

Department of Homeland Security **Office of Inspector General**

**Evaluation of Alleged AUO Misuse at U.S. Citizenship
and Immigration Services, Office of Security and
Integrity (OSC File No. DI-13-3418)**



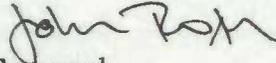


OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

May 13, 2016

MEMORANDUM FOR: The Honorable Stevan E. Bunnell
General Counsel
Department of Homeland Security

FROM: John Roth 
Inspector General

SUBJECT: *Evaluation of Alleged AUO Misuse at U.S. Citizenship
and Immigration Services, Office of Security and
Integrity (OSC File No. DI-13-3418)*

We are writing to inform you that we are publically releasing our July 2014 report, *Evaluation of Alleged AUO Misuse at U.S. Citizenship and Immigration Services, Office of Security and Integrity (OSC File No. DI-13-3418) (OIG-14-122)*. The public release of this report was delayed pending resolution of the U.S. Office of Special Counsel's whistleblower disclosure case, which was closed on March 24, 2016. A copy of our July 2014 report is attached for your reference. The report contained no recommendations and no action is required.

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

Please call me with any questions, or your staff may contact Mark Bell, Assistant Inspector General for Audits, at (202) 254-4100.

Attachment



Summary of Results

The USCIS Office of Security and Integrity (OSI) did not have sufficient AUO documentation to allow us to specifically identify a violation of law, rule, or regulation. However, much of the work OSI employees performed during AUO hours appears to have been administratively controllable.

Background

A whistleblower, who worked for OSI in 2010, alleged that OSI employees claimed AUO on a daily basis but failed to perform duties that qualify for AUO. These employees included investigative specialists, investigative analysts, special agents-in-charge, the deputy chief, and the chief. OSC concluded “that there is a substantial likelihood that the information [the whistleblower] provided to OSC discloses a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, and an abuse of authority.”

OSI is responsible for ensuring the security and integrity of USCIS personnel, property, programs, and products. OSI’s responsibilities include internal investigations, security assurance activity, and protective assignments. The USCIS Chief, Office of Human Capital, Training and Career Development, has authorized AUO for OSI investigative specialists (GS-1801 series).

OSI has 27 investigative specialists who are eligible for AUO, including a chief supervisory investigative specialist, a deputy supervisory investigative specialist, 5 supervisory investigative specialists, and 20 investigative specialists. The specialists are assigned to one of OSI’s six divisions: Headquarters/Leadership, Special Investigations, Northeast Region, Southeast Region, Central Region, and Western Region.

USCIS suspended the use of AUO for all employees on November 19, 2013, pending the outcome of an internal review of the AUO program. The suspension remained in effect at the completion of our fieldwork in April 2014.

Relevant Regulations

According to 5 Code of Federal Regulations (CFR) § 550.151, agencies are authorized to pay AUO annually “... to an employee in a position which the hours of duty cannot be controlled administratively and which requires substantial amounts of irregular or occasional overtime work with the employee generally being responsible for recognizing without supervision, circumstances which require the employee to remain on duty.”



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Furthermore, 5 CFR §550.153(c) defines what it means in §550.151 that an employee is “generally responsible for recognizing, without supervision, circumstances which require him to remain on duty:

1. The responsibility for an employee remaining on duty when required by circumstances must be a definite, official, and special requirement of his position.
2. The employee must remain on duty not merely because it is desirable, but because of compelling reasons inherently related to continuance of his duties, and of such a nature that failure to carry on would constitute negligence.
3. The requirement that the employee is responsible for recognizing circumstances does not include such clear-cut instances as for example, when an employee must continue working because a relief fails to report as scheduled.”

Relevant Policies

According to OSI Operating Instruction No. 253-003, dated May 16, 2008:

- OSI is authorized to pay AUO to certified employees in GS-1801 and GS-0080 positions in which the hours of duty cannot be controlled administratively, and which require substantial amounts of irregular, unscheduled overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances that require remaining on duty.
- The percentage rate authorized for AUO may be at 10, 15, 20, or 25 percent of the employee's rate of basic pay, as follows:
 - Average of 3–5 hours of AUO per week—10% of base pay
 - Average of 5–7 hours of AUO per week—15% of base pay
 - Average of 7–9 hours of AUO per week—20% of base pay
 - Average of more than 9 hours of AUO per week—25% of base pay
- Employees must be certified to receive AUO when they initially are eligible for AUO pay, whenever a change in AUO pay (including adjustment, termination, or resumption of pay) is required, and after the annual AUO audit.
- The employee’s immediate or higher-level supervisor prepares and signs a *Certification of Payment of Administratively Uncontrollable Overtime* memo, including the compensation rate and the rationale for establishing the rate.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

- All employees who earn AUO must complete form G-1012 to record the number of hours worked. The form must include a description of the compelling circumstances that required the AUO hours to be worked and contain a list of the cases and incidents worked on. The form must be signed each pay period by the employee and by the immediate supervisor and submitted to the appropriate timekeeper. It is to be retained for a minimum of 6 years in the employee's time and attendance folder and should be available for review by internal and external audit teams and other interested parties.

G-1012 Forms

The G-1012 AUO documentation form lists 21 duty codes to describe the duties performed by OSI investigative specialists. The second page of the G-1012 form template we received from USCIS also contained general definitions for each duty code, as shown in appendix A.

Finding

OSI did not have sufficient AUO documentation to allow us to specifically identify a violation of law, rule, or regulation as required by 5 U.S.C. § 1213(d)(4). Nothing came to our attention that caused us to believe that OSI employees did not work during the hours claimed as AUO. However, based on our review of the G-1012 forms and employee interviews, much of the work performed during AUO hours appears to have been predictable. In our opinion, hours of duty should be administratively controllable for predictable tasks. In addition, we do not consider predictable work to be "irregular" or "occasional" as indicated in 5 CFR § 550.151.

Summary of Evidence Obtained

AUO Documentation Forms

Of the 227 G-1012 forms that we reviewed, about 47 percent did not meet the requirements of USCIS Operating Instruction No. 253-003. For example, some forms:

- did not contain a case number;
- did not contain duty codes or a reason for the AUO hours worked; or
- were not signed by the employee or the supervisor.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

The G-1012 forms, even when properly completed, did not contain enough detail for an independent reviewer to determine whether there were compelling circumstances that required AUO. For example, the duty code “investigative interviews” does not indicate why the particular interview could not have been scheduled or completed during the investigative specialist’s regular shift.

Investigative specialists also logged the tasks they performed during AUO hours in discernible patterns on about 41 percent of the 227 G-1012 forms. We defined “discernible pattern” as multiple, identical duty codes listed on at least 70 percent of the days AUO was claimed in a pay period. For example, one supervisory investigative specialist recorded duty codes 6, 7, 8, 9, and 16 (examination of evidence/records, investigative research, field supervision of investigations, address issues/prepare materials, and OIG/ICE/CBP coordination) on all AUO days for 13 pay periods. Another supervisor used identical duty codes (as shown in appendix B) for all of the 9 pay periods we reviewed. Frequent repetition of identical overtime tasks indicates that the work was likely predictable and thus administratively controllable. According to 5 CFR § 550.151, AUO is intended for employees in positions in which the hours of duty cannot be controlled administratively.

We did not find a discernible pattern in the number of AUO hours employees recorded each day. Although AUO in the amount of 2 hours was recorded most frequently on the G-1012 forms we reviewed, the number of hours listed on each sequential day during the pay period generally varied. Appendix C shows the percentage of time each potential AUO increment (e.g., 1 hour, 1.5 hours, 2 hours) was recorded on the G-1012 forms in our sample.

Employee Interviews

We interviewed six supervisory investigative specialists and eight nonsupervisory investigative specialists to gain a better understanding of the duties they typically performed during their AUO hours. We also asked questions to determine the employees’ understanding of AUO and how they documented and approved AUO hours. Based on these interviews, we concluded the following:

- Employees often worked AUO hours to complete routine duties timely.
- Some instances of AUO appeared justifiable, such as an interview that unexpectedly continued beyond an employee’s 8-hour work day.
- Although the nonsupervisory employees had not received formal AUO training, they appeared to understand the basic requirements for AUO.
- Not all supervisors thoroughly reviewed G-1012 forms.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Interviews of Nonsupervisory Investigative Specialists

Almost all of the nonsupervisory investigative specialists we interviewed implied that they need AUO to complete their work in a timely manner. Specialists used AUO to prepare for and conduct interviews, including follow-on interviews; travel to and from fieldwork locations; collect evidence; and examine records. Two nonsupervisory investigative specialists said they used the duty codes on the G-1012 forms to describe work conducted for the entire day, not specifically for the AUO hours claimed. One investigative specialist said he performed mostly administrative duties for the office and did not work any cases. (In 2013, his rate of AUO pay was incrementally reduced from 25 percent to 10 percent.)

We asked all the nonsupervisory investigative specialists whether AUO activities could have been scheduled in advance or performed during regular hours. Some specialists responded that their duties could have been completed during regular hours depending on the circumstances and the workload. Others said their AUO work could not have been scheduled in advance.

None of the nonsupervisory investigative specialists we interviewed received formal AUO training. They received guidance and instructions primarily from their supervisors or during initial orientation. Also, according to multiple specialists, employees who qualify for AUO must read and sign a statement to confirm they understand the requirements of AUO policies and procedures. Most OSI specialists maintained personal records or relied on their memories for AUO hours worked and completed their G-1012 forms weekly or at the end of each pay period.

Interviews of Supervisory Investigative Specialists

Supervisors provided a number of examples of duties they performed during AUO hours. Most commonly, they said they prepared for and conducted interviews. According to the supervisors, if an interview results in new witnesses, investigative specialists must prepare for and interview those additional witnesses. This requires time that the specialists did not plan on before the original interview. A supervisory investigative specialist may also be called to meet with senior leadership late in the day, which would require working beyond regular hours.

We asked the supervisory investigative specialists whether AUO activities could have been scheduled in advance or performed during regular hours. In response, most implied that some type of overtime was needed to complete the workload timely. One supervisor said that with proper planning, some of the activities performed during AUO



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

could occasionally be performed during regular hours. Another supervisor said he used the duty codes on the G-1012 forms to describe the work he performed for the entire day, not specifically for the AUO hours claimed.

We also identified inconsistencies in approving G-1012 forms. Several supervisors believed that they knew the hours their employees worked and did not need to verify the time on the G-1012 forms. One of these supervisors said there was no real way to determine whether the time submitted was worked, other than by using his knowledge of how long a task generally takes. Another supervisor reported that he believed most investigative specialists worked more than 20 hours of AUO per pay period, but stopped recording AUO hours on their G-1012 forms once they reached 20 hours. (An average of 20 AUO hours in a 2-week pay period would meet the minimum requirement for AUO pay at the 25 percent rate.) One supervisor said he “audited” his subordinates’ G-1012 forms to ensure the forms were properly filled out.

Review of Payroll Records

In 2013, the 27 OSI investigative specialists received a total of \$613,811 in AUO pay. According to Operating Instruction No. 253-003, employees are to be paid for AUO as a percentage of their base pay, depending on the average number of AUO hours worked per week. For the AUO paid in 2013, the USCIS Financial Operations Branch tracked employees’ AUO hours based on the timekeepers’ input of time and attendance data each pay period. (G-1012 forms are not used to determine the amount of AUO to be paid to the investigative specialists.) Every four pay periods, the Financial Operations Branch produced a report that automatically calculated the average weekly AUO hours for each employee and indicated the amount of AUO pay each employee should receive.

In 2013, 22 of 27 OSI employees received AUO at the rate of 25 percent of base pay. Four employees’ AUO percentage rate was reduced one or more times during the year. Thus, they received an average AUO rate of between 15 and 24 percent of their base pay in 2013. The remaining employee did not start working at OSI until after AUO was suspended. We determined that the amount of AUO paid to OSI employees matched the percentage of AUO they were authorized to receive.

Actions Taken and Planned

Effective November 19, 2013, USCIS suspended the use of AUO “until further notice.” At the time of our review (March 2014), OSI was permitting the use of regular overtime for work conducted while on travel and compensatory time for work conducted locally.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix A USCIS Form G-1012 Template (Facsimile)

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services

Record of AUO Hours Worked

Office of Security and Integrity

Form G-1012 (revised 3/28/2007)

EMPLOYEE	PAY PERIOD	
SUPERVISOR	STARTING DATE	ENDING DATE

DATE	HOURS 0815 - 1645	AUO HRS	REASON FOR AUO HRS WORKED	
			Case Number	Duty Performed
S				
8/26/2012				
W				
8/27/2012				
T				
8/28/2012				
w				
8/29/2012				
T				
8/30/2012				
F				
8/31/2012				
S				
9/1/2012				
S				
9/2/2012				
W				
9/3/2012				
T				
9/4/2012				
w				
9/5/2012				
T				
9/6/2012				
F				
9/7/2012				
S				
9/8/2012				

Total AUO Hours Week 1 0
Total AUO Hours Week 2 0
Weekly Average 0

Certified True and Correct: _____	Examined and Approved: _____
Employee Signature & Date	Supervisor Signature & Date

Duty Performed Codes:

- | | |
|--|------------------------------------|
| 1. Investigative Interviews | 10. Investigative Travel |
| 2. Surveillance | 11. External Meeting/Outreach |
| 3. Investigative Liaison | 12. Task Force Activities |
| 4. Locate Non-USCIS Witness/Complainant | 13. Interview Preparation |
| 5. Collection of Evidence | 14. MSPB / Court / Hearing / LER |
| 6. Examination of Records/Evidence | 15. Requests for Assistance |
| 7. Investigative Research | 16. OIG / ICE / CBP Coordination |
| 8. Field Supervision of Investigations | 17. OCC Coordination |
| 9. Address Issues / Prepare Materials that are time sensitive and involve Significant Program Responsibilities | 18. Joint Investigative Activities |
| | 19. Management Requests |
| | 20. Technical Support |
| | 21. Other (Specify) |



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Form G-1012 Record of AUO Hours Worked

Codes for Duty Performed

In order to better document AUO hours worked the below Duty Performed Codes were adopted. The definitions provided are general in nature and not intended to be all inclusive. 5 CFR 550.151 authorizes AUO pay for those in a position that requires substantial amounts of irregular or occasional overtime work, with the employee generally being responsible for recognizing, without supervision, circumstances which require the employee to remain on duty. Some of the Duty Performed Codes may overlap with other Duty Performed Codes and it is recognized that in some instances, multiple Duty Performed Codes will apply to the same periods of work. Multiple Duty Performed Codes may be inserted on the G-1012 under the same case number and/or date and clarifying notes may be added when needed.

1. Investigative Interviews: Face-to-face and telephonic interaction involving the collection of accounts, facts, testimony and evidence from witnesses, complainants, victims, suspects and subjects.

2. Surveillance: Covert or overt investigative activity in which the investigator physically, or through electronic means observes and monitors the ongoing activities of persons, objects, or locations in order to develop facts tending to prove or disprove allegations of misconduct.

3. Investigative Liaison: Activities including office visits and attending events intended to develop, maintain, and support OSI's future investigative needs with entities including USCIS elements outside of OSI (FODs, DDs, RDs, LER, Counsel, etc.), as well as interaction with external elements such as federal, state, and local law enforcement agencies, prosecution agencies, administrative agencies, recognized groups and other organizations which may be able to lend support or to provide assistance advancing OSI's investigative mission

4. Locate/Interviewing Non-USCIS witnesses/complainants: Many people complaining to OSI or witnessing USCIS employee misconduct are not government employees. Additionally, persons not employed by the federal government may not be given official time off to participate in OSI investigations and although willing to cooperate, must be interviewed at odd times. Activities outside of normal duty hours associated with identifying, locating, and interviewing non-USCIS employees.

5. Collection of Evidence: The physical act of recovery, documenting, marking and the physical safeguarding, transporting and storage of physical items tending to prove or disprove an allegation.

6. Examination of Records/Evidence: The act of scrutinizing items that are, or may be, relevant to proving or disproving an allegation. Note: Reviewing building security



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

camera footage of former events would be claimed under this Duty Performance Code, rather than under Code 2, Surveillance. Generally, examinations of records/evidence may be scheduled during hours of duty. However, in those instances when the investigator realizes he/she must continue working after hours, due to emergent circumstances, or a management request that records examination be done outside of business hours, would qualify as AUO.

7. Investigative Research: Gathering particular background information or data that assists the investigator in the evaluation of relevant facts, circumstances or evidence. Gleaning particular insight or knowledge relevant to the evaluation of facts or items under review in an investigation. Again, normally research is conducted during normal duty hours however, it is recognized that when conducting a series of interviews matters arise that require immediate research in order to complete interviews scheduled the following day. In such an event, AUO rules apply.

8. Field Supervision of Investigations: The actions of a Special Agent-in-Charge requiring the involvement of oversight of investigators then engaged in AUO activities.

9. Address Issues/Prepare Materials that are time sensitive and involve Significant Program Responsibilities: This Duty Performed Code may be broadly applied to this situation in which tasks must be completed immediately, and failure to do so will result in compromise of the OSI investigative mission, USCIS mission, or failure for USCIS management to meet requirements imposed by external demands.

10. Investigative Travel: The unscheduled hours beyond the normal tour of duty spent going to or from an investigative activity are claimed as Investigative Travel.

11. External Meeting/Outreach: Hours worked outside of the normal tour of duty when engaged in non-investigative, but duty related presentation, representation or attendance on behalf of OSI. Events such as a Department of Homeland Security open house, law enforcement adventure camp, community events would qualify. When undergoing formal instruction in a student status is documented as a training day and excludable for computing AUO.

12. Task Force Activities: Hours worked beyond the normal tour of duty in support of federal, state, and local law enforcement agencies where OSI has been asked to join or support the mission.

13. Interview Preparation: Time spent outside of normal duty hours preparing for an emergent interview. Generally, this time is required while on travel when witness interviews the first day revealed facts relevant to the second day's interviews. Time spent preparing and modifying questions for the next day's activities are properly claimed as AUO.

14. MSPB/Court/Hearing/LER: While investigators support these activities the schedule is under the control of judges and hearing officers. Investigators continue to work until



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

released. It is also recognized that in the time immediately before a hearing commences, agency lawyers and prosecutors may need “last minute” assistance.

15. Requests for Assistance: Time spent responding to requests from external agencies for mission support or requests for information.

16. OIG/ICE/CBP Coordination: Routine non-specific interaction involving day-to-day investigative operations beyond specific case investigations. Joint investigative activities involving a specific case number should be claimed under Duty Performed Code 18.

17. OCC Coordination: Time spent beyond normal tours of duty seeking legal guidance or opinion, responding to requests for information from counsel, and any support spent in the time before a hearing is scheduled. Once a hearing date has been set, claim hours worked immediately before the hearing under Duty Performed Code 14.

18. Joint Investigative Activities: Investigative time spent with another investigative agency pursuing a particular subject or on specific case numbers.

19. Management Requests: Efforts expended in support of management that may or may not be assigned a case number. This Duty Performed Code is for instances in which an immediate response is needed by the management official.

20. Technical Support: Providing OSI and USCIS specific insight and advice to non-USCIS entities lacking experience or training in the Immigration and Nationality Act or USCIS processes and records. For instance, an OIG agent may be reviewing an A-file and the OIG has questions about a particular form or process, or the OIG seeks to identify USCIS employees who may have been involved in the action. Time spent on this sort of administrative support is claimed as Technical Support.

21. Other: Recognizing that these Duty Performed Codes will not anticipate every situation in which the investigator determines he/she needs to work beyond the duty day, this Duty Performed Code may be used and note may be added explaining the Duty Performed.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix B
Example of Completed USCIS Form G-1012

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Security and Integrity

Record of AUO Hours Worked

Form G-1012 (revised 9/30/2007)

EMPLOYEE	[REDACTED]	PAY PERIOD	20
SUPERVISOR	[REDACTED]	STARTING DATE	6-Oct-2013
		ENDING DATE	19-Oct-13

DATE	DUTY HOURS 0800 - 1630	AUO HRS	REASON FOR AUO HRS WORKED	
			Case Number	Duty Performed Codes/Notes
S 10/6/2013				
M 10/7/2013		2.25		6, 7, 8, 9, 16
T 10/8/2013		3.5		6, 7, 8, 9, 16
W 10/9/2013		2.25		6, 7, 8, 9, 16
T 10/10/2013		1.75		6, 7, 8, 9, 16
F 10/11/2013		2.5		6, 7, 8, 9, 16
S 10/12/2013				
S 10/13/2013				
M 10/14/2013			Excludable Day	Holiday - Columbus Day
T 10/15/2013		4		6, 7, 8, 9, 16
W 10/16/2013		2.25		6, 7, 8, 9, 16
T 10/17/2013		1.75		6, 7, 8, 9, 16
F 10/18/2013		2.25		6, 7, 8, 9, 16
S 10/19/2013				
Total AUO Hours Week 1		12.25		
Total AUO Hours Week 2		10.25		
Weekly Average		11.25		

Certified True and Correct: [Signature] 10/29/13 Employee Signature & Date	Examined and Approved: [Signature] 10/31/13 Supervisor Signature & Date
--	---

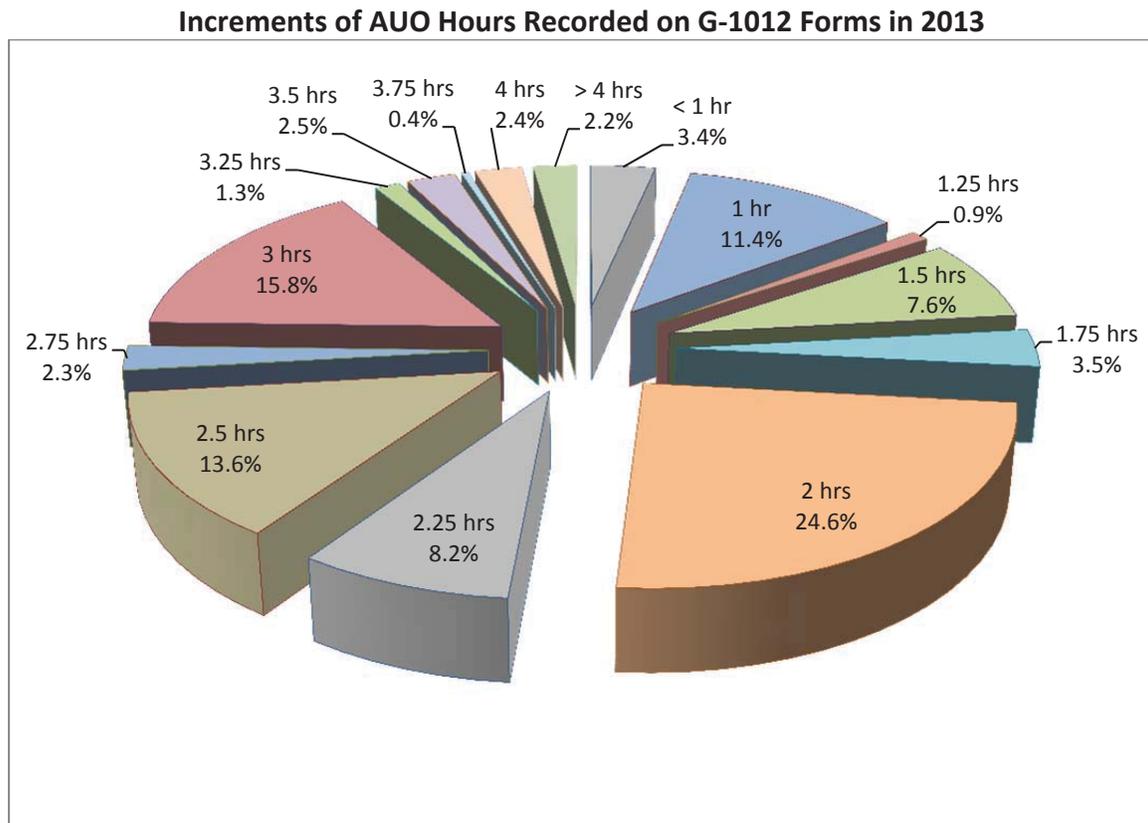
Duty Performed Codes:

- | | |
|--|------------------------------------|
| 1. Investigative Interviews | 10. Investigative Travel |
| 2. Surveillance | 11. External Meeting/Outreach |
| 3. Investigative Liaison | 12. Task Force Activities |
| 4. Locate Non-USCIS Witness/Complainant | 13. Interview Preparation |
| 5. Collection of Evidence | 14. MSPB / Court / Hearing / LER |
| 6. Examination of Records/Evidence | 15. Requests for Assistance |
| 7. Investigative Research | 16. OIG / ICE / CBP Coordination |
| 8. Field Supervision of Investigations | 17. OCC Coordination |
| 9. Address Issues / Prepare Materials that are time sensitive and involve Significant Program Responsibilities | 18. Joint Investigative Activities |
| | 19. Management Requests |
| | 20. Technical Support |
| | 21. Other (Specify) |



Appendix C Frequency of AUO Time Increments Recorded

OSI employees record AUO hours in 15-minute increments. The chart below depicts the percentage of time each AUO increment was recorded on the forms in our sample. For example, investigative specialists recorded 2 hours of AUO about 25 percent of the time.



Source: DHS OIG analysis of USCIS data



Appendix D

Conduct of the Review

Whistleblower Interview: On February 24, 2014, we interviewed the whistleblower to obtain additional information about the allegations. The whistleblower did not provide any new information pertinent to the scope of this evaluation.

Regulations and Policies Governing AUO: We reviewed the CFR, specifically 5 CFR § 550.151 and 5 CFR § 550.153(c), as well as OSI Operating Instruction No. 253-003, dated May 16, 2008.

Stratified Sample of USCIS' Record of AUO Hours Worked forms (G-1012 forms): USCIS provided a list of 27 current employees that received AUO pay from October 1, 2012, through November 19, 2013. (USCIS suspended AUO pay effective November 19, 2013.) The employees were located in Washington, DC; Arlington, VA; Houston, TX; Orlando, FL; and Los Angeles, CA. Seven employees were supervisory investigative specialists and 20 were nonsupervisory investigative specialists.

Each pay period, OSI employees record the number of AUO hours they work on *Record of AUO Hours Worked* forms (G-1012 forms). We selected a random sample of pay periods from the first pay period of 2013 (December 30, 2012) through the third pay period of 2014 (February 22, 2014).

We stratified the pay periods by supervisory and nonsupervisory investigative specialists using a 90 percent confidence interval with a plus or minus 5 percent margin of error. This generated a total sample of 310 G-1012 forms, consisting of 125 forms for supervisors and 185 forms for nonsupervisors. During fieldwork, the total sample was reduced from 310 to 227 forms because no forms were completed after USCIS suspended AUO pay in the twenty-third pay period of 2013. Also, some employees had left OSI, were on extended leave, or joined OSI late in the year.

Review of G-1012 Forms: We reviewed the 227 G-1012 forms to determine the duties OSI employees performed while claiming AUO. The G-1012 form template provides a list of 21 "Duty Performed Codes" (duty codes), denoting the tasks employees may perform. For each day that AUO is worked, employees record the number of AUO hours, the case numbers they worked on, and the applicable duty codes. Appendix A contains the G-1012 form template.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Review of Payroll Records: We reviewed payroll records and AUO certification reports to verify whether the amount of AUO paid to OSI employees matched the percentage of AUO they were authorized to receive. (The percentage rate authorized for AUO may be at 10, 15, 20, or 25 percent of the employee's rate of basic pay, depending on the average number of AUO hours worked per week.) We also determined the total amount of AUO paid to OSI employees in 2013.

Interviews of OSI Employees: From the list of 27 current employees, we selected 6 supervisory investigative specialists and 8 nonsupervisory investigative specialists located in Arlington, VA; Los Angeles, CA; Orlando, FL; and Washington, DC. We interviewed these 14 employees between March 3 and 25, 2014, to determine what duties they typically performed during the AUO hours they claimed and whether they considered these duties to be "administratively controllable." We asked additional questions to determine the employees' understanding of AUO and how they completed G-1012 forms.

Evaluation Standards: We conducted this review under the authority of the *Inspector General Act of 1978*, and according to the Quality Standards for Inspection and Evaluation issued by the Council of the Inspectors General on Integrity and Efficiency, dated January 2012.

ADDITIONAL INFORMATION

To view this and any of our other reports, please visit our website at: www.oig.dhs.gov.

For further information or questions, please contact Office of Inspector General (OIG) Office of Public Affairs at: DHS-OIG.OfficePublicAffairs@oig.dhs.gov, or follow us on Twitter at: [@dhsoig](https://twitter.com/dhsoig).

OIG HOTLINE

To expedite the reporting of alleged fraud, waste, abuse or mismanagement, or any other kinds of criminal or noncriminal misconduct relative to Department of Homeland Security (DHS) programs and operations, please visit our website at www.oig.dhs.gov and click on the red tab titled "Hotline" to report. You will be directed to complete and submit an automated DHS OIG Investigative Referral Submission Form. Submission through our website ensures that your complaint will be promptly received and reviewed by DHS OIG.

Should you be unable to access our website, you may submit your complaint in writing to:

Department of Homeland Security
Office of Inspector General, Mail Stop 0305
Attention: Office of Investigations Hotline
245 Murray Drive, SW
Washington, DC 20528-0305

You may also call 1(800) 323-8603 or fax the complaint directly to us at (202) 254-4297.

The OIG seeks to protect the identity of each writer and caller.