



**U.S. Department of Justice | Office of the Inspector General**



# SEMIANNUAL REPORT TO **CONGRESS**

April 1, 2020–September 30, 2020

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## MESSAGE FROM THE INSPECTOR GENERAL



It is my pleasure to submit this Semiannual Report on the operations of the Office of the Inspector General (OIG), which covers the period from April 1, 2020, to September 30, 2020. Despite an unprecedented transition to a maximum telework posture in March due to the coronavirus disease 2019 (COVID-19) pandemic, the OIG maintained the quantity and quality of oversight work expected of us during this period. In fact, the OIG completed more audit reports this semiannual period than during the preceding 6 months and nearly the same number of audit reports released between April and September 2019. This exceptional effort is a testament to the commitment of OIG staff to our important mission.

Beginning in early March, the OIG promptly shifted a significant portion of its oversight toward assessing the Department's response to the rapidly evolving COVID-19 pandemic. Through its initial assessment, the OIG determined that the most immediate challenges to Department operations involved preventing the spread of the virus among its federal inmates and detainees in Federal Bureau of Prisons (BOP) and U.S. Marshals Service (USMS) custody, operating its immigration courts in a manner that minimizes the risk to participants, and ensuring robust oversight of \$850 million in pandemic-related U.S. Coronavirus Aid, Relief, and Economic Security (CARES) Act grant funding disbursed by the Department to fund state, local, and tribal efforts to combat COVID-19. Accordingly, we have issued several reports in these areas, including 5 remote inspections of BOP-managed and contract facilities to assess the steps the facilities took to prepare for, prevent, and manage COVID-19 transmission within the facilities. In addition, we have posted on our web site interactive data dashboards displaying trends of COVID-19 cases and deaths at all BOP facilities. We also released a report on COVID-19 challenges for the Department of Justice, and an interim report examining the Office of Justice Programs' administration of CARES Act funding. In the coming months, we will release reports regarding the responses of the Executive Office for Immigration Review and USMS to the COVID-19 pandemic, oversight of CARES Act funding, and additional remote inspections of BOP facilities.

In the past 6 months, we completed numerous other reports, not related to COVID-19, pertaining to the Department and its law enforcement components, including reviews of the Department's efforts to protect BOP facilities against threats posed by unmanned aircraft systems, the Drug Enforcement Administration's (DEA) income-generating undercover operations, and the DEA's community-based efforts to combat the opioid crisis.

In our ongoing commitment to identify whether federal funds are being used by the Department effectively and efficiently, we conducted multiple audits and reviews to fulfill this mission, and we recommended improvements to the Department's programs. For example, we released reports examining the Environment and Natural Resources Division's procurement and administration

of expert witness contracts, which totaled approximately \$52 million, and the Federal Bureau of Investigation's administration of a \$60 million contract for subject matter experts with specialized skills.

Further, the OIG's Investigations Division closed 124 criminal or administrative misconduct cases, and its work resulted in 18 convictions or pleas and 49 terminations, administrative disciplinary actions, and resignations. The quality of the investigations described in this report demonstrates the importance of effective, fair, and objective investigative oversight conducted by our Office.

As always, the OIG remains committed to its mission to detect and deter waste, fraud, abuse, and misconduct related to DOJ programs, and to promote economy and efficiency in those programs—as is exemplified in our work over the past 6 months. As usual, the Semiannual Report reflects the exceptional work of OIG personnel.



Michael E. Horowitz  
Inspector General  
October 30, 2020

# HIGHLIGHTS

## Statistical Highlights

The following summaries highlight some of the OIG's audits, evaluations, inspections, special reviews, and investigations, which are discussed further in this report. As the highlights illustrate, the OIG continues to conduct wide-ranging oversight of Department of Justice (DOJ or Department) programs and operations.

### OIG-wide

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**50**  
Total Number of OIG Reports Issued<sup>1</sup>



**351**  
Total Number of Recommendations in OIG Reports  
(including dollar-related recommendations)<sup>2</sup>

### Audit Division

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**44**  
Reports Issued<sup>3</sup>

**\$8,456,385**  
Questioned Costs<sup>4</sup>

**\$1,121,734**  
Funds Recommended to Be Put to Better Use<sup>5</sup>

**316**  
Recommendations for Management Improvements



**34**

Single Audit Act Reports Issued

**\$1,854,601**

Questioned Costs

**73**

Recommendations for Management Improvements

## Investigations Division

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**8,820**

Allegations Received by the Investigations Division<sup>6</sup>



**125/124**

Investigations Opened/Closed



**32**

Arrests



**38/18**

Indictments & Informations/Convictions & Pleas



**49**

Administrative Actions



**\$2,472,391.35**

Monetary Recoveries<sup>7</sup>

# Audits, Evaluations, Inspections, and Special Reviews Highlights

Examples of OIG audits, evaluations, inspections, and special reviews completed during this semiannual reporting period are:

- **[Audit of the DEA's Income-Generating Undercover Operations.](#)** Through income-generating Attorney General Exempt Operations (AGEOs), the Drug Enforcement Administration (DEA) is authorized to participate in undercover financial transactions to target drug trafficking and money laundering organizations. The OIG found that the DEA's internal control framework over AGEOS was inadequate to mitigate risks, ensure compliance with statutory requirements, and safeguard funds from fraud, waste, and abuse. The OIG found that the DEA did not fully comply with statutory and Department requirements, nor did it clearly define operational objectives. The OIG issued 19 recommendations to the DEA and the Department to improve management and oversight of AGEOS.

The OIG released a [video message](#) to accompany this report.

- **[Audit of DOJ's Efforts to Protect BOP Facilities Against Threats Posed by Unmanned Aircraft Systems.](#)** The OIG's audit found that the Federal Bureau of Prisons (BOP) faces significant and growing challenges to protect its facilities from unmanned aircraft, or drones. Drones have been used to deliver contraband to inmates, and could also be used to facilitate escape attempts or introduce dangerous weapons into BOP facilities. The OIG found that DOJ needs to improve its drone incident tracking, drone guidance, and protective solutions. The report provided seven recommendations to DOJ and the BOP.

The OIG released a [video message](#) to accompany this report.

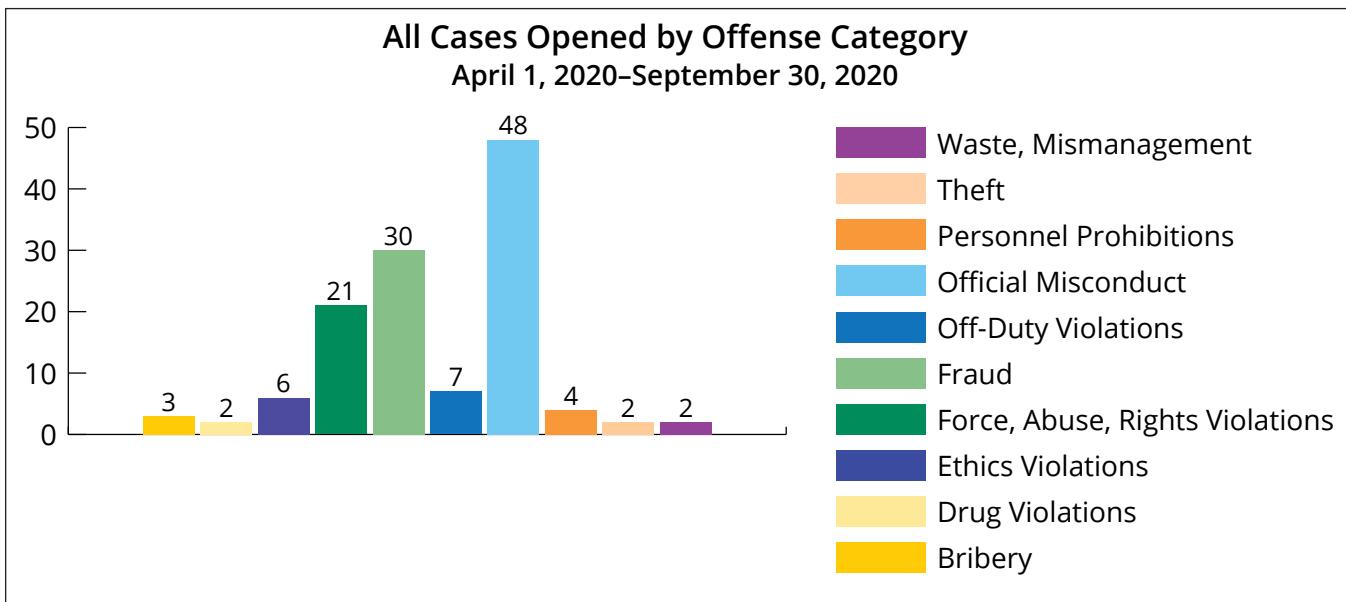
- **[Audit of the DEA's Community-Based Efforts to Combat the Opioid Crisis.](#)** The OIG reported on the DEA's community-based efforts to combat the opioid crisis in 20 communities across the U.S. The OIG identified improvements to the DEA's pilot city selection process, allocation of resources, and collaborative efforts with other federal entities tasked with combatting the opioid crisis. In addition, the OIG found that the DEA should enhance its outcome-oriented performance measurement strategy to assess the effectiveness of its community outreach efforts. The OIG provided five recommendations for the DEA.

The OIG released a [video message](#) to accompany this report.

- **[Remote Inspections of BOP Facilities.](#)** As part of its response to the coronavirus disease 2019 (COVID-19) pandemic, the OIG released five inspection reports of BOP-managed institutions and contract prisons. The inspections sought to determine whether the facilities received and complied with Centers for Disease Control and Prevention (CDC) guidelines, as well as DOJ and BOP policy, related to the pandemic. Each inspection is described in more detail [below](#).

## Investigative Highlights

As shown in the statistics at the beginning of this section and in the chart below, the OIG investigates many allegations of misconduct involving DOJ employees or contractors and grantees who receive DOJ funds.



Source: Investigations Data Management System

The following are examples of such investigations:

- **Findings of Misconduct by a then United States Attorney for Violating DOJ Policy Regarding Possible Conflicts of Interest and by a then First Assistant United States Attorney for Failing to Report Those Possible Conflicts.** On April 29, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the DOJ Office of Professional Responsibility (OPR) suggesting that a then United States Attorney (USA) violated DOJ policy regarding conflicts of interest by directly participating in the criminal investigation and prosecution of two individuals with whom the then USA had previous relationships. The investigation was presented for prosecution on February 6, 2017, and declined on July 5, 2017. The OIG has completed its investigation and provided this report to the Office of the Deputy Attorney General, Executive Office for United States Attorneys (EOUSA), and OPR for appropriate action.
- **Former BOP Health Care Provider Settles to Resolve Health Care Billing Fraud Allegations.** On June 12, 2020, a former subcontracted psychiatrist providing psychiatric services to an Federal Correctional Complex (FCC) in Florida, entered into a settlement agreement with DOJ to pay \$130,000 plus interest to resolve allegations that he up-coded patient visits conducted at the FCC. According to the settlement agreement, the government alleged that between January 1, 2014 and October 31, 2016, the psychiatrist, who is no longer providing services to the BOP, used billing codes that were inconsistent with the services he provided. The investigation was conducted by the OIG's Fraud Detection Office in conjunction with the OIG's Office of Data Analytics.

- **Former DEA Official Pleaded Guilty to Wire Fraud.** On June 11, 2020, a former DEA Public Affairs Official pleaded guilty in the Eastern District of Virginia to one count of wire fraud. According to the factual statement in support of the guilty plea, between 2012 and 2016, the Official engaged in a fraud scheme that involved posing as an undercover Central Intelligence Agency (CIA) operative in order to defraud government contractors out of approximately \$4.5 million. The investigation is being conducted by the OIG's Washington Field Office with forensic assistance provided by the OIG's Cyber Investigations Office, Federal Bureau of Investigation (FBI), Defense Criminal Investigative Service, and other federal law enforcement agencies.
- **Findings of Misconduct by an Assistant United States Attorney for Providing Assistance to the Target of a Federal Investigation and Related Misconduct.** On August 24, 2020, the OIG completed its report of investigation for an investigation initiated upon receipt of information from EOUSA alleging that an Assistant United States Attorney (AUSA) had assisted a friend with producing documents in response to a demand for records in a matter in which the AUSA's office had been recused and that was being criminally investigated by another U.S. Attorney's Office. The investigation was presented for prosecution and declined on March 8, 2019. The OIG has completed its investigation and provided its report to EOUSA and the Department's OPR for appropriate action.
- **Misconduct by an FBI Senior Officials for Violations of Federal Ethics Rules and FBI Policies.** The OIG initiated an investigation of FBI senior officials based on an allegation that the senior officials violated federal ethics rules and FBI policies in connection with their remaining at a sporting event after participating in pre-game law enforcement briefings, and holding an executive management meeting in a public space. The OIG found that five FBI senior officials accepted gifts in violation of federal ethics rules and FBI policies when they accepted a sports organization's offer to use a table in an exclusive club area of its stadium before and during the sporting event. The table had a view of the playing field and was in an area of the club where fans were circulating. The officials held an executive management meeting at the table, discussed sensitive law enforcement information, and ate food from a buffet in the club that had a market value of more than \$60 per person. The OIG found that two of the five FBI senior officials were primarily responsible for these violations. The OIG additionally concluded that one of the FBI senior officials violated FBI policy by consuming alcohol while on duty at the sporting event. The OIG has completed its investigation and provided its report to the FBI. The FBI made the decision to reassign the more senior FBI official primarily responsible for these violations.
- **Misconduct by a then FBI Special Agent in Charge for Sexual Harassment, Failure to Report an Intimate Relationship with a Subordinate, and Lack of Candor.** The OIG initiated this investigation upon the receipt of information from the FBI's Inspection Division (INSD) alleging that a then FBI Special Agent in Charge (SAC) had sexually harassed multiple employees and failed to report an intimate relationship with a subordinate. The OIG found that the SAC sexually harassed six subordinate employees while the SAC and two subordinate employees while as a Section Chief at FBI Headquarters, failed to report an intimate relationship with a subordinate, engaged in actions that created a hostile work environment for the subordinate, and lacked candor during the SAC's interview with the OIG, all in violation of FBI policy. The OIG also found that the SAC violated DOJ's zero tolerance policy with respect to sexual harassment. The OIG has completed its investigation and provided its report to the FBI.

## OIG PROFILE

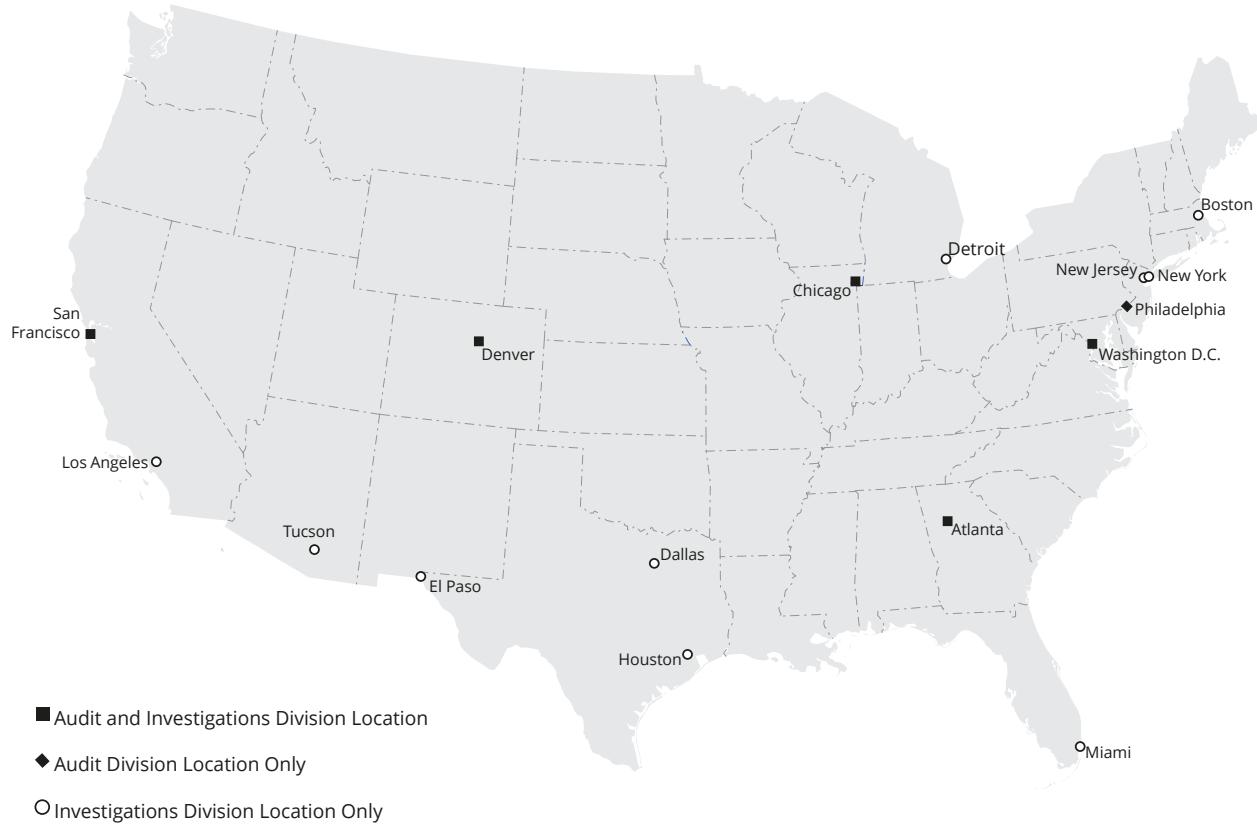
The OIG is a statutorily created, independent entity whose mission is to detect and deter waste, fraud, abuse, and misconduct involving DOJ programs and personnel and promote economy and efficiency in DOJ operations. The OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of DOJ employees in their numerous and diverse activities. The OIG also audits and inspects DOJ programs and assists management in promoting integrity, economy, efficiency, and effectiveness. The OIG has jurisdiction to review the programs and personnel of the FBI; Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); BOP; DEA; U.S. Attorneys' Offices (USAO); U.S. Marshals Service (USMS); and all other organizations within DOJ, as well as DOJ's contractors and grant recipients.

The OIG consists of the Immediate Office of the Inspector General and the following divisions and office:

- **Audit Division** is responsible for independent audits of DOJ programs, computer systems, and financial statements. The Audit Division has regional offices in the Atlanta, Chicago, Denver, Philadelphia, San Francisco, and Washington, D.C., areas. Its Financial Statement Audit Office and Computer Security and Information Technology (IT) Audit Office are located in Washington, D.C., along with Audit Headquarters. Audit Headquarters consists of the immediate office of the Assistant Inspector General for Audit, Office of Operations, Office of Policy and Planning, and Office of Data Analytics.
- **Investigations Division** is responsible for investigating allegations of bribery, fraud, abuse, civil rights violations, and violations of other criminal laws and administrative procedures governing DOJ employees, contractors, and grantees. The Investigations Division has field offices in Chicago, Dallas, Denver, Los Angeles, Miami, New York, and Washington, D.C. The Investigations Division has smaller, area offices in Atlanta, Boston, Detroit, El Paso, Houston, New Jersey, San Francisco, and Tucson. The Fraud Detection Office and the Cyber Investigations Office are co-located with the Washington Field Office. The Cyber Investigations Office also includes personnel in the Dallas and Los Angeles Field Offices. Investigations Headquarters in Washington, D.C., consists of the immediate office of the Assistant Inspector General for Investigations and the following branches: Operations I, Operations II, Investigative Support, and Administrative Support.

The map on the following page shows the locations for the Audit and Investigations Divisions.

## Audit and Investigations Division Locations



Source: OIG

- **Evaluation and Inspections Division** conducts program and management reviews that involve on-site inspection, statistical analysis, interviews, and other techniques to review DOJ programs and activities and makes recommendations for improvement.
- **Oversight and Review Division** blends the skills of Attorneys, Investigators, Program Analysts, and Paralegals to conduct special reviews and investigations of sensitive allegations involving DOJ employees and operations.
- **Management and Planning Division** provides the Inspector General with advice on administrative and fiscal policy and assists OIG components by providing services in the areas of planning, budget, finance, quality assurance, personnel, training, communications, procurement, facilities, telecommunications, security, and general mission support.
- **Information Technology Division** executes the OIG's IT strategic vision and goals by directing technology and business process integration, network administration, implementation of computer hardware and software, cybersecurity, applications development, programming services, policy formulation, and other mission-support activities.

- **Office of General Counsel** provides legal advice to OIG management and staff. It also drafts memoranda on issues of law; prepares administrative subpoenas; represents the OIG in personnel, contractual, and legal matters; and responds to Freedom of Information Act requests.

The OIG has a nationwide workforce of more than 500 Special Agents, Auditors, Inspectors, Attorneys, and support staff. For Fiscal Year (FY) 2020, the OIG direct appropriation is \$105 million, and the OIG anticipates earning an additional \$18 million in reimbursements.

As required by Section 5 of the Inspector General Act of 1978 (IG Act), as amended, this Semiannual Report to Congress is reviewing the accomplishments of the OIG for the 6-month period of April 1, 2020, through September 30, 2020.

Additional information about the OIG and full-text versions of many of its reports are available at [oig.justice.gov](http://oig.justice.gov).

# PANDEMIC RESPONSE OVERSIGHT

Beginning in early-March 2020, the OIG promptly shifted a significant portion of its oversight efforts toward assessing the DOJ's response to the COVID-19 pandemic. Through its initial assessment, and the subsequent passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020, the OIG determined that the most immediate challenges to DOJ operations involved preventing the spread of the virus among federal inmates and detainees; safely operating immigration courts; and ensuring robust oversight of \$850 million in pandemic-related grant funding being disbursed to state, local, and tribal organizations. Since that time, these efforts have been expanded to include areas such as the impact of COVID-19 on DOJ law enforcement and other day to day operations. Recently, the OIG released a collection of interactive dashboards with data on COVID-19 case trends, testing trends, and deaths due to COVID-19 in BOP-managed correctional facilities, as shown [here](#).

Our completed pandemic-related work for this reporting period is listed below, along with our ongoing work. More information about the OIG's Pandemic Oversight activities is available [here](#).

## Reports Issued

### [\*\*COVID-19 Challenges for the U.S. Department of Justice\*\*](#)

The OIG released a report identifying the top pandemic-related challenges facing the Department of Justice. In particular, the report identifies challenges related to quickly and efficiently distributing grant funding provided under the CARES Act, protecting DOJ prison staff and inmates, and adjudicating immigration cases.

### [\*\*Report on the Status of DOJ CARES Act Funding as of June 12, 2020 and Other CARES Act Reporting Requirements\*\*](#)

The OIG released a report providing the status of DOJ funding received from the U.S. CARES Act and other DOJ CARES Act reporting requirements. It is designed to give a snapshot of the status of the \$1.007 billion in CARES Act funding received by DOJ components. The report also lists upcoming due dates related to reporting requirements outlined in the CARES Act and subsequent Office of Management and Budget (OMB) guidance, as well as the initial initiatives the OIG has taken to ensure robust oversight of this critical funding.

### [\*\*Interim Report—Review of OJP's Administration of CARES Act Funding\*\*](#)

The OIG released an interim report examining the Office of Justice Programs' (OJP) administration of CARES Act funding. This report covered OJP's actions during the Coronavirus Emergency Supplemental Funding (CESF) solicitation's open period from March 30 to May 29, 2020. Generally, OJP has distributed CESF funding quickly and in accordance with CARES Act requirements. However, the OIG found that as a result of the statutory requirement, some funding was

distributed to areas with limited coronavirus impact. Additionally, the OIG has identified multiple fraud schemes specifically targeting funding made available through the CARES Act, some of which could directly impact OJP's CESF award recipients. The OIG shared information on the areas of risk discussed above, and OJP agreed that the OIG's work provided useful monitoring strategies to mitigate the potential for fraud, waste, and abuse in the CESF program. The report contained no recommendations to OJP.

## Remote Inspections of BOP Facilities

In April 2020, the OIG initiated a series of remote inspections of BOP-managed institutions; contract prisons; and Residential Reentry Centers, sometimes referred to as halfway houses, to examine whether their response to the COVID-19 pandemic is in compliance with DOJ and BOP policy, and pandemic-related guidance issued by the CDC. The OIG conducted these inspections remotely because of CDC guidelines and DOJ policy on social distancing. The OIG issued five reports on these remote inspections, as described in the following summaries:

- **Remote Inspection of FCC Lompoc.** The OIG issued a report assessing the steps FCC Lompoc officials took to prepare for, prevent, and manage COVID-19 transmission within its facilities. The OIG found that preexisting staffing shortages were among the institution's biggest challenges in controlling the spread of infection. Additionally, the OIG found that Lompoc's initial COVID-19 screening process was not fully effective, as two staff members came to work in late March after experiencing COVID-19 symptoms. The OIG also found that the BOP's use of home confinement in response to the spread of COVID-19 at FCC Lompoc was extremely limited.
- **Remote Inspection of FCC Tucson.** The OIG issued a report assessing the steps FCC Tucson officials took to prepare for, prevent, and manage COVID-19 transmission within its facilities. The OIG found that FCC Tucson officials adhered to applicable COVID-19 related BOP policies and CDC guidelines and regularly communicated changes to staff and inmates. The OIG determined that several factors assisted FCC Tucson in responding to the COVID-19 pandemic, including FCC Tucson's proactive implementation of preventive measures before they were required by the BOP.
- **Remote Inspection of Contract Correctional Institution Giles W. Dalby, Operated by Management & Training Corporation.** The OIG issued a report assessing Dalby's management of COVID-19. The OIG found that the BOP's Privatization Management Branch issued guidance to contract prisons after the BOP issued comparable guidance to BOP-managed institutions between February and April 2020. The OIG also found that for 2 weeks Dalby had an insufficient number of face coverings to comply with the April 3 CDC guideline for individuals to wear cloth face coverings in public settings. The OIG's survey of Dalby staff rated Dalby better than average on the availability of personal protective equipment, timeliness of guidance to staff, and management of potentially symptomatic inmates.
- **Remote Inspection of Contract Correctional Institution Moshannon Valley, Operated by the GEO Group, Inc.** The OIG issued a report assessing Moshannon Valley's management of COVID-19. The OIG found that the BOP's Privatization Management Branch issued guidance to contract prisons after the BOP issued comparable guidance to BOP-managed institutions between February and April 2020. The OIG also found that, due to

supply issues, for over 2 weeks Moshannon was unable to comply with the April 3 CDC recommendation for individuals to wear cloth face coverings in public settings. Moshannon officials adhered to all other applicable COVID-19 related BOP policies and CDC guidelines and regularly communicated changes to staff and inmates.

- **Remote Inspection of Contract Correctional Institution McRae, Operated by CoreCivic.** The OIG issued a report assessing McRae's management of COVID-19. The OIG found that the BOP's Privatization Management Branch issued guidance to contract prisons after the BOP issued comparable guidance to BOP-managed institutions between February and April 2020. The OIG also found that McRae officials did not immediately restrict all inmates to their housing units after the first inmate presented symptoms and ultimately tested positive for COVID-19. A McRae Physician told the OIG that the delay in restricting inmates likely led to the spread of COVID-19 within the prison.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Survey on the Effects of COVID-19 on ATF, DEA, FBI, USAO, and USMS Investigative Operations

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Cross-agency Project on COVID-19 Testing across Select Federal Healthcare Programs

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Remote Inspections of Facilities Housing BOP Inmates During the COVID-19 Pandemic

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Review Examining the BOP's Use of Home Confinement as a Response to the COVID-19 Pandemic

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Review of the USMS's Response to the COVID-19 Pandemic

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Review of the Executive Office for Immigration Review's (EOIR) Response to the COVID-19 Pandemic

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Review of the OJP's Administration of CARES Act Funding

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## MULTICOMPONENT

While many of the OIG's activities are specific to a particular component of DOJ, other work covers more than one component and, in some instances, extends to DOJ contractors and grant recipients. The following describes OIG audits, evaluations, inspections, special reviews, and investigations that involve more than one DOJ component.

### Reports Issued

#### [Examination of DOJ's FY 2019 Compliance under the Improper Payments Elimination and Recovery Act of 2010](#)

The OIG released an examination report of the DOJ's FY 2019 compliance under the Improper Payments Elimination and Recovery Act of 2010. The OIG's examination assessed the Department's compliance with the reporting requirements of OMB Circular A-123, Management's Responsibility for Internal Control, Appendix C, Requirements for Payment Integrity Improvement. The OIG concluded that the Department complied, in all material respects, with the aforementioned requirements for the FY ended September 30, 2019.

#### [Audit of the DOJ's Compliance with the Geospatial Data Act of 2018](#)

The OIG found that the Department did not fully comply with the Geospatial Data Act of 2018 (GDA) and that much of the Department's progress was fragmented and not part of a cohesive Department-wide effort. The Department made progress toward meeting 8 of the 13 requirements related to geospatial resource allocation, recordkeeping, data use, and personal privacy protection. The Department made little to no progress towards meeting 3 of the 13 requirements pertaining to geospatial data sharing, standardization, and industry coordination. The report made two recommendations to improve the Department's efforts to comply with the GDA, and the Department agreed with both of them.

### Federal Information Security Modernization Act Audits

The Federal Information Security Modernization Act (FISMA) requires the Inspector General for each agency to perform an annual independent evaluation of the agency's information security programs and practices. The evaluation includes testing the effectiveness of information security policies, procedures, and practices of a representative subset of agency systems.

This reporting period, the OIG finalized the reports on the FY 2019 FISMA compliance of the security programs and systems for the remaining three of six DOJ components reviewed: Justice Management Division's (JMD) Personnel Accountability and Assessment System; OJP's Denial of Federal Benefits and Defense Procurement Fraud Debarment Clearinghouse System; and BOP's Sentry System. In the FY 2019 audits for all six components, including the FBI's Enterprise Application Service Program, Land Mobile Radio Network, and Legacy Pocatello Data Center;

Tax Division's Office Automation System; and United States National Central Bureau's OA/Envoy System which were previously reported, the OIG identified weaknesses in all eight of the domains and within two of the six control areas tested. The OIG issued 71 recommendations in these reports to improve the information security programs reviewed, and the respective DOJ components agreed with all of them.

The OIG is currently reviewing FY 2020 FISMA compliance at six DOJ components: the FBI, JMD, ATF, Civil Rights Division, National Security Division, and USMS. In addition, the OIG is reviewing FY 2020 compliance at the Court Services and Offender Supervision Agency for the District of Columbia, which is an independent, federal executive branch agency.

### **Single Audit Act Reports**

The Single Audit Act of 1984, as amended, promotes sound financial management of federal financial assistance provided to state, local, and tribal governments, colleges, universities, and nonprofit organizations. Under 2 C.F.R. 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, such entities that expend \$750,000 or more in federal funds in 1 year must have a "single audit" performed annually covering all federal funds expended that year. These audits are conducted by non-federal auditors, such as independent public accounting firms and state auditors. The OIG performs quality reviews of these audit reports when they pertain to DOJ funds and to determine whether they contain audit findings related to DOJ funds. The OIG's oversight of non-federal audit activity informs federal managers about the soundness of the management of federal programs and identifies any significant areas of internal control weakness, noncompliance, and questioned costs for resolution or follow-up. As a result of the OIG's review of the single audits during this semiannual period, the OIG transmitted to OJP 34 single audit reports encompassing approximately 424 grants and other agreements totaling nearly \$470 million. To address these deficiencies, the auditors recommended 73 management improvements and questioned costs totaling \$1,854,601. The OIG also monitors these audits through the resolution and closure process.

### **Civil Rights and Civil Liberties**

Section 1001 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (Patriot Act) directs the OIG to receive and review complaints of civil rights and civil liberty violations by DOJ employees, to publicize how people can contact the OIG to file a complaint, and to send a semiannual report to Congress discussing the OIG's implementation of these responsibilities. In September 2020, the OIG released its most recent report, which summarized the OIG's Section 1001 activities from January 1 through June 30, 2020. The report described the number of complaints the OIG received under this section, the status of investigations conducted by the OIG and DOJ components in response to those complaints, and an estimate of the OIG's expenses for conducting these activities.

### **Reports with Outstanding Unimplemented Recommendations**

The OIG periodically publishes a list of recommendations from the OIG's reports that the OIG had not closed as of a particular date, because it had not determined that DOJ had fully implemented them. The list omits information that DOJ determined to be limited official use or classified, and therefore unsuitable for public release. This list includes the status and descriptions of these recommendations and the titles of and hyperlinks to the relevant reports.

The most recent list is accurate as of September 30, 2020, and is available on the OIG's [website](#). The recommendations in this report are associated with over \$134 million in questioned costs and approximately \$3 million in funds that the OIG recommends could be used more efficiently if repurposed by the agency. Although DOJ may have taken steps to implement the recommendations listed in this report, including by partially remedying the questioned costs associated with a recommendation, a recommendation is not considered closed until it has been fully implemented.

## Investigations

The following information about OIG investigations of allegations against senior governmental employees in several components in which the OIG determined the allegations were unsubstantiated is provided pursuant to the IG Act, Section 5, Paragraph (22)(B). The OIG closed these investigations without public disclosure during the reporting period:

- The OIG closed six investigations of alleged misconduct by senior government employees that were ultimately unsubstantiated. These investigations included allegations of prohibited personnel action, inappropriate relationships, job performance failure, false statements, misuse of position, off duty arrest, and retaliation.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the DOJ Policy on Body Worn Cameras

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Review of the Department's Planning and Implementation of Its Zero Tolerance Policy and Its Coordination with the Departments of Homeland Security and Health and Human Services

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Audit of the DOJ Contracts Awarded to Adaptive Digital Systems, Inc., for Covert Audio and Video Recorders

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Review Examining DOJ's and its Law Enforcement Components' Roles and Responsibilities in Responding to Protest Activity and Civil Unrest in Washington, D.C., and Portland, Oregon

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Review of the Institutional Hearing and Removal Program

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Review of the Department's Violent Crime Initiatives

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# FEDERAL BUREAU OF INVESTIGATION

## Report Issued

### Audit of the FBI's Administration of Contract Awarded to Tuva, LLC

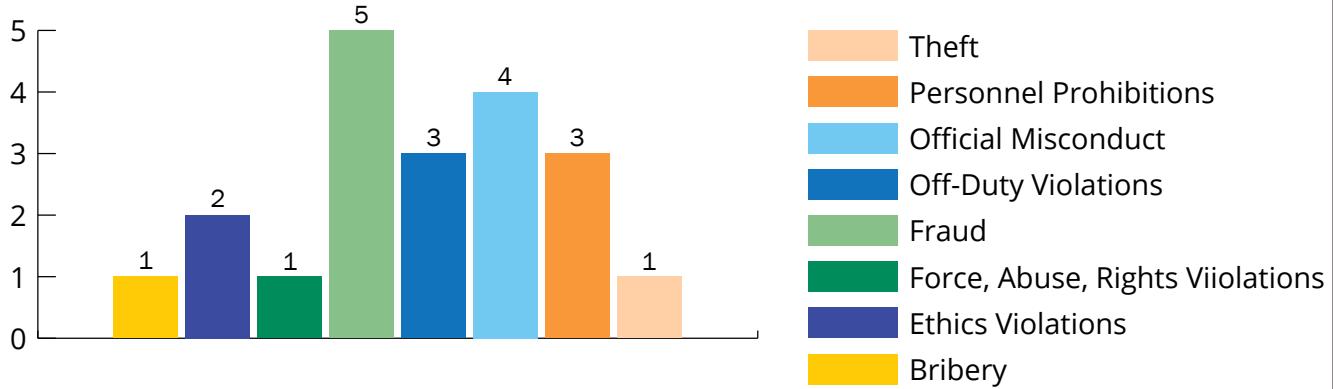
The OIG released a report examining the FBI's \$60 million contract awarded to TUVA, LLC (TUVA) for subject matter experts (SME) with specialized skills. The OIG found that: (1) the FBI administered the SME contract as a personal services contract; (2) SMEs performed operational support tasks not listed in the task order Statement of Work and prohibited by the Federal Acquisition Regulations (FAR); (3) SMEs were non-compliant with security reporting requirements; (4) the FBI was not compliant with the FAR; and (5) the FBI paid unallowable expenses related to airfare charges. The report made 12 recommendations, and the FBI agreed with all of them.

## Investigations

During this reporting period, the OIG received 643 complaints involving the FBI. The most common allegations made against FBI employees were Official Misconduct; and Waste, Mismanagement. Most of the complaints received during this period were considered management issues and were provided to FBI management for its review and appropriate action.

The OIG opened 20 investigations and referred 43 allegations to the FBI's INSD for action or investigation with a requirement that the INSD report the results of its action or investigation to the OIG. At the close of the reporting period, the OIG had 91 open criminal or administrative investigations of alleged misconduct related to FBI employees. The criminal investigations involved serious allegations of Official Misconduct; and Fraud.

**FBI Cases Opened by Offense Category**  
April 1, 2020–September 30, 2020



Source: Investigations Data Management System

The following are examples of investigations involving the FBI that the OIG conducted during this reporting period:

- **Findings of Misconduct by a then FBI Assistant Director for Seeking an Improper Intimate Relationship with a Subordinate, Sexual Harassment, and Related Misconduct.** On April 13, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the FBI's INSD alleging that a then FBI Assistant Director (Assistant Director) had inappropriately touched a subordinate following an after-work happy hour event. The investigation was presented for prosecution on December 17, 2018, and declined on January 23, 2019. The Assistant Director retired while the OIG investigation was pending. The OIG has completed its investigation and provided its report to the FBI for appropriate action.
- **Findings of Misconduct by a then FBI Unit Chief for Engaging in an Improper, Intimate Relationship with a Subordinate and Related Misconduct.** On June 22, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the FBI's INSD alleging that a then FBI Unit Chief (UC) was engaged in an improper, intimate relationship with a subordinate, was directly involved in the subordinate's promotion, and had favored the subordinate for temporary duty opportunities. The FBI UC was not presented for prosecution, and retired while the investigation was ongoing. The OIG has completed its investigation and provided its report to the FBI.
- **Findings of Misconduct by a then FBI Unit Chief for Approving a Subordinate's Outside Employment Form Knowing that the Form Contained Misleading Information and Dereliction of Supervisory Responsibilities.** On July 16, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the FBI alleging that a then UC approved a request for outside employment submitted by a subordinate that contained false information, despite the UC allegedly being fully aware of the circumstances of the request, and then forwarded the request for executive approval. The investigation was presented for prosecution and declined on May 7, 2019. The UC retired while the OIG investigation was ongoing. The OIG has completed its investigation and provided its report to the FBI.
- **Misconduct by an FBI Senior Officials for Violations of Federal Ethics Rules and FBI Policies.** The OIG initiated an investigation of FBI senior officials based on an allegation that the senior officials violated federal ethics rules and FBI policies in connection with their remaining at a sporting event after participating in pre-game law enforcement briefings, and holding an executive management meeting in a public space. The OIG found that five FBI senior officials accepted gifts in violation of federal ethics rules and FBI policies when they accepted a sports organization's offer to use a table in an exclusive club area of its stadium before and during the sporting event. The table had a view of the playing field and was in an area of the club where fans were circulating. The officials held an executive management meeting at the table, discussed sensitive law enforcement information, and ate food from a buffet in the club that had a market value of more than \$60 per person. The OIG found that two of the five FBI senior officials were primarily responsible for these violations. The OIG additionally concluded that one of the FBI senior officials violated FBI policy by consuming alcohol while on duty at the sporting event. The OIG has completed its investigation and provided its report to the FBI. The FBI made the decision to reassign the more senior FBI official primarily responsible for these violations.

- **Misconduct by a then FBI Special Agent in Charge for Sexual Harassment, Failure to Report an Intimate Relationship with a Subordinate, and Lack of Candor.** The OIG initiated this investigation upon the receipt of information from the FBI's INSD alleging that a then FBI SAC had sexually harassed multiple employees and failed to report an intimate relationship with a subordinate. The OIG found that the SAC sexually harassed six subordinate employees while the SAC and two subordinate employees while as a Section Chief at FBI Headquarters, failed to report an intimate relationship with a subordinate, engaged in actions that created a hostile work environment for the subordinate, and lacked candor during the SAC's interview with the OIG, all in violation of FBI policy. The OIG also found that the SAC violated DOJ's zero tolerance policy with respect to sexual harassment. The OIG has completed its investigation and provided its report to the FBI.
- **Misconduct by an FBI Senior Official for Retaliating Against an FBI Employee for Suspected Reporting of Alleged Ethics Violations.** The OIG initiated an investigation of an FBI senior official based on information that the senior official retaliated against an FBI Supervisory Special Agent (SSA) for reporting that the senior official and other managers committed ethics violations. The OIG determined that the senior official believed that the SSA had reported the alleged ethics violations and soon thereafter decided to transfer the SSA to another position, and that the senior official's transfer decision was motivated by both retaliatory and non-retaliatory reasons, which constitutes a violation of the FBI's anti-retaliation policy. The OIG has completed its investigation and provided its report to the FBI. The FBI made the decision to reassign the senior official. The SSA and the FBI entered into a mediated settlement agreement.
- **Findings of Reasonable Grounds to Believe that an FBI Analyst Suffered Reprisal as a Result of Protected Disclosures in Violation of FBI Whistleblower Regulations.** The OIG investigated allegations from an FBI analyst that the analyst was retaliated against for making protected disclosures about non-compliance with various FBI policies. The OIG found that several personnel actions were taken against the analyst after the analyst made a protected disclosure, including two non-selections. The OIG did not find clear and convincing evidence that these two non-selections would have been made in the absence of the analyst's protected disclosure. Accordingly, the OIG found reasonable grounds to believe that the analyst suffered reprisals as a result of the analyst's protected disclosure. The OIG provided its report of investigation to the Office of Attorney Recruitment and Management.

## Management Advisory

**Notification of Concerns Identified in the FBI's Contract Administration of a Certain Classified National Security Program.** The OIG concluded its audit of the FBI's administration of contracts for a certain national security program. While a working draft report with 11 recommendations was provided to the FBI in January 2020, its Top Secret classification, the ongoing COVID-19 pandemic and associated restrictions on travel, and the unavailability to the OIG of secure video conferencing capability impacted the OIG's ability to complete its typical report review process with the FBI. Accordingly, the OIG concluded its work on this review and notified the FBI that it would treat the Top Secret working draft report as a management advisory. In response to the working draft report, the FBI noted concerns about language for some of the recommendations, however, the OIG will work with the FBI to ensure that the recommendations will be addressed consistent with their original intent and the FBI's ability to reasonably implement corrective actions.

## Update to Previously Reported Whistleblower Retaliation Finding

During this reporting period, the FBI decided not to impose consequences or take other action in relation to officials the OIG had found threatened retaliation against a whistleblower. Upon the enactment of the Inspector General Empowerment Act (IGEA), the OIG is required under IG Act section 5(a)(20) to report such actions. In the *Semiannual Report to Congress, October 2017–March 2018*, the OIG reported finding reasonable grounds to believe that an FBI Technician had been threatened with reprisal for making a protected disclosure under the FBI Whistleblower Regulations to the SAC of an FBI Division where the Technician had served a Temporary Duty (TDY) assignment. Specifically, the Technician alleged that a supervisor in his home office (SAS 2) prohibited him from sending additional emails outside the Division without her prior approval, threatened to give him a lower score on his annual Performance Appraisal Report (PAR), and told him that TDY opportunities “could dry up.” The OIG found that the Technician made a protected disclosure, and that, in direct response, SAS 2 threatened to lower his annual PAR rating and deny future requests for TDY opportunities. The OIG further determined that another supervisor (SAS 1) and the Technician’s Administrative Officer (AO) were also responsible for the personnel actions threatened against the Technician because they were employees who have authority to direct others to take, recommend, or approve personnel actions, and they actively counseled SAS 2 to advise the Technician that his disclosure could adversely affect his PAR ratings, and jeopardize future TDYs. The FBI informed the OIG no disciplinary action would be taken against the supervisory subject officials. Specifically, the FBI issued no action letters to SAS 1 and the AO because the FBI found there was no protected disclosure and these two employees did not take any personnel actions. For SAS 2, the FBI administratively closed the matter because the employee resigned prior to adjudication of the matter.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the FBI's Execution of its Woods Procedures for Applications Filed with the FISC Relating to U.S. Persons

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The FBI's Adjudication of Misconduct Investigations

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Audit of the FBI's Office of General Counsel's Roles and Responsibilities

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Audit of Selected Aspects of the FBI's National Instant Criminal Background Check System

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Audit of the FBI's National Security Undercover Operations

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Review of Gender Equity in the FBI's Training and Selection Processes for New Special Agents and Intelligence Analysts at the FBI Academy

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Audit of the FBI's Child Pornography Victim Assistance Program

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Audit of the FBI's Strategy and Efforts to Disrupt Illegal Dark Web Activities

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Review of the DOJ's and FBI's Planning for a Future FBI Headquarters Facility

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Audit of the FBI's Purchase Orders Awarded to Idemia National Security Solutions, LLC

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# FEDERAL BUREAU OF PRISONS

## Reports Issued

### [Audit of the DOJ's Efforts to Protect BOP Facilities Against Threats Posed by Unmanned Aircraft Systems](#)

The OIG released a report examining the Department's efforts to protect BOP facilities against threats posed by unmanned aircraft systems. The specific findings in the report relate to: (1) enhanced drone incident tracking, (2) improving drone response guidance, and (3) identifying and obtaining protective solutions. The report made seven recommendations to DOJ and the BOP to improve the BOP's tracking of drone incidents at its facilities and to promote the BOP and DOJ's efforts to protect BOP facilities against threats posed by drones. The BOP and DOJ agreed with all seven recommendations.

The OIG released a [video message](#) to accompany this report.

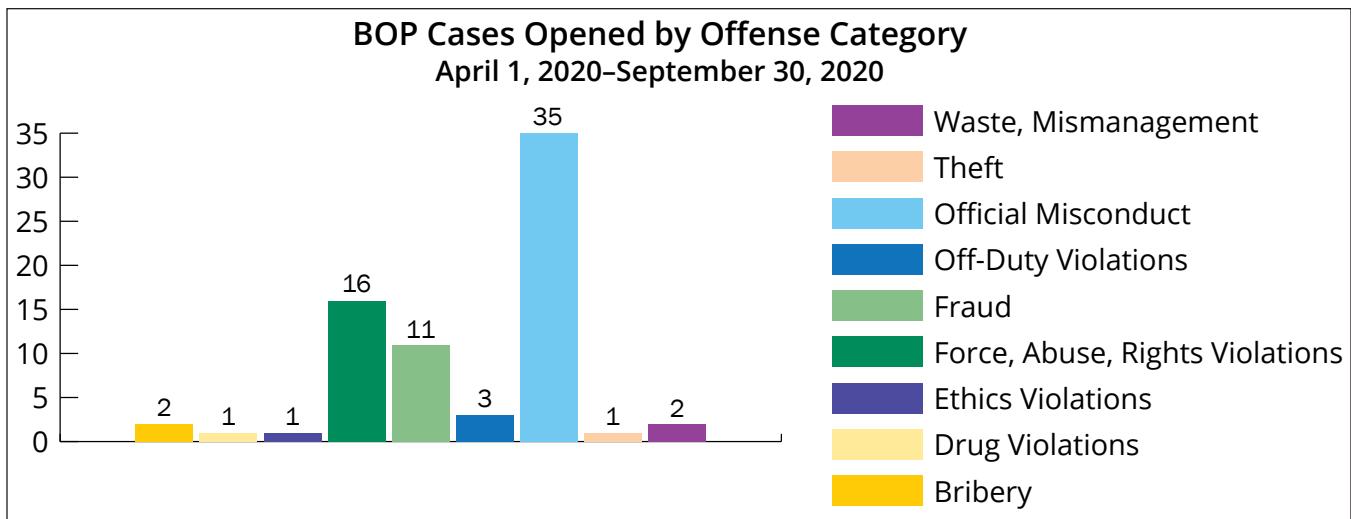
### [Audit of the BOP's Perimeter Security Strategy and Efforts Related to the Contract Awarded to DeTekion Security Systems, Incorporated, to Update the Non-Lethal/Lethal Fence at Nine United States Penitentiaries](#)

The OIG released a report examining the BOP's perimeter security strategy relating to its use of certain lethal/non-lethal fences at U.S. Penitentiaries and its \$3.2 million contract awarded to DeTekion Security Systems, Incorporated, to upgrade the fences. The OIG found several concerns involving: (1) perimeter security strategy, including associated polices and guidelines; (2) obtaining services at fair and reasonable prices; and (3) roles of Contracting Officer's Representatives. The report made 20 recommendations to assist the BOP in improving its perimeter security strategy practices and contract award and administration responsibilities. The BOP agreed with all 20 recommendations.

## Investigations

During this reporting period, the OIG received 6,581 complaints involving the BOP. The most common allegations made against BOP employees included Official Misconduct; and Force, Abuse, Rights Violations. The majority of complaints dealt with non-criminal issues that the OIG referred to the BOP's Office of Internal Affairs (OIA) for its review.

The OIG opened 72 investigations and referred 41 allegations to the BOP's OIA for action or investigation with a requirement that BOP OIA report the results of its action or investigation to the OIG. At the close of the reporting period, the OIG had 299 open cases of alleged misconduct against BOP employees. The criminal investigations covered a wide range of allegations, including Official Misconduct; Force, Abuse, Rights Violations; and Fraud.



Source: Investigations Data Management System

The following are examples of investigations involving the BOP that the OIG conducted during this reporting period:

- **Former BOP Health Care Provider Settles to Resolve Health Care Billing Fraud Allegations.** On June 12, 2020, a former subcontracted psychiatrist providing psychiatric services to an FCC in Florida, entered into a settlement agreement with DOJ to pay \$130,000 plus interest to resolve allegations that he up-coded patient visits conducted at the FCC. According to the settlement agreement, the government alleged that between January 1, 2014 and October 31, 2016, the psychiatrist, who is no longer providing services to the BOP, used billing codes that were inconsistent with the services he provided. The investigation was conducted by the OIG's Fraud Detection Office in conjunction with the OIG's Office of Data Analytics.
- **BOP Correctional Officer Sentenced for False Statements.** On July 14, 2020, a Correctional Officer (CO) assigned to the Federal Correctional Institution Petersburg in Virginia, was sentenced to 54 months of imprisonment and 3 years of supervised release for one count of false statements. According to the evidence presented at trial, the CO made false statements when he denied engaging in a sexual act with any inmate, and then he stated that he engaged in “just conversation” with an inmate while in an unattended office. The investigation was conducted by the OIG’s Washington Field Office, FBI, DOJ’s Civil Rights Division, and USAO for the Eastern District of Virginia.
- **Former BOP CO Sentenced for Deprivation of Rights Under Color of Law and False Statements.** On August 19, 2020, a former CO assigned to the Federal Correctional Institution in Aliceville, Alabama, was sentenced to 42 months of imprisonment and 3 years of supervised release for two counts of deprivation of rights under color of law and one count of false statements. According to the factual statement in support of the guilty plea, between September and November 2017, the CO subjected female inmates to sexual contact without their consent, and made false statements during an OIG interview by denying that he had sexual contact with inmates. The investigation was conducted by the OIG’s Atlanta Area Office.

- **Findings of Misconduct by a then BOP Manager for Harassing and Threatening Employees at Training Seminar.** On August 3, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the BOP's OIA alleging that a then BOP manager harassed and threatened multiple BOP employees at a training seminar in 2019. The investigation was presented for prosecution and declined on October 18, 2019. The BOP manager retired while the OIG's investigation was ongoing. The OIG has completed its investigation and provided its report to the BOP for its information.
- **Findings of Misconduct by a BOP Executive Assistant Who Engaged in an Inappropriate Relationship with a BOP Contractor Who Had Been a Federal Inmate, Failed to Cooperate in Our Investigation and Destroyed Evidence, And Related Misconduct.** On August 3, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the BOP alleging that a BOP Executive Assistant engaged in an inappropriate relationship with a BOP contractor who had been a federal inmate. The investigation was presented for prosecution on November 2, 2018, and declined on April 20, 2020. The OIG has completed its investigation and is providing this report to the BOP for appropriate action.

## Management Advisory Memorandum

### Notification of Concerns Identified During Mock Exercises by BOP Special Operation Response Teams.

The OIG released a Management Advisory Memorandum (MAM) to the Director of the BOP identifying concerns with the handling of mock exercises by the BOP Special Operation Response Teams (SORT). This memorandum arose in connection with two incidents in which BOP staff members sustained injuries during SORT mock exercises. The OIG recommended that the BOP suspend all mock exercises until comprehensive guidelines for mock exercises are developed, and that the BOP develop written policies concerning the types, if any, of weapons that may be used during training exercises as well as when and how such weapons may be used during training. The OIG also recommended that all SORT members and designated training monitors should receive remedial training on SORT policy and use of force applications during mock training and certification exercises. The OIG made four recommendations to BOP to address the concerns identified in the memorandum.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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The BOP's Efforts to Address Inmate Sexual Harassment and Sexual Assault Against BOP Staff

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Audit of the BOP's Management and Oversight of its Religious Services Program

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Audit of the BOP's Contracts Awarded to the University of Massachusetts Medical School

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Audit of the BOP's Compliance with the Government Charge Card Abuse Prevention Act of 2012

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Review of BOP Inmate Deaths in Custody

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Review of the BOP's Policy Development Process

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# U.S. MARSHALS SERVICE

## Report Issued

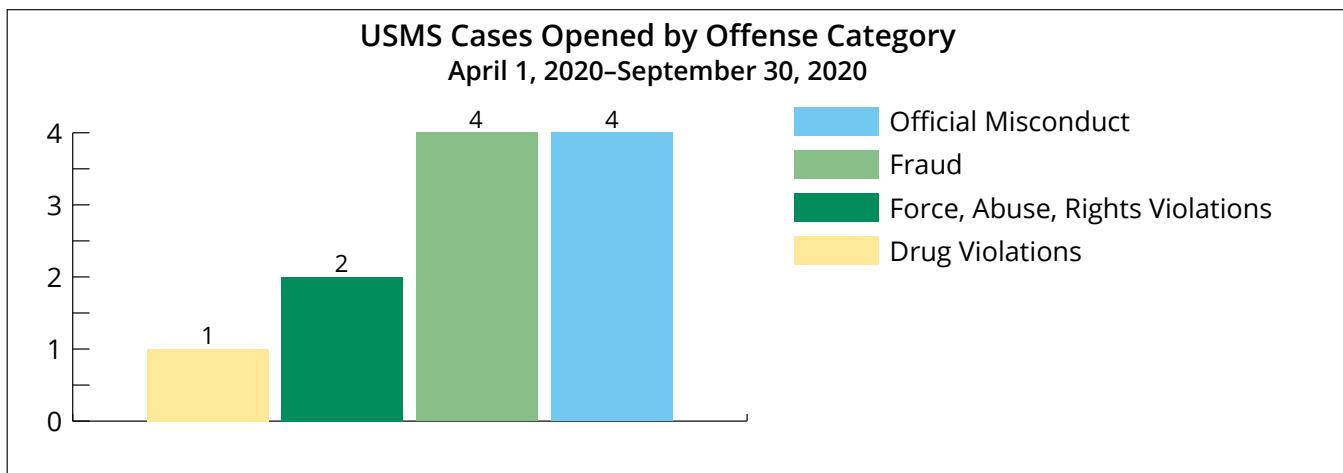
### [Audit of the USMS Contract Awarded to the GEO Group, Incorporated to Operate the Robert A. Deyton Detention Center](#)

The OIG issued a report examining the USMS's administration of its Joint Law Enforcement Operation (JLEO) funds. From October 2015 to August 2019, the USMS expended \$97.5 million in JLEO funds, primarily for overtime reimbursements. The OIG found that the USMS generally had adequate internal controls and that it made additional improvements to those controls during and after the OIG's audit. However, the OIG identified areas for improvement, including: (1) the USMS did not always comply with its policies when reimbursing state and local law enforcement agencies for overtime, (2) the USMS could not determine whether all purchased vehicles were still in use for task force operations or properly returned to the USMS for disposition. The OIG made five recommendations to the USMS. The USMS's formal response described its planned actions to address each recommendation.

## Investigations

During this reporting period, the OIG received 216 complaints involving the USMS. The most common allegations made against USMS employees were Official Misconduct; and Force, Abuse, Rights Violations. The majority of the complaints were considered management issues and were provided to the USMS's OIA for its review and appropriate action.

The OIG opened 11 investigations and referred 11 allegations to the USMS's OIA for its review with a requirement that OIA report the results of its action or investigation to the OIG. At the close of the reporting period, the OIG had 50 open cases of alleged misconduct against USMS employees. The most common allegations were Official Misconduct; and Fraud.



Source: Investigations Data Management System

The following are examples of investigations involving the USMS that the OIG conducted during this reporting period:

- **Former USMS Contract CO Sentenced for Drug Conspiracy.** On April 23, 2020, a former USMS Contract CO assigned to the Pottawatomie County Public Safety Center in Shawnee, Oklahoma, was sentenced to 12 months and 1 day of imprisonment followed by 36 months of supervised release for one count of drug conspiracy. According to the factual statement in support of the guilty plea, between December 2018, and July 4, 2019, the CO entered into an agreement with at least one other person to possess with intent to distribute and distribute controlled substances, namely methamphetamine. The investigation was conducted by the OIG's Dallas Field Office and the FBI.
- **Former USMS Contract Cook Supervisor Sentenced for Sexual Abuse of an Inmate.** On September 10, 2020, a former USMS Contract Cook Supervisor assigned to the East Hidalgo Detention Center in La Villa, Texas, was sentenced to 12 months and 1 day of imprisonment for one count of sexual abuse of an inmate. The Cook Supervisor pleaded guilty to a one-count Indictment, which stated that between July 30, 2018, and August 8, 2018, the Cook Supervisor engaged in a sexual act with a federal inmate who was in official detention. The investigation was conducted by the OIG's Houston Area Office, USMS, and FBI, with analyst assistance provided by the OIG's Dallas Field Office.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the USMS's Awarding and Administration of Sole-Source Contracts

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Review of the USMS's Pharmaceutical Drug Costs for Detainees

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Review of the USMS's Tactical Training Officer Program

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Audit of the USMS's Judicial Security Activities

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# DRUG ENFORCEMENT ADMINISTRATION

## Reports Issued

### **Audit of the DEA's Income-Generating Undercover Operations**

The OIG released a report examining the DEA's management and oversight of its income-generating, undercover operations, which are also referred to as AGEOs. Through AGEOs, the DEA is authorized to participate in undercover financial transactions to target, infiltrate, and dismantle drug trafficking and money laundering organizations. Although the DOJ and DEA have indicated that the DEA's AGEOs result in some of the most successful criminal cases and seizures, the risks associated with the DEA's undercover money laundering activities, including the collateral consequence of assisting the basic operations of drug trafficking and money laundering organizations, are significant. The OIG found that the DEA's internal control framework over AGEOs was inadequate to mitigate risks, ensure compliance with statutory requirements, clearly define operational objectives and measure resulting performance, and safeguard funds from fraud, waste, and abuse. The OIG made 15 recommendations to the DEA and 4 recommendations to DOJ; DEA; and DOJ agreed with all of them.

The OIG released a [video message](#) to accompany this report.

### **Audit of the DEA's Community-Based Efforts to Combat the Opioid Crisis**

The OIG found the DEA had deployed its 360 Strategy in 20 communities across the U.S., where it helped to increase awareness of opioid-related issues. However, the OIG also identified areas for improvement in the DEA's pilot city selection process, allocation of resources, and collaborative efforts with other federal entities tasked with combatting the opioid crisis. The OIG's specific findings include: (1) the DEA can improve how it uses data to allocate its resources, (2) the DEA should enhance its outcome-oriented performance measurement strategy, (3) the DEA would benefit from a comprehensive review of its opioid-related media efforts, and (4) the DEA should enhance its collaborative efforts with other entities situated to provide opioid-related assistance. The OIG made five recommendations, and the DEA agreed with all of them.

The OIG released a [video message](#) to accompany this report.

### **Audit of the DEA's Prescription Drug Take Back Activities**

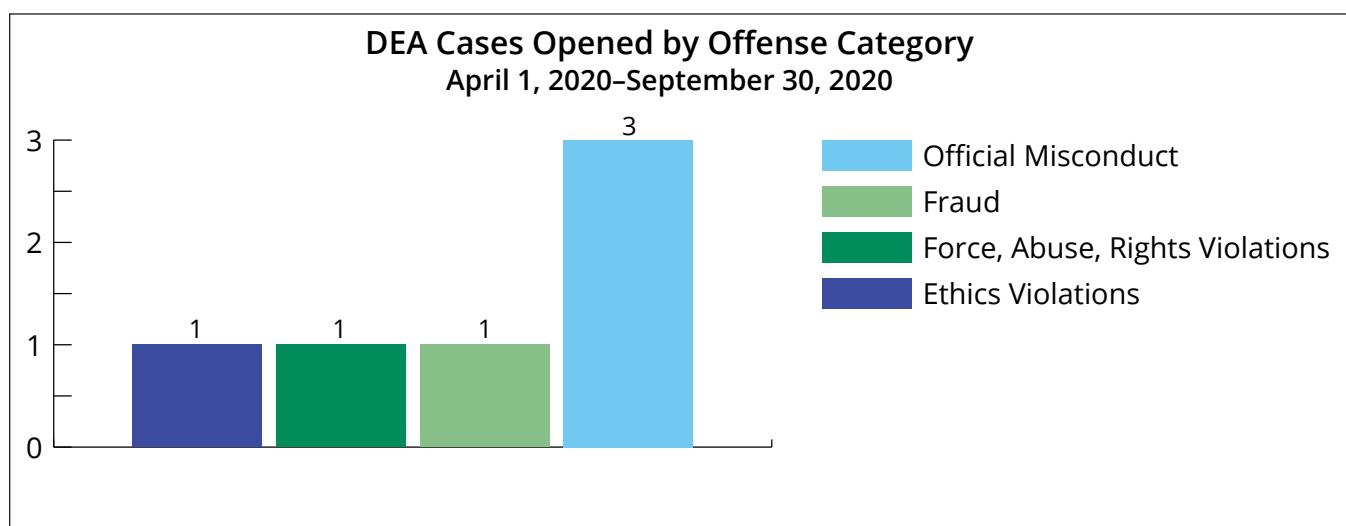
The OIG reported that the DEA should take corrective actions to ensure the safeguarding of and accounting for Take Back Day collections and disposal. Although the OIG did not find evidence that collected drugs were lost, stolen, or misused during our testing, the OIG determined that the DEA did not have adequate supporting documentation for nearly 70 percent of its reported collections and almost 37 percent of its reported destructions for its April 2019 Take Back Day event. Additionally, the DEA should ensure that participating law enforcement agencies are following DEA guidance for Take Back Day events. Lastly, the OIG found that the DEA has an

opportunity to advance its Take Back Day events by conducting regular analysis of Take Back Day activities and results. The OIG made 10 recommendations to the DEA, and the DEA agreed with all of them.

## Investigations

During this reporting period, the OIG received 202 complaints involving the DEA. The most common allegations made against DEA employees were Official Misconduct; and Waste, Mismanagement. The majority of the complaints were considered management issues and were provided to the DEA for its review and appropriate action.

The OIG opened 6 cases and referred 29 allegations to the DEA's OPR for action or investigation with a requirement that OPR report the results of its action or investigation to the OIG. At the close of the reporting period, the OIG had 54 open cases of alleged misconduct against DEA employees. The most common allegations were Official Misconduct; and Fraud.



Source: Investigations Data Management System

The following are examples of investigations involving the DEA that the OIG conducted during this reporting period:

- **Former DEA Contractor Sentenced for Giving Notice of the Authorized Interception of Wire and Electronic Communications to Obstruct Such Interception.** On June 12, 2020, a former DEA contractor was sentenced to 12 months of imprisonment and 1 year of supervised release for one count of giving notice of the authorized interception of wire and electronic communications to obstruct, impede, and prevent such interception. According to the factual statement in support of the guilty plea, between April 8, 2019, and April 9, 2019, the contractor gave notice of authorized wire and electronic communication interceptions to a target of the DEA's investigation. The investigation was conducted by the OIG's Washington Field Office and the DEA, with assistance provided by OIG's Cyber Investigations Office.

- **Former DEA Official Pleaded Guilty to Wire Fraud.** On June 11, 2020, a former DEA Public Affairs Official pleaded guilty in the Eastern District of Virginia to one count of wire fraud. According to the factual statement in support of the guilty plea, between 2012 and 2016, the Official engaged in a fraud scheme that involved posing as an undercover CIA operative in order to defraud government contractors out of approximately \$4.5 million. The investigation is being conducted by the OIG's Washington Field Office with forensic assistance provided by the OIG's Cyber Investigations Office, FBI, Defense Criminal Investigative Service, and other federal law enforcement agencies.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the DEA's Establishment and Oversight of DEA-Supported Foreign Law Enforcement Units

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Audit of the DEA's Support Contracts for its Laboratory Information Management System

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# BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

## Report Issued

### **Audit of ATF's Small Business Contracts Awarded to Shearwater Systems, LLC**

The OIG released a report examining two sole-source contracts totaling approximately \$29 million awarded to Shearwater Systems, LLC (Shearwater) in 2012 and 2017 by ATF in support of the National Integrated Ballistic Information Network (NIBIN) program. NIBIN compares and correlates ballistic evidence gathered across different violent crimes to connect separate shooting incidents. The OIG found that Shearwater generally achieved the contractual objectives of entering ballistic evidence in NIBIN and generating investigative leads, but we also identified deficiencies related to ATF's administration, oversight, and monitoring of its Shearwater contracts, including findings regarding: (1) acquisition planning, (2) contract personnel security, (3) invoice review and unallowable costs, and (4) whistleblower rights. The OIG made 17 recommendations to ATF. ATF agreed with 16 of the 17 recommendations and disagreed with one.

## Investigations

During this reporting period, the OIG received 142 complaints involving ATF personnel. The most common allegations made against ATF employees were Official Misconduct; and Waste, Mismanagement. The majority of the complaints were considered management issues and were provided to ATF for its review and appropriate action.

The OIG referred 14 allegations to OPR for action or investigation with a requirement that OPR report the results of its action or investigation to the OIG. At the close of the reporting period, the OIG had 18 open criminal or administrative investigations of alleged misconduct related to ATF employees. The investigations included Official Misconduct; and Off-Duty Violations.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of ATF's Oversight of 3-D Firearm Printing Technology

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Use of Government-Owned Vehicles for Home to Work Transportation by ATF Headquarters Officials

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# OFFICE OF JUSTICE PROGRAMS

## Reports Issued

### Audits of Grants to State and Local Entities

During this reporting period, the OIG released 14 audits of external OJP grant recipients, as described by the following examples.

- [\*\*Audit of OJP's Cooperative Agreements Awarded to the Colorado Organization for Victim Assistance, Denver, Colorado.\*\*](#) The OIG released an audit of approximately \$1.7 million awarded to the Colorado Organization for Victim Assistance (COVA). OJP awarded the grants in 2015 and 2018 under the Comprehensive Services for Victims of Human Trafficking Program to enhance the quality and quantity of services available to assist victims of human trafficking. The OIG concluded that COVA demonstrated adequate progress towards achieving the awards' stated goals and objectives. However, the OIG identified \$10,161 in unallowable and \$467,780 in unsupported expenditures related to personnel costs, other direct costs, and matching costs. The OIG found that COVA's policies and procedures did not have specific language regarding separation of duties, procurement, verifying that its vendors are not debarred or suspended from doing business with the federal government, approving and paying expenditures, matching costs, indirect costs, and performance measurement and outcome assessment. The OIG made 11 recommendations to OJP, and OJP agreed with all of them.
- [\*\*Audit of OJP's Regional Information Sharing Systems Grants Awarded to the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network, Newtown, Pennsylvania.\*\*](#) The OIG released a report on awards totaling over \$10 million to the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN). OJP awarded the awards in 2018 and 2019 to assist the Regional Information Sharing Systems (RISS) program. As of February 2020, MAGLOCLEN drew down a cumulative amount of \$6.9 million. The OIG determined that most expenditures charged to the grant were allowable, supported, and properly allocated in compliance with award requirements. However, the OIG questioned \$6,196 of expenditures as unallowable. The OIG made six recommendations to OJP. OJP agreed with all of them, while MAGLOCLEN agreed with all but two recommendations.
- [\*\*Audit of the Bureau of Justice Assistance Grant Awarded to the Kenton County Detention Center, Covington, Kentucky.\*\*](#) The OIG released a report on one grant totaling \$300,000. The OIG found that Kenton County Detention Center (KCDC) demonstrated adequate progress in achieving its grant-related goals and objectives. The OIG found that the Fiscal Court implemented a manual process to account for salary and fringe benefit expenses related to the grant. This process did not provide for necessary internal controls to ensure that KCDC accurately and completely accounted for grant funds. The OIG also

found that the Fiscal Court, on behalf of KCDC, submitted erroneous Single Audit reports and erroneous Federal Financial Reports. The OIG made seven recommendations to OJP. OJP and KCDC agreed with all seven recommendations.

- **Audit of OJP's Vision 21 Grant to Advance the Use of Technology Awarded to the National Network to End Domestic Violence, Washington, D.C.** The OIG released a report on a \$1.3 million grant awarded to the National Network to End Domestic Violence (NNEDV). The grant was awarded in 2017 through the Vision 21 Program by OJP. As of March 2020, NNEDV had drawn down over 90 percent of the \$1.3 million award. The OIG concluded that NNEDV had fulfilled two of the three grant goals and determined it had made progress towards the remaining goal. The OIG made two recommendations to OJP. OJP and NNEDV agreed with both recommendations.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Abuse Program

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# CRIME VICTIMS FUND

The Crime Victims Fund (CVF) was established by the Victims of Crime Act of 1984 (VOCA) and serves as a major funding source for victim services throughout the country. The fund includes deposits from criminal fines, forfeited bail bonds, penalty fees, and special assessments collected by USAOs, U.S. Courts, and BOP. OJP's Office for Victims of Crime administers the CVF by sending states funding directly through the VOCA victim assistance and compensation formula grants and awarding discretionary grants to state and local public and private entities to support national-scope projects, training, and technical assistance that enhance the professional expertise of victim service providers. Since FY 2015, Congress substantially increased the amount of funding available from the CVF for these Department programs. From FY 2015 through 2020, DOJ has awarded more than \$14 billion in funding for CVF programs.

The OIG's audits of victims of crime programs have resulted in hundreds of recommendations to improve recipients' administration of CVF-funded grants, enhance program performance, improve monitoring of thousands of subrecipients, and help ensure accountability for billions of CVF dollars. During this semiannual reporting period, the Audit Division issued 10 audits of state CVF grant recipients and at the end of the period had 7 ongoing audits of state CVF grant programs. The OIG's state CVF grant audits issued this period are described below.

## Reports Issued

### Audits of CVF Grants to State Entities

During this reporting period, the OIG released 10 audits of state CVF-funded grant programs, as described below.

- [\*\*Audit of OJP's Victim Assistant Grants Awarded to the Alabama Department of Economic and Community Affairs, Montgomery, Alabama.\*\*](#) The OIG released a report on three grants totaling over \$110 million awarded to the Alabama Department of Economic and Community Affairs (ADECA). The OIG identified concerns with several subaward expenditures. In one instance, ADECA approved a \$652,069 subrecipient project categorized as "maintenance and repairs," although the OIG found these costs appeared to be for unallowable capital improvements. Other subrecipients received payments totaling \$5,190 for unallowable travel and personnel expenditures and \$13,676 in unsupported personnel, travel, and operating expenditures. In total, the OIG questioned \$670,935. The OIG made 11 recommendations to OJP, and OJP agreed with all of them. ADECA agreed or concurred with three recommendations, partially concurred with three, did not concur with one, and did not explicitly state whether it agreed with four.

- **[Audit of OJP's Victim Assistance Grants Awarded to the Illinois Criminal Justice Information Authority, Chicago, Illinois.](#)** The OIG released a report on four grants totaling over \$365 million awarded to the Illinois Criminal Justice Information Authority (ICJIA). The OIG found that ICJIA used its grant funds to enhance services for crime victims, but was unable to distribute all funds. The OIG also found a potential unmet need related to legal services for victims, issues with ICJIA's compliance with the priority funding areas requirement, reporting of program income, and monitoring of its subrecipients. The OIG identified \$645,257 in questioned costs. The OIG made 28 recommendations to OJP, and OJP agreed with all 28 recommendations. In its response, ICJIA agreed with 1 recommendation, partially agreed with 1, indicated disagreement with 2, and did not agree or disagree with the other 24 recommendations.
- **[Audit of OJP's Victim Assistance Grants Awarded to the Florida Department of Legal Affairs, Tallahassee, Florida.](#)** The OIG released a report on four grants totaling over \$582 million awarded to the Florida Department of Legal Affairs (FDLA). The OIG found that the FDLA has had difficulty utilizing increased VOCA Victim Assistance award amounts. The FDLA returned \$2.2 million of the FY 2015 grant award and \$57.3 million of the FY 2016 grant award. Based on OIG's analysis of the FDLA's spending, the OIG estimated that the FDLA may need to return even larger amounts of its FYs 2017 and 2018 grant awards when those expire. The OIG made seven recommendations to OJP to improve the FDLA's management of grant funds and remedy \$231,759 in questioned costs. OJP agreed with the recommendations and stated that it will coordinate with the FDLA to accomplish corrective actions. The FDLA did not state whether it agreed or disagreed with the recommendations but described corrective actions for each recommendation.
- **[Audit of OJP's Victim Assistance Grants Awarded to the New Jersey Department of Law and Public Safety, Trenton, New Jersey.](#)** The OIG released a report on four VOCA victim assistance formula grants totaling \$177,557,262 awarded to the New Jersey Department of Law and Public Safety (NJ DLPS). NJ DLPS was short staffed and unable to award funds in a timely manner to subrecipients and was unable to obligate and expend \$18,269,373 of grant funds. The OIG identified \$75,334 in unsupported subrecipient costs. The OIG made seven recommendations to OJP, and OJP agreed with all of them. NJ DLPS partially agreed with three recommendations and fully agreed with four recommendations.
- **[Audit of OJP's Victim Assistance Grants Awarded to the State of Washington Department of Commerce, Olympia, Washington.](#)** The OIG released a report on four grants totaling over \$207 million awarded to the State of Washington Department of Commerce (WA DOC). The OIG concluded that the WA DOC, along with one of its two state-level pass-through agencies, did not distribute grant funds appropriately by combining VOCA and other fund sources when granting subawards and without always indicating the amount funded by VOCA awards. Finally, the subrecipients the OIG tested did not adequately support \$70,207 in expenditures and \$3,312 in required match. The OIG made 11 recommendations to OJP, and both OJP and the WA DOC agreed with all of them.
- **[Audit of OJP's Victim Compensation Grants Awarded to the Indiana Criminal Justice Institute, Indianapolis, Indiana.](#)** The OIG released a report on three grants totaling over \$10.8 million awarded to the Indiana Criminal Justice Institute (ICJI). OJP awarded these grants between FYs 2015–2017 to provide financial support through the payment

of compensation benefits to crime victims throughout Indiana. The OIG identified several opportunities where ICJI could improve, including financial accounting and the accurate completion of Federal Financial Reports, performance reports, and state certification forms. In total, the OIG found questioned costs of \$52,722. The OIG made 15 recommendations to OJP. OJP agreed with all of them, while ICJI agreed with 12 recommendations and partially agreed with 3 other recommendations.

- **Audit of OJP's Victim Assistance Grants Awarded to the Virginia Department of Criminal Justice Services, Richmond, Virginia.** The OIG released a report on three grants totaling over \$154 million in grants awarded to the Virginia Department of Criminal Justice Services (DCJS). The audit identified a general weakness over DCJS's control environment that affected grant financial management. The lack of controls over payments to its subrecipients resulted in overdrawn funds, inaccurate performance and financial reports, and unsupported matching costs, which resulted in \$46,261 in questioned costs. The OIG made 22 recommendations to OJP and DCJS. Of the 22 recommendations, OJP agreed with all 22 recommendations, while the DCJS agreed with 19, disagreed with 2, and partially agreed with the 1 remaining recommendation.
- **Audit of OJP's Victim Compensation Grants Awarded to the Massachusetts Department of Attorney General, Boston, Massachusetts.** The OIG released a report on two grants totaling over \$2.7 million awarded to the Massachusetts Department of Attorney General. The OIG identified several opportunities where the Victim Compensation and Assistance Division (VCAD) could improve its performance reporting, as well as the preparation of its annual state certification form. The OIG also identified several errors during our review of victim compensation claims and administrative expenditures, which resulted in \$27,929 in questioned costs. The OIG made six recommendations to OJP, and both OJP and VCAD agreed with all of them.
- **Audit of OJP's Victim Compensation Grants Awarded to the Oklahoma District Attorneys Council, Oklahoma City, Oklahoma.** The OIG issued a report on four grants totaling over \$6.5 million awarded to the Oklahoma District Attorneys Council (DAC) in Oklahoma City, Oklahoma. OJP awarded these grants between FYs 2016-2019 to provide financial support through the payment of compensation benefits to crime victims throughout Oklahoma. As of August 2020, the Oklahoma DAC drew down a cumulative amount of over \$3.3 million. The OIG concluded that the Oklahoma DAC used its victim compensation grant funding to provide financial support for crime victims. However, the OIG found that the Oklahoma DAC incorrectly calculated the amounts it reported on its annual state certification forms, ultimately receiving \$282,000 less funding than what could have been awarded for FYs 2016 through 2019. In addition, the OIG identified seven claims that included a total of \$13,337 in unsupported costs and one claim that included \$1,157 in unallowable costs. The OIG made four recommendations to OJP to assist the Oklahoma DAC in improving its grant management and administration of crime victim compensation funding and remedy questioned costs. Both OJP and Oklahoma DAC agreed with all four recommendations.
- **Audit of OJP's Victim Compensation Grants Awarded to the Vermont Center for Crime Victim Services, Waterbury, Vermont.** The OIG released a report on two grants totaling over \$393,000 awarded to the Vermont Center for Crime Victim Services (VCCVS).

OJP awarded these grants in FYs 2016 and 2017 to provide financial support through the payment of compensation benefits to crime victims throughout Vermont. The OIG found that VCCVS did not have policies and procedures to track data necessary to determine if a victim of sexual assault cooperated with law enforcement, and it did not document its standard of cooperation, as required by the grants. The OIG made five recommendations to OJP. OJP and VCCVS agreed with all of them.

## OTHER DEPARTMENT COMPONENTS

### Investigation

The following is an example of an investigation that the OIG conducted during this reporting period:

- **Findings of Misconduct by a Former DOJ Executive Officer for Making Inappropriate Comments Constituting Sexual Harassment to a Subordinate on Three Occasions.** On July 6, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information alleging that a DOJ Executive Officer made inappropriate comments constituting sexual harassment to a subordinate on three occasions. The investigation was not presented for prosecution, and the Executive Officer retired prior to the conclusion of the investigation. The OIG has completed its investigation and provided this report to the DOJ employing division for appropriate action.

### Criminal Division Reports Issued

#### Audits of Equitable Sharing Program Activities

The DOJ Equitable Sharing Program allows state or local law enforcement agencies that directly participate in an investigation or prosecution resulting in a federal forfeiture to claim a portion of federally forfeited cash, property, and proceeds. During this reporting period, the OIG released two audits of Equitable Sharing Program participants, as described below.

- **[Audit of the Alabama Law Enforcement Agency's Equitable Sharing Program Activities, Montgomery, Alabama.](#)** The OIG released a report on the Alabama Law Enforcement Agency's (ALEA) Equitable Sharing Program Activities. During FYs 2017 to 2019, ALEA received \$2,587,445 in equitable sharing funds for law enforcement purposes. The OIG concluded that ALEA properly accounted for its equitable sharing funds and used the funds for allowable purposes. The OIG did not make any recommendations.
- **[Audit of the Saint Charles County Police Department's Equitable Sharing Program Activities, O'Fallon, Missouri.](#)** The OIG released a report examining the Saint Charles County, Missouri, Police Department's (SC County PD) Equitable Sharing Program Activities. Between January 2016 and July 2019, the SC County PD received \$3,074,392 in equitable sharing revenues as a participant in the DOJ Equitable Sharing Program. The OIG found that the SC County PD did not fully comply with the requirements of the DOJ Equitable Sharing Program. The OIG identified areas in need of improvement in the SC County PD's accounting for and use of Equitable Sharing funds and with its submitted Equitable Sharing Agreement

and Certification reports. The OIG made five recommendations to the Criminal Division and identified \$161,907 in unallowable costs related to salary and benefit payments. The Criminal Division's Money Laundering and Asset Recovery Section agreed with all of the recommendations, and SC County PD disagreed with all five.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of the Criminal Division's Process for Incoming Mutual Legal Assistance Evidence Request

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Audit of the Money Laundering and Asset Recovery Section's Administration of the Equitable Sharing Program

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## Environment and Natural Resources Division Reports Issued

### **Audit of ENRD's Procurement and Administration of Expert Witness Contracts**

The OIG released a report examining the Environment and Natural Resources Division's (ENRD) procurement and administration of its expert witness contracts, including the review of eight sole-source expert witness contracts totaling approximately \$52 million. The OIG generally found that each expert witness completed the deliverables under each contract. However, the OIG identified significant concerns related to the delegation of contracting duties to ENRD attorneys and litigation staff. This contributed to numerous areas of non-compliance with the FAR and internal ENRD and JMD guidance. The OIG determined that ENRD: (1) did not complete significant acquisition planning steps required by the FAR; (2) did not complete a sufficient review and approval of expert witness contract invoices; (3) did not adequately conduct contractor oversight and monitoring activities as required by the FAR; and (4) three contractors conducted work not approved in the Statement of Work (SOW) and determined that ENRD's internal controls related to compliance with each SOW could be improved. The OIG report made eight recommendations to ENRD and one recommendation to JMD to improve the procurement and administration of ENRD's expert witness contracts. ENRD and JMD agreed with all nine recommendations.

### **Audit of the Superfund Activities in the Environment and Natural Resources Division for FY 2018**

The OIG released a report examining ENRD's Superfund Activities for FY 2018. The OIG concluded that the ENRD provided an equitable distribution of costs to FY 2018 Superfund cases. However, the OIG identified one case that was incorrectly classified as a Superfund case, which resulted in \$164,087 in unallowable expenses that were billed to the U.S. Environmental Protection Agency (EPA). The OIG made two recommendations pertaining to ENRD addressing \$164,087 in erroneous charges billed to the EPA, and the ENRD agreed with both recommendations.

# Executive Office for Immigration Review Reports Issued

## Audit of EOIR's FY 2019 Financial Management Practices

The OIG released a report assessing EOIR's efforts to identify its funding needs and execute its budget. The OIG found weaknesses in EOIR's budget planning process and identified three factors that contributed to these weaknesses. First, EOIR leadership failed to coordinate effectively with its budget staff and with JMD on the status and impact of its FY 2019 appropriation. Second, EOIR's FY 2019 budget request did not seek enough funding to cover a substantial increase in interpreter fees. Third, miscommunication across EOIR led to leadership miscalculating its anticipated FY 2019 interpreter expenses. The OIG made one recommendation to EOIR to enhance its financial management, particularly as it pertains to the use of financial management data available to leadership and how leadership communicates with its budget staff. EOIR agreed with the recommendation.

## Audit of the EOIR Recognition and Accreditation Program

The OIG released a report examining EOIR's Recognition and Accreditation Program (Program). The OIG identified varying degrees of weakness in the controls implemented by EOIR's Office of Legal Access Programs (OLAP), as well as opportunities for OLAP to improve its oversight and administration of the Program. Specifically, the OIG identified instances of insufficient or missing information in records used to support Program admission decisions and found weaknesses in OLAP's process for monitoring Program compliance as well as admissions decisions. Additionally, more than one-third of Program applications did not contain recommendations from the Department of Homeland Security, which OLAP relies on to make Program eligibility decisions. Moreover, EOIR did not perform uniform criminal history checks of Program applicants, and EOIR's process for investigating allegations of Program representative misconduct was not consistently or promptly initiated. The OIG made six recommendations to EOIR, and EOIR agreed with all of them.

## Ongoing Work

The OIG's ongoing work is available [here](#).

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Inspection and Review of EOIR Immigration Hearings Conducted via Video Teleconference

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# Executive Office for U.S. Attorneys

## Investigations

The following are examples of investigations that the OIG conducted during this reporting period:

- **Findings of Misconduct by a then USA for Violating DOJ Policy Regarding Possible Conflicts of Interest and by a then First AUSA for Failing to Report Those Possible Conflicts.** On April 29, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from the DOJ OPR suggesting that a then USA violated DOJ policy regarding conflicts of interest by directly participating in the criminal investigation and prosecution of two individuals with whom the then USA had previous relationships. The investigation was presented for prosecution on February 6, 2017, and declined on July 5, 2017. The OIG has completed its investigation and has provided this report to the Office of the Deputy Attorney General, EOUSA, and OPR for appropriate action.
- **Findings of Misconduct by a then AUSA for Failure to File Federal or State Income Tax Returns for 3 Consecutive Years.** On May 6, 2020, the OIG completed its report of investigation for an investigation initiated upon the receipt of information from EOUSA alleging that a then AUSA failed to file federal or state individual income tax returns for 3 consecutive years and owed approximately \$18,000 in back taxes. The investigation was presented for prosecution on September 24, 2019, and declined on September 25, 2019. The OIG has completed its investigation and provided its report to EOUSA for its information and to the Department's OPR for appropriate action.
- **Findings of Misconduct by an AUSA for Providing Assistance to the Target of a Federal Investigation and Related Misconduct.** On August 24, 2020, the OIG completed its report of investigation for an investigation initiated upon receipt of information from EOUSA alleging that an AUSA had assisted a friend with producing documents in response to a demand for records in a matter in which the AUSA's office had been recused and that was being criminally investigated by another USAO. The investigation was presented for prosecution and declined on March 8, 2019. The OIG has completed its investigation and provided its report to EOUSA and the Department's OPR for appropriate action.

## Justice Management Division

### Management Advisory Memorandum

#### Notification of Important Concerns Identified in DOJ's Administration and Oversight

**of Contracts.** The OIG released a MAM to the Deputy Assistant Attorney General and Senior Procurement Executive of JMD identifying concerns with DOJ's solicitation, award, administration, and oversight of contracts from FYs 2013 through 2019. This memorandum summarizes potentially systemic issues and concerns that the OIG believes should be handled comprehensively. The breadth and pervasiveness of the findings warrant DOJ's sustained attention, considering the important role that contract oversight plays in ensuring that taxpayer dollars are spent wisely. The OIG made four recommendations, and JMD agreed with all of them.

# Office of Community Oriented Policing Services Reports Issued

## Audits of COPS Grants

The Office of Community Oriented Policing Services (COPS) Office awards grants to hire community policing professionals, develop and test innovative policing strategies, and provide training and technical assistance to community members, local government leaders, and all levels of law enforcement. During this reporting period, the OIG released two audits of COPS Office grant recipients, as described below.

- **[Audit of the COPS Hiring Program Grants Awarded to the Essex County Sheriff's Office, Newark, New Jersey.](#)** The OIG released a report on three grants totaling over \$5.6 million to the Essex County Sheriff's Office (ECSO). The COPS Office awarded these grants between 2015 and 2017 to hire additional career law enforcement officers to increase the agency's community policing capacity and crime prevention efforts. The OIG found that ECSO did not use its accounting system to manage grant funding appropriately, did not maintain adequate documentation to support the financial administration or program performance of the grants, and did not have adequate policies and procedures related to grant administration to ensure compliance with the grants' requirements. The OIG identified a total of \$4,503,266 in questioned costs, representing the total drawdown amounts for all three grants and \$1,121,734 in funds that had not been drawn down. In addition, the OIG questioned \$1,250,000 in the required local match. The OIG made 14 recommendations to the COPS Office, and the COPS Office agreed with all 14 recommendations. ECSO agreed with 11 of the 14 recommendations, and disagreed with the 3 remaining recommendations.
- **[Audit of the COPS Hiring Program Grants Awarded to the Arlington Police Department, Arlington, Texas.](#)** The OIG released a report on three grants totaling over \$11.2 million to the Arlington Police Department (APD). The COPS Office awarded these grants between 2015 and 2017 to hire additional career law enforcement officers to increase the agency's community policing capacity and crime prevention efforts. The OIG found the APD charged unallowable salaries for ineligible officers to the grants and charged unallowable salaries and fringe benefits over the approved amounts. The OIG identified \$878,341 in unallowable total project costs, and the APD paid back the federal share to the DOJ before the issuance of this report. The OIG made 13 recommendations to the COPS Office. The COPS Office and the APD agreed with all recommendations and, as a result of the audit, the APD returned \$347,545 in federal funds to DOJ.

## Tax Division Ongoing Work

The OIG's ongoing work is available [here](#).

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Audit of Certain Tax Division Contracts Awarded for Expert Witness Services

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## TOP MANAGEMENT AND PERFORMANCE CHALLENGES

The OIG has published a report on the top management and performance challenges facing DOJ annually since 1998. The report is based on the OIG's oversight work, research, and judgment. By statute, this report is required to be included in DOJ's annual Agency Financial Report.

This year's report identifies nine challenges that the OIG believes represent the most pressing concerns for DOJ. While the challenges are not rank-ordered, the OIG believes that strengthening public confidence in law enforcement, protecting civil liberties, and ensuring the proper use of sensitive investigative authorities are urgent challenges that will continue to garner significant attention, and will require appropriate and swift action from DOJ.

In addition, the OIG has identified one new challenge, the need to effectively plan for and respond to the global pandemic to ensure not only the safety of the public and DOJ employees, but also that of incarcerated persons.

### Top Management and Performance Challenges for the Department of Justice-2020

- Strengthening Public Confidence in Law Enforcement and Protecting Civil Liberties
- Use of Sensitive Investigative Authorities by Department Law Enforcement
- The Department's Contingency Planning and Response to a Global Pandemic
- Maintaining a Safe, Secure, and Humane Prison System
- Safeguarding National Security and Countering Domestic and International Terrorism
- Protecting the Nation and Department against Cyber-Related Threats and Emerging Technologies
- The Opioid Crisis, Violent Crime, and the Need for Strong Law Enforcement Coordination
- Ensuring Financial Accountability of Department Contracts and Grants
- Strategic Planning: The Department's Challenges to Achieve Performance-Based Management and to Enhance Human Capital

Detailed information about DOJ's management and performance challenges is available online [here](#).

## TESTIMONY/LEGISLATION AND REGULATIONS

### Congressional Testimony

During this reporting period, the Inspector General did not formally testify before Congress.

### Legislation and Regulations

The IG Act directs the OIG to review proposed legislation and regulations relating to the programs and operations of DOJ. Although DOJ's Office of Legislative Affairs reviews all proposed or enacted legislation that could affect DOJ's activities, the OIG independently reviews proposed legislation that could affect its operations and legislation that relate to waste, fraud, or abuse in DOJ's programs and operations. For example, during this period, the OIG reviewed legislation, including the Securing Inspector General Independence Act of 2020; Intelligence Authorization Act for FY 2021; and the CARES Act.

## WHISTLEBLOWER PROTECTION COORDINATOR PROGRAM

Whistleblowers perform a critical role when they bring forward evidence of wrongdoing and they should never suffer reprisal for doing so. The OIG Whistleblower Protection Coordinator Program (the Whistleblower Program) works to ensure that whistleblowers are fully informed of their rights and protections from reprisal.

During the current reporting period, the OIG conducted an investigation and substantiated allegations that a senior FBI official committed misconduct by retaliating against an FBI SSA for reporting that the senior official and other managers committed ethics violations. Specifically, the OIG determined that the senior official believed that the SSA had reported the alleged ethics violations and soon thereafter decided to transfer the SSA to another position, and that the senior official's transfer decision was motivated by both retaliatory and non-retaliatory reasons, which constitutes a violation of the FBI's anti-retaliation policy.

During the OIG's investigation, the SSA and the FBI entered into a mediated settlement agreement. The FBI further advised the OIG that, following its review and receipt of the OIG's reprisal report, the FBI made a decision to reassign the senior official.

Although reprisal for whistleblowing should never occur, when it does, it is critical that the OIG actively investigate the allegations to ensure that employees are protected and retaliating officials are held accountable. The OIG is encouraged by the FBI's efforts in response to the OIG's findings, and we believe that such actions to protect employees, and importantly, hold senior officials accountable for this type of misconduct when it occurs, will help to prevent further reprisals.

April 1, 2020–September 30, 2020

Employee complaints received <sup>8</sup>	<b>223</b>
Employee complaints opened for investigation by the OIG	<b>62</b>
Employee complaints that were referred by the OIG to the components for investigation	<b>98</b>
Employee complaint cases closed by the OIG <sup>9</sup>	<b>84</b>

# STATISTICS

## Audit Overview

During this reporting period, the OIG's Audit Division issued 44 audit reports and other releases, which contained more than \$8.4 million in questioned costs, reported over \$1 million in funds recommended to be put to better use, and made 316 recommendations for management improvement.<sup>10</sup> Specifically, the Audit Division issued 15 internal audit reports of DOJ programs; 5 contract audit reports; 18 external audit reports of grants and other agreements funded at over \$1.6 billion; and 6 other releases. The Audit Division also issued 34 Single Audit Act audits of programs funded at nearly \$470 million.

### Questioned Costs<sup>11</sup>

Reports	Number of Reports	Total Questioned Costs (including unsupported costs)	Unsupported Costs <sup>12</sup>
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## Audits

No management decision made by beginning of period <sup>13</sup>	<b>0</b>	<b>\$0</b>	<b>\$0</b>
Issued during period	<b>26<sup>14</sup></b>	<b>\$10,310,986</b>	<b>\$7,252,750</b>
Needing management decision during period	<b>26</b>	<b>\$10,310,986</b>	<b>\$7,252,750</b>
Management decisions made during period:			
-Amount of disallowed costs <sup>15</sup>	<b>25<sup>16</sup></b>	<b>\$10,300,004</b>	<b>\$7,252,750</b>
-Amount of costs not disallowed	<b>1</b>	<b>\$10,982</b>	<b>\$0</b>
No management decision at end of period	<b>0</b>	<b>\$0</b>	<b>\$0</b>

### Funds Recommended to Be Put to Better Use<sup>17</sup>

Reports	Number of Reports	Unsupported Costs
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#### Audits

No management decision made by beginning of period <sup>18</sup>	<b>0</b>	<b>\$0</b>
Issued during period	<b>1</b>	<b>\$1,121,734</b>
Needing management decision during period	<b>1</b>	<b>\$1,121,734</b>
Management decisions made during period:		
-Amount of disallowed costs <sup>19</sup>	<b>1</b>	<b>\$1,121,734</b>
-Amount of costs not disallowed	<b>0</b>	<b>\$0</b>
No management decision at end of period	<b>0</b>	<b>\$0</b>

## Significant Recommendations for Which Corrective Actions Have Not Been Completed

Reports	Report Title	Rec. No.	Recommendation
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### Audits

20-047 (March 2020)	Management Advisory Memorandum for the Director of the FBI Regarding the Execution of Woods Procedures for Applications Filed with the Foreign Intelligence Surveillance Court Relating to U.S. Persons	1	<p>The OIG recommended that the FBI institute a requirement that it, in coordination with the National Security Division, systematically and regularly examine the results of past and future accuracy reviews to identify patterns or trends in identified errors so that the FBI can enhance training to improve agents' performance in completing the Woods Procedures, or improve policies to help ensure the accuracy of Foreign Intelligence Surveillance Act (FISA) applications.</p>
		2	<p>The OIG recommended that the FBI perform a physical inventory to ensure that Woods Files exist for every FISA application submitted to the Foreign Intelligence Surveillance Court in all pending investigations.</p>
18-14 (August 2018)	Audit of the DOJ's Efforts to Address Patterns or Practices of Police Misconduct and Provide Technical Assistance on Accountability Reform to Police Departments	14	<p>The OIG recommended that DOJ clarify the circumstances in which a component is responsible for designating an incident to be "high-profile" under the March 2016 guidance.</p>
		15	<p>The OIG recommended that DOJ develop procedures detailing the circumstances when notification and coordination with the relevant U.S. Attorney's Office is appropriate in jurisdictions where technical assistance will be provided by the OJP, COPS Office, or CRS.</p>

GR-60-15-015 (September 2015)	Audit of OJP's Correctional Systems and Correctional Alternatives on Tribal Lands Program Grants Awarded to the Navajo Division of Public Safety, Window Rock, Arizona	9	The OIG recommended that OJP remedy \$32,034,623 in unallowable expenditures associated with excessive building sizes for Grant Numbers 2009-ST-B9-0089 and 2009-ST-B9-0100.
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## Evaluations

20-027 (February 2020)	Review of the BOP's Pharmaceutical Drug Costs and Procurement	1	The OIG recommended that the Department, in consultation with the appropriate Department components and other federal stakeholders: formally assess the risks and benefits of seeking to obtain Big 4 pricing for pharmaceutical purchases, as well as the authority to cap reimbursement for outside medical care at the Medicare rate, for the Department and all of its components, and, if warranted by the assessments, develop a plan to obtain such pricing and/or authority, including timeframes and assignments of responsibility for pursuing the plan.
19-05 (October 2019)	Review of the DEA's Regulatory and Enforcement Efforts to Control the Diversion of Opioids	1	The OIG recommended that DEA develop a national prescription opioid enforcement strategy that encompasses the work of all DEA field divisions tasked with combating the diversion of controlled substances, and establish performance metrics to measure the strategy's progress.
19-03 (August 2019)	A Joint Review of Law Enforcement Cooperation on the Southwest Border between the FBI and Homeland Security Investigations	5	The OIG recommended that the FBI and HSI jointly develop a memorandum of understanding or similar written agreement governing FBI and Homeland Security Investigations operations on overlapping criminal investigative areas.

19-01 (December 2018)	Review of DOJ's Implementation of the Death in Custody Reporting Act of 2013	4	The OIG recommended that OJP conduct a study on data collected under the Death in Custody Reporting Act of 2013 as described in the statute and submit a report on the study to Congress as soon as practicable.
17-05 (July 2017)	Review of the BOP's Use of Restrictive Housing for Inmates with Mental Illness	1	The OIG recommended that the BOP establish in policy the circumstances that warrant the placement of inmates in single-cell confinement while maintaining institutional and inmate safety and security and ensuring appropriate, meaningful human contact and out-of-cell opportunities to mitigate mental health concerns.
16-05 (June 2016)	Review of the BOP's Contraband Interdiction Efforts	3	The OIG recommended that the BOP develop uniform guidelines and criteria for conducting random staff pat searches across all institutions that require a minimum frequency and duration for search events to ensure that appropriate numbers of staff on each shift are searched with appropriate frequency.
15-3 (January 2015)	Review of the DEA's Use of Cold Consent Encounters at Mass Transportation Facilities	1	The OIG recommended that DEA consider how to determine if cold consent encounters are being conducted in an impartial manner, including reinstituting the collection of racial and other demographic data and how it could be used to make that assessment.

## Special Reviews

18-04 (June 2018)	A Review of Various Actions by the FBI and DOJ in Advance of the 2016 Election	1a	The OIG recommended that the Department consider developing practice guidance that would assist investigators and prosecutors in identifying the general risks with and alternatives to permitting a witness to attend a voluntary interview of another witness, in particular when the witness is serving as counsel for the other witness.
		2	The OIG recommended that the Department consider making explicit that, except in situations where the law requires or permits disclosure, an investigating agency cannot publicly announce its recommended charging decision prior to consulting with the Attorney General, Deputy Attorney General, U.S. Attorney, or his or her designee, and cannot proceed without the approval of one of these officials.
		3a	The OIG recommended that the Department consider adopting a policy addressing the appropriateness of Department employees discussing the conduct of uncharged individuals in public statements.
		4	The OIG recommended that the Department consider providing guidance to agents and prosecutors concerning the taking of overt investigative steps, indictments, public announcements, or other actions that could impact an election.

### **Reports Without Management Decisions for More than 6 Months**

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Section 5(a)(10)(A) of the Inspector General Act of 1978, as amended, requires an Inspector General in its SAR to provide a summary of audit, inspection, and evaluation reports issued before the commencement of the SAR reporting period for which no management decision has been made by the end of the reporting period.<sup>20</sup>

The OIG has nothing responsive to report this period.

### **Description and Explanation of the Reasons for Any Significant Revised Management Decision Made During the Reporting Period**

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Section 5(a)(11) of the Inspector General Act of 1978, as amended, requires an Inspector General in its SAR to provide a “description and explanation of the reasons for any significant revised management decision made during the reporting period.”

The OIG has nothing responsive to report this period.

### **Significant Management Decisions with Which the Inspector General Disagreed**

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Section 5(a)(12) of the Inspector General Act of 1978, as amended, requires an Inspector General in its SAR to provide “information concerning any significant management decision with which the Inspector General is in disagreement.”

The OIG has nothing responsive to report this period.

## Audit Follow-up

### OMB Circular A-50

OMB Circular A-50, Audit Follow-up, requires audit reports to be resolved within 6 months of the audit report issuance date. The Audit Division monitors the status of open audit reports to track the audit resolution and closure process. As of September 30, 2020, the Audit Division was monitoring the resolution process of 192 open reports and closed 65 reports this reporting period.

## Evaluation and Inspections Workload and Accomplishments

The following chart summarizes the workload and accomplishments of the Evaluation and Inspections Division during the 6-month reporting period ending September 30, 2020.

Workload and Accomplishments	Number of Reviews
Reviews active at beginning of period	10
Reviews cancelled	0
Reviews initiated	17
Final reports issued	5
Reviews active at end of reporting period	22

## Investigations Statistics

The following chart summarizes the workload and accomplishments of the Investigations Division during the 6-month period ending September 30, 2020.

<b>Source of Allegations<sup>21</sup></b>	
Hotline (Telephone, Mail, and Email)	<b>5,531</b>
Other Sources	<b>3,289</b>
Total Allegations Received	<b>8,820</b>
<b>Investigative Caseload</b>	
Investigations Opened this Period	<b>125</b>
Investigations Closed and Reports of Investigation Issued this Period <sup>22</sup>	<b>124</b>
Investigations in Progress as of 9/30/20	<b>612</b>
<b>Prosecutive Actions</b>	
Criminal Indictments/Informations <sup>23</sup>	<b>38</b>
Arrests	<b>32</b>
Convictions/Pleas	<b>18</b>
Prosecutions Referred to the Department of Justice <sup>24</sup>	<b>137</b>
Prosecutions referred to State and Local Prosecutors <sup>25</sup>	<b>13</b>
<b>Administrative Actions</b>	
Terminations	<b>7</b>
Resignations	<b>23</b>
Disciplinary Action	<b>19</b>
<b>Monetary Results</b>	
Fines/Restitutions/Recoveries/Assessments/Forfeitures	<b>\$1,108,830.00</b>
Civil Fines/Restitutions/Recoveries/Penalties/Damages/Forfeitures	<b>\$1,278,514.00</b>
Non-judicial Restitutions/Recoveries/Forfeitures/Revocations/Seizures	<b>\$85,047.35</b>

## Investigations Division Briefing Programs

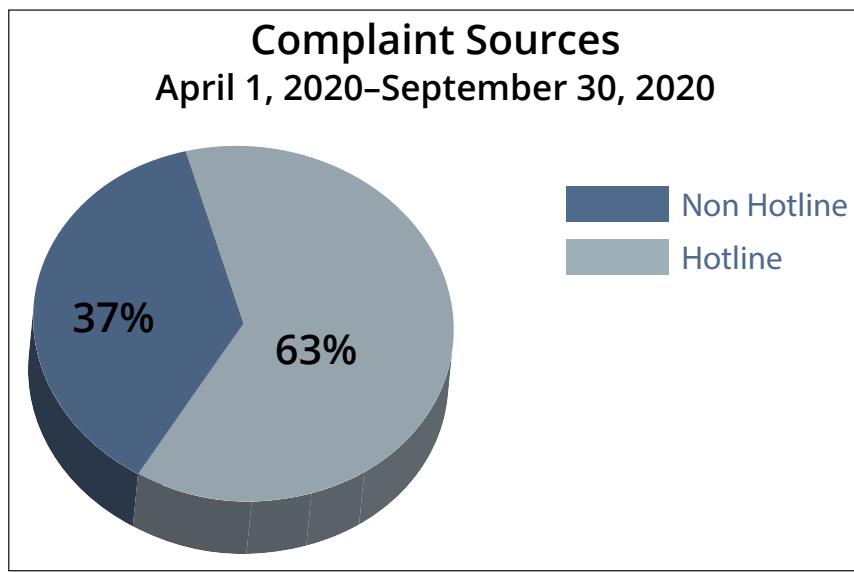
OIG investigators conducted 21 Integrity Awareness Briefings for DOJ employees and other stakeholders throughout the country. These briefings are designed to educate employees and other stakeholders about the misuse of a public official's position for personal gain and to deter employees and other stakeholders from committing such offenses. The briefings reached 703 employees.

## OIG Hotline

During FY 2020, the OIG received the majority of its Hotline complaints through its electronic complaint form located [here](#).

In addition, DOJ employees and citizens are able to file complaints by telephone, fax, and postal mail. The online access, fax, and postal mail all provide the ability to file a complaint in writing to the OIG.

From all Hotline sources during the second half of FY 2020, 5,531 new complaints related to DOJ operations or other federal agencies were entered into the OIG's complaint tracking system. Of the new complaints, 3,989 were forwarded to various DOJ components for their review and appropriate action; 523 were filed for information; 881 were forwarded to other federal agencies; and 9 were opened by the OIG for investigation.



Approximately, 23,147 additional Hotline email and phone contacts were processed and deemed non-jurisdictional and outside the purview of the federal government and therefore were not entered into the OIG's complaint tracking system.

# APPENDICES

## 1 | Acronyms and Abbreviations

<b>AGEOs</b>	Attorney General Exempt Operations
<b>ATF</b>	Bureau of Alcohol, Tobacco, Firearms and Explosives
<b>AUSA</b>	Assistant United States Attorney
<b>BOP</b>	Federal Bureau of Prisons
<b>CARES</b>	Coronavirus Aid, Relief, and Economic Security Act
<b>CDC</b>	Centers for Disease Control and Prevention
<b>CIGIE</b>	Council of the Inspectors General on Integrity and Efficiency
<b>CO</b>	Correctional Officer
<b>COVID-19</b>	Coronavirus Disease 2019
<b>CVF</b>	Crime Victims Fund
<b>DEA</b>	Drug Enforcement Administration
<b>DOD</b>	U.S. Department of Defense
<b>DOJ or Department</b>	U.S. Department of Justice
<b>DOL</b>	U.S. Department of Labor
<b>EOUSA</b>	Executive Office for United States Attorneys
<b>FBI</b>	Federal Bureau of Investigation
<b>FCC</b>	Federal Correctional Complex
<b>FISA</b>	Foreign Intelligence Surveillance Act of 1978
<b>FISMA</b>	Federal Information Security Management Act
<b>FY</b>	Fiscal Year
<b>IG Act</b>	Inspector General Act of 1978
<b>INSD</b>	Inspection Division
<b>IT</b>	Information Technology
<b>JMD</b>	Justice Management Division
<b>MAM</b>	Management Advisory Memorandum
<b>OIA</b>	Office of Internal Affairs
<b>OIG</b>	Office of the Inspector General
<b>OJP</b>	Office of Justice Programs
<b>OMB</b>	Office of Management and Budget
<b>OPR</b>	Office of Professional Responsibility

**Patriot Act**

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act

**USAO**

U.S. Attorney's Office

**USMS**

U.S. Marshals Service

**VOCA**

Victims of Crime Act of 1984

## 2 | Glossary of Terms

The following are definitions of specific terms as they are used in this report.

**Cooperative Agreement:** Term used to describe when the awarding agency expects to be substantially involved with the award's activities; often used interchangeably with "grant."

**Disallowed Cost:** The IG Act defines "disallowed cost" as a questioned cost that management, in a management decision, has sustained or agreed should not be charged to the government.

**Diversion:** When controlled substance transactions fall outside the congressionally mandated closed system of distribution, the activity constitutes diversion.

**External Audit Report:** The results of audits and related reviews of expenditures made under DOJ contracts, grants, and other agreements. External audits are conducted in accordance with the Comptroller General's Government Auditing Standards and related professional auditing standards.

**Funds Recommended to Be Put to Better Use:** Recommendation by the OIG that funds could be used more efficiently if management of an entity took actions to start and complete the recommendation, including: (1) reductions in outlays; (2) deobligation of funds from programs or operations; (3) withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds; (4) costs not incurred by implementing recommended improvements related to the operations of the entity, a contractor, or grantee; (5) avoidance of unnecessary expenditures noted in pre-award reviews of contract or grant agreements; or (6) any other savings that specifically are identified.

**Internal Audit Report:** The results of audits and related reviews of DOJ organizations, programs, functions, computer security and information technology, and financial statements. Internal audits are conducted in accordance with the Comptroller General's Government Auditing Standards and related professional auditing standards.

**Management Decision:** The IG Act defines "management decision" as the evaluation by the management of an establishment of the findings and recommendations included in an audit report and the issuance of a final decision by management concerning its response to such findings and recommendations, including actions concluded to be necessary.

**Questioned Cost:** A cost that is questioned by the OIG because of: (1) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds; (2) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (3) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

**Single Audit Act Audits:** Single Audit Act audits are performed by public accountants or a federal, state or local government audit organization in accordance with generally accepted government auditing standards. They are intended to determine whether the financial statements and schedule of expenditures of federal awards are presented fairly, to test internal controls over major programs, to determine whether the grant recipient is in compliance with

requirements that may have a direct and material effect on each of its major programs, and to follow up on prior audit findings. These audits are required to be performed for organizations that expend \$750,000 or more in federal awards in accordance with the Single Audit Act of 1984, as amended, and 2 CFR part 200, subpart F, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

**Supervised Release:** Court-monitored supervision upon release from incarceration.

**Unsupported Cost:** A cost that is questioned by the OIG because the OIG found that, at the time of the audit, the cost was not supported by adequate documentation.

## 3 | Audit Division Reports

### **Internal Audit Reports**

#### *Multicomponent*

Audit of the Department of Justice's Compliance with the Geospatial Data Act of 2018

Audit of the Department of Justice's Efforts to Protect Federal Bureau of Prisons Facilities Against Threats Posed by Unmanned Aircraft Systems

Examination of the U.S. Department of Justice's Fiscal Year 2019 Compliance under the Improper Payments Elimination and Recovery Act of 2010

#### *Federal Bureau of Prisons*

Audit of the Federal Bureau of Prisons' Information Security Program Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

Audit of the Federal Bureau of Prisons' Sentry System Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

#### *Drug Enforcement Administration*

Audit of the Drug Enforcement Administration's Prescription Drug Take Back Activities

Audit of the Drug Enforcement Administration's Community-Based Efforts to Combat the Opioid Crisis

Audit of the Drug Enforcement Administration's Income-Generating, Undercover Operations

#### *Office of Justice Programs*

Audit of the Office of Justice Programs' Denial of Federal Benefits and Defense Procurement Fraud Debarment Clearinghouse System Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

Audit of the Office of Justice Programs' Information Security Program Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

#### *Other Department Components*

Audit of the Superfund Activities in the Environment and Natural Resources Division for Fiscal Year 2018

Audit of the Executive Office for Immigration Review Recognition and Accreditation Program

Audit of the Executive Office for Immigration Review's Fiscal Year 2019 Financial Management Practices

Audit of the Justice Management Division's Information Security Program Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

Audit of the Justice Management Division's Personnel Accountability and Assessment System Pursuant to the Federal Information Security Modernization Act of 2014 Fiscal Year 2019

## **Contract Audit Reports**

### ***Bureau of Alcohol, Tobacco, Firearms and Explosives***

Audit of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Administration of the National Integrated Ballistic Information Network and Its Sole-Source Contracts Awarded to Shearwater Systems, LLC

### ***Environment and Natural Resources Division***

Audit of the Environment and Natural Resources Division's Procurement and Administration of Expert Witness Contracts

### ***Federal Bureau of Investigation***

Audit of the Federal Bureau of Investigation's Contract Awarded to TUVA, LLC for Subject Matter Expert Services

### ***Federal Bureau of Prisons***

Audit of the Federal Bureau of Prisons' Perimeter Security Strategy and Efforts Related to the Contract Awarded to DeTekion Security Systems, Incorporated, to Update the Lethal/Non-Lethal Fence at Nine United States Penitentiaries

### ***United States Marshals Service***

Audit of the United States Marshals Service's Contract Awarded to The GEO Group, Incorporated to Operate the Robert A. Deyton Detention Facility, Lovejoy, Georgia

## **External Audit Reports**

### ***Alabama***

Audit of the Alabama Law Enforcement Agency's Equitable Sharing Program Activities, Montgomery, Alabama

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Alabama Department of Economic and Community Affairs, Montgomery, Alabama

### ***Colorado***

Audit of the Office of Justice Programs Cooperative Agreements Awarded to the Colorado Organization for Victim Assistance, Denver, Colorado

### ***District of Columbia***

Audit of the Office of Justice Programs Visions 21 Grant to Advance the Use of Technology Awarded to the National Network to End Domestic Violence, Washington, D.C.

### ***Florida***

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Florida Department of Legal Affairs, Tallahassee, Florida

### ***Illinois***

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Illinois Criminal Justice Information Authority, Chicago, Illinois

***Indiana***

Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Indiana Criminal Justice Institute, Indianapolis, Indiana

***Kentucky***

Audit of the Bureau of Justice Assistance Grant Awarded to the Kenton County Detention Center, Covington, Kentucky

***Massachusetts***

Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Massachusetts Department of Attorney General, Boston, Massachusetts

***Missouri***

Audit of the Saint Charles County Police Department's Equitable Sharing Program Activities, O'Fallon, Missouri

***New Jersey***

Audit of the Office of Community Oriented Policing Services Hiring Program Grants Awarded to the Essex County Sheriff's Office, Newark, New Jersey

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the New Jersey Department of Law and Public Safety, Trenton, New Jersey

***Oklahoma***

Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Oklahoma District Attorneys Council, Oklahoma City, Oklahoma

***Pennsylvania***

Audit of the Office of Justice Programs Regional Information Sharing Systems Grants Awarded to the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network, Newtown, Pennsylvania

***Texas***

Audit of the Office of Community Oriented Policing Services Hiring Program Grants Awarded to the Arlington Police Department, Arlington, Texas

***Vermont***

Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Vermont Center for Crime Victim Services, Waterbury, Vermont

***Virginia***

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Virginia Department of Criminal Justice Services, Richmond, Virginia

***Washington***

Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the State of Washington Department of Commerce, Olympia, Washington

## Single Audit Act Reports of Department Activities

Aurora Comprehensive Community Mental Health Center, Inc., Aurora, Colorado FY 2019

Battered Women's Justice Project, Minneapolis, Minnesota FY 2019

Bronx County District Attorney, Bronx, New York FY 2019

CAWS North Dakota, Bismarck, North Dakota FY 2018

Center Against Sexual and Family Violence, Inc., El Paso, Texas FY 2019

City of Detroit, Michigan FY 2019

City of El Monte, California FY 2019

City of Fontana, California FY 2019

City of Huntington Park, California FY 2018

City of Lowell, Massachusetts FY 2019

City of Mission, Texas FY 2019

City of Murrieta, California FY 2019

City of Roseville, Michigan FY 2019

City of St. Louis, Missouri FY 2019

Clark County, Nevada FY 2019

Commonwealth of Pennsylvania FY 2019

County of Bedford, Virginia FY 2019

Davis Citizens' Coalition Against Violence, Kaysville, Utah FY 2019

Dubuque County, Iowa FY 2019

Inter-Tribal Council of Nevada, Inc., Sparks, Nevada FY 2018

National Center for Victims of Crime, Inc., Arlington, Virginia FY 2018

Orange County, Florida FY 2019

South Dakota Network Against Family Violence and Sexual Assault, Sioux Falls, South Dakota FY 2019

Southwest Center for Law and Policy, Inc., Tucson, Arizona FY 2018

State of Idaho FY 2019

State of Maryland FY 2019

State of Minnesota FY 2019

State of Nebraska FY 2019

State of New Hampshire FY 2019

State of North Carolina FY 2019

State of Tennessee FY 2019

State of Utah FY 2019

State of Washington FY 2019

Town of Clinton, Massachusetts FY 2018

## **Other Audit Releases**

COVID-19 Challenges for the U.S. Department of Justice

Interim Report—Review of the Office of Justice Programs' Administration of CARES Act Funding

Management Advisory Memorandum Concerning the Department of Justice's Administration and Oversight of Contracts

Management Advisory: Notification of Concerns Identified in the Federal Bureau of Investigation's Contract Administration of a Certain Classified National Security Program

Status of CARES Act Funding as of June 12, 2020 (Unaudited)

System Review Report of the U.S. Department of the Interior, Office of Inspector General

## 4 | Quantifiable Potential Monetary Benefits

Audit Report	Questioned Costs	Unsupported Costs	Funds Recommended to Be Put to Better Use
<b>Audits Performed by the DOJ OIG</b>			
Audit of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Administration of the National Integrated Ballistic Information Network and Its Sole-Source Contracts Awarded to Shearwater Systems, LLC	\$10,982	\$0	\$0
Audit of the Environment and Natural Resources Division's Procurement and Administration of Expert Witness Contracts	\$71,815	\$0	\$0
Audit of the Federal Bureau of Investigation's Contract Awarded to TUVA, LLC for Subject Matter Expert Services	\$9,376	\$0	\$0
Audit of the Superfund Activities in the Environment and Natural Resources Division for Fiscal Year 2018	\$164,087	\$0	\$0
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Alabama Department of Economic and Community Affairs, Montgomery, Alabama	\$670,935	\$13,676	\$0
Audit of the Office of Justice Programs Cooperative Agreements Awarded to the Colorado Organization for Victim Assistance, Denver, Colorado	\$440,546	\$440,546	\$0
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Florida Department of Legal Affairs, Tallahassee, Florida	\$231,759	\$150,919	\$0
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Illinois Criminal Justice Information Authority, Chicago, Illinois	\$645,257	\$581,046	\$0

Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Indiana Criminal Justice Institute, Indianapolis, Indiana	<b>\$52,722</b>	<b>\$29,324</b>	<b>\$0</b>
Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Massachusetts Department of Attorney General, Boston, Massachusetts	<b>\$27,929</b>	<b>\$27,929</b>	<b>\$0</b>
Audit of the Saint Charles County Police Department's Equitable Sharing Program Activities, O'Fallon, Missouri	<b>\$161,907</b>	<b>\$0</b>	<b>\$0</b>
Audit of the Office of Community Oriented Policing Services Hiring Program Grants Awarded to the Essex County Sheriff's Office, Newark, New Jersey	<b>\$5,753,266</b>	<b>\$5,753,266</b>	<b>\$1,121,734</b>
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the New Jersey Department of Law and Public Safety, Trenton, New Jersey	<b>\$75,334</b>	<b>\$75,334</b>	<b>\$0</b>
Audit of the Office of Justice Programs Victim Compensation Grants Awarded to the Oklahoma District Attorneys Council, Oklahoma City, Oklahoma	<b>\$14,494</b>	<b>\$13,337</b>	<b>\$0</b>
Audit of the Office of Justice Programs Regional Information Sharing Systems Grants Awarded to the Middle Atlantic- Great Lakes Organized Crime Law Enforcement Network, Newtown, Pennsylvania	<b>\$6,196</b>	<b>\$2,000</b>	<b>\$0</b>
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Virginia Department of Criminal Justice Services, Richmond, Virginia	<b>\$46,261</b>	<b>\$28,021</b>	<b>\$0</b>
Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the State of Washington Department of Commerce, Olympia, Washington	<b>\$73,519</b>	<b>\$73,519</b>	<b>\$0</b>
<b>Subtotal (Audits Performed by the DOJ OIG)</b>	<b>\$8,456,385</b>	<b>\$7,188,917</b>	<b>\$1,121,734</b>

**Audits Performed by State/Local Auditors and Independent Public Accounting Firms Under the Single Audit Act<sup>26</sup>**

City of El Monte, California FY 2019	\$5,000	\$0	\$0
City of Roseville, Michigan FY 2019	\$87,426	\$0	\$0
Commonwealth of Pennsylvania FY 2019	\$2,725	\$0	\$0
Inter-Tribal Council of Nevada, Inc., Sparks, Nevada FY 2018	\$33,368	\$0	\$0
National Center for Victims of Crime, Inc., Arlington, Virginia FY 2018	\$101,378	\$0	\$0
State of Idaho FY 2019	\$1,596,400	\$35,902	\$0
State of Nebraska FY 2019	\$12,376	\$12,376	\$0
State of North Carolina FY 2019	\$15,335	\$15,335	\$0
State of Tennessee FY 2019	\$593	\$220	\$0
<b>Subtotal (Audits Performed by State/Local Auditors and Independent Public Accounting Firms Under the Single Audit Act)</b>	<b>\$1,854,601</b>	<b>\$63,833</b>	<b>\$0</b>
<b>Total</b>	<b>\$10,310,986</b>	<b>\$7,252,750</b>	<b>\$1,121,734</b>

## 5 | Evaluation and Inspections Division Reports

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### Evaluation and Inspections Division Reports

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Remote Inspection of Federal Correctional Complex Lompoc

Remote Inspection of Federal Correctional Complex Tucson

Remote Inspection of Federal Bureau of Prisons Contract Correctional Institution Giles W. Dalby,  
Operated by Management & Training Corporation

Remote Inspection of Federal Bureau of Prisons Contract Correctional Institution Moshannon  
Valley, Operated by the Geo Group, Inc.

Remote Inspection of Federal Bureau of Prisons Contract Correctional Institution McRae,  
Operated by CoreCivic

## 6 | Peer Reviews

### Peer Reviews Conducted by another OIG

#### **Audit Division**

The most recent peer review of the Audit Division was performed by the Department of Labor (DOL) OIG. In its report issued March 27, 2019, the DOJ OIG received a peer review rating of *pass* for its system of quality control in effect for the year ended September 30, 2018. The DOL OIG did not make any recommendations.

#### **Evaluation and Inspections Division**

The Evaluation and Inspections Division did not undergo a peer review this reporting period. The most recent peer review was performed by a team of staff from the Treasury Inspector General for Tax Administration, the Federal Deposit Insurance Corporation OIG, and the Board of Governors of the Federal Reserve System and Bureau of Consumer Financial Protection Bureau OIG. In the report issued on August 8, 2018, the team determined that the Evaluation and Inspections Division generally met seven of the CIGIE's Quality Standards for Inspection and Evaluation (Blue Book standards) and generally complied with its own internal policies and procedures. There are no outstanding recommendations.

#### **Investigations Division**

The Investigations Division did not undergo a peer review this reporting period. The most recent peer review was performed by the DOD OIG in February 2017. The DOD OIG found that the DOJ OIG is in compliance with the quality standards established by the CIGIE and the Attorney General Guidelines for Inspectors General with Statutory Law Enforcement Authority. In an accompanying letter of observation, the DOD OIG suggested: 1) that the DOJ OIG monitor field office implementation of policy issued during the review requiring placement of FBI case notification letters in the official case files and 2) that DOJ OIG develop a standard method for recording when management case reviews have been performed. The DOJ OIG agreed with these suggestions and implemented corrective action. There are no outstanding recommendations.

### Peer Reviews Conducted by the OIG

#### **Audit Division**

The DOJ OIG conducted a peer review of the Department of Interior OIG. The report was issued on August 3, 2020.

#### **Evaluation and Inspections Division**

The DOJ OIG led a peer review of the OIG for the U.S. Small Business Administration (SBA OIG) for calendar year 2019. The report was issued on September 16, 2020.

#### **Investigations Division**

The DOJ OIG last conducted a peer review of the Social Security Administration OIG for the period ending June 2016, and the compliance letter was issued on September 12, 2016.

## 7 | Reporting Requirements

The IG Act specifies reporting requirements for semiannual reports. The requirements are listed below and indexed to the applicable pages.

IG Act References	Reporting Requirements	Page
Section 4(a)(2)	Review of Legislation and Regulations	<b>42</b>
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies	<b>9-40</b>
Section 5(a)(2)	Significant Recommendations for Corrective Actions	<b>9-40</b>
Section 5(a)(3)	Significant Recommendations for Which Corrective Actions Have Not Been Completed	<b>46-49</b>
Section 5(a)(4)	Matters Referred to Prosecutive Authorities	<b>15-17, 20-22, 24-25, 27-28, 39</b>
Section 5(a)(5)	Refusal to Provide Information	<b>None</b>
Section 5(a)(6)	Listing of Audit Reports	<b>58-62</b>
Section 5(a)(7)	Summary of Significant Reports	<b>9-40</b>
Section 5(a)(8)	Questioned Costs	<b>44</b>
Section 5(a)(9)	Funds Recommended to Be Put to Better Use	<b>45</b>
Section 5(a)(10)	Prior OIG Reports Unresolved, Uncommented Upon, or Recommendations Not Yet Implemented	<b>13-14, 50</b>
Section 5(a)(11)	Description and Explanation of the Reasons for Any Significant Revised Management Decision Made During the Reporting Period	<b>50</b>
Section 5(a)(12)	Significant Management Decisions with Which the Inspector General Disagreed	<b>50</b>
Section 5(a)(14)	Peer Reviews Conducted by Another OIG	<b>67</b>
Section 5(a)(15)	Outstanding Recommendations from Peer Reviews of the OIG	<b>67</b>
Section 5(a)(16)	Outstanding Recommendations from Peer Reviews Conducted by the OIG	<b>67</b>
Section 5(a)(17)	Statistical Table Pertaining to OIG Investigations	<b>52</b>
Section 5(a)(18)	Description of Metrics for OIG Investigative Table	<b>69-70</b>
Section 5(a)(19)	Reports Involving Senior Government Employees Meeting Certain Criteria	<b>16-17, 22, 36, 39</b>
Section 5(a)(20)	Instance of Whistleblower Retaliation	<b>17-18</b>
Section 5(a)(21)	Attempts to Interfere with OIG Independence	<b>None</b>
Section 5(a)(22)	Inspections, Evaluations, Audits, and Investigations of Senior Government Employees Undisclosed to the Public	<b>14</b>

## ENDNOTES

1 This figure includes OIG audits, reports, evaluations, inspections, special reviews, and management advisory memoranda issued during the reporting period. This figure does not include Single Audit Act reports, which are identified below.

2 This figure includes all recommendations, including those for management improvements and dollar-related recommendations, which are recommendations for components to remedy questioned costs and funds to be put to better use.

3 This figure includes audit reports and other releases as shown in Appendix 3.

4 See glossary for definition of "Questioned Costs."

5 See glossary for definition of "Funds Recommended to Be Put to Better Use."

6 Includes civil, criminal and non-judicial fines, restitutions, recoveries, assessments, penalties, and forfeitures. These figures represent allegations entered into the OIG's complaint tracking system. They do not include the approximate 23,147 additional Hotline, email, and phone contacts that were processed and deemed non-jurisdictional and outside the purview of the federal government.

7 Includes civil, criminal and non-judicial fines, restitutions, recoveries, assessments, penalties, and forfeitures.

8 Employee complaint is defined as an allegation received from whistleblowers, defined broadly as complaints received from employees and applicants with the Department, or its contractors, subcontractors, or grantees, either received directly from the complainant by the OIG Hotline, the field offices, or others in the OIG, or from a Department component if the complaint otherwise qualifies and is opened as an investigation.

9 This number reflects cases closed during the reporting period regardless of when they were opened.

10 See glossary for definition of "Questioned Costs" and "Funds Recommended to Be Put to Better Use."

11 See glossary for definition of "Questioned Costs."

12 See glossary for definition of "Unsupported Costs."

13 Includes reports previously issued for which no management decision has been made. See glossary for definition of "Management Decision."

14 Of the audit reports issued during this period with questioned costs, nine were Single Audit Act reports.

15 Includes instances in which management has taken action to resolve the issue and/or the matter is being closed because remedial action was taken. See glossary for definition of "Disallowed Costs."

- 16 Includes one instance where management agreed with all but one of the audit's recommendation.
- 17 See glossary for definition of "Funds Recommended to Be Put to Better Use."
- 18 Reports previously issued for which no management decision has been made.
- 19 Includes instances in which management has taken action to resolve the issue and/or the matter is being closed because remedial action was taken.
- 20 Section 5 of the Inspector General Act of 1978, as amended, defines a management decision as "the evaluation by the management of an establishment of the findings and recommendations included in an audit report and the issuance of a final decision by management concerning its response to such findings and recommendations, including actions concluded to be necessary."
- 21 These figures represent allegations entered into the OIG's complaint tracking system. They do not include the approximate 23,147 additional Hotline, email, and phone contacts that were processed and deemed non-jurisdictional and outside the purview of the federal government.
- 22 At the conclusion of an investigation, one or more type of report is prepared. The prepared report may be an abbreviated report of investigation or a full report of investigation. In addition, an investigative summary for public posting on the OIG public website may be prepared for investigations involving senior government employees. The number of reports issued represents one report for each investigation.
- 23 The number of indictments reported include both sealed and not sealed.
- 24 This number includes all criminal and civil referrals to the DOJ for a prosecutorial decision whether they were ultimately accepted or declined with the caveat that if an investigation was referred to more than one DOJ office for a prosecutorial decision, the referral to DOJ was only counted once. The number reported as referred represents referrals for both individuals and or other legal entities.
- 25 The number reported as referred represents referrals for both individuals and or other legal entities.
- 26 These audits are reviewed by the OIG to assess the quality and the adequacy of the entity's management of federal funds. The OIG issues these audits to the responsible component and performs follow-up on the audit reports' findings and recommendations.

# **REPORT WASTE, FRAUD, ABUSE, OR MISCONDUCT**

To report allegations of waste, fraud, abuse, or misconduct regarding Department of Justice programs, employees, contractors, or grants, please go to the DOJ OIG website at [oig.justice.gov](http://oig.justice.gov) or call the OIG's Hotline at (800) 869-4499.

The OIG website has complaint forms that allow you to report the following to the OIG:

- General allegations of fraud, waste, and abuse in Department programs or by Department employees;
- Contract fraud, including mandatory disclosures required by contractors when they have credible evidence of violations of the civil False Claims Act or certain violations of criminal law;
- Grant fraud, including fraud, waste, or abuse related to the Department's award of Recovery Act funds; and
- Violations of civil rights or civil liberties by Department employees.

To give information by mail or facsimile, please send to:

U.S. Department of Justice  
Office of the Inspector General  
Investigations Division  
ATTN: OIG Hotline  
950 Pennsylvania Ave., N.W.  
Washington, D.C., 20530  
Fax: (202) 616-9881

For further information on how to report a complaint to the OIG, please call (800) 869-4499.