Approved for public release by the Capitol Police Board on October 7, 2026

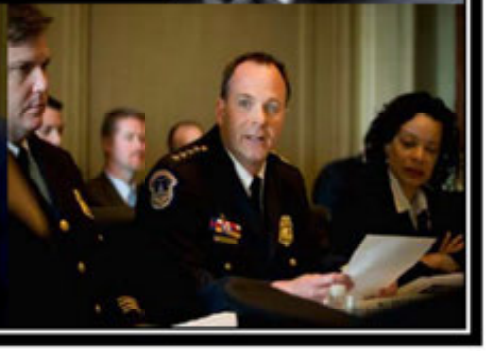










UNITED STATES CAPITOL POLICE

OFFICE OF INSPECTOR GENERAL

SEMIANNUAL REPORT TO THE CONGRESS

April 1, 2009 to September 30, 2009

United States Capitol Police

History

Created by Congress in 1828 following the assault on a son of John Quincy Adams in the Capitol Rotunda, the original duty of the United States Capitol Police was to provide security for the United States Capitol Building. Its mission has expanded to provide the Congressional community and its visitors with a variety of police services. These services are provided through the use of a variety of specialty support units, a network of foot and vehicular patrols, fixed posts, a full time CERT (Containment and Emergency Response Team), K-9, a Patrol/Mobile Response Division and full time Hazardous Devices and Hazardous Materials Sections. The agency has about 1,750 sworn members as of September 30, 2009.

Mission

Today's United States Capitol Police officer has the primary responsibility for protecting life and property; preventing, detecting, and investigating criminal acts; and enforcing traffic regulations throughout a large complex of congressional buildings, parks, and thoroughfares. The USCP has exclusive jurisdiction within the United States Capitol Grounds and has concurrent jurisdiction with other police agencies, including the United States Park Police and the DC Police, in an area of approximately 200 blocks around the complex. Additionally, they are charged with the protection of Members of Congress, Officers of Congress, and their families throughout the entire United States, its territories and possessions, and the District of Columbia.

Office of Inspector General

History

With Public Law 109-55, (August 2, 2005), Congress directed the Capitol Police Board to appoint an Inspector General (IG) for the Department without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

On July 12, 2006, the Chairman of the Capitol Police Board swore in the first IG for the Department at the Eney, Chestnut, Gibson Memorial Building, United States Capitol Police Headquarters in Washington, D.C.

Mission

The Inspector General is responsible for conducting and supervising audits and investigations relating to the programs and operations of the Department. The Office of Inspector General (OIG) examines, evaluates and, where necessary, critiques these programs and operations, recommending ways to carry out departmental responsibilities in the most effective, efficient, and economical manner possible. OIG also audits, investigates, and oversees matters related to the Department's programs and operations, consistent with applicable laws, regulations, and policies.

MESSAGE FROM THE INSPECTOR GENERAL



Inspector General
Carl W. Hoecker

I am pleased to present the United States Capitol Police (USCP) Office of Inspector General (OIG) semiannual report for the period April 1, 2009 to September 30, 2009.

The audits, investigations, and other activities outlined within this report demonstrate OIG's ongoing commitment to ensure efficiency and integrity within USCP programs and operations.

Among OIG projects completed this period were audits of the Department's purchase card program and off-site deployments. We also completed an investigation into the misuse of restricted appropriations to support a professional services contract.

In June of this reporting period, OIG also conducted its first off-site planning session. Among the topics covered were the development of the annual plan for FY 2010, major management challenges for the Department, and a review of the OIG outreach briefing process. The most significant result of this session was a strengthened OIG strategic plan including performance goals, priorities for its FY 2010 annual plan, and solid criteria with which to measure our annual performance.

OIG is dedicated to the highest standards of professionalism and quality in its audits and investigations. I would like to commend OIG staff for their continued superior work and dedication to the OIG mission. In this regard, I congratulate our Assistant Inspector General for Audits, who recently received the "Award for Excellence in Auditing" issued by the Council of Inspectors General on Integrity and Efficiency.

I would like to take this opportunity to thank the Capitol Police Board and the Department for the interest and the support that everyone has shown our office. We look forward to working closely with the Chief and his leadership team, the Board, and the Congress toward the goal of promoting economy, efficiency, and effectiveness in USCP programs and operations as well as helping the Department accomplish its critical mission and initiatives in the months ahead.

Carl W Hoecker

Carl W. Hoecker
Inspector General

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EXECUTIVE SUMMARY

This Semiannual Report is issued pursuant to the provisions of Section 5 of the Inspector General Act of 1978, as amended, and summarizes the activities of the United States Capitol Police's (USCP or Department) Office of Inspector General (OIG) for the period April 1 through September 30, 2009. During this reporting period, OIG continued to direct its resources toward those areas of greatest risk with the Department. We completed significant work to promote the economy, efficiency, effectiveness, and integrity of the Department's programs and operations. We also consulted on a variety of Department issues and provided comments on proposed legislation and regulations. The work of each of the OIG components is summarized below.

OIG Audits supported the Department's effort to improve accountability and financial management by issuing the following reports: *Local Travel Reimbursement* (Report No. OIG-2009-04); *Audit of USCP Purchase Card Program* (Report No. OIG-2009-05); and *Audit of USCP Off-Site Deployments* (Report No. OIG-2009-06). Audits also continued to work with management to close recommendations from prior reporting periods. Additionally, at the close of this reporting period, Audits had three on-going efforts to include the audit of the Department's FY 2009 financial statements.

OIG Investigations closed two cases: *Misuse of Restricted Appropriations* (2009-I-0005) and *Allegations Against the Chief of Police* (2009-I-0014). OIG also issued its first set of subpoenas pursuant to several ongoing investigations. Investigations also worked several joint efforts with the Department including providing guidance to the Department on conducting a property inspection and transfer of equipment from the Library of Congress. Additionally, during this reporting period, OIG received 75 complaints, opened 6 investigations and issued 7 subpoenas.

Furthermore, OIG continued its active engagement with the Congress, the Capitol Police Board, and the Department management team through meetings, briefings, and dialogue with members and staff of the Department's committees of jurisdiction on a range of issues related to our work and that of the Department. For example, we broadened our outreach efforts in presenting briefings to the Department's civilian employees.

OIG remains a contributing participant in the activities of the Council of Inspectors General on Integrity and Efficiency (CIGIE). CIGIE was established to enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs. In July 2009, the USCP/IG was appointed as vice-chair of the Investigations Committee. The Investigations Committee advises the OIG community on issues involving criminal investigations. Additionally, in response to the Senate Appropriations Committee request that the legislative branch IGs communicate, cooperate, and coordinate with each other on an informal basis on a quarterly basis, the OIG participates regularly in these activities.

AGENT OF POSITIVE CHANGE

As part of the overall mission and responsibilities of OIG, we continue to assist the Department in developing a strong, sound organization, employing best practices. While working alongside the Department during this reporting period, OIG was able to support and encourage positive change.

Fiscal Year Appropriations Corrected

During the independent audit of the Department's FY 2008 financial statements, the auditors identified and reported a potential misuse of restricted appropriations to initiate a professional services contract to support the Office of Financial Management (OFM). Once notified by OIG, the Department took immediate action to deobligate these restricted funds from the contract.

Contract Officer's Representative Training

To enhance contract administration and management, comply with House and Senate Appropriations requirements for Contracting Officer's Representative (COR) training, and address one of OIG's major management challenges; the Department completed the implementation of a COR Certification program in April 2009. This program requires that all appointed CORs successfully complete an approved training course which will improve the monitoring and management of contracts.

Travel Card Guidance

To improve the internal efficiency and effectiveness of the Department's travel program, OIG recommended the Department finalize its travel policy and disseminate to all employees, and collect unallowable questioned costs. In September 2009, the Department issued interim travel guidance and issued interim guidance. In addition, the Department recovered about $8,000 from employees for duplicative travel payments.

Outreach Activities

OIG broadened its outreach efforts to include briefings to the Department's civilian employees. These briefings covered topics such as OIG's consultative role within the Department, the responsibilities of each employee with regard to reporting fraud, waste and abuse, and the concept of independence designed for OIG to best serve Congress, the Board, the Chief of Police, and other critical stakeholders.





As part of our continuing efforts to promote accountability through better awareness of OIG's role, mission, and services, OIG made presentations to new recruit classes and USCP civilians during this reporting period.

PROACTIVE EFFORTS

External Review of USCP OIG Resources

Currently the OIG has insufficient staff to exercise statutory oversight of the Department programs and operations and annual appropriation of over $300 million. The Board requested the Postal Service OIG conduct a review of USCP OIG preceding two years' data, its mission, and environment to recommend optimum resource level and resource options. In July 2009, the Postal Service OIG issued its report and conducted an exit briefing with the Board. Postal Service OIG reported that USCP OIG needs additional resources to address immediate and ongoing vulnerabilities in Department programs and operations.

OIG Planning Offsite

In June, OIG conducted its first planning offsite to improve its efficiency, enhance productivity, and better align its strategic plan and organizational goals with the Department. This exercise consisted of strategy sessions to enhance methods for gathering and presenting OIG's semiannual report, and to build a sound collaborative foundation to produce high quality and timely products. OIG staff also discussed strengthening OIG's strategic plan and performance goals, major management challenges for the Department, and priorities for its FY 2010 annual plan. As a result of this planning session, OIG established additional criteria to measure its annual performance.

Major Management Challenges

OIG has identified protection/security, human capital, financial management, information management, contract management, and resolution of audit recommendations as major management challenges for the Department for FY 2010. The Chief of Police immediately included these challenges into his priority listing for the Department. A summary of these challenges are shown on page 6.

MAJOR MANAGEMENT CHALLENGES

Protection/Security – The Department's mission is to protect the Congress, its legislative process, Members, employees, visitors, and facilities from crime, disruption, or terrorism. The Department's challenge in this regard is to respond and deploy required resources at a sufficient level of security/protection to scheduled and unanticipated events (such as demonstrations and suspicious packages) and changing and emerging threats on an open campus. OIG and other federal agencies have recommended the Department consistently link resource allocation to its greatest area of risk and deploy these techniques as its normal course of day-to-day operations. OIG will continue to work with the Department to improve its operational effectiveness and efficiencies.

Human Capital - The Department needs a final plan and execute it effectively to recruit, develop, and retain a high quality, diverse workforce. A significant portion of its employees are eligible for retirement in 5-10 years and the workforce might not be sufficient to carry out the Department's mission. Human capital management will continue to be a governmentwide challenge and will require attention and resources on the need for human capital reform. The Department recently completed a workforce study and plans to integrate those results into other business processes, such as budget formulation, officer deployment, and overtime management. OIG is concerned about staffing and staff turnover of civilian employees.

Financial Management – While it has made significant improvement in financial management, the Department must overcome considerable issues to ensure that Congress, the Board, and its management have reliable financial data for decision making. The Department prepared a full set of audited financial statements and received an unqualified opinion for the year ended September 30, 2008. However, accurate and complete financial reporting remains a major concern of OIG because of the below issues.

Internal Controls - The FY 2008 *Report on Compliance with Laws and Regulations* report identified an instance of noncompliance regarding the use of appropriated funds from the Security Enhancement Fund and the Emergency Response Fund to initiate a contract for professional services in procurement. Additionally, the FY 2008 *Report on Internal Control* included three material weaknesses (Payroll Processing, Financial Management, and Information Systems). Although, the Department has made progress in this area, we identified new controls discrepancies during 2008 and 2009.

Budget - The Department does not currently have a process in place to gather cost information and provide that information to managers, so that they can make informed decisions on programmatic issues. As budgets continue to get tighter, this type of information is essential to ensure that programs are running efficiently. The Department began an initiative to address this issue by using budgeting software. A Grant Thornton assessment of financial management processes and controls recommended that budget properly monitor the expenditure of funds to prevent possible Anti-deficiency Act violations.

MAJOR MANAGEMENT CHALLENGES

Information Management - Two critical information systems, [redacted], the financial system; and [redacted], the asset and inventory system are managed by the Office of Financial Management (OFM) and Office of Facilities and Logistics (OFL), respectively, instead of the Office of Information Systems (OIS). Thus, OFM controls the entire financial system and grants access to users. This is a serious concern to OIG. The financial system can be overridden and circumvented without adequate controls and segregation of duties. A third critical system, [redacted], the time and attendance system, is managed by Office of Human Resources (OHR). OHR has made system changes without coordinating and receiving approval from the Configuration Change Board. These changes have adversely affected the issuance of equipment to new officers in training.

Cyber Security - Inadequate separation of cyber security roles and responsibilities continues to adversely affect the Department's information security program and internal controls. The FY 2008 financial statements audit reported Information Management including Cyber Security Roles and Responsibilities as a material weakness. During FY 2007, the Department experienced a breach of employees' Personal Identifiable Information (PII) on the part of one of its contractors. The Department needs adequate controls and procedures to protect its information systems and PII of Congressional Members, their staff, and USCP employees from unauthorized access and corruption.

Contract Management - The Department needs controls and procedures to ensure that the contracting officers, Contracting Officers' Representatives (COR) or Contracting Officers' Technical Representatives (COTR) adequately award, administer, and oversee procurement actions to ensure that contractors comply with the terms of the agreements. Currently, the Department does not require contracting officers to be warranted. During FY 2008, the Department provided CORs and COTRs training as to their respective responsibilities. This was the first COTR training for some of the individuals. The Department's appropriation in general expenses for FY 2009 was $57.7 million and good stewardship of that amount will necessitate proper internal controls. As the Department begins new and major procurements, such as the radio replacement and shared services with the Library of Congress, effective internal controls will be critical.

Purchase Card – Management of the purchase card program is insufficient. It was found that the program lacked required management involvement and reviews. Cardholders may conduct unauthorized transactions, as well as purchase assets that are not properly documented and coded. This weakness can expose the Department to loss due to fraud and inaccurate accounting of assets.

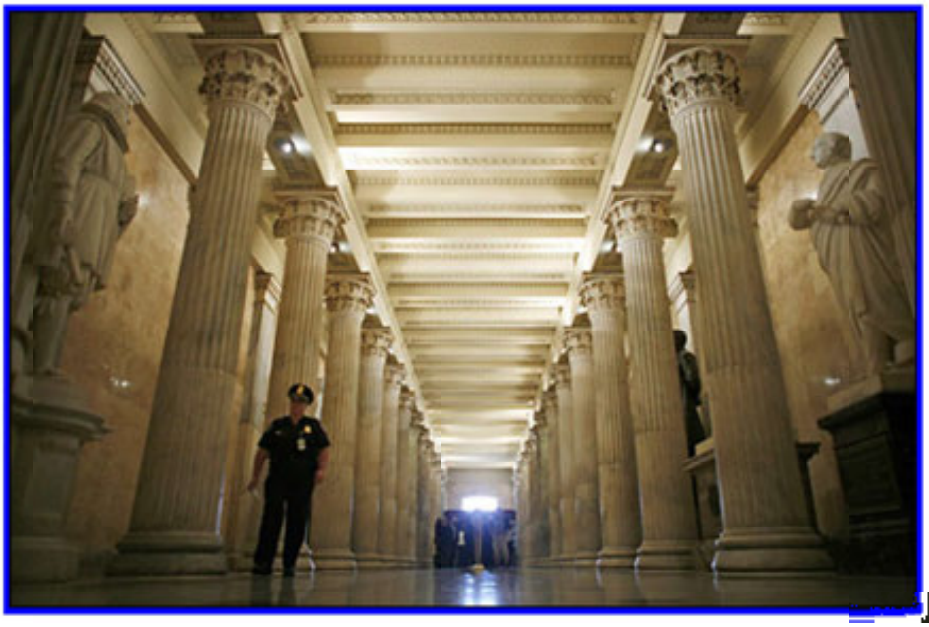
Resolution of Recommendations – While the Department has made some progress in this area, additional efforts are needed to resolve and close key recommendations in a timely manner. As of September 30, 2009, OIG has made 126 recommendations to improve Department operations. Of the 126 recommendations, the Department has fully implemented 69 recommendations. However, additional efforts are needed to close the remaining 57 recommendations. Some of these recommendations have remained open for a significant period of time (several years in some cases) without implementation from the Department. The Department must be vigilant to resolve and close key recommendations addressing critical management problems.

LEGISLATION MONITORED

Legislation Monitored

During this reporting period, OIG reviewed and monitored S.1054 which provides funds to purchase and install a new radio system for the Department and H.R. 2918 which would authorize and appropriate FY 2010 funds for the radio system.

Other legislation being monitored by OIG include H.R. 1507 – *Whistleblower Protection Enhancement Act of 2009*; S.139 – *Data Breach Notification Act*; and S. 976 – *Paperwork Reduction Act Amendment*.



An officer makes a routine patrol down the Hall of Columns in the Capitol Building.

AUDITS

Local Travel Reimbursement (OIG-2009-04)



During our routine activity of seeking reimbursement for local travel, we noted that the Department could enhance its draft interim guidance, [redacted] (Directive [redacted]), by clarifying what receipts are needed for cab, parking, and other local travel expenditures. The Department's Office of Financial Management requests receipts for all expenditures for local travel regardless of the amount. However, for travel reimbursement, the Directive states "In general, receipts are not required for single items under $75 except as listed in Item "d" below. When actual subsistence is authorized, all receipts are required, including meals."

Section 9, *Reimbursement for Local Travel*, states "For all USCP local travel (excluding in-service training outline in item 7b above), employees will be reimbursed only for documented costs such as additional fees for parking at a training facility…." The Directive also states that "claims for reimbursement must be submitted on the [redacted] form. This form requires the approval and signature of the Bureau Commander/Office Director or designee." This directive does not specifically require receipts or provide a dollar value for single items of local travel. Thus, a reasonable individual would interpret "documented costs" as those claimed on the reimbursement form.

While not required to follow the *Joint Federal Travel Regulation*, best practices generally require receipts for expenditures of 75 dollars or more. To improve customer service and other efficiencies, OIG suggested that the Department consider whether receipts for each single item for local travel under 75 dollars is economical and practicable. Generally, requiring receipts for such a small amount is time consuming, cumbersome, and not a cost effective approach to processing local travel expenditures.

Audit of USCP Purchase Card Program (OIG-2009-05)



OIG conducted a performance audit of the Department's Purchase Card Program for a 15-month period beginning December 31, 2008, with a total purchase value of $3,512,149. Our objectives were to determine whether (1) existing controls were designed to provide reasonable assurance that improper purchases would be prevented or detected in the normal course of business, (2) expenditures were made in compliance with laws and regulations, as well as Department policies and procedures, and (3) purchases were made for a reasonable cost and a valid government need.

We found that the Department's internal controls were not adequate to provide reasonable assurance that improper purchase card transactions would be prevented or detected on a timely basis in the normal course of business. Guidance and training materials were outdated; and cardholders, approving officials, and certifiers either had not received initial purchase card training or subsequent refresher training. We also noted that the Department lacked controls requiring a review of credit worthiness of individuals before providing a purchase card. Furthermore, we identified little monitoring or oversight activity directed at assessing program results, evaluating internal controls, or identifying the extent of potentially fraudulent, improper, and abusive or questionable purchases.

The inadequate internal controls resulted in the identification of numerous instances of noncompliance. Specifically, we found that (1) cardholders did not obtain advance approval of purchases before placing an order; (2) cardholders did not meet timeliness standards for recording, reconciling, and reviewing transactions; (3) payments for purchase card transactions often did not have key supporting documents; and (4) in numerous instances, cardholders did not always enter the correct vendors and budget object codes in the official accounting system. Accordingly, we classified approximately $180,000 as questionable. These included prohibitive use of the purchase cards such as micro-purchases that exceeded the maximum amount of $3,000 (split purchase), a lack of supporting documentation for purchases, and purchases for which the cardholder did not demonstrate a valid government need.

OIG recommended that the Department (1) update its policies and procedures to address the internal control deficiencies, (2) mandate training and refresher training, clearly define roles and responsibilities for all Purchase Card Program participants, and (3) develop and implement procedures to regularly assess and monitor Purchase Card Program objectives and compliance. The Department concurred with all recommendations.

Audit of USCP's Off-Site Deployment (OIG-2009-06)

In accordance with our annual plan, OIG conducted an audit to determine (1) the applicable laws, USCP directives governing operational and sworn deployments outside of the USCP geographical jurisdiction, (2) the internal decision making process to ensure deployments are in compliance with applicable regulations and laws, (3) if the Department has a process for determining whether deployments outside the jurisdiction for any purpose, especially for ceremonial purposes, are worth the cost, and (4) the affect of deployments on overtime costs. Our scope included deployments that occurred during the 27-month period of October 1, 2006 through December 31, 2008.

OIG found that the Department and its stakeholders still do not have a shared interpretation as to the scope of deployments to be included in the Department's notifications for deployment off Capitol grounds. In most instances, the Department considers official travel off Capitol grounds a "direct nexus" to the USCP mission or one of the exceptions under the law and not a deployment; therefore, these activities are not reported under Title 2 United States Code (U.S.C.) § 1978. Thus, based on this consideration of "direct nexus" the only off-site assignments for which the Department provides notification to Congress are primarily for ceremonial related events. OIG noted that "direct nexus" is a term that is used by the Department, and also not defined in legislation or Department directives.

Further, the Department does not have a written off-site deployment policy or guidance that reflects its current decision-making process, which would ensure compliance with applicable laws and repeatable business processes. As a result, the Department did not fully comply with the requirement to report costs anticipated to be incurred with respect to deployments. During the audit period, the Department's primary practice entailed reporting the number of officers utilized and purpose of the deployment but not anticipated or incurred costs. Additionally, the Department has not established a methodology for evaluating the worth of activities off its campus nor does it perform a cost/benefit analysis taking into consideration both cost and non-monetary factors. Thus, we were unable to evaluate the benefits derived from such activities or the affect on overtime, or the impact on the need for additional resources.

OIG recommended that the Department, in coordination with the Capitol Police Board and the Committees, establish policies and procedures clearly defining terms such as "direct nexus" to the mission, and the three exceptions under 2 U.S.C. § 1978; document its internal decision-making process; establish a process to collect and evaluate costs and benefits related to all off-site deployments regardless of the definition to ensure efficient and effective workforce management. The Department concurred with all recommendations.

ON-GOING AUDITS

Fair Labor Standards Act (FLSA) Issues

OIG has received several complaints concerning compensation. Prior to OIG beginning work in this area, a legal opinion was required. Thus, in November 2008, OIG requested the Department's General Counsel provide a legal opinion on the following issues:

Issue One: The Department reduced a non-exempt[1] sworn employee's compensation based on its biweekly pay limitation for premium pay. Specifically, the officer's holiday and night differential pay was reduced. However, the officer's total annual compensation did not exceed the maximum annual payable rate or "salary cap" for FY 2007 of $159,828. Applicable statutes, regulations, and guidance do not appear to address this specific matter. Additionally, appropriations law prohibits accepting free or voluntary services of an employee (31 USC 1342). Since the employee was required to work through scheduling, rather than through any fault of their own, OIG asks should sworn non-exempt FLSA employees receive payment for Sunday premium, holiday, and night differential hours worked, which was over earned based on the Department's bi-weekly pay period limitation for premium pay as long as such payment did not exceed the maximum annual payable rate or "salary cap"?

Issue Two: What is the impact of other payments the Department makes throughout the year in establishing an employee's correct hourly base pay for computing their FLSA overtime entitlements? Specifically, should the Department use special payments such as specialty assignment and proficiency pay ([redacted]) in the base for calculating an employee's overtime rate for either exempt or nonexempt employees? Additionally, are these types of payments subject to the bi-weekly pay limitation or the maximum annual payable rate?

OIG received the Department's legal opinion addressing these two issues in August 2009. OIG is reviewing the opinion and reconciling against the complaint information.

[1] Non-exempt from provisions of the Fair Labor Standards Act.

ON-GOING AUDITS

Peer Review

Government auditing standards (GAS) requires audit organizations that perform audits or attestation engagements in accordance with GAS to have an appropriate quality control system and to undergo external peer reviews at least once every three years. The CIGIE Audit Committee administers the external peer review program under GAGAS for Federal Offices of Inspector General. The program is designed to provide reasonable assurance that the OIG carries out its work in accordance with established policies and procedures, including GAS, applicable Office of Management and Budget, and GAO guidance, and statutory provisions applicable to the OIG.

The CIGIE Audit Committee assigned USCP OIG to conduct a peer review of the Denali Commission OIG. In March 2009, the USCP/IG met with the Denali Commission IG and provided a Memorandum of Understanding. However, in April 2009, the Denali Commission OIG requested an exemption from the review because it had not conducted GAS audits. In July 2009, the Audit Committee notified USCP OIG of its granted exemption to Denali Commission OIG. As such, the Audit Committee has requested the USCP OIG conduct a peer review of the Federal Maritime Commission OIG in the first half of FY 2010.

Audit of USCP's FY 2009 Financial Statements

In accordance with our fiscal year 2009 Annual Plan, OIG began the Department's 2009 principal financial statements in July 2009. The primary objective of the audit is to express an opinion on whether the financial statements are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America. In addition, we will examine the effectiveness of the USCP's internal control over financial reporting based on the *Standards for Internal Control in the Federal Government*, issued by the Comptroller General of the United States and will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants (AICPA) and *Government Auditing Standards,* issued by the Comptroller General of the United States. Further, OIG will evaluate and report on compliance with laws and regulations related to the financial statements.

INVESTIGATIONS

Misuse of Restricted Appropriations (2009-I-0005)

During the independent audit of the Department's FY 2008 financial statements, the auditors identified and reported a potential misuse of restricted appropriations to initiate a professional services contract to support the Office of Financial Management (OFM). OFM initiated the contract using funds from the Security Enhancement Fund (SEF), Capitol Complex Security Fund (CCS), and No Year (NOY) fund to pay for the contract staff.

Thus, OIG conducted an investigation concerning this issue. We determined that the Department used $131,840 in restricted funds (SEF, CCS and NOY) to initiate a professional services contract. However, our investigation did not yield information or evidence indicating a violation of a criminal statute or department directive. Once notified by OIG, the Department took immediate action to deobligate these restricted funds from the contract.

Allegations Against the Chief of Police (2009-I-0014)

OIG conducted an investigation into allegations raised by a Department official, alleging that the Chief of Police mismanaged and abused his authority by promoting from an expired promotional list and changing the requirements to participate in the Johns Hopkins Police Executive Leadership Program (PELP), Graduate Program.

Our investigation did not yield any evidence or information substantiating that the Chief of Police exceeded his authority by extending the 2005-2007 Promotion List for the Rank of Captain. Further, we did not find any evidence or information substantiating that the Chief exceeded his authority by changing the requirements to participate in the PELP.

ONGOING INVESTIGATIONS

Improper Association, Conduct Unbecoming, and Untruthfulness (2007-I-0018)

This investigation was predicated upon notification from the Chief of Police that the Washington Field Office of the Federal Bureau of Investigation and the Washington, D.C., U.S. Attorney's Office had concluded an investigation of three USCP employees without seeking criminal prosecution. The Assistant U.S. Attorney declined prosecution of charges alleging the misuse of the National Crime Information Center.

OIG initiated an administrative investigation into actions of the three USCP employees. The alleged offenses include: Improper Associations; Conduct Unbecoming; Untruthfulness (Rules of Conduct, PRF 1.3, Rules C7, C1, and A7); Outside Employment/volunteer positions without proper authorization (Outside Employment, ORG 3.2); and False Statements (18 U.S.C. 1001). If sustained, the aforementioned offenses could result in disciplinary action(s) including termination.

OIG anticipates issuing our report to the Chief within the next two months.

Possible Conflict of Interest by Contracting Officer (2009-I-0016)

OIG has initiated an investigation into misconduct allegations involving a USCP procurement official. USCP reported that the official may have had inappropriate contact with vendors during the procurement process. After becoming aware of the potential conflict of interest, USCP placed the individual on administrative leave and requested OIG conduct an investigation. The investigation is ongoing.

APPENDIX 1 – REPORTS ISSUED

OIG-2009-04	**Local Travel Reimbursements**
OIG-2009-05	**Audit of USCP Purchase Card Program**
OIG-2009-06	**Audit of USCP's Off-Site Deployment**
2009-I-0005	**Misuse of Restricted Appropriations**
2009-I-0014	**Allegations Against Chief of Police**

APPENDIX 2 – RESOLUTION OF REPORT RECOMMENDATIONS

Timely resolution of outstanding recommendations continues to be a priority of both our office and the Department. As of September 30, 2009, OIG has made 126 recommendations to the Department. The Department has closed 69 recommendations and 57 recommendations remained open, which require corrective action(s) for completion. Listed below are recommendations over six months old.

Appendix 2 – Resolution of Report Recommendations			
Report Number	Report Title	Recommendation Number	Recommendation
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.2	**Payroll Processing** - We recommend that the CAO develop and implement policies and procedures requiring all employees to positively attest to the accuracy of pay period information transmitted to NFC.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.3	**Payroll Processing** - We recommend that the CAO enforce existing policies and procedures to require supervisors to approve the accuracy of pay period information before it is transmitted to NFC.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.4	**Payroll Processing** -We recommend that the CAO continue monitoring implementation of policies and procedures to permit USCP to efficiently and effectively track and certify all hours incurred by all employees.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.8	**Payroll Processing** - We recommend that the CAO develop detailed procedures to guide employees and supervisors responsible for the maintenance of separated employee documentation. Testing found two forms [redacted] was missing from 38 employee files tested. Two of these 38 were also missing the final [redacted] and one was missing the SF-50.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.9	**Payroll Processing** - We recommend that the CAO develop detailed procedures to guide employees and supervisors responsible with procedures to document and/or obtain collaborating evidence to support employee assertions.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	1.10	**Payroll Processing** - We recommend that the CAO develop procedures to guide supervisors responsible for reviewing and approving certification reports in identifying circumstances in which civilian personnel would be entitled to night differential pay. As an alternative [redacted] could be programmed to incorporate the rule.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	2.1	**Financial Management** - We recommend that the CAO continue to develop policies and procedures covering all matters impacting USCP's financial performance, take steps to ensure that they are implemented consistently through the Department, and provide training for all employees.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	2.3	**Financial Management** - We recommend that the CAO develop and implement policies and procedures to facilitate the flow of information from the General Counsel to OFM.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.1	**Information Systems** - We recommend that USCP officially appoint a CPO and develop policies and procedures to ensure all personally identifiable information is identified and safeguarded.

Appendix 2 – Resolution of Report Recommendations			
Report Number	**Report Title**	**Recommendation Number**	**Recommendation**
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.2	**Information Systems -** We recommend that management ensure that a standard security benchmark for all systems is developed and implemented. Organizations such as the National Institute for Standards and Technology and the Center for Internet Security provide guidance on security benchmarks for Federal government systems.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.3	**Information Systems -** We recommend that management ensure that all system users (including contractors) receive security awareness training on an annual basis, and that management develops procedures to ensure all users agree to abide by the Rules of Behavior for using USCP systems.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.4	**Information Systems -** We recommend that management develop new procedures to ensure that all users of major financial applications review and acknowledge system specific Rules of Behavior prior to gaining system access.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.5	**Information Systems -** We recommend that management conduct risk assessments in accordance with guidelines and recommendations for protecting Federal information systems. This risk assessment process and the documented results should be integrated into a comprehensive process for Certifying and Accrediting major systems.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.6	**Information Systems** - We recommend that management create system security plans in accordance with guidelines and recommendations for protecting Federal information systems. system security plans should document all controls protecting the system and the final document should be approved by management before it is integrated into a comprehensive process for Certifying and Accrediting major systems.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.7	**Information Systems -** We recommend that management ensures that there is an independent assessment of security controls conducted as part of a comprehensive C&A process.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.8	**Information Systems -** We recommend that management develops a process to track and manage all know own system weaknesses. This process should include a centralized method of documenting and managing known issues, their associated corrective action plans, and the status of change implementations.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.9	**Information Systems** - We recommend that management obtain and review a SAS No. 70 report or equivalent for the [redacted] system as part of their continuous monitoring process.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.11	**Information Systems -** We recommend that management establish and implement policies and procedures that ensure inactive network accounts are periodically reviewed and addressed in a timely manner.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.12	**Information Systems -** We recommend that management ensure that key infrastructure components of the general support system are continuously monitored for security violations and malicious activities, and reported to management in a timely manner.
2008-03 2009-01	*FY 2007 FS* *FY 2008 FS*	3.13	**Information Systems -** We recommend that management revise and update the OFM COOP in accordance with best practices for Federal organizations, as well as ensure that all key areas of the COOP are adequately tested and documented. We further recommend that the recovery timeframes are appropriately established as part of COOP revision process.
[redacted]	[redacted]	[redacted]	[redacted]

Appendix 2 – Resolution of Report Recommendations			
Report Number	**Report Title**	**Recommendation Number**	**Recommendation**
2008-05	Audit of USCP Workforce Diversity	1	**Diversity** - We recommend that the United States Capitol Police finalize its draft Human Capital Strategic Workforce Plan identifying the critical senior level and supervisory/management positions and the needed skills and abilities required for its future diverse workforce. Based on this, the Department should specify effective diversification strategies and focus training, career development, and mentoring programs to help minorities and women advance to these positions.
2008-05	Audit of USCP Workforce Diversity	2	**Diversity** - We recommend the United States Capitol Police immediately assign an individual to the Ombudsman Program or rescind General Order [redacted]. Additionally, USCP should finalize and publish its [redacted]" Directive minimizing any redundancy with the Office of Compliance.
2008-05	Audit of USCP Workforce Diversity	3	**Diversity** - We recommend that the United States Capitol Police determine whether outsourcing the investigation of equal employment opportunity complaints to trained investigators would be more efficient and effective. Further, we recommend USCP choose the most efficient and effective manner to investigate EEO complaints, within budgetary constraints.
2008-05	Audit of USCP Workforce Diversity	4	**Diversity** - We recommend that the United States Capitol Police Chief Administrative Officer approve a business plan for the Office of Employment Counsel to include a mission statement and policies and procedures linked to USCP strategic goals and objectives. In addition, USCP should determine whether the duties of legal sufficiency reviews and agency/Board representation in equal employment opportunity complaints are incompatible and impairs independence, either in fact or appearance, with respect to EEO complainants. If so, consider having legal sufficiency reviews conducted by an element outside of Office of Employment Counsel. Furthermore, USCP should assess whether a new directive or general order is needed changing the disciplinary processes.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	1	**Specialty Pay** - We recommend that the United States Capitol Police develop and implement a sound, effective method of acccounting for each specialty assignment and proficiency pay program in the National Finance Center and the [redacted] acccounting systems. During the interim, the Office of Human Resources should establish written procedures for processing and reconciling its cuff records with actual disbursements.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	2	**Specialty Pay** - We recommend that the United States Capitol Police take action(s) to collect questioned costs totaling $196,420 and provide supporting documentation for $30,600.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	3	**Specialty Pay** - We recommend that the United States Capitol Police consider whether all the specialty assignment and proficiency pay programs are needed and, if so, determine the most efficient and effective method of implementation and allocate the necessary resources to effectively administrate the program(s).
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	4	**Specialty Pay** - We recommend that the United States Capitol Police, in the interim, clarify [redacted] Directives regarding a. Exclusion(s) or payment(s) from multiple programs when using the same defining criteria such physical fitness, firearms proficiency, risk to self, and maintenance of certification or proficiencies, thereby avoiding costs of $279,219 and putting funds to better use. b. the aggregate of 50 percent of the previous six-month period for pay purposes for hazardous duty and plainclothes. c. the 45-calendar day requirement for specialty assignment pay.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	5	**Specialty Pay** - We recommend that the United States Capitol Police finalize its draft firearms and field officer training directives and enforce the consistent use of a standard [redacted].

Appendix 2 – Resolution of Report Recommendations			
Report Number	**Report Title**	**Recommendation Number**	**Recommendation**
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	6	**Specialty Pay** - We recommend that the United States Capitol Police strengthen tracking and reconciliation procedures to ensure employees do not improperly receive payments within the same fiscal year or when ineligible for such pay.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	8	**Specialty Pay** - We recommend that the United States Capitol Police take action(s) to clarify its Maximum Annual Payable Rate in light of Public Law 108-7. In addition, we recommend that the Chief of Police request the Office of the General Counsel provide a legal opinion regarding: (1) USCP authority to defer payments to the next calendar year when an employee may exceed the annual salary limitation; and, (2) appropriate options for collecting amounts from employees who received amounts in excess of the annual salary limitation.
2008-06	Review of Specialty Assignment and Proficiency Pay Programs	9	**Specialty Pay** - We recommend that the United States Capitol Police consider whether these specialty assignment and proficiency pay programs are needed to compete with other police forces and, if so, then the Department should link its goals and measures of these programs with retention and recruitment of Department personnel.
2008-08	Review of Compliance with USCP Hiring Standards and with Directive [redacted]	1	**Triple III** - We recommend that USCP, in coordination with the Capitol Police Board, update its hiring standards and establish a comprehensive hiring directive outlining the Department's vision and goals to create a talented and committed workforce, to support an effective organizational culture, and enhance the overall performance of the Department.

Table 1

Reports Issued with Questioned Costs[2]
April 1, 2009, to September 30, 2009

Category	(Dollars in Thousands)		
	No. of Reports	Questioned Costs	Unsupported Costs
For which no management decision has been made by the commencement of the reporting period	3	$2,521	$1,341
Which were issued during the reporting period	1	$180	$0
Subtotals	4	$2,701	$0
For which a management decision was made during the reporting period			
• dollar value of disallowed costs	0	$0	$0
• dollar value of cost not disallowed	0	$0	$0
For which no management decision has been made by the end of the reporting period	4	$2,701	$1,341
Reports for which no management decision was made within 6 months of issuance	3	$2,521	$1,341

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

Table 2

Reports Issued with Recommendations that Funds Be Put to Better Use[3]
April 1, 2009, to September 30, 2009

Category	Number of Reports	Dollar Value (in thousands)
For which no management decision has been made by the commencement of the reporting period	1	$282
Which were issued during the reporting period	0	$0
Subtotals	1	$282
For which management decision was made during the reporting period	0	0

• dollar value of recommendations that were agreed to by management
  ○ based on proposed management action
  ○ based on proposed legislative action
	0	-0-

• dollar value of recommendations that were not agreed to by management	0	0
For which no management decision has been made by the end of the reporting period	1	$282
Reports for which no management decision was made with 6 months of issuance	1	$282

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

Table 3

INVESTIGATIONS STATISTICS
April 1, 2009, to September 30, 2009

Recoveries	$417
Fines and Restitutions	$0
Investigative Cases Opened	6
Investigative Cases Closed	7
Internal Control Reviews Initiated	0
Arrests	0
Indictments	0
Convictions	0
Personnel Actions	0
Complaints Received	75
Hotline Complaints Received	65
Complaints Referred (to Department or other agencies)	17
Inspector General Subpoenas	7

IG Act	REPORTING REQUIREMENTS	PAGE
Section 4(a)(2)	Review of Legislation	8
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies	9-15
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies	9-15
Section 5(a)(3)	Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed	17-20
Section 5(a)(4)	Matters Referred to Prosecuting Authorities	None
Section 5(a)(5)	Summary of Instances Where Information Was Refused	None
Section 5 (a)(6)	Reports Issued During the Reporting Period	16
Section 5(a)(7)	Summary of Significant Reports	9-15
Section 5(a)(8)	Questioned and Unsupported Costs (Table 1)	21
Section 5(a)(9)	Recommendations that Funds be put to Better Use (Table 2)	22
Section 5(a)(10)	Summary of Reports Issued before the start of the Reporting Period for which no Management Decision has been made	N/A
Section 5(a)(11)	Significant Revised Management Decisions	N/A
Section 5(a)(12)	Management Decisions with which the Inspector General is in Disagreement	None

Working Relationship Principles for Agencies and Offices of Inspector General

The *Inspector General Act* establishes for most agencies an Office of Inspector General (OIG) and sets out its mission, responsibilities, and authority. The unique nature of the Inspector General function can present a number of challenges for establishing and maintaining effective working relationships. To work most effectively together, the agency and its OIG need to clearly define what the two consider to be a productive relationship and then consciously manage toward that goal in an atmosphere of mutual respect.

By providing objective information to promote government management, decision making, and accountability, the OIG contributes to the agency's success. The OIG is an agent of positive change, focusing on eliminating waste, fraud, and abuse, and on identifying problems and recommendations for corrective actions by agency leadership. The OIG provides the agency, Board, and Congress with objective assessments of opportunities to be more successful. The OIG, although not under the direct supervision of the Chief of Police, must keep the Board and the Congress fully and currently informed of significant OIG activities. Given the complexity of management and policy issues, the OIG and the agency may sometimes disagree on the extent of a problem and the need for and scope of corrective action. However, such disagreements should not cause the relationship between the OIG and the agency to become unproductive. The following working relationship principles provide some guidance for agencies and OIGs. **To work together most effectively, the OIG and the agency should strive to:**

Foster open communications at all levels. The agency will promptly respond to the OIG requests for information to facilitate OIG activities and acknowledge challenges that the OIG can help address. Surprises are to be avoided. With very limited exceptions, primarily related to investigations, the OIG should keep the agency advised of its work and its findings on a timely basis, and strive to provide information helpful to the agency at the earliest possible stage.

Interact with professionalism and mutual respect. Each party should always act in good faith and presume the same from the other. Both parties share, as a common goal, the successful accomplishment of the agency's mission.

Recognize and respect the mission and priorities of the agency and the OIG. The agency should recognize the OIG's independent role in carrying out its mission within the agency, while recognizing the responsibility of the OIG to report both to Congress and to the agency head. The OIG should work to carry out its functions with a minimum of disruption to the primary work of the agency. The agency should allow the OIG timely access to agency records and other materials.

Be thorough, objective, and fair. The OIG must perform its work thoroughly, objectively, and with consideration to the agency's point of view. When responding, the agency will objectively consider differing opinions and means of improving operations. Both sides will recognize successes in addressing management challenges.

Be engaged. The OIG and agency management will work cooperatively in identifying the most important areas for OIG work, as well as the best means of addressing the results of that work, while maintaining the OIG's statutory independence of operation. In addition, agencies need to recognize that the OIG also will need to carry out work that is congressionally requested, mandated by law, or self-initiated.

Be knowledgeable. The OIG will continually strive to keep abreast of agency programs and operations, and agency management will be kept informed of OIG activities and concerns being raised in the course of OIG work. Agencies will help ensure that the OIG is kept up to date on current matters and events.

Provide feedback. The agency and the OIG should implement mechanisms, both formal and informal, to ensure prompt and regular feedback.

CONTACTING THE OFFICE OF INSPECTOR GENERAL

The success of OIG's mission to prevent fraud, waste, abuse or mismanagement depends on the cooperation of employees and the public. There are several ways to report questionable activity.

Call us at 202-593-4201 or toll-free at 1-866-906-2446. A confidential or anonymous message can be left 24 hours a day/7days a week.



Toll-Free
1-866-906-2446

Write or visit us – we are located at:



United States Capitol Police
Attn: Office of Inspector General, Investigations
499 South Capitol Street, SW, Suite 345
Washington, D.C. 20003

OIG staff members open mail addressed to the above address.

You can also contact us by email at: OIG@cap-police.senate.gov

When making a report, convey as much information as possible such as: Who? What? Where? When? Why? Complaints may be made anonymously or you may request confidentiality.

Additional Information and Copies:

To obtain additional copies of this report, call the OIG at (202) 593-4201.