Components may decide to reassign, demote, suspend, remove, furlough, detail, transfer, separate, or reduce the pay of employees. (See appendix D.) However, these decisions are subject to the oversight, direction, and the DHS policies issued by the Chief Human Capital Officer.

#### OPM Definitions

**Discipline:** Measures intended to correct misconduct and encourage employee conduct in compliance with the standards of conduct, policies, goals, work procedures, and office practices of the agency.

**Adverse Action:** Action taken against an employee for reasons such as poor attendance or inappropriate behavior, and includes suspensions without pay, reductions in grade or pay, furloughs of 30 days or less, and removal.

Source: U.S. Office of Personnel Management

<sup>1</sup> Department of Homeland Security, *Investigation of DHS Employee Corruption Cases, Fiscal Year 2015 Report to Congress*, November 23, 2015 (jointly issued by DHS OIG, ICE, and CBP)



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In November 2016, Employee Relations issued its first directive and implementing instruction, *Discipline and Adverse Actions Program*, Directive 250-09. The directive established department-wide guidance for administering discipline and adverse actions in accordance with the OPM regulatory framework for processing discipline and adverse actions within the Federal government.

In addition, DHS Management Directive 0810.1, *The Office of Inspector General*, assigns DHS OIG the responsibility to receive and investigate certain categories of allegations of misconduct or fraud. DHS OIG may decide to initiate an investigation or refer the allegation to the component for review. The categories of allegations that require referral to OIG include:

- criminal misconduct allegations against a DHS employee;
- misconduct allegations against employees at the GS-15 level or higher; and
- visa fraud allegations by DHS employees working in the visa issuance process.

Our objective was to determine whether the Department has sufficient processes and procedures to address employee misconduct. This report addresses the Department's oversight of DHS components' disciplinary processes. This report also contains results of our survey on DHS employees' perception of the disciplinary process. We previously issued reports on the Transportation Security Administration's (TSA) Federal Air Marshal Service<sup>2</sup> and the Department's support component<sup>3</sup> processes for reporting and addressing misconduct.

### Results of Audit

The Department does not have sufficient policies and procedures to address employee misconduct. Specifically, the Department's policy does not include procedures for reporting allegations of misconduct, clear and specific supervisor roles and expectations, or clearly defined key discipline terms used across the components. These deficiencies occurred because the Employee Relations office has limited staffing to perform these functions and staff do not believe they are responsible for managing the allegation process. DHS also does not effectively manage the misconduct program throughout the Department,

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<sup>2</sup> *The Federal Air Marshal Service Has Sufficient Policies and Procedures for Addressing Misconduct*, OIG-17-104, September 13, 2017

<sup>3</sup> *DHS Support Components Do Not Have Sufficient Processes and Procedures to Address Misconduct*, OIG-18-81, September 26, 2018



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lacking data monitoring and metrics to gauge program performance. Without oversight through defined policies and program management, DHS cannot make informed decisions to improve the program and ensure all components manage the misconduct process consistently. Additionally, this shortcoming could lead to costly litigation due to inappropriate or unenforceable disciplinary determinations.

We distributed a survey to identify how DHS employees perceive the Department's disciplinary process. Although the results of our employee survey were overall favorable, respondents identified areas of weakness, including negative perceptions of senior leaders' behavior and the need for more disciplinary training for supervisors. Given the survey results and the lack of sufficient policies and procedures, the Department cannot ensure it treats all employees equally or that components have properly addressed or referred all misconduct allegations.

### **Department Has Insufficient Policies and Procedures**

The Department does not have sufficient policies and procedures to address misconduct. Specifically, Directive 250-09, *Discipline and Adverse Actions Program* (Policy) does not include procedures for reporting allegations of misconduct or clearly define key discipline terms used across the components. Employee Relations' staff do not oversee the misconduct process because they do not believe they are responsible for overseeing allegations. Further, they believe other aspects of the disciplinary process are already defined or unimportant. Without comprehensive department-wide procedures, DHS cannot ensure all components address allegations properly or administer disciplinary actions consistently. Additionally, this could lead to costly litigation from inappropriate or unenforceable discipline.

### **DHS Has Not Established Comprehensive Guidance for the Misconduct Process**

The Department has not created a comprehensive policy that includes guidance for the entire misconduct process — from allegations of misconduct to disciplinary procedures. There are multiple offices and processes for managing allegations of misconduct at DHS. The Chief Human Capital Officer is responsible for establishing and administering department-wide human resources policy and procedures. The Chief Human Capital Officer also oversees and directs component disciplinary actions. However, the Policy does not define misconduct, how to report allegations of misconduct, or to whom allegations should be reported. Employee Relations also does not require components to report allegation data and has analyzed Department discipline



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data once. Periodic collection and analysis of this information is necessary for Employee Relations to carry out its oversight functions. Instead, the Policy focuses on the disciplinary process and a table of offenses and penalties.

Employee Relations does not oversee the allegation process because, according to staff, it is not part of the formal disciplinary process and is therefore outside of Employee Relations' area of responsibility. Rather, Employee Relations staff believe OIG is responsible for overseeing misconduct allegations. In actuality, OIG and DHS components have some overlapping responsibilities in this area. The *Inspector General Act of 1978* (IG Act) authorizes OIG to receive and investigate complaints of waste, fraud, and abuse, including complaints of misconduct by Department employees.<sup>4</sup> Under the IG Act, OIG also oversees internal investigations performed by DHS components with investigative authority to ensure that those components comply with generally accepted investigative practices.<sup>5</sup> OIG does not have sole responsibility for investigating and overseeing allegations of misconduct. Although DHS Management Directive 0810.1 identifies categories of allegations that DHS and its components must report immediately to OIG, OIG can refer any allegation in those categories back to the appropriate component, should it decide not to investigate. Management Directive 0810.1 also describes categories of allegations for which DHS components must open administrative investigations and provide notice of the investigations to OIG within 5 days. For these categories of allegations, the DHS component controls the investigation, unless the OIG notifies DHS or the relevant component of its intent to assume control of the investigation.

The authority granted to OIG in the IG Act and reaffirmed in Management Directive 0810.1 does not eliminate the Department's responsibility to oversee its misconduct process. However, because the Department has not created a comprehensive policy that includes guidance for the entire misconduct process, it cannot ensure that components have addressed or referred all misconduct allegations to the appropriate offices.

### **DHS' Policy Does Not Include Critical Definitions**

Employee Relations has not defined critical discipline terms in the Policy. Although the Policy includes definitions for days, furlough, indefinite suspension, and suspension, it only refers to, but does not define, discipline or

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<sup>4</sup> 5 United States Code (U.S.C.) App. 3, §§ 4, 7. Additionally, OIG has the duty and responsibility to, among other things, conduct, supervise, and coordinate audits and investigations, and recommend policies for other activities carried out by the Department for the purpose of preventing and detecting fraud and abuse.

<sup>5</sup> 5 U.S.C. App. 3, § 8I(e)



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progressive discipline. Further, Employee Relations has neither defined alternative discipline nor covered the parameters for using it, even though four components implement or address alternative discipline. Additionally, OPM and the Merit Systems Protection Board support guidance to establish alternative discipline policies and understand the legal complexities.<sup>6</sup> Table 1 illustrates gaps in DHS guidance and component policies.

<b>Table 1. Inclusion of Key Definitions and Concepts in DHS and Component Policies</b>								
	<b>DHS</b>	<b>TSA</b>	<b>USCIS*</b>	<b>USCG†</b>	<b>CBP</b>	<b>FEMA</b>	<b>ICE</b>	<b>USSS‡</b>
Progressive Discipline	○	●	○	●	○	●	○	●
Discipline	○	○	●	●	●	●	●	●
Alternative Discipline	✘	○	●	○	✘	●	✘	✘
<b>Table Key:</b> ○ Undefined, but referred to as a practice ● Defined ✘ Undefined								

Source: *DHS OIG analysis of DHS and component policies*

Note: \* U.S. Citizenship and Immigration Services; † United States Coast Guard;

‡ United States Secret Service

DHS’ Policy lacks critical definitions, because, according to Employee Relations officials, additional definitions were not important or are already included in Federal regulations. Officials also believe supervisor performance standards provide guidance and expectations. The standards require supervisors to address conduct in a timely and appropriate manner and promptly address allegations with appropriate action. However, the Department’s Policy does not give supervisors guidance or clarify expectations such as “timely,” “appropriate,” and “promptly.” These terms are vague and supervisors may interpret them inconsistently. Without department-wide procedures, DHS cannot ensure supervisors administer disciplinary actions consistently and may leave itself vulnerable to costly litigation over inappropriate disciplinary action or unenforceable agreements.

<sup>6</sup> *Alternative Discipline: Creative Solutions for Agencies to Effectively Address Employee Misconduct*, Merit Systems Protection Board, July 2008. The Merit Systems Protection Board is an independent, quasi-judicial agency that adjudicates individual employee appeals and conduct non-partisan studies on merit and effective management of the Federal workforce.



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### **DHS Does Not Effectively Manage Misconduct**

The Department does not oversee components to ensure they are addressing misconduct. Specifically, DHS does not ensure component policies comply with Department policy, does not collect allegation data or monitor misconduct data, and has not created performance measures, goals, or objectives to assess the program's effectiveness. As a result, DHS cannot make informed decisions and may be missing opportunities to improve the program.

### **DHS Has Not Ensured Component Policies Comply with Department Policy**

The Department's Policy allows each component to develop and administer its own policy; however, Employee Relations has not ensured the components' existing disciplinary policies are consistent with the Department's policy. During the course of our audit, components provided more than 90 conduct and discipline-related policies. The *National Defense Authorization Act of 2017* emphasizes the importance of coordinating department-wide policy development to promote quality and consistency across components.<sup>7</sup> Further, according to internal control standards, agencies benefit from procedures to continually reassess and improve guidance processes and documents.<sup>8</sup>

In November 2016, when DHS issued its Policy (Directive 250-09, *Discipline and Adverse Actions Program*), Employee Relations had no plans to monitor or evaluate components' policies. According to Employee Relations officials, they assumed the new policy was broad enough that all existing component policies should already comply. Without monitoring and evaluating component guidance, DHS cannot assess whether components are applying the guidance in its Policy consistently.

### **DHS Does Not Collect or Monitor Components' Misconduct Data**

The Department does not collect or monitor the components' data to understand the number of allegations, types of misconduct reported, or trends across the Department. According to GAO, Federal agencies should design their controls to include continual monitoring built into operations. Monitoring may include automated tools, which can increase objectivity and efficiency by electronically compiling evaluations. To ensure the Department and its components are addressing misconduct and for effective oversight and

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<sup>7</sup> *National Defense Authorization Act of 2017*, Public Law 114-328, § 1902, 130 Stat. 2670 (amending the *Homeland Security Act of 2002*, Public Law 107-296, 116 Stat. 2135, by adding "Sec. 709. Office of Strategy, Policy, and Plans")

<sup>8</sup> *Standards for Internal Controls in the Federal Government*, GAO-14-704G, September 2014



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informed decisions, Employee Relations should know the number of allegations per component, the types of allegations reported, and if appropriate, the disciplinary action administered. The Department does not have a system to collect or track misconduct information, nor does it have a process to review component allegations to ensure components responded appropriately when determining whether to apply discipline. Employee Relations personnel stated that their office collects some information regarding discipline and adverse actions through a yearly data call, but must manually compile responses to prepare a department-wide response. This process is inefficient for Employee Relations' limited staff of three people, and the data the office reports to stakeholders is susceptible to human error.

In a previous report on DHS support components, we noted the Human Resources Management and Services (HRMS) office within OCHCO had not tracked allegations or properly referred all cases to OIG.<sup>9</sup> If the Department had better data and oversight of the process, DHS could have potentially discovered and addressed these problems more proactively.

Employee Relations has not identified trends in disciplinary actions taken throughout the Department. Failing to monitor component data impedes the Department's ability to identify and address trends in employee misconduct, as well as oversee components' efforts to address misconduct. Trend analysis of disciplinary data could provide insight on training issues or help mitigate systemic misconduct issues.

The Department has not analyzed trends to determine whether misconduct issues are systemic. Identifying systemic issues and their causes would allow the Department to develop and apply corrective actions that could improve department-wide program effectiveness. For example, DHS has not analyzed trends for the numerous issues cited in reports on DHS' conduct and discipline programs. (See appendix C.) Further, in a 2015 DHS Human Resources Management Evaluation, OPM recommended that the Department consider consolidating human capital accountability reports to inform OCHCO program managers of any overarching themes across the components. However, during our audit, Employee Relations officials said they did not believe conducting these types of analysis would provide useful results. By not analyzing trends, DHS is missing opportunities to identify potential problems and mitigate problems before they become repetitive and costly.

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<sup>9</sup> *DHS Support Components Do Not Have Sufficient Processes and Procedures to Address Misconduct*, OIG-18-81, September 26, 2018. OCHCO's Human Resources Management and Services provides human capital services to most DHS support components.



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### **OCHCO Has Not Defined Responsibilities for the Employee Relations Office**

Although Employee Relations assumed the responsibility for administering the discipline and adverse action policy for DHS, OCHCO has not provided Employee Relations with specific roles and responsibilities. During the audit, Employee Relations officials could not provide any written document outlining the office's objectives. Instead, they described their primary oversight activities as:

- reviewing and commenting on draft legislation;
- discussing changes in law and OPM guidance with components (e.g., *National Defense Authorization Act of 2017*);
- liaising between OPM and Congress; and
- responding to congressional requests.

In addition, Employee Relations has not developed standard operating procedures and has not reported any performance metrics to OCHCO for its operational activities. Employee Relations officials said much of what they do is respond to congressional requests and these ad hoc activities make it difficult to create standard operating procedures or measure results.

According to internal control standards, establishing goals and objectives ensures an agency meets its mission, strategic plan, and goals so it can assess performance. Without defined objectives, performance metrics, and standard operating procedures, and with limited Employee Relations officials, DHS risks operational inconsistencies and losing important organizational knowledge.

### **DHS Has Not Measured the Effectiveness of Its Disciplinary Program**

Employee Relations has not established performance measures or goals to assess the effectiveness of the Department's disciplinary program. According to the Department's Policy, the Chief Human Capital Officer must regularly evaluate the Department's disciplinary and adverse actions program. We requested documentation showing how the office complies with the Policy by assessing the Department's effectiveness, but the office could not provide any measures or reports documenting how it has evaluated the program.

The OCHCO Accountability Office conducts human capital audits, including a review of a sample of disciplinary denials of within grade increases, reductions in grade, and removal cases as part of a high-level review of all types of human relations activity. The audits, however, do not evaluate the effectiveness or efficiency of components' disciplinary programs. OPM requires these human



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capital audits, and an OPM official suggested that human capital auditing should also review specific issue areas, such as the timeliness of misconduct investigations.

An October 2014 Homeland Security Studies and Analysis Institute report, *Measuring for Results: Key Concepts for Understanding the Performance of DHS Programs and Activities*, noted that measuring program results can drive program improvements. By not evaluating its performance, DHS cannot make informed decisions and may be missing opportunities to improve the program.

### **DHS Employee Survey Results**

We conducted a department-wide survey of civilian employees to establish a baseline of employee views for elements of conduct and discipline. We sent 192,495 survey invitations to DHS employees and received 54,108 anonymous responses, a 28 percent response rate. Appendix E contains a complete list of survey questions and a compilation of responses. Our analysis showed favorable results for a majority of questions, but room for improvement on perceptions of senior leader conduct and discipline and greater need for supervisor training on this topic. DHS should review the survey results for opportunities to encourage better operation as a single entity and to promote consistency among components through policy and oversight.

Our analysis showed favorable results to 59 percent of questions.<sup>10</sup> For example, knowledge of workplace rules and standards of conduct, including reporting misconduct, is a key component of conduct and discipline, which we addressed in Questions 7 to 21. Failure to uphold standards can affect employees' or DHS' ability to accomplish their work. Out of 54,108 respondents:

- 92 percent knew what types of behavior are considered misconduct in the workplace;<sup>11</sup>
- 81 percent knew where to find standards of conduct or other policies on

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<sup>10</sup> We define a "favorable" result as a response to a question in which 50 percent or more of respondents selected "agree" or "strongly agree," or 50 percent or more selected "yes" to a yes or no question, except for Questions 10, 33, and 54. For Questions 10, 33, and 54, we defined a "favorable" result as a response in which 50 percent or more of respondents selected "disagree" or "strongly disagree." We excluded demographic and profile questions, and questions for which the outcome was neither positive nor negative (e.g., Questions 11, 20, 24, and 32). See appendix E for a complete list of survey questions and responses.

<sup>11</sup> Question 14: 49,662 of 54,108 respondents. See appendix E.



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workplace behavior;<sup>12</sup> and

- 71 percent would report if they suspected that a co-worker or supervisor was engaged in misconduct.<sup>13</sup>

However, a number of results highlight problems with how respondents view conduct and discipline of senior leaders. Setting the tone at the top demonstrates a commitment to integrity while minimizing fraud and improving morale. Out of 54,108 respondents, 45 percent did not agree that employees at all levels are held accountable for conduct at their component.<sup>14</sup> Components with the largest number of respondents who did not agree include:

- 53 percent of TSA respondents (7,614 out of 14,419)
- 47 percent of CBP respondents (7,504 out of 16,003)
- 47 percent of ICE respondents (2,484 out of 5,241)

In addition to concerns about employee accountability, 49 percent of respondents felt that senior leaders at their components were less likely to be disciplined for violating workplace rules, regulations, or standards of conduct than other employees.<sup>15</sup> For example, 58 percent of TSA respondents felt that component senior leaders were less likely to be disciplined.<sup>16</sup> In January 2018, we issued a report confirming that TSA senior leaders deviated from standard policy and practice in a number of key respects indicating that a Senior Executive Service employee received unusually favorable treatment in the resolution of a disciplinary matter.<sup>17</sup>

At the DHS support components,<sup>18</sup> 40 percent of respondents felt that their senior leaders were less likely to be disciplined for violating workplace rules, regulations, or standards of conduct than other employees.<sup>19</sup> In our report on OCHCO's services, we noted the lack of internal controls at HRMS, which was

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<sup>12</sup> Question 15: 43,940 of 54,108 respondents. See appendix E.

<sup>13</sup> Question 19: 38,267 of 54,108 respondents. See appendix E.

<sup>14</sup> Question 9: 24,379 of 54,108 respondents. See appendix E.

<sup>15</sup> Question 10: 26,569 of 54,108. See appendix E.

<sup>16</sup> Question 10: 8,330 of 14,419 TSA respondents. See appendix E.

<sup>17</sup> OIG-18-35, *TSA's Handling of the 2015 Disciplinary Matter Involving a TSES Employee (Redacted)*, January 8, 2018

<sup>18</sup> We define DHS support components as those components serviced by HRMS. This grouping includes respondents who identified being from: Domestic Nuclear Detection Office (DNDO), Office of Intelligence and Analysis (I&A), Management Directorate, Directorate for Science and Technology (S&T), and respondents who selected "Other Headquarters Components."

<sup>19</sup> Question 10: 846 of 2,117. See appendix E.



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unable to produce any disciplinary case files or records on Senior Executive Service employees.<sup>20</sup>

Our survey contained a question demonstrating that the behavior of senior leaders affects respondents' behavior at work. Across the Department, 45 percent of respondents' behavior was affected by how senior leaders behave at work.<sup>21</sup> DHS should evaluate why many respondents felt that senior leaders were less likely to be disciplined for violating workplace results, regulations, or standards of conduct than other employees. It should also evaluate why so many respondents did not report that employees at all levels are held accountable for conduct at their component and why, at certain components like TSA, CBP, and ICE, the negative response rate for this survey question was higher than the Department's overall response rate. Finally, DHS should review how both of these issues may potentially affect employee behavior.

In addition to evaluating perceptions of senior leaders, DHS should examine its supervisory training on conduct and discipline. Receiving proper training helps supervisors understand their responsibility and authority to address misconduct. Supervisors who mishandle misconduct issues may have problems implementing discipline or have disciplinary decisions overturned. Supervisor and specialist<sup>22</sup> respondents also indicated a need for additional supervisor training on handling misconduct issues. At DHS, 50 percent (6,112 of 12,190) of supervisor respondents said that they need more training on how to handle misconduct and take disciplinary actions.<sup>23</sup> As shown in table 2, supervisors at some components responded with even higher rates.

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<sup>20</sup> *DHS Support Components Do Not Have Sufficient Processes and Procedures to Address Misconduct*, OIG-18-81, September 26, 2018

<sup>21</sup> Question 11: 24,252 of 54,108 respondents. See appendix E.

<sup>22</sup> We defined specialists as respondents who identified themselves as currently working in human resources, employee relations, professional responsibility, or other similar office and responded that they handle disciplinary actions. (Question 43; see appendix E.)

<sup>23</sup> Question 11; see appendix E.



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**Table 2. Supervisors and Specialists Respondents Need More Training**

	Percentage who agreed and strongly agreed	Number of respondents who agreed and strongly agreed	Total number of respondents who answered this question
<i>Q33. I need more training on how to handle misconduct and take disciplinary actions. (Questions for Supervisors) *</i>			
DHS	50%	6,112	12,190
CBP	58%	2,318	4,029
ICE	51%	476	940
HRMS-Serviced Support Components	51%	218	428
<i>Q54. I need more training on misconduct and disciplinary actions. (Questions for Specialists)</i>			
DHS	46%	635	1,367

\* We highlighted select components with the highest percentage of respondents who agreed or strongly agreed. These components are a partial subset of the total number of DHS respondents.

Source: Excerpt from survey results; see appendix E.

We asked specialists whether supervisors were adequately trained in disciplinary actions.<sup>24</sup> Of 1,367 specialist respondents, only 32 percent agreed that supervisors were adequately trained in disciplinary actions. Specialist respondents also reported that they needed more training on misconduct and disciplinary actions.<sup>25</sup> DHS should evaluate why responses about training needs are inconsistent. DHS should also evaluate the content and frequency of its training to supervisors on misconduct and discipline to ensure they understand how to identify and address misconduct without risking having their decisions overturned.

All chief human capital officers have a statutory responsibility to “identif[y] best practices and benchmarking studies.”<sup>26</sup> The DHS Chief Human Capital Officer should consider using these results as it studies positive results about standards of conduct. The results could also aid in addressing negative perceptions about conduct and discipline of senior leaders and the training needs of supervisors.

<sup>24</sup> Question 56; see appendix E.

<sup>25</sup> Question 54; see appendix E.

<sup>26</sup> 5 U.S.C. §1402(a)(5)



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### Recommendations

**Recommendation 1:** We recommend the Under Secretary for Management designate or establish an entity with sufficient size and authority to oversee the Department's entire misconduct process from allegations to disciplinary actions.

**Recommendation 2:** We recommend the Under Secretary for Management ensure the designated entity implement a formal reporting process, with documented procedures for handling and reporting all misconduct allegations.

**Recommendation 3:** We recommend the Chief Human Capital Officer revise the DHS Discipline and Adverse Actions Program directive and instruction to provide comprehensive guidance, including definitions for key misconduct terms and the use of alternative discipline.

**Recommendation 4:** We recommend the Under Secretary for Management require that the designated misconduct oversight entity conduct a comprehensive assessment of components' policies to establish a baseline for handling allegations and disciplinary actions that promotes quality and consistency across components.

**Recommendation 5:** We recommend the Chief Human Capital Officer work with the Under Secretary for Management to require the designated misconduct oversight entity:

- a. identify all offices that receive misconduct allegations or identify potential misconduct; and
- b. establish a system of record and process to routinely capture, manage, and monitor components' management of misconduct.

**Recommendation 6:** We recommend the Chief Human Capital Officer establish objectives and performance metrics for the Employee Relations office and implement written standard operating procedures defining the office's responsibilities.

**Recommendation 7:** We recommend the Chief Human Capital Officer develop and implement a process to assess the effectiveness of the Department's disciplinary program. The process should include documented procedures, measurable goals, and periodic trend analyses.



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**Recommendation 8:** We recommend the Chief Human Capital Officer work with the Under Secretary for Management to evaluate survey responses and develop a corrective action plan to address unfavorable results.

### DHS Comments and OIG Analysis

DHS concurred with all eight of our report recommendations. We incorporated the Department's comments, responses to our recommendations, and our analysis with the applicable recommendations in the report. We also included a copy of the management comments in their entirety in appendix B. DHS also provided technical comments to our draft report, and we revised the report where appropriate.

In its comments to the report, DHS expressed concern that implementing the report recommendations could have the unintended consequence of transferring some of OIG's investigative oversight authority to the Chief Human Capital Officer. For example, DHS expressed concern that implementing our recommendation could require the Chief Human Capital Officer to oversee OIG investigations referred to OIG pursuant to DHS Management Directive 0810.1. DHS does not believe that this transfer of authority is appropriate.

We are not recommending that the Chief Human Capital Officer oversee OIG activity, as OIG is independent from the Department and not subject to the Chief Human Capital Officer's authority. Rather, our recommendations relate to providing oversight of allegations and investigations for which the Department is responsible, including:

- referral of allegations or complaints to OIG;
- administrative inquiries or investigations for categories of allegations that DHS components must open under Management Directive 0810.1;
- allegations referred back to DHS components by OIG; and
- administrative action undertaken as a result of DHS and OIG investigations, including those involving senior leaders.

The Department also stated that our audit did not demonstrably prove that the Department's misconduct process is ineffective. We believe the Department bears the responsibility for demonstrating that it has managed misconduct effectively through performance measures, which it has not done and cannot do without data and oversight.

**DHS Response to Recommendation 1: Concur.** The Deputy Under Secretary for Management will convene a working group of representatives from the OCHCO, Office of the Chief Security Officer, Office of General Counsel, and



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Component investigative offices to determine what enhancements can be made to the entirety of the misconduct allegation, investigation, and disciplinary process. Estimated Completion Date: May 31, 2020.

**OIG Analysis:** We consider DHS' actions responsive to the intent of this recommendation. We consider this recommendation resolved and open. The recommendation will remain open until DHS establishes and assigns an entity to provide oversight for the Department's misconduct process.

**DHS Response to Recommendation 2: Concur.** The working group that the Deputy Under Secretary for Management convenes will document reporting processes and procedures for handling and reporting misconduct allegations. Estimated Completion Date: May 31, 2020.

**OIG Analysis:** We consider DHS' actions responsive to the intent of this recommendation. We consider this recommendation resolved and open, pending implementation of a formal reporting process and review of the documented procedures for handling and reporting all misconduct allegations.

**DHS Response to Recommendation 3: Concur.** DHS will update Directive 250-09, "Discipline and Adverse Actions Program," to include additional definitions. The Department noted that the current directive and instruction comport with OPM policies and procedures for taking adverse action. Estimated Completion Date: September 30, 2019.

**OIG Analysis:** The Department maintains that its policy complies with statutory and government-wide regulations for taking adverse action. However, it has also acknowledged that components are empowered to establish more specific disciplinary policies. Our audit confirmed that components have done so in key areas. The Department is also responsible for providing a unified policy in order to encourage consistency among components and offer additional guidance about the Department's intended disciplinary approach. We consider this recommendation resolved and open, pending completion and receipt of a revised, comprehensive directive and instruction, including key definitions.

**DHS Response to Recommendation 4: Concur.** DHS responded that the OCHCO has not been designated to oversee the processes that various investigative offices use to handle allegations of misconduct. DHS stated that the working group established under the Deputy Under Secretary for Management in response to Recommendation 1 will also examine whether additional policies are necessary for handling allegations of misconduct. Estimated Completion Date: May 31, 2020.



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**OIG Analysis:** In response to DHS' comments to our draft report, we revised this recommendation to be directed to the Deputy Under Secretary for Management. We consider this recommendation resolved and open. The recommendation will remain open until DHS provides documentation of the assessment of component policies for handling allegations to promote quality and consistency across components.

**DHS Response to Recommendation 5: Concur.** According to the Department, OCHCO is developing a case tracking system that will track disciplinary and adverse actions across all components and will develop a reporting process to capture, manage, and monitor component's management of discipline and adverse action. Estimated Completion Date: March 31, 2022.

**OIG Analysis:** Although DHS has described a system that tracks disciplinary actions, this system should also capture allegations of misconduct. Without misconduct allegation data, the Department cannot provide oversight or conduct trend analysis to determine whether components are effectively addressing substantiated allegations through the disciplinary program. We consider this recommendation unresolved and open, pending implementation of a new case management system and a new documented, formal reporting process with procedures for handling and reporting all misconduct allegations.

**DHS Response to Recommendation 6: Concur.** According to DHS, OCHCO developed a standard operating procedure following our audit, which DHS provided to OIG in response to our draft. The Department also maintains that OCHCO has employee performance plans. DHS requested closure of this recommendation.

**OIG Analysis:** The Employee Relations Office's standard operating procedure is an important improvement and responsive to the intent of part of our recommendation. However, DHS has not provided its objectives and performance metrics for the Employee Relations office. While employee performance plans are important tools to evaluate individual performance, they are not a substitute for developing specific, measurable, achievable, relevant, and timely performance goals for the Employee Relations office. We consider this recommendation unresolved and open. This recommendation will remain open until we receive the Employee Relations office develops and implement performance goals that it will report to its management.

**DHS Response to Recommendation 7: Concur.** According to DHS, OCHCO has established a yearly review of disciplinary and adverse action trends. It provided documentation of its first two assessments produced in 2017 and



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2018, which it distributed to components through its Human Capital Leadership Council. DHS requested closure of this recommendation.

**OIG Analysis:** We reviewed the Department's August 2017 assessment covering fiscal years 2013-2016 during the course of our audit and did not find that it provided a trend analysis. However, the Department's March 2018 assessment of fiscal year 2017 is an improvement, containing trend analysis and observations about changes from prior years. The assessment also included recommendations with timeframes for implementation. Although the Department has requested closure of this recommendation, it has not provided documented procedures on how this analysis should be conducted, who should conduct it, how often it should be conducted, and who should review it. We consider this recommendation resolved and open, pending documentation of the Department's process for completing the analysis.

**DHS Response to Recommendation 8: Concur.** The Chief Human Capital Officer will review survey responses and develop a corrective action plan to address unfavorable results. Estimated Completion Date: October 31, 2019.

**OIG Analysis:** The Department's corrective action is responsive to the recommendation. The recommendation will remain open and resolved until the Department provides evidence to support that corrective actions are completed.



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### **Appendix A**

#### **Objective, Scope, and Methodology**

The DHS Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

The objective of this department-wide audit of conduct and discipline was to determine whether DHS and its components have sufficient processes and procedures to address conduct issues. To address the audit objective, the team developed three sub-objectives to target its work:

- the Department's oversight of the components' disciplinary process;
- the Department and the components' process for reporting and addressing misconduct; and
- how the disciplinary process is perceived by employees at all levels across the Department.

To address the first sub-objective, we reviewed and analyzed Federal laws and regulations, guidance, and reports, including guidance from the Merit System Protection Board and the Office of Personnel Management. We reviewed DHS policies and procedures to determine any effort to establish and provide guidance on the DHS disciplinary process. We also analyzed other relevant DHS policies and procedures for handling conduct, including:

- DHS Management Directive 0810.1, *The Office of Inspector General*;
- DHS Management Directive 250-09, *Discipline and Adverse Actions Program*;
- DHS Instruction No. 250-09-001, *Discipline and Adverse Actions Program*; and
- the CHCO HRMS Employee Relations standard operating procedures.

We interviewed officials from the Office of Personnel Management and DHS officials from the:

- Office of the Chief Financial Officer;
- Office of the Chief Human Capital Officer;
- Office of the Chief Information Officer;
- Office of the Chief Security Officer;
- Office of General Counsel;
- DHS Privacy Office; and
- Office of Civil Rights and Liberties.



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We interviewed officials with TSA Federal Air Marshal Service and TSA Headquarters. We judgmentally selected supervisors using a variety of criteria from the S&T; I&A; and Office of the Chief Procurement Officer. We also examined allegation and disciplinary case file reviews to determine whether HRMS and components followed Federal and DHS requirements and policy. We selected the top five most common types of misconduct allegation categories in FYs 2014–2016 at TSA Federal Air Marshal Service and the DHS support components. For each type of misconduct allegation, we randomly selected five judgmental case files/samples using a random number generator.

The team used GAO’s standards for internal control to assess the program, with specific focus on the following standards:

- Objectives in specific terms, clearly defining what is to be achieved, who is to achieve it, how it will be achieved, and timeframes for achievement, with objectives in alignment with the organization’s mission, strategic plan, and performance goals.
- Objectives that are measurable so that performance toward achieving them can be assessed.
- Management documentation of policies for each unit in its area of responsibility and with the appropriate level of detail to allow management to effectively monitor activity.
- Documentation that provides a means to retain organizational knowledge and mitigate the risk of having that knowledge limited to a few personnel, as well as a means to communicate the knowledge as needed to external parties, such as external audits.
- Importance of periodically reviewing policies for continued relevance and effectiveness in addressing related risks.

We addressed the second sub-objective in two separate reports:

- *The Federal Air Marshal Service Has Sufficient Policies and Procedures for Addressing Misconduct*, OIG-17-104, September 13, 2017
- *DHS Support Components Do Not Have Sufficient Processes and Procedures to Address Misconduct*, OIG-18-81, September 26, 2018

To address the third sub-objective, we conducted interviews and sought responses to a department-wide survey. We sent the survey to all DHS employees (excluding contractors and active military). The team consulted DHS OCHCO regarding Union Notifications. To establish our survey population, we requested and relied upon employee rosters from the National Finance Center



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for each component. The team developed survey questions for three subsets of employees:

- employees,
- supervisors/managers, and
- employee relations and human resources (HR) specialists.

OPM research psychologists reviewed our survey methodology and questions for bias prior to issuance. We used a web-based survey software approved by DHS Office of Privacy and the Chief Information Security Officers at DHS and OIG.

We issued 192,495 surveys between June 29, 2017, and July 14, 2017. We received 54,108 completed surveys for a response rate of 28.11 percent.

We assumed employees answered the survey candidly and correctly, including their component identification. Upon receiving the results, we categorized component responses. We compiled results from components with fewer than 3,000 responses into one grouping to protect respondent anonymity.

Respondents categorized in the “Components with <3,000 Respondents” are the Federal Law Enforcement Training Centers (FLETC), National Protection and Programs Directorate (NPPD), U.S. Secret Service (USSS), and U.S. Coast Guard (USCG) civilians. We also grouped responses from Management Directorate, DNDO, S&T, I&A, and respondents who selected “other Headquarters components” under “HRMS-Serviced Support Component Respondents,” because employees from these components all receive human resources services from DHS OCHCO.

We reported complete responses. During our analysis of survey results, we discovered that seven questions contained an error. As such, the survey added one to three responses for each question that we were unable to correct. These questions are noted in a footnote in appendix E.

We were unable to conduct data reliability testing of SurveyMonkey data, because the survey responses were anonymous. We reviewed the data and performed limited testing for completeness and errors. During our review, we discovered that some non-supervisors and non-HR specialists were provided some questions in those sections. We were able to eliminate this error by using two control questions. For the supervisory section, we only reported instances when the respondents replied they were supervisors or executives for question 5 and answered yes to question 29. For HR specialists, we reported responses when respondents indicated yes, they worked in a human resources, employee relations, professional responsibility or other similar office, and also that their



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work includes handling disciplinary decisions. We used a Rating Scale or Likert Scale for some questions. SurveyMonkey automatically calculated a weighted average based on a 1-to-5 Strongly Disagree-Strongly Agree response scale; the answer choices “do not know/no basis to judge,” “I don’t know,” and “I do not know” were not factored into calculating the rating average. Lastly, we note that the reported percentages may not always add up to 100 percent due to rounding errors.

We conducted this performance audit between March 2016 and March 2018 pursuant to the *Inspector General Act of 1978*, as amended, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.



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**Appendix B**  
**DHS Comments to the Draft Report**

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



**Homeland  
Security**

April 10, 2019

MEMORANDUM FOR: Sondra F. McCauley  
Assistant Inspector General for Audits  
Office of Inspector General

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

SUBJECT: Management Response to OIG Draft Report: "DHS Needs to  
Improve its Oversight of Misconduct and Discipline"  
(Project No. 16-025-AUD-DHS)

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

DHS is pleased to note OIG characterized the results of its Department-wide survey of how employees perceive DHS's disciplinary process as, "overall favorable." The results of OIG's survey showed, in part, that:

- 92 percent of respondents knew what types of behavior are considered misconduct in the workplace;
- 81 percent of respondents knew where to find standards of conduct or other policies on workplace behavior; and
- 71 percent of respondents would report if they suspected that co-worker or supervisor was engaged in misconduct.

It is important, however, to also highlight DHS' concern that the full implementation of the recommendations in this draft report could have the unintended consequence of effectively transferring some of the OIG's investigative oversight authority to the DHS Chief Human Capital Officer (CHCO). Specifically, DHS Management Directive (MD) 0810.1, "The Office of Inspector General," gives the OIG an important role in the misconduct and discipline process, authorizing it to receive and investigate certain levels of allegations of misconduct or fraud, which OIG may then decide to initiate an investigation or refer the allegation to the Component for review. Consistent with



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“Inspector General Act of 19798 (as amended)” (IG Act) requirements, the OIG also has “oversight responsibility for the internal investigations” conducted by Component investigative offices. In addition, MD 0810.1 requires that each organizational element, or Component, refer certain categories of misconduct, including all allegations of misconduct against employees at or above the GS-15 level, to the OIG.

Once allegations are substantiated, they are typically provided to the supervisor. The employee relations staff advises on appropriate action at the Component level. The CHCO, in turn, reviews aggregate disciplinary data, by Component, at the Department level. It appears that OIG’s recommendations would give the CHCO authority to oversee OIG misconduct-related activities at some level, in addition to those of other investigative offices across the Department. While the Department agrees that the process for investigating, substantiating and reporting allegations of misconduct could be strengthened, senior DHS leadership does not believe it would be:

- (1) consistent with the IG Act to transfer any OIG responsibility to the CHCO given the unique and independent status OIG occupies within the Department, nor
- (2) appropriate to spend a substantial amount of money to do this, such as creating a new oversight office to oversee the process, until all of the requirements for strengthening the process are fully examined and substantiated, which OIG’s audit did not accomplish.

The draft report contained eight recommendations, with which the Department concurs. Attached find our detailed response to each recommendation. Technical comments were previously provided under separate cover.

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 in the future.

Attachment



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### **Attachment: Management Response to Recommendations Contained in the Report for Project No. 16-025-AUD-DHS**

The OIG recommended that:

**Recommendation 1:** The Chief Human Capital Officer work with the Under Secretary for Management to designate or establish an entity with sufficient size and authority to oversee the Department's entire misconduct process from allegations to disciplinary actions.

**Response:** Concur. As noted in the technical comments CHCO provided in response to OIG's draft report, the CHCO has authority, carried out through the Department's operating Components, for the disciplinary process across the Department. This process, which is heavily prescribed by statute and regulation, begins once allegations of misconduct have been substantiated. Consistent with MD 0810.1, allegations of misconduct are made in substantive part to OIG and Component investigative offices. The report does not explain how effectively transferring some level of OIG's oversight responsibility to the CHCO would be consistent with the IG Act, MD 0810.1, nor does the report detail the expected costs and benefits of establishing the recommended entity.

For example, the OIG's employee survey findings reflect concern that allegations of misconduct against members of the Senior Executive Service – a group whose misconduct allegations must be reported to the OIG per MD 0810.1 – are not resulting in disciplinary action. Since the OIG has the right of first refusal on these cases, it seems that this recommendation would create a situation where the Management Directorate and the CHCO would be overseeing OIG action(s), which senior DHS leadership does not believe is appropriate.

In addition, DHS does not believe the draft report demonstrably proves that the intake, investigation, and substantiation of allegations of misconduct by investigative bodies in the Department is ineffective. While there may be some merit to establishing an oversight entity for the entire process — from misconduct allegation/investigation through to disciplinary action — establishing such an entity would be costly, perhaps more than \$2 million annually. DHS would not be a good steward of taxpayer funds if it committed to this expenditure before fully understanding what misconduct and discipline process shortfalls exist.

To this end the Deputy Under Secretary for Management will convene a workgroup of representatives from the DHS Office of the Chief Human Capital Officer (OCHCO), Office of the Chief Security Officer (OCSO), Office of the General Counsel (OGC), and Component investigative offices to determine what enhancements can be made to the process to most appropriately address OIG's concerns. Recognizing the OIG's role in the



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process, we believe it critical that a representative from OIG also participate in this workgroup in a way that does not compromise the individual's or organization's independence. Estimated Completion Date (ECD): May 31, 2020.

**Recommendation 2:** The Chief Human Capital Officer work with the Under Secretary for Management to ensure the designated entity implement a formal reporting process with documented procedures for handling and reporting all misconduct allegations.

**Response:** Concur. As stated in the response to Recommendation 1, the Deputy Under Secretary for Management will convene a workgroup of representatives from the OCHCO, OCSO, OGC, and Component investigative offices (and hopefully OIG) to determine what enhancements can be made to the process to most appropriately address OIG's concerns. As part of its efforts, the workgroup will document the reporting process and procedures for handling and reporting all misconduct allegations. ECD: May 31, 2020.

**Recommendation 3:** The Chief Human Capital Officer revise the DHS directive and instruction to provide comprehensive guidance including definitions of key misconduct terms and the use of alternative discipline.

**Response:** Concur. It is important to note that the current DHS policy (i.e., Directive 250-09, "Discipline and Adverse Actions Program") conforms to statutory and government-wide regulations. Specifically, as explained by the U.S. Office of Personnel Management (OPM), "there is no general definition of the term 'misconduct' in statute or government-wide regulations. OPM promulgates and DHS policy comports with higher level policies and procedures for taking adverse actions under chapter 75 of title 5 U.S.C." The CHCO will, however, update the policy to include definitions for "alternative discipline" and "progressive discipline." ECD: September 30, 2019.

**Recommendation 4:** The Chief Human Capital Officer work with the Under Secretary for Management to require that the designated oversight office conduct a comprehensive assessment of components' policies to establish a baseline for handling allegations and disciplinary actions that promotes quality and consistency across components.

**Response:** Concur. The CHCO has been designated by the Under Secretary for Management as responsible for overseeing disciplinary and adverse actions taken across the Department. OCHCO will continue to annually assess trends and communicate results to the Department's Human Capital Leadership Council. For example, the OCHCO performed a review of Component Discipline and Adverse Action policies in February of 2018 and found that Components are meeting legal, regulatory, and DHS policy compliance requirements.



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However, as discussed during OIG’s audit fieldwork, the disciplinary process in the Federal Government is governed by a prescriptive set of standards set out in chapter 75 of title 5, U.S.C. The law, government-wide regulations, U.S. Merit Systems Protection Board case law, and Component Tables of Penalty form the baseline for taking disciplinary action across the Department. As to consistency across Components, it is important to recognize that in determining the individual penalty, agencies are required to apply the Douglas Factors (included as Appendix B of the DHS Disciplinary and Adverse Actions Program Instruction), thereby taking into consideration factors such as supervisory status, prior discipline, mitigating circumstances, notoriety of the offense, etc.<sup>1</sup> Although one factor is consistency of the penalty with those imposed upon other employees for the same or similar offenses, applying the 11 other factors can create inconsistency, but deliver a penalty that is “fair” given the specific facts and circumstances of the case. The Table of Penalties within a given Component is meant to ensure some level of consistency in the penalties for disciplinary action taken within each Component.

OCHCO has not been designated to oversee the processes that various investigative offices use to handle allegations of misconduct. As stated in response to Recommendation 1, the Deputy Under Secretary for Management will convene a workgroup comprised of representatives from OCHCO, OCSO, OGC and Component investigative offices (and hopefully OIG) to determine what enhancements can be made to the process to most appropriately address OIG’s concerns. As part of its efforts, the workgroup will determine whether additional policies are necessary for handling allegations of misconduct. ECD: May 31, 2020.

**Recommendation 5:** The Chief Human Capital Officer work with the Under Secretary for Management to require the designated oversight office:

- a. identify all offices that receive misconduct allegations or identify potential misconduct; and
- b. establish a system of record and process to routinely capture, manage, and monitor component’s management of misconduct.

**Response:** Concur. The CHCO has identified all offices that receive misconduct allegations. The OCHCO is developing a case tracking system that will track disciplinary and adverse actions across all Components and will develop a reporting process to capture, manage, and monitor Component’s management of these actions. Current plans are to select a software provider by July 30, 2019, and to complete development of the tracking system by March 31, 2020; however, if an external acquisition process is

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<sup>1</sup> See GAO-18-48, “Federal Employee Misconduct: Actions Needed to Ensure Agencies Have Tools to Effectively Address Misconduct,” July 16, 2018, pp 8 - 13.



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necessary it may take until March 31, 2022 to complete the system. ECD: March 31, 2022.

**Recommendation 6:** The Chief Human Capital Officer establish objectives and performance metrics for the Employee Relations Office and implement written standard operating procedures defining the office's responsibilities.

**Response:** Concur. In addition to the goals and objectives provided within the employee performance plan, in April of 2018 the OCHCO Human Capital Policy and Programs (HCPP) Labor and Employee Relations staff developed a Standard Operating Procedure (SOP) for the HCPP Employee Relations function. A copy of this SOP was provided to the OIG under separate cover. We request that OIG consider this recommendation resolved and closed as implemented.

**Recommendation 7:** The Chief Human Capital Officer develop and implement a process to assess the effectiveness of the Department's disciplinary program. The process should include documented procedures, measurable goals, and periodic trend analyses.

**Response:** Concur. In 2016, the OCHCO established a procedure for yearly review of disciplinary and adverse action trends. On August 30, 2017, the CHCO issued an Assessment of DHS Discipline and Adverse Actions that covered fiscal years (FY) 2013-2016. On March 26, 2018, the CHCO issued the Assessment of DHS Discipline and Adverse actions for FY 2017. For these assessments, OCHCO HCPP Labor and Employee Relations staff gathered Component data that was analyzed and then validated with Component Employee Relations Chiefs. Component Employee Relations points of contact, led by OCHCO HCPP Labor and Employee Relations Staff, identified trends at the Component and Department level and corrective action plans were developed and implemented. Reports were distributed through the Human Capital Leadership Council.

We note that as prescribed in the Department's December 2016 Human Capital Accountability Plan and in accordance with OPM guidance, DHS Component performance management programs, which include discipline and adverse actions, are evaluated by the OCHCO Accountability Office on a five-year cyclical basis to ensure compliance with federal law. Copies of relevant documents were provided to OIG under separate cover. We request that OIG consider this recommendation resolved and closed as implemented.

**Recommendation 8:** The Chief Human Capital Officer work with the Under Secretary for Management to evaluate survey responses and develop a corrective action plan to address unfavorable results.

**Response:** Concur. The CHCO will review the survey responses and develop a corrective action plan to address unfavorable results. ECD: October 31, 2019.



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**Appendix C**  
**DHS OIG, GAO, and other DHS and Component Misconduct**  
**Reports**

<b>Author/Report Number</b>	<b>Component Reviewed</b>	<b>Title</b>	<b>Date</b>
OIG-12-28	TSA	<i>Allegations of Misconduct and Illegal Discrimination and Retaliation in the Federal Air Marshal Service</i>	January 2012
OIG-12-96	TSA	<i>Review of Allegations of Misconduct and Mismanagement Within TSA's Office of Global Strategies</i>	July 2012
OIG-13-05	TSA	<i>Personnel Security and Internal Control at TSA's Legacy Transportation Threat Assessment and Credentialing Office</i>	October 2012
GAO-13-59	CBP	<i>Border Security: Additional Actions Needed to Strengthen CBP Efforts to Mitigate Risk of Employee Corruption and Misconduct</i>	December 2012
OIG-13-24	USSS	<i>Adequacy of USSS' Internal Investigation of Alleged Misconduct in Cartagena, Colombia</i>	January 2013
Professionalism Reinforcement Working Group	USSS	<i>A Report to U.S. Secret Service (USSS) Director Mark Sullivan</i>	February 2013
GAO-13-624	TSA	<i>Transportation Security Administration (TSA) Could Strengthen Monitoring of Allegations of Employee Misconduct</i>	July 2013
OIG-14-20	USSS	<i>Adequacy of USSS' Efforts To Identify, Mitigate, and Address Instances of Misconduct and Inappropriate Behavior-Redacted</i>	December 2013



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OIG-15-04-IQO	FLETC	<i>Oversight Review of the Department of Homeland Security Federal Law Enforcement Training Center Office of Professional Responsibility</i>	October 2014
OIG-15-108-IQO	NPPD	<i>Oversight Review of the National Protection and Programs Directorate, Internal Affairs Division</i>	June 2015
Pivotal Practices Consulting LLC	CBP	<i>U.S. Customs and Border Protection Complaints and Discipline Systems Review</i>	January 2016
Report by a Panel of the National Academy of Public Administration for the U.S. Secret Service	USSS	<i>Review of Organizational Change Efforts</i>	October 2016

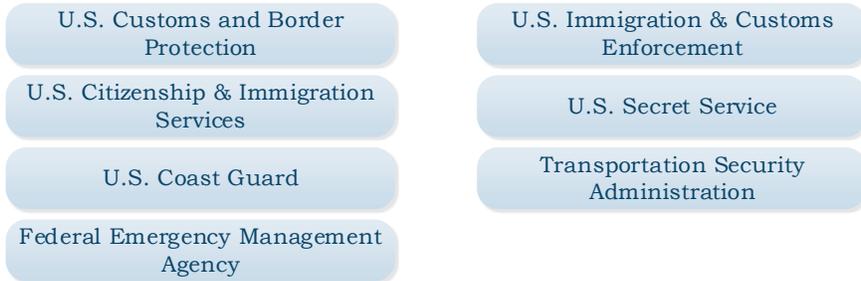
Source: OIG analysis of GAO, OIG, and component reports



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**Appendix D**  
**DHS Operational and Support Components**

**DHS Operational Components**



**DHS Support Components**



Source: OIG analysis



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**Appendix E**  
**OIG Analysis of DHS Employee Survey Results**

**Questions 1 through 28 were answered by all respondents.**

Q1. Component (For other support components not listed, please select "Other Headquarters Components")

Answer Choices	Responses <sup>27</sup>	
U.S. Citizenship and Immigration Services (USCIS) <sup>28</sup>	11.57%	6258
U.S. Coast Guard (USCG)	4.05%	2189
U.S. Customs and Border Protection (CBP)	29.58%	16003
Domestic Nuclear Detection Office (DNDO)	0.12%	63
Federal Emergency Management Agency (FEMA)	8.60%	4655
Federal Law Enforcement Training Centers (FLETC)	1.03%	556
U.S. Immigration and Customs Enforcement (ICE)	9.69%	5241
Office of Intelligence & Analysis (I&A)	0.46%	251
Management Directorate (MGMT)	1.01%	549
National Protection and Programs Directorate (NPPD)	2.21%	1194
Science & Technology (S&T)	0.42%	226
U.S. Secret Service (USSS)	2.73%	1476
Transportation Security Administration (TSA)	26.65%	14419
Other Headquarters Components	1.90%	1028
<b>Total DHS Respondents</b>		<b>54108</b>

<sup>27</sup> Throughout this appendix, response percentages for each question may not always add up to 100 percent due to rounding.

<sup>28</sup> In our original survey, we used informal names for components. For clarity, we listed the components by full title and abbreviation in this appendix.



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**Q2. Time in Agency**

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents <sup>29</sup>		Support Components <sup>30</sup>	
Less than 1 year	3.92%	2120	5.08%	318	1.69%	270	8.68%	404	0.31%	16	4.70%	678	4.65%	252	8.60%	182
1-4 years	14.84%	8027	28.52%	1785	8.34%	1335	22.43%	1044	9.22%	483	13.74%	1981	17.40%	942	21.59%	457
5-10 years	31.07%	16812	28.67%	1794	32.03%	5125	30.96%	1441	36.20%	1897	29.75%	4290	25.80%	1397	41.00%	868
11-15 years	27.92%	15105	15.18%	950	24.22%	3876	23.93%	1114	20.19%	1058	46.61%	6720	17.89%	969	19.74%	418
16-20 years	10.79%	5838	9.67%	605	16.13%	2582	6.51%	303	16.81%	881	4.76%	687	12.80%	693	4.11%	87
21-25 years	5.01%	2713	5.58%	349	8.29%	1327	4.30%	200	8.99%	471	0.23%	33	5.34%	289	2.08%	44
Greater than 25 years	6.46%	3493	7.30%	457	9.30%	1488	3.20%	149	8.30%	435	0.21%	30	16.12%	873	2.88%	61

**Q3. Where is your work location**

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Headquarters-level office	22.15%	11987	26.73%	1673	14.95%	2392	39.81%	1853	16.24%	851	11.26%	1623	39.00%	2112	70.05%	1483
Field Office	77.85%	42121	73.27%	4585	85.05%	13611	60.19%	2802	83.76%	4390	88.74%	12796	61.00%	3303	29.95%	634

**Q4. Are you a law enforcement officer?**

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Yes	32.53%	17600	5.85%	366	67.46%	10795	0.64%	30	62.87%	3295	9.52%	1373	28.07%	1520	10.44%	221
No	67.47%	36508	94.15%	5892	32.54%	5208	99.36%	4625	37.13%	1946	90.48%	13046	71.93%	3895	89.56%	1896

<sup>29</sup> All instances noted as “Components with <3,000 Respondents” includes respondents who identified being from USCG, FLETC, NPPD, and USSS.

<sup>30</sup> All instances noted as “Support Components” in this appendix reference specifically HRMS-Serviced Support Components. Those included respondents who identified being from: DNDO, I&A, Management Directorate, S&T, and respondents who selected “Other Headquarters Components.”



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**Q5. Supervisory Status**

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count
Non-supervisory	76.39%	41333	81.40%	5094	73.75%	11802	74.61%	3473	81.45%	4269	75.05%	10821	77.84%	4215	78.37%	1659
Supervisory	22.34%	12087	17.58%	1100	25.48%	4077	24.49%	1140	17.25%	904	23.20%	3345	20.79%	1126	18.66%	395
Executive	1.27%	688	1.02%	64	0.77%	124	0.90%	42	1.30%	68	1.75%	253	1.37%	74	2.98%	63

**Q6. Do you work in human resources, employee relations, professional responsibility, or other similar office?**

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count
Yes	9.70%	5248	10.99%	688	9.32%	1491	13.10%	610	8.93%	468	8.31%	1198	9.36%	507	13.51%	286
No	90.30%	48860	89.01%	5570	90.68%	14512	86.90%	4045	91.07%	4773	91.69%	13221	90.64%	4908	86.49%	1831

**Q7. My Component’s senior leaders communicate their expectations about standards of conduct to employees.**

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average <sup>31</sup>
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	4.35%	272	8.79%	550	12.11%	758	42.94%	2687	29.59%	1852	2.22%	139	6258	3.87
CBP	6.62%	1059	12.55%	2009	13.58%	2173	44.12%	7060	22.04%	3527	1.09%	175	16003	3.63
FEMA	5.54%	258	11.19%	521	14.50%	675	44.43%	2068	21.74%	1012	2.60%	121	4655	3.67
ICE	6.85%	359	13.03%	683	15.13%	793	41.96%	2199	21.43%	1123	1.60%	84	5241	3.59
TSA	8.37%	1207	13.31%	1919	14.36%	2070	44.11%	6360	19.07%	2749	0.79%	114	14419	3.53
Components with <3,000 Respondents	6.20%	336	10.47%	567	12.43%	673	39.69%	2149	29.94%	1621	1.27%	69	5415	3.78
HRMS-Serviced Support Component Respondents	8.03%	170	12.71%	269	16.20%	343	39.96%	846	21.02%	445	2.08%	44	2117	3.54
Total DHS Respondents	6.77%	3661	12.05%	6518	13.83%	7485	43.19%	23369	22.79%	12329	1.38%	746	54108	3.64

<sup>31</sup> For rating scale or Likert Scale questions throughout the survey, SurveyMonkey automatically calculated a weighted average based on a 1-to-5 Strongly Disagree-Strongly Agree response scale. Answer choices “do not know / no basis to judge,” “I don’t know,” and “I do not know” were not factored into calculating the rating average.



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Q8. My Component’s senior leaders model behavior that is consistent with our standards of conduct.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	6.57%	411	9.84%	616	14.22%	890	33.62%	2104	30.17%	1888	5.58%	349	6258	3.75
CBP	13.13%	2101	18.20%	2913	16.98%	2717	30.83%	4934	16.58%	2654	4.27%	684	16003	3.2
FEMA	8.36%	389	11.49%	535	17.06%	794	35.75%	1664	21.42%	997	5.93%	276	4655	3.54
ICE	12.04%	631	15.30%	802	17.57%	921	30.15%	1580	18.68%	979	6.26%	328	5241	3.3
TSA	16.86%	2431	21.45%	3093	17.31%	2496	27.37%	3947	13.84%	1996	3.16%	456	14419	3
Components with <3,000 Respondents	12.30%	666	14.11%	764	14.18%	768	28.99%	1570	26.09%	1413	4.32%	234	5415	3.44
HRMS-Serviced Support Component Respondents	10.44%	221	12.90%	273	17.24%	365	31.88%	675	23.10%	489	4.44%	94	2117	3.46
Total DHS Respondents	12.66%	6850	16.63%	8996	16.54%	8951	30.45%	16474	19.25%	10416	4.47%	2421	54108	3.28

Q9. In my Component, employees at all levels are held accountable for their conduct.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	11.30%	707	19.34%	1210	15.60%	976	29.05%	1818	17.79%	1113	6.94%	434	6258	3.24
CBP	19.61%	3138	27.28%	4366	14.93%	2390	23.47%	3756	11.67%	1867	3.04%	486	16003	2.8
FEMA	14.20%	661	23.74%	1105	16.13%	751	27.58%	1284	12.29%	572	6.06%	282	4655	3
ICE	21.14%	1108	26.25%	1376	14.29%	749	22.40%	1174	11.70%	613	4.22%	221	5241	2.76
TSA	24.31%	3505	28.50%	4109	13.79%	1988	21.08%	3040	9.66%	1393	2.66%	384	14419	2.62
Components with <3,000 Respondents	18.61%	1008	23.79%	1288	13.92%	754	24.12%	1306	15.22%	824	4.34%	235	5415	2.93
HRMS-Serviced Support Component Respondents	15.68%	332	22.01%	466	16.44%	348	25.08%	531	13.98%	296	6.80%	144	2117	3
Total DHS Respondents	19.33%	10459	25.73%	13920	14.70%	7956	23.86%	12909	12.34%	6678	4.04%	2186	54108	2.83



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Q10. Senior leaders in my Component are less likely to be disciplined for violating workplace rules, regulations or standards of conduct than other employees.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	7.19%	450	16.20%	1014	21.33%	1335	19.48%	1219	15.56%	974	20.23%	1266	6258	3.25
CBP	5.80%	928	12.81%	2050	18.47%	2955	25.28%	4045	26.78%	4285	10.87%	1740	16003	3.61
FEMA	5.84%	272	13.98%	651	23.31%	1085	21.68%	1009	17.08%	795	18.11%	843	4655	3.37
ICE	5.25%	275	12.88%	675	20.21%	1059	23.43%	1228	24.79%	1299	13.45%	705	5241	3.57
TSA	5.92%	854	10.78%	1554	16.94%	2443	26.01%	3750	31.76%	4580	8.59%	1238	14419	3.73
Components with <3,000 Respondents	7.44%	403	15.16%	821	18.12%	981	22.68%	1228	24.21%	1311	12.39%	671	5415	3.47
HRMS-Serviced Support Component Respondents	7.56%	160	14.74%	312	20.08%	425	20.83%	441	19.13%	405	17.67%	374	2117	3.36
Total DHS Respondents	6.18%	3342	13.08%	7077	19.00%	10283	23.88%	12920	25.23%	13649	12.64%	6837	54108	3.56

Q11. The behavior of my senior leaders affects how I behave at work.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	11.70%	732	17.27%	1081	19.69%	1232	27.79%	1739	21.30%	1333	2.25%	141	6258	3.3
CBP	15.13%	2422	21.27%	3404	19.33%	3094	24.60%	3936	18.25%	2921	1.41%	226	16003	3.1
FEMA	10.27%	478	19.72%	918	19.68%	916	28.87%	1344	19.01%	885	2.45%	114	4655	3.27
ICE	13.81%	724	21.92%	1149	20.82%	1091	24.59%	1289	16.68%	874	2.18%	114	5241	3.09
TSA	12.22%	1762	20.31%	2928	20.74%	2990	24.84%	3582	20.71%	2986	1.19%	171	14419	3.22
Components with <3,000 Respondents	13.78%	746	20.78%	1125	21.83%	1182	24.41%	1322	17.69%	958	1.51%	82	5415	3.12
HRMS-Serviced Support Component Respondents	12.23%	259	15.92%	337	19.27%	408	29.95%	634	21.21%	449	1.42%	30	2117	3.32
Total DHS Respondents	13.16%	7123	20.22%	10942	20.17%	10913	25.59%	13846	19.23%	10406	1.62%	878	54108	3.18



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Q12. My supervisor keeps me informed of workplace rules, regulations, and standards of conduct.<sup>32</sup>

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	3.08%	193	7.24%	453	11.70%	732	43.96%	2751	33.48%	2095	0.54%	34	6258	3.98
CBP	4.30%	688	10.00%	1601	14.22%	2276	48.40%	7745	22.86%	3658	0.22%	35	16003	3.76
FEMA	4.21%	196	9.52%	443	12.74%	593	46.25%	2153	26.77%	1246	0.54%	25	4655	3.82
ICE	5.34%	280	10.91%	572	15.13%	793	45.85%	2403	22.34%	1171	0.42%	22	5241	3.69
TSA	4.83%	696	9.72%	1402	13.29%	1916	48.51%	6994	23.44%	3380	0.21%	31	14419	3.76
Components with <3,000 Respondents	4.23%	229	8.81%	477	13.24%	717	43.99%	2382	29.31%	1587	0.42%	23	5415	3.86
HRMS-Serviced Support Component Respondents	5.10%	108	9.59%	203	14.03%	297	44.92%	951	25.98%	550	0.38%	8	2117	3.77
Total DHS Respondents	4.42%	2390	9.52%	5151	13.54%	7324	46.90%	25379	25.30%	13687	0.33%	178	54108	3.79

Q13. I am held accountable for my behavior in the workplace.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	0.78%	49	1.53%	96	5.80%	363	45.16%	2826	45.05%	2819	1.68%	105	6258	4.34
CBP	1.46%	233	3.11%	498	7.82%	1252	48.28%	7726	38.12%	6100	1.21%	194	16003	4.2
FEMA	1.18%	55	2.66%	124	7.63%	355	49.19%	2290	37.57%	1749	1.76%	82	4655	4.21
ICE	1.66%	87	3.11%	163	8.41%	441	49.21%	2579	35.91%	1882	1.70%	89	5241	4.17
TSA	0.98%	142	1.69%	243	6.05%	873	48.72%	7025	41.72%	6016	0.83%	120	14419	4.3
Components with <3,000 Respondents	1.27%	69	2.03%	110	7.26%	393	46.78%	2533	41.16%	2229	1.50%	81	5415	4.26
HRMS-Serviced Support Component Respondents	1.42%	30	1.84%	39	7.94%	168	48.75%	1032	38.31%	811	1.75%	37	2117	4.23
Total DHS Respondents	1.23%	665	2.35%	1273	7.11%	3845	48.07%	26011	39.93%	21606	1.31%	708	54108	4.25

<sup>32</sup> SurveyMonkey confirmed that their calculations caused one additional respondent to be added to this question in error.



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Q14. I know what types of behavior are considered misconduct in my workplace.<sup>33</sup>

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	1.02%	64	2.19%	137	3.88%	243	43.06%	2695	49.44%	3094	0.40%	25	6258	4.38
CBP	1.16%	185	1.85%	296	3.77%	603	46.51%	7443	46.58%	7454	0.14%	23	16003	4.36
FEMA	1.27%	59	2.84%	132	4.32%	201	46.64%	2171	44.49%	2071	0.45%	21	4655	4.31
ICE	1.58%	83	2.54%	133	4.39%	230	46.99%	2463	44.23%	2318	0.27%	14	5241	4.3
TSA	1.86%	268	2.80%	404	4.36%	628	45.63%	6579	45.12%	6506	0.24%	34	14419	4.3
Components with <3,000 Respondents	1.59%	86	2.42%	131	4.10%	222	42.38%	2295	49.38%	2674	0.13%	7	5415	4.36
HRMS-Serviced Support Component Respondents	1.70%	36	2.88%	61	5.24%	111	45.63%	966	44.07%	933	0.47%	10	2117	4.28
Total DHS Respondents	1.44%	781	2.39%	1294	4.14%	2238	45.49%	24612	46.30%	25050	0.25%	134	54108	4.33

Q15. I know where to find standards of conduct or other policies on workplace behavior.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	1.77%	111	9.33%	584	8.93%	559	45.97%	2877	33.06%	2069	0.93%	58	6258	4
CBP	1.95%	312	7.75%	1240	7.94%	1270	47.59%	7616	34.27%	5485	0.51%	81	16003	4.05
FEMA	2.73%	127	11.08%	516	9.62%	448	47.15%	2195	28.46%	1325	0.95%	44	4655	3.88
ICE	2.65%	139	10.21%	535	9.04%	474	49.30%	2584	28.12%	1474	0.67%	35	5241	3.91
TSA	2.13%	307	5.16%	744	6.06%	874	49.64%	7157	36.68%	5289	0.33%	48	14419	4.14
Components with <3,000 Respondents	2.62%	142	8.13%	440	8.66%	469	46.17%	2500	33.85%	1833	0.57%	31	5415	4.01
HRMS-Serviced Support Component Respondents	3.31%	70	12.52%	265	10.72%	227	46.39%	982	26.17%	554	0.90%	19	2117	3.8
Total DHS Respondents	2.23%	1208	7.99%	4324	7.99%	4321	47.89%	25911	33.32%	18029	0.58%	316	54108	4.03

<sup>33</sup> SurveyMonkey confirmed that their calculations caused one additional respondent to be added to this question in error.



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Q16. I can report misconduct to my supervisor without fear of retaliation.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	8.98%	562	9.20%	576	13.04%	816	31.67%	1982	31.94%	1999	5.16%	323	6258	3.72
CBP	12.27%	1964	12.40%	1984	15.32%	2452	32.33%	5173	23.58%	3774	4.10%	656	16003	3.44
FEMA	12.37%	576	11.36%	529	15.45%	719	33.32%	1551	22.69%	1056	4.81%	224	4655	3.45
ICE	14.21%	745	11.51%	603	13.18%	691	31.81%	1667	25.19%	1320	4.10%	215	5241	3.44
TSA	17.30%	2494	15.36%	2215	16.01%	2309	28.68%	4135	19.78%	2852	2.87%	414	14419	3.19
Components with <3,000 Respondents	12.45%	674	11.25%	609	13.55%	734	30.08%	1629	28.07%	1520	4.60%	249	5415	3.52
HRMS-Serviced Support Component Respondents	11.48%	243	11.20%	237	13.04%	276	31.84%	674	26.92%	570	5.53%	117	2117	3.55
<b>Total DHS Respondents</b>	<b>13.41%</b>	<b>7258</b>	<b>12.48%</b>	<b>6753</b>	<b>14.78%</b>	<b>7997</b>	<b>31.07%</b>	<b>16811</b>	<b>24.19%</b>	<b>13091</b>	<b>4.06%</b>	<b>2198</b>	<b>54108</b>	<b>3.42</b>

Q17. I am confident my supervisor would take appropriate action to correct misconduct in the workplace no matter who committed the offense.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	9.99%	625	11.06%	692	15.21%	952	30.44%	1905	28.28%	1770	5.02%	314	6258	3.59
CBP	15.62%	2500	17.50%	2800	17.20%	2753	28.16%	4507	18.35%	2936	3.17%	507	16003	3.17
FEMA	13.36%	622	15.02%	699	17.14%	798	30.89%	1438	19.16%	892	4.43%	206	4655	3.29
ICE	16.22%	850	15.00%	786	15.21%	797	28.62%	1500	21.48%	1126	3.47%	182	5241	3.25
TSA	18.51%	2669	19.12%	2757	17.93%	2585	25.71%	3707	16.50%	2379	2.23%	322	14419	3.03
Components with <3,000 Respondents	14.24%	771	13.35%	723	15.05%	815	28.55%	1546	24.71%	1338	4.10%	222	5415	3.38
HRMS-Serviced Support Component Respondents	12.28%	260	14.55%	308	14.93%	316	30.28%	641	23.76%	503	4.20%	89	2117	3.4
<b>Total DHS Respondents</b>	<b>15.33%</b>	<b>8297</b>	<b>16.20%</b>	<b>8765</b>	<b>16.66%</b>	<b>9016</b>	<b>28.17%</b>	<b>15244</b>	<b>20.23%</b>	<b>10944</b>	<b>3.40%</b>	<b>1842</b>	<b>54108</b>	<b>3.23</b>



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Q18. I am confident my supervisor would handle an employee misconduct allegation discreetly and professionally.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	7.49%	469	7.99%	500	14.19%	888	33.99%	2127	32.33%	2023	4.01%	251	6258	3.79
CBP	12.63%	2021	13.19%	2110	17.34%	2775	32.49%	5200	21.08%	3374	3.27%	523	16003	3.37
FEMA	10.61%	494	9.88%	460	16.41%	764	36.13%	1682	23.18%	1079	3.78%	176	4655	3.53
ICE	13.34%	699	10.86%	569	15.00%	786	32.82%	1720	24.54%	1286	3.45%	181	5241	3.46
TSA	15.07%	2173	14.47%	2086	18.16%	2619	31.43%	4532	18.59%	2680	2.28%	329	14419	3.25
Components with <3,000 Respondents	11.23%	608	9.77%	529	14.57%	789	32.71%	1771	27.74%	1502	3.99%	216	5415	3.58
HRMS-Serviced Support Component Respondents	9.83%	208	10.68%	226	14.74%	312	33.02%	699	27.54%	583	4.20%	89	2117	3.6
Total DHS Respondents	12.33%	6672	11.98%	6480	16.51%	8933	32.77%	17731	23.15%	12527	3.26%	1765	54108	3.44

Q19. If you suspected that a co-worker or supervisor was engaged in misconduct, would you report it?

	Yes, always		Maybe, depending on the circumstances		No		Total
USCIS	70.76%	4428	27.05%	1693	2.19%	137	6258
CBP	77.52%	12406	20.81%	3331	1.66%	266	16003
FEMA	58.47%	2722	37.74%	1757	3.78%	176	4655
ICE	72.89%	3820	24.08%	1262	3.03%	159	5241
TSA	70.48%	10162	26.80%	3864	2.73%	393	14419
Components with <3,000 Respondents	61.92%	3353	34.87%	1888	3.21%	174	5415
HRMS-Serviced Support Component Respondents	65.00%	1376	32.12%	680	2.88%	61	2117
Total DHS Respondents	70.72%	38267	26.75%	14475	2.52%	1366	54108



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Q20. What deters you from reporting misconduct? (select all that apply)<sup>34 35</sup>

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
I do not want to get involved	22.31%	3560	26.68%	492	23.23%	842	20.05%	391	23.29%	334	21.27%	911	19.88%	413	23.73%	177
I do not want to get anyone in trouble	14.39%	2297	18.87%	348	14.48%	525	13.90%	271	15.90%	228	13.38%	573	11.56%	240	15.01%	112
I fear that my peers will retaliate against me	31.55%	5035	29.93%	552	33.54%	1216	27.03%	527	35.08%	503	34.80%	1491	26.24%	545	26.94%	201
I fear that my supervisor will retaliate against me	44.15%	7046	35.95%	663	44.44%	1611	38.00%	741	47.84%	686	52.31%	2241	39.48%	820	38.07%	284
It is not my responsibility	4.06%	648	3.58%	66	4.03%	146	5.03%	98	3.77%	54	3.52%	151	4.77%	99	4.56%	34
I do not believe that any action would be taken to address the situation.	56.14%	8960	48.64%	897	58.46%	2119	53.03%	1034	61.30%	879	59.62%	2554	51.61%	1072	54.29%	405
I have raised similar issues before and do not want to go through the process again.	22.78%	3635	19.36%	357	23.70%	859	19.23%	375	23.50%	337	27.17%	1164	19.64%	408	18.10%	135
I do not know	5.29%	845	5.69%	105	4.97%	180	6.87%	134	3.77%	54	4.25%	182	7.17%	149	5.50%	41
N/A – I would always report misconduct no matter the circumstances	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
Other (please specify)	29.17%	4656	29.93%	552	29.93%	1085	29.59%	577	29.15%	418	27.03%	1158	30.96%	643	29.89%	223

<sup>34</sup> For all questions in this appendix that are marked “select all that apply,” percentages will total more than 100 percent because respondents could select multiple answers.

<sup>35</sup> Throughout the survey, some questions will have a smaller number of responses because for some questions, depending on their answers, only some employees are moved to another question. For example, this question only appeared to respondents who selected “no” or “maybe, depending on the circumstances” to Question 19.



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Q21. Where would you report misconduct? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
My direct supervisor	79.45%	42990	83.35%	5216	78.30%	12531	80.15%	3731	76.82%	4026	79.32%	11437	80.74%	4372	79.22%	1677
Another supervisor other than my direct supervisor	27.73%	15005	27.02%	1691	31.71%	5075	19.08%	888	21.39%	1121	32.10%	4628	22.49%	1218	18.14%	384
The manager above my direct supervisor	41.27%	22333	43.75%	2738	37.94%	6071	37.12%	1728	32.23%	1689	50.47%	7277	36.57%	1980	40.15%	850
DHS Office of Inspector General	33.62%	18192	38.41%	2404	38.23%	6118	25.11%	1169	44.02%	2307	26.50%	3821	27.74%	1502	41.14%	871
My Component's Human Capital, Human Resources, or Employee Relations Office	12.64%	6837	12.27%	768	6.31%	1009	21.89%	1019	7.25%	380	15.87%	2288	16.36%	886	23.00%	487
My Component's Equal Employment Opportunity (EEO) Office	19.63%	10619	19.14%	1198	16.65%	2664	27.02%	1258	20.70%	1085	19.18%	2766	21.14%	1145	23.76%	503
My Component's Ombudsman	6.93%	3752	3.85%	241	1.62%	260	4.02%	187	1.41%	74	16.33%	2354	9.09%	492	6.80%	144
My Component's Internal Affairs, Inspections, or Office of Professional Responsibility	28.32%	15322	18.49%	1157	45.53%	7286	9.26%	431	47.13%	2470	18.57%	2678	17.89%	969	15.64%	331
DHS Office for Civil Rights and Civil Liberties	9.07%	4905	6.68%	418	5.64%	903	9.28%	432	7.08%	371	13.95%	2011	9.23%	500	12.75%	270
I do not know	2.37%	1282	2.14%	134	1.95%	312	3.46%	161	2.16%	113	2.49%	359	2.51%	136	3.16%	67
I would never report misconduct	0.44%	239	0.61%	38	0.25%	40	0.45%	21	0.57%	30	0.42%	60	0.63%	34	0.76%	16
Other (please specify)	9.80%	5302	8.72%	546	11.87%	1900	9.22%	429	10.28%	539	8.16%	1177	9.27%	502	9.87%	209



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Q22. Have you personally observed misconduct in your workplace in the last 3 years?

	Yes		No		I do not know		Other (please specify)		Total
USCIS	31.75%	1987	59.16%	3702	9.09%	569	0.00%	0	6258
CBP	33.50%	5361	57.58%	9215	8.92%	1427	0.00%	0	16003
FEMA	41.78%	1945	49.50%	2304	8.72%	406	0.00%	0	4655
ICE	32.67%	1712	58.56%	3069	8.78%	460	0.00%	0	5241
TSA	48.89%	7049	42.70%	6157	8.41%	1213	0.00%	0	14419
Components with <3,000 Respondents	35.51%	1923	56.92%	3082	7.57%	410	0.00%	0	5415
HRMS-Serviced Support Component Respondents	35.29%	747	55.69%	1179	9.02%	191	0.00%	0	2117
<b>Total DHS Respondents</b>	<b>38.30%</b>	<b>20724</b>	<b>53.06%</b>	<b>28708</b>	<b>8.64%</b>	<b>4676</b>	<b>0.00%</b>	<b>0</b>	<b>54108</b>

Q23. How many times have you observed misconduct in the last three years?

	1 time		2 times		3 times		4 or more times		I have not observed misconduct		I do not know		Total
USCIS	14.31%	289	16.09%	325	12.62%	255	41.49%	838	0.00%	0	15.50%	313	2020
CBP	9.40%	508	13.06%	706	10.01%	541	46.88%	2535	0.00%	0	20.66%	1117	5407
FEMA	10.69%	209	16.06%	314	11.46%	224	45.78%	895	0.00%	0	16.01%	313	1955
ICE	9.63%	166	12.83%	221	10.50%	181	48.64%	838	0.00%	0	18.40%	317	1723
TSA	6.69%	474	11.22%	795	9.47%	671	52.01%	3685	0.00%	0	20.61%	1460	7085
Components with <3,000 Respondents	10.16%	197	14.54%	282	11.45%	222	46.52%	902	0.00%	0	17.33%	336	1939
HRMS-Serviced Support Component Respondents	11.13%	84	15.76%	119	11.66%	88	43.97%	332	0.00%	0	17.48%	132	755
<b>Total DHS Respondents</b>	<b>9.23%</b>	<b>1927</b>	<b>13.23%</b>	<b>2762</b>	<b>10.45%</b>	<b>2182</b>	<b>48.00%</b>	<b>10025</b>	<b>0.00%</b>	<b>0</b>	<b>19.10%</b>	<b>3988</b>	<b>20884</b>



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Q24. Have you been disciplined for misconduct in the last three years?

	Yes		No		I do not know		Total
USCIS	3.10%	194	96.02%	6009	0.88%	55	6258
CBP	5.96%	953	92.85%	14859	1.19%	191	16003
FEMA	2.30%	107	96.69%	4501	1.01%	47	4655
ICE	5.61%	294	93.74%	4913	0.65%	34	5241
TSA	9.40%	1355	89.25%	12869	1.35%	195	14419
Components with <3,000 Respondents	3.43%	186	96.01%	5199	0.55%	30	5415
HRMS-Serviced Support Component Respondents	3.50%	74	95.61%	2024	0.90%	19	2117
Total DHS Respondents	5.85%	3163	93.10%	50374	1.06%	571	54108

Q25. When I was disciplined for misconduct, my supervisor clearly informed me of his or her dissatisfaction with my behavior.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	22.11%	44	13.07%	26	13.07%	26	33.67%	67	14.57%	29	3.52%	7	199	3.06
CBP	19.67%	189	15.71%	151	13.94%	134	32.78%	315	16.02%	154	1.87%	18	961	3.1
FEMA	15.60%	17	14.68%	16	9.17%	10	34.86%	38	22.94%	25	2.75%	3	109	3.36
ICE	27.12%	80	15.25%	45	12.88%	38	25.76%	76	16.95%	50	2.03%	6	295	2.9
TSA	19.91%	272	15.01%	205	14.35%	196	35.29%	482	13.62%	186	1.83%	25	1366	3.08
Components with <3,000 Respondents	25.93%	49	12.70%	24	11.11%	21	30.16%	57	17.46%	33	2.65%	5	189	3.01
HRMS-Serviced Support Component Respondents	9.46%	7	18.92%	14	14.86%	11	28.38%	21	20.27%	15	8.11%	6	74	3.34
Total DHS Respondents	20.61%	658	15.06%	481	13.65%	436	33.07%	1056	15.41%	492	2.19%	70	3193	3.08



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Q26. When I was disciplined for misconduct, my supervisor provided suggestions on how to improve the problem behavior.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	26.63%	53	15.08%	30	16.58%	33	24.62%	49	14.57%	29	2.51%	5	199	2.85
CBP	28.10%	270	18.52%	178	13.42%	129	25.81%	248	11.65%	112	2.50%	24	961	2.74
FEMA	21.10%	23	18.35%	20	14.68%	16	31.19%	34	12.84%	14	1.83%	2	109	2.96
ICE	35.93%	106	15.25%	45	14.24%	42	23.05%	68	10.17%	30	1.36%	4	295	2.56
TSA	25.40%	347	20.50%	280	15.37%	210	28.33%	387	8.42%	115	1.98%	27	1366	2.73
Components with <3,000 Respondents	34.92%	66	19.05%	36	14.29%	27	18.52%	35	11.11%	21	2.12%	4	189	2.51
HRMS-Serviced Support Component Respondents	24.32%	18	14.86%	11	16.22%	12	22.97%	17	13.51%	10	8.11%	6	74	2.85
<b>Total DHS Respondents</b>	<b>27.65%</b>	<b>883</b>	<b>18.79%</b>	<b>600</b>	<b>14.69%</b>	<b>469</b>	<b>26.24%</b>	<b>838</b>	<b>10.37%</b>	<b>331</b>	<b>2.25%</b>	<b>72</b>	<b>3193</b>	<b>2.72</b>

Q27. When I was disciplined for misconduct, my supervisor gave me the opportunity to correct the problem.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	31.16%	62	15.08%	30	15.58%	31	21.11%	42	13.07%	26	4.02%	8	199	2.69
CBP	31.22%	300	17.38%	167	15.71%	151	21.85%	210	11.45%	110	2.39%	23	961	2.64
FEMA	30.28%	33	17.43%	19	10.09%	11	22.94%	25	17.43%	19	1.83%	2	109	2.79
ICE	39.32%	116	16.61%	49	15.25%	45	14.58%	43	12.20%	36	2.03%	6	295	2.43
TSA	32.72%	447	18.37%	251	15.45%	211	22.91%	313	7.76%	106	2.78%	38	1366	2.53
Components with <3,000 Respondents	44.44%	84	14.81%	28	8.47%	16	19.05%	36	11.11%	21	2.12%	4	189	2.36
HRMS-Serviced Support Component Respondents	31.08%	23	14.86%	11	14.86%	11	17.57%	13	13.51%	10	8.11%	6	74	2.65
<b>Total DHS Respondents</b>	<b>33.35%</b>	<b>1065</b>	<b>17.38%</b>	<b>555</b>	<b>14.91%</b>	<b>476</b>	<b>21.36%</b>	<b>682</b>	<b>10.27%</b>	<b>328</b>	<b>2.72%</b>	<b>87</b>	<b>3193</b>	<b>2.57</b>



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Q28. When I was disciplined for misconduct, my supervisor imposed discipline in a discreet manner.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	24.62%	49	10.55%	21	19.60%	39	27.64%	55	12.06%	24	5.53%	11	199	2.91
CBP	25.39%	244	14.46%	139	14.98%	144	30.28%	291	12.90%	124	1.98%	19	961	2.91
FEMA	29.36%	32	13.76%	15	15.60%	17	23.85%	26	14.68%	16	2.75%	3	109	2.8
ICE	35.25%	104	11.86%	35	11.19%	33	25.42%	75	14.58%	43	1.69%	5	295	2.72
TSA	26.57%	363	14.71%	201	16.98%	232	30.97%	423	9.08%	124	1.68%	23	1366	2.81
Components with <3,000 Respondents	31.75%	60	10.05%	19	16.93%	32	24.34%	46	13.76%	26	3.17%	6	189	2.78
HRMS-Serviced Support Component Respondents	24.32%	18	14.86%	11	13.51%	10	27.03%	20	14.86%	11	5.41%	4	74	2.93
Total DHS Respondents	27.25%	870	13.81%	441	15.88%	507	29.31%	936	11.53%	368	2.22%	71	3193	2.84

**Data for Questions 29 through 42 only show respondents who answered that they are a supervisor or executive to Question 5 and answered yes to Question 29.**

Q29. Just to confirm, do you currently supervise other Federal employees?

	Yes	No	Total
USCIS	100.00% 1126	0.00% 0	1126
CBP	100.00% 4029	0.00% 0	4029
FEMA	100.00% 1086	0.00% 0	1086
ICE	100.00% 940	0.00% 0	940
TSA	100.00% 3451	0.00% 0	3451
Components with <3,000 Respondents	100.00% 1130	0.00% 0	1130
HRMS-Serviced Support Component Respondents	100.00% 428	0.00% 0	428
Total DHS Respondents	100.00% 12190	0.00% 0	12190



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Q30. I hold employees accountable for their behavior in the workplace.

	Yes, always		Sometimes, depending on the circumstances		No		Total
USCIS	93.69%	1055	6.04%	68	0.27%	3	1126
CBP	92.50%	3727	7.32%	295	0.17%	7	4029
FEMA	94.11%	1022	5.71%	62	0.18%	2	1086
ICE	92.77%	872	7.13%	67	0.11%	1	940
TSA	94.49%	3261	5.42%	187	0.09%	3	3451
Components with <3,000 Respondents	93.98%	1062	5.84%	66	0.18%	2	1130
HRMS-Serviced Support Component Respondents	94.63%	405	5.37%	23	0.00%	0	428
Total DHS Respondents	93.55%	11404	6.30%	768	0.15%	18	12190

Q31. Do you know where to go to get policies and procedures on disciplinary actions?

	Yes		No		Total
USCIS	93.34%	1051	6.66%	75	1126
CBP	96.00%	3868	4.00%	161	4029
FEMA	91.71%	996	8.29%	90	1086
ICE	94.57%	889	5.43%	51	940
TSA	97.62%	3369	2.38%	82	3451
Components with <3,000 Respondents	95.40%	1078	4.60%	52	1130
HRMS-Serviced Support Component Respondents	90.65%	388	9.35%	40	428
Total DHS Respondents	95.48%	11639	4.52%	551	12190



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Q32. When was the last time you received training on misconduct and how to take disciplinary actions?

	Within the last year		1 to 2 years ago		3 or more years ago		I have never received training on misconduct or disciplinary actions		I do not know		Total
	%	Count	%	Count	%	Count	%	Count	%	Count	
USCIS	69.09%	778	17.67%	199	5.60%	63	3.37%	38	4.26%	48	1126
CBP	43.24%	1742	25.29%	1019	20.97%	845	5.61%	226	4.89%	197	4029
FEMA	50.74%	551	23.94%	260	9.21%	100	11.79%	128	4.33%	47	1086
ICE	54.47%	512	22.02%	207	14.79%	139	4.68%	44	4.04%	38	940
TSA	49.93%	1723	21.85%	754	13.45%	464	9.94%	343	4.84%	167	3451
Components with <3,000 Respondents	48.67%	550	25.66%	290	11.33%	128	9.20%	104	5.13%	58	1130
HRMS-Serviced Support Component Respondents	36.21%	155	25.23%	108	17.29%	74	11.92%	51	9.35%	40	428
Total DHS Respondents	49.31%	6011	23.27%	2837	14.87%	1813	7.66%	934	4.88%	595	12190

Q33. I need more training on how to handle misconduct and take disciplinary actions.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I do not know		Total	Weighted Average
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count		
USCIS	7.28%	82	19.63%	221	28.51%	321	33.93%	382	9.95%	112	0.71%	8	1126	3.2
CBP	4.34%	175	15.79%	636	22.19%	894	39.39%	1587	18.14%	731	0.15%	6	4029	3.51
FEMA	4.70%	51	21.92%	238	26.70%	290	34.81%	378	11.69%	127	0.18%	2	1086	3.27
ICE	5.74%	54	21.06%	198	22.55%	212	35.43%	333	15.21%	143	0.00%	0	940	3.33
TSA	6.00%	207	20.43%	705	26.22%	905	33.00%	1139	14.11%	487	0.23%	8	3451	3.29
Components with <3,000 Respondents	8.14%	92	25.84%	292	23.54%	266	32.65%	369	9.38%	106	0.44%	5	1130	3.09
HRMS-Serviced Support Component Respondents	4.91%	21	19.39%	83	24.53%	105	37.38%	160	13.55%	58	0.23%	1	428	3.35
Total DHS Respondents	5.59%	682	19.47%	2373	24.55%	2993	35.67%	4348	14.47%	1764	0.25%	30	12190	3.34



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Q34. Employees have reported suspected misconduct to me.

	Yes		No		Total
USCIS	44.32%	499	55.68%	627	1126
CBP	54.63%	2201	45.37%	1828	4029
FEMA	51.01%	554	48.99%	532	1086
ICE	49.36%	464	50.64%	476	940
TSA	72.12%	2489	27.88%	962	3451
Components with <3,000 Respondents	45.66%	516	54.34%	614	1130
HRMS-Serviced Support Component Respondents	44.16%	189	55.84%	239	428
Total DHS Respondents	56.70%	6912	43.30%	5278	12190

Q35. How many times have employees reported suspected misconduct to you in the last three years?

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
1 time	19.26%	1340	27.47%	139	21.65%	479	20.72%	115	23.23%	108	13.61%	341	21.26%	111	24.61%	47
2 times	22.85%	1590	27.47%	139	22.65%	501	28.29%	157	23.44%	109	18.83%	472	31.61%	165	24.61%	47
3 times	11.41%	794	13.04%	66	12.07%	267	12.43%	69	10.97%	51	10.26%	257	10.54%	55	15.18%	29
4 or more times	29.71%	2067	20.95%	106	25.90%	573	26.49%	147	23.23%	108	38.79%	972	22.99%	120	21.47%	41
I have not received any reports	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
I do not know	16.76%	1166	11.07%	56	17.72%	392	12.07%	67	19.14%	89	18.52%	464	13.60%	71	14.14%	27



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Q36. I am aware of the types of disciplinary actions I can initiate.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	1.33%	15	6.22%	70	11.28%	127	59.24%	667	20.96%	236	0.98%	11	1126	3.93
CBP	1.66%	67	4.84%	195	8.74%	352	62.75%	2528	21.62%	871	0.40%	16	4029	3.98
FEMA	2.30%	25	7.73%	84	11.51%	125	59.48%	646	18.14%	197	0.83%	9	1086	3.84
ICE	1.81%	17	6.38%	60	8.83%	83	63.30%	595	19.04%	179	0.64%	6	940	3.92
TSA	1.94%	67	4.52%	156	8.64%	298	56.97%	1966	27.41%	946	0.52%	18	3451	4.04
Components with <3,000 Respondents	0.97%	11	5.40%	61	9.91%	112	58.32%	659	24.96%	282	0.44%	5	1130	4.01
HRMS-Serviced Support Component Respondents	1.17%	5	8.64%	37	12.38%	53	58.64%	251	17.76%	76	1.40%	6	428	3.84
Total DHS Respondents	1.70%	207	5.44%	663	9.43%	1150	59.98%	7312	22.86%	2787	0.58%	71	12190	3.97

Q37. Have you taken disciplinary action?

	Yes		No		Total
USCIS	44.67%	503	55.33%	623	1126
CBP	63.32%	2551	36.68%	1478	4029
FEMA	51.66%	561	48.34%	525	1086
ICE	58.30%	548	41.70%	392	940
TSA	74.36%	2566	25.64%	885	3451
Components with <3,000 Respondents	54.51%	616	45.49%	514	1130
HRMS-Serviced Support Component Respondents	49.30%	211	50.70%	217	428
Total DHS Respondents	61.99%	7556	38.01%	4634	12190



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Q38. Please indicate which actions you have taken for misconduct. (Select all that apply.)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Verbal Counseling	91.99%	6967	90.32%	457	94.32%	2410	92.17%	518	93.25%	511	89.79%	2312	91.41%	564	92.42%	195
Letter of Counseling	78.99%	5983	75.69%	383	79.02%	2019	62.99%	354	75.36%	413	86.80%	2235	70.34%	434	68.72%	145
Letter of Reprimand	53.82%	4076	39.72%	201	49.75%	1271	40.75%	229	46.17%	253	68.50%	1764	44.89%	277	38.39%	81
Suspension	34.49%	2612	32.02%	162	25.95%	663	24.02%	135	34.49%	189	47.46%	1222	32.58%	201	18.96%	40
Demotion	6.09%	461	6.92%	35	3.76%	96	1.96%	11	4.93%	27	10.37%	267	3.24%	20	2.37%	5
Removal	24.35%	1844	26.09%	132	14.52%	371	28.47%	160	22.81%	125	32.93%	848	26.26%	162	21.80%	46
Other (please specify)	8.65%	655	9.88%	50	8.38%	214	12.63%	71	8.76%	48	7.88%	203	7.94%	49	9.48%	20

Q39. For which of the following disciplinary actions do you consult human resources, employee relations, or other similar office? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Verbal Counseling	34.99%	2645	50.00%	252	38.65%	986	53.48%	300	48.18%	264	18.10%	465	42.05%	259	56.40%	119
Letter of Counseling	67.02%	5067	83.53%	421	68.37%	1744	72.19%	405	75.00%	411	56.64%	1455	75.32%	464	79.15%	167
Letter of Reprimand	82.54%	6240	84.92%	428	82.28%	2099	79.50%	446	84.12%	461	82.06%	2108	85.71%	528	80.57%	170
Suspension	78.11%	5905	81.75%	412	75.42%	1924	72.01%	404	78.28%	429	81.20%	2086	79.71%	491	75.36%	159
Demotion	63.92%	4832	74.21%	374	61.82%	1577	58.65%	329	65.51%	359	63.92%	1642	66.56%	410	66.82%	141
Removal	71.75%	5424	79.56%	401	67.35%	1718	71.84%	403	70.99%	389	73.69%	1893	74.68%	460	75.83%	160
None of the above	3.37%	255	2.58%	13	3.06%	78	2.50%	14	2.55%	14	4.59%	118	1.95%	12	2.84%	6
I do not know	1.64%	122	0.79%	4	1.96%	50	1.96%	11	1.28%	7	1.83%	47	0.49%	3	0.00%	0
All of the above	0.00%	2	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.95%	2



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Q40. Does your immediate supervisor support your efforts to take disciplinary actions when warranted?

	Yes, always		Sometimes, depends on the circumstances		No		I do not know / no basis to judge		Total
USCIS	52.49%	591	21.76%	245	2.93%	33	22.82%	257	1126
CBP	50.88%	2050	29.64%	1194	5.24%	211	14.25%	574	4029
FEMA	45.30%	492	26.61%	289	4.51%	49	23.57%	256	1086
ICE	51.49%	484	23.72%	223	5.85%	55	18.94%	178	940
TSA	52.27%	1804	33.99%	1173	5.07%	175	8.66%	299	3451
Components with <3,000 Respondents	53.54%	605	21.77%	246	3.72%	42	20.97%	237	1130
HRMS-Serviced Support Component Respondents	45.09%	193	21.73%	93	5.14%	22	28.04%	120	428
Total DHS Respondents	51.02%	6219	28.41%	3463	4.82%	587	15.76%	1921	12190

Q41. What actions have you taken with employees in lieu of discipline? (Select all that apply)

	DHS		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Allowed employees to resign with no indication of disciplinary action on their record	7.33%	894	6.22%	70	4.49%	181	8.20%	89	6.81%	64	10.95%	378	7.96%	90	5.14%	22
Detailed employees to other positions or offices	5.45%	664	4.88%	55	5.53%	223	7.64%	83	6.17%	58	4.09%	141	7.08%	80	5.61%	24
Relieved employees of certain responsibilities	18.15%	2212	14.83%	167	17.72%	714	24.49%	266	17.98%	169	16.69%	576	21.06%	238	19.16%	82
Relieved employees of supervisory duties	4.39%	535	4.26%	48	3.25%	131	6.26%	68	2.87%	27	5.59%	193	4.60%	52	3.74%	16
Transferred employees to other positions at same grade	4.19%	511	5.24%	59	3.75%	151	7.09%	77	5.96%	56	2.67%	92	4.60%	52	5.61%	24
I have not taken any actions in lieu of discipline	65.90%	8033	68.03%	766	69.02%	2781	56.91%	618	68.62%	645	64.71%	2233	63.54%	718	63.55%	272
I have not needed to take disciplinary action	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
Other (please specify)	11.96%	1458	14.21%	160	11.44%	461	13.54%	147	9.68%	91	12.23%	422	10.62%	120	13.32%	57



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Q42. Have you wanted to take disciplinary action but chose not to because . . . (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
I was fearful of an employee grievance	4.50%	548	4.88%	55	4.47%	180	6.72%	73	6.81%	64	2.61%	90	5.13%	58	6.54%	28
I was fearful of an equal employment opportunity (EEO) complaint	5.52%	673	3.91%	44	5.41%	218	9.48%	103	7.66%	72	3.94%	136	5.93%	67	7.71%	33
I did not want to offend the employee	0.64%	78	0.53%	6	0.69%	28	1.38%	15	0.21%	2	0.41%	14	0.88%	10	0.70%	3
I feared retaliation by the employee	4.44%	541	4.17%	47	3.82%	154	7.37%	80	4.68%	44	3.97%	137	4.69%	53	6.07%	26
I lacked knowledge of the disciplinary process	5.51%	672	3.37%	38	6.90%	278	5.52%	60	4.68%	44	5.13%	177	4.07%	46	6.78%	29
I thought the case would be settled anyway because similar actions were settled in the past	4.51%	550	2.58%	29	6.40%	258	4.14%	45	5.96%	56	3.68%	127	2.12%	24	2.57%	11
It took time away from other duties	4.03%	491	3.46%	39	4.05%	163	5.25%	57	5.74%	54	2.64%	91	5.75%	65	5.14%	22
Management mitigated (decreased the penalty) on similar actions in the past	14.75%	1798	9.15%	103	16.65%	671	9.12%	99	13.40%	126	19.21%	663	8.50%	96	9.35%	40
I did not believe management would support my efforts	17.78%	2167	13.23%	149	19.36%	780	18.51%	201	19.36%	182	17.99%	621	14.42%	163	16.59%	71
The employee was a good performer	5.33%	650	2.13%	24	6.70%	270	3.68%	40	4.04%	38	6.46%	223	3.81%	43	2.80%	12
Not applicable - I have not wanted to take disciplinary action -OR- I have always chosen to take disciplinary action	61.27%	7469	69.36%	781	58.35%	2351	61.33%	666	64.15%	603	57.95%	2000	69.65%	787	65.65%	281
Other (please specify)	10.40%	1268	10.83%	122	11.22%	452	10.50%	114	9.36%	88	10.66%	368	8.05%	91	7.71%	33



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**Data for Questions 43 through 58 only show respondents who answered affirmatively in Question 6 that they currently work in human resources, employee relations, professional responsibility or other similar office and responded yes, they handle disciplinary actions to Question 43.**

Q43. You indicated that you work in a human resources, employee relations, professional responsibility, or other similar office. Does your work include handling disciplinary actions?

	Yes		No		Total
USCIS	100.00%	178	0.00%	0	178
CBP	100.00%	387	0.00%	0	387
FEMA	100.00%	138	0.00%	0	138
ICE	100.00%	115	0.00%	0	115
TSA	100.00%	391	0.00%	0	391
Components with <3,000 Respondents	100.00%	111	0.00%	0	111
HRMS-Serviced Support Component Respondents	100.00%	47	0.00%	0	47
Total DHS Respondents	100.00%	1367	0.00%	0	1367



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Q44. What factors deter supervisors in your servicing area from disciplining employees? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
Cases will be settled anyway	15.73%	215	11.24%	20	25.06%	97	12.32%	17	24.35%	28	8.70%	34	13.51%	15	8.51%	4
Lack of support from management	34.97%	478	29.21%	52	34.88%	135	44.93%	62	33.04%	38	35.81%	140	34.23%	38	27.66%	13
Reluctance to deal with potential equal employment opportunity (EEO) complaints	38.33%	524	32.02%	57	36.18%	140	51.45%	71	46.09%	53	35.29%	138	36.94%	41	51.06%	24
Reluctance to deal with potential grievances	40.16%	549	35.96%	64	44.44%	172	44.93%	62	44.35%	51	33.50%	131	38.74%	43	55.32%	26
The disciplinary process is too time-consuming	36.06%	493	35.39%	63	36.69%	142	29.71%	41	33.04%	38	38.36%	150	31.53%	35	51.06%	24
None of the above	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
I do not know	25.31%	346	30.90%	55	26.61%	103	20.29%	28	26.96%	31	22.51%	88	26.13%	29	25.53%	12
Other (please specify)	21.87%	299	20.79%	37	22.22%	86	15.22%	21	17.39%	20	24.04%	94	28.83%	32	19.15%	9

Q45. Does your component have a Table of Penalties?

	Yes		No		I do not know		Total
USCIS	56.74%	101	2.25%	4	41.01%	73	178
CBP	85.53%	331	1.29%	5	13.18%	51	387
FEMA	19.57%	27	23.91%	33	56.52%	78	138
ICE	85.22%	98	3.48%	4	11.30%	13	115
TSA	88.24%	345	2.56%	10	9.21%	36	391
Components with <3,000 Respondents	59.46%	66	8.11%	9	32.43%	36	111
HRMS-Serviced Support Component Respondents	46.81%	22	8.51%	4	44.68%	21	47
Total DHS Respondents	72.42%	990	5.05%	69	22.53%	308	1367



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Q46. My component's Table of Penalties provides sufficient guidance on charge selection.<sup>36</sup>

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	3.96%	4	4.95%	5	13.86%	14	41.58%	42	33.66%	34	1.98%	2	101	3.98
CBP	2.11%	7	10.24%	34	9.04%	30	53.01%	176	23.80%	79	1.81%	6	332	3.88
FEMA	3.70%	1	0.00%	0	22.22%	6	59.26%	16	11.11%	3	3.70%	1	27	3.77
ICE	3.06%	3	5.10%	5	14.29%	14	52.04%	51	24.49%	24	1.02%	1	98	3.91
TSA	2.02%	7	7.20%	25	8.36%	29	57.35%	199	23.63%	82	1.44%	5	347	3.95
Components with <3,000 Respondents	3.03%	2	3.03%	2	12.12%	8	53.03%	35	24.24%	16	4.55%	3	66	3.97
HRMS-Serviced Support Component Respondents	0.00%	0	9.09%	2	9.09%	2	77.27%	17	0.00%	0	4.55%	1	22	3.71
<b>Total DHS Respondents</b>	<b>2.42%</b>	<b>24</b>	<b>7.35%</b>	<b>73</b>	<b>10.37%</b>	<b>103</b>	<b>53.98%</b>	<b>536</b>	<b>23.97%</b>	<b>238</b>	<b>1.91%</b>	<b>19</b>	<b>993</b>	<b>3.91</b>

Q47. My component's Table of Penalties provides a list of charges that is specific enough.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	3.96%	4	5.94%	6	18.81%	19	40.59%	41	27.72%	28	2.97%	3	101	3.85
CBP	1.81%	6	13.86%	46	9.94%	33	50.60%	168	21.99%	73	1.81%	6	332	3.79
FEMA	3.70%	1	3.70%	1	37.04%	10	40.74%	11	11.11%	3	3.70%	1	27	3.54
ICE	5.10%	5	1.02%	1	16.33%	16	58.16%	57	19.39%	19	0.00%	0	98	3.86
TSA	1.73%	6	7.49%	26	8.36%	29	60.52%	210	20.75%	72	1.15%	4	347	3.92
Components with <3,000 Respondents	1.52%	1	4.55%	3	12.12%	8	56.06%	37	21.21%	14	4.55%	3	66	3.95
HRMS-Serviced Support Component Respondents	0.00%	0	13.64%	3	9.09%	2	72.73%	16	0.00%	0	4.55%	1	22	3.62
<b>Total DHS Respondents</b>	<b>2.32%</b>	<b>23</b>	<b>8.66%</b>	<b>86</b>	<b>11.78%</b>	<b>117</b>	<b>54.38%</b>	<b>540</b>	<b>21.05%</b>	<b>209</b>	<b>1.81%</b>	<b>18</b>	<b>993</b>	<b>3.85</b>

<sup>36</sup> SurveyMonkey confirmed that an error caused three additional respondents to be added to Questions 46–50.



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Q48. My component's Table of Penalties provides sufficient guidance on penalty selection.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	3.96%	4	12.87%	13	15.84%	16	36.63%	37	26.73%	27	3.96%	4	101	3.72
CBP	2.11%	7	11.75%	39	13.25%	44	49.40%	164	21.99%	73	1.51%	5	332	3.79
FEMA	3.70%	1	0.00%	0	29.63%	8	51.85%	14	11.11%	3	3.70%	1	27	3.69
ICE	3.06%	3	8.16%	8	14.29%	14	54.08%	53	20.41%	20	0.00%	0	98	3.81
TSA	2.31%	8	8.93%	31	10.37%	36	55.91%	194	21.33%	74	1.15%	4	347	3.86
Components with <3,000 Respondents	3.03%	2	3.03%	2	18.18%	12	48.48%	32	21.21%	14	6.06%	4	66	3.87
HRMS-Serviced Support Component Respondents	0.00%	0	13.64%	3	9.09%	2	72.73%	16	0.00%	0	4.55%	1	22	3.62
<b>Total DHS Respondents</b>	<b>2.52%</b>	<b>25</b>	<b>9.67%</b>	<b>96</b>	<b>13.29%</b>	<b>132</b>	<b>51.36%</b>	<b>510</b>	<b>21.25%</b>	<b>211</b>	<b>1.91%</b>	<b>19</b>	<b>993</b>	<b>3.81</b>

Q49. My component's Table of Penalties contains adequate guidance on progressiveness of penalties.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	4.95%	5	11.88%	12	11.88%	12	39.60%	40	29.70%	30	1.98%	2	101	3.79
CBP	2.71%	9	13.55%	45	10.84%	36	48.49%	161	22.59%	75	1.81%	6	332	3.76
FEMA	3.70%	1	0.00%	0	22.22%	6	59.26%	16	11.11%	3	3.70%	1	27	3.77
ICE	4.08%	4	4.08%	4	11.22%	11	61.22%	60	19.39%	19	0.00%	0	98	3.88
TSA	3.17%	11	11.24%	39	10.66%	37	54.47%	189	19.02%	66	1.44%	5	347	3.76
Components with <3,000 Respondents	6.06%	4	3.03%	2	13.64%	9	51.52%	34	21.21%	14	4.55%	3	66	3.83
HRMS-Serviced Support Component Respondents	0.00%	0	13.64%	3	18.18%	4	63.64%	14	0.00%	0	4.55%	1	22	3.52
<b>Total DHS Respondents</b>	<b>3.42%</b>	<b>34</b>	<b>10.57%</b>	<b>105</b>	<b>11.58%</b>	<b>115</b>	<b>51.76%</b>	<b>514</b>	<b>20.85%</b>	<b>207</b>	<b>1.81%</b>	<b>18</b>	<b>993</b>	<b>3.77</b>



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Q50. My component's Table of Penalties contains a range of penalties that is appropriate.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		I don't know		Total	Weighted Average
USCIS	3.96%	4	12.87%	13	13.86%	14	39.60%	40	27.72%	28	1.98%	2	101	3.76
CBP	2.11%	7	10.54%	35	12.35%	41	51.81%	172	21.69%	72	1.51%	5	332	3.82
FEMA	3.70%	1	0.00%	0	25.93%	7	55.56%	15	11.11%	3	3.70%	1	27	3.73
ICE	6.12%	6	7.14%	7	12.24%	12	57.14%	56	17.35%	17	0.00%	0	98	3.72
TSA	2.31%	8	4.32%	15	10.09%	35	60.81%	211	21.04%	73	1.44%	5	347	3.95
Components with <3,000 Respondents	3.03%	2	4.55%	3	15.15%	10	48.48%	32	22.73%	15	6.06%	4	66	3.89
HRMS-Serviced Support Component Respondents	0.00%	0	13.64%	3	18.18%	4	63.64%	14	0.00%	0	4.55%	1	22	3.52
Total DHS Respondents	2.82%	28	7.65%	76	12.39%	123	54.38%	540	20.95%	208	1.81%	18	993	3.85

Q51. In general, who selects the initial penalty in a disciplinary action related to misconduct? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
The employee's first-line supervisor	32.87%	448	25.84%	46	19.74%	76	48.55%	67	15.79%	18	44.87%	175	45.95%	51	31.91%	15
The employee's second-line supervisor	15.92%	217	11.24%	20	18.44%	71	10.14%	14	17.54%	20	18.97%	74	13.51%	15	6.38%	3
A specialist like myself in human resources, employee relations, or other similar office	13.13%	179	11.80%	21	18.70%	72	13.77%	19	7.89%	9	11.79%	46	4.50%	5	14.89%	7
I do not know	15.11%	206	20.79%	37	15.32%	59	18.84%	26	19.30%	22	8.46%	33	18.02%	20	19.15%	9
Other (please specify)	22.96%	313	30.34%	54	27.79%	107	8.70%	12	39.47%	45	15.90%	62	18.02%	20	27.66%	13



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Q52. Which of the following scenarios describes how letters regarding disciplinary actions are prepared? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count
Human Resources (HR), Employee Relations (ER), or other similar office provides a template letter for supervisors to complete	33.50%	458	24.16%	43	33.33%	129	32.61%	45	26.96%	31	41.69%	163	31.53%	35	25.53%	12
HR, ER, or similar office writes letters based on the facts given by the supervisors	41.26%	564	37.64%	67	51.94%	201	34.06%	47	43.48%	50	34.53%	135	37.84%	42	46.81%	22
Supervisors prepare letters and send them to HR, ER, or similar office to review	36.28%	496	28.09%	50	25.58%	99	35.51%	49	24.35%	28	58.06%	227	28.83%	32	23.40%	11
Supervisors do not involve HR, ER, or other similar office in the process	3.29%	45	3.93%	7	2.07%	8	5.80%	8	1.74%	2	4.09%	16	3.60%	4	0.00%	0
I do not know	15.95%	218	24.16%	43	15.76%	61	24.64%	34	20.87%	24	5.63%	22	19.82%	22	25.53%	12
Other (please specify)	7.83%	107	8.99%	16	6.46%	25	2.90%	4	11.30%	13	8.18%	32	10.81%	12	10.64%	5



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Q53. When was the last time you attended training on misconduct and disciplinary actions?

	Within the last year		1 to 2 years ago		3 or more years ago		Never		I do not know		Total
USCIS	55.06%	98	15.17%	27	12.36%	22	9.55%	17	7.87%	14	178
CBP	39.79%	154	18.60%	72	18.60%	72	13.70%	53	9.30%	36	387
FEMA	50.00%	69	19.57%	27	7.97%	11	18.12%	25	4.35%	6	138
ICE	50.43%	58	19.13%	22	14.78%	17	13.91%	16	1.74%	2	115
TSA	50.64%	198	17.65%	69	17.65%	69	9.72%	38	4.35%	17	391
Components with <3,000 Respondents	32.43%	36	21.62%	24	18.92%	21	20.72%	23	6.31%	7	111
HRMS-Serviced Support Component Respondents	44.68%	21	21.28%	10	14.89%	7	10.64%	5	8.51%	4	47
Total DHS Respondents	46.38%	634	18.36%	251	16.02%	219	12.95%	177	6.29%	86	1367

Q54. I need more training on misconduct and disciplinary actions.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	12.36%	22	14.04%	25	32.58%	58	27.53%	49	12.36%	22	1.12%	2	178	3.14
CBP	8.79%	34	19.12%	74	19.64%	76	32.56%	126	18.60%	72	1.29%	5	387	3.34
FEMA	7.25%	10	15.22%	21	25.36%	35	41.30%	57	10.87%	15	0.00%	0	138	3.33
ICE	9.57%	11	29.57%	34	23.48%	27	20.87%	24	15.65%	18	0.87%	1	115	3.04
TSA	5.12%	20	20.46%	80	26.09%	102	30.95%	121	16.88%	66	0.51%	2	391	3.34
Components with <3,000 Respondents	8.11%	9	25.23%	28	23.42%	26	34.23%	38	8.11%	9	0.90%	1	111	3.09
HRMS-Serviced Support Component Respondents	10.64%	5	17.02%	8	29.79%	14	25.53%	12	12.77%	6	4.26%	2	47	3.13
Total DHS Respondents	8.12%	111	19.75%	270	24.73%	338	31.24%	427	15.22%	208	0.95%	13	1367	3.26



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Q55. My office has sufficient staff to assist management with disciplinary actions in a timely manner.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	4.49%	8	12.92%	23	18.54%	33	44.38%	79	15.17%	27	4.49%	8	178	3.55
CBP	14.47%	56	19.64%	76	16.02%	62	32.82%	127	10.85%	42	6.20%	24	387	3.06
FEMA	6.52%	9	10.87%	15	21.01%	29	50.72%	70	7.97%	11	2.90%	4	138	3.44
ICE	10.43%	12	12.17%	14	19.13%	22	36.52%	42	16.52%	19	5.22%	6	115	3.39
TSA	14.83%	58	22.51%	88	16.62%	65	34.27%	134	9.46%	37	2.30%	9	391	3.01
Components with <3,000 Respondents	14.41%	16	19.82%	22	16.22%	18	33.33%	37	11.71%	13	4.50%	5	111	3.08
HRMS-Serviced Support Component Respondents	8.51%	4	10.64%	5	14.89%	7	55.32%	26	4.26%	2	6.38%	3	47	3.39
Total DHS Respondents	11.92%	163	17.78%	243	17.26%	236	37.67%	515	11.05%	151	4.32%	59	1367	3.19

Q56. Supervisors are adequately trained in disciplinary actions.

	Strongly disagree		Disagree		Neither agree nor disagree		Agree		Strongly agree		Do not know / no basis to judge		Total	Weighted Average
USCIS	10.11%	18	16.85%	30	29.21%	52	26.40%	47	7.87%	14	9.55%	17	178	3.06
CBP	15.76%	61	31.01%	120	17.57%	68	23.51%	91	6.46%	25	5.68%	22	387	2.72
FEMA	12.32%	17	20.29%	28	28.26%	39	31.16%	43	4.35%	6	3.62%	5	138	2.95
ICE	13.04%	15	24.35%	28	19.13%	22	30.43%	35	4.35%	5	8.70%	10	115	2.88
TSA	16.37%	64	30.18%	118	22.51%	88	24.55%	96	4.60%	18	1.79%	7	391	2.7
Components with <3,000 Respondents	9.91%	11	19.82%	22	20.72%	23	34.23%	38	6.31%	7	9.01%	10	111	3.08
HRMS-Serviced Support Component Respondents	14.89%	7	21.28%	10	29.79%	14	25.53%	12	2.13%	1	6.38%	3	47	2.77
Total DHS Respondents	14.12%	193	26.04%	356	22.38%	306	26.48%	362	5.56%	76	5.41%	74	1367	2.82



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Q57. Do your component's senior leaders support your efforts to recommend or take disciplinary actions when warranted?

	Yes, always		Sometimes, depends on the circumstances		No		I do not know / no basis to judge		Total
	%	Count	%	Count	%	Count	%	Count	
USCIS	33.15%	59	28.65%	51	12.92%	23	25.28%	45	178
CBP	32.82%	127	36.43%	141	8.01%	31	22.74%	88	387
FEMA	25.36%	35	39.13%	54	11.59%	16	23.91%	33	138
ICE	31.30%	36	25.22%	29	13.04%	15	30.43%	35	115
TSA	32.23%	126	42.97%	168	10.49%	41	14.32%	56	391
Components with <3,000 Respondents	28.83%	32	33.33%	37	12.61%	14	25.23%	28	111
HRMS-Serviced Support Component Respondents	23.40%	11	36.17%	17	10.64%	5	29.79%	14	47
Total DHS Respondents	31.16%	426	36.36%	497	10.61%	145	21.87%	299	1367

Q58. What actions have been taken with employees in lieu of discipline? (Select all that apply)

	Total DHS Respondents		USCIS		CBP		FEMA		ICE		TSA		Components with <3,000 Respondents		Support Components	
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count
Employees were allowed to resign with no indication of disciplinary action on their record	41.11%	562	33.15%	59	41.09%	159	31.88%	44	42.61%	49	48.34%	189	43.24%	48	29.79%	14
Employees were detailed to other positions or offices	29.41%	402	24.72%	44	33.85%	131	35.51%	49	37.39%	43	19.44%	76	43.24%	48	23.40%	11
Employees were relieved of certain responsibilities	32.99%	451	31.46%	56	36.43%	141	29.71%	41	34.78%	40	28.64%	112	40.54%	45	34.04%	16
Employees were relieved of supervisory duties	26.34%	360	28.09%	50	29.46%	114	22.46%	31	25.22%	29	23.53%	92	30.63%	34	21.28%	10
Employees were transferred to other positions at same grade	25.24%	345	24.72%	44	26.87%	104	28.26%	39	29.57%	34	17.90%	70	36.94%	41	27.66%	13
I am not aware of any actions taken in lieu of discipline	34.97%	478	38.20%	68	35.40%	137	34.78%	48	32.17%	37	35.29%	138	28.83%	32	38.30%	18
None of the above	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
I do not know	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
Other (please specify)	12.58%	172	11.80%	21	13.18%	51	10.87%	15	12.17%	14	11.00%	43	18.02%	20	17.02%	8



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