

**REPORT ON THE QUALITY ASSESSMENT REVIEW
OF THE INVESTIGATIVE OPERATIONS OF THE
OFFICE OF INSPECTOR GENERAL FOR THE DEPARTMENT
OF HOMELAND SECURITY**

**Conducted in Washington, DC
by
Defense Criminal Investigative Service,
Office of Inspector General,
Department of Defense
4800 Mark Center Drive
Alexandria, VA 22350-1500**

**Special Agent Brian Reihms, Reviewing Inspector
Special Agent in Charge Keith L. Dixon, Team Leader**

September 2013

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INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

September 18, 2013

COMPLIANT RATING

Report on the External Quality Assessment Review

Mr. Charles Edwards
Deputy Inspector General
Office of Inspector General
Department of Homeland Security
330 Independence Avenue, SW
Washington, DC 20201

Subject: *Report on the Quality Assessment Review of the Investigative Operations
of the Office of Inspector General for the Department of Homeland Security*

Dear Deputy Inspector General Edwards:

We have reviewed the system of internal safeguards and management procedures for the Investigative Operations of the Office of Inspector General for the Department of Homeland Security (DHS OIG) in effect for the period ended April 15, 2013. Our review was conducted in conformity with the Quality Standards for Investigations and the Quality Assessment Review Guidelines established by the Council of the Inspectors General on Integrity and Efficiency, and the Attorney General's Guidelines for Office of Inspectors General with Statutory Law Enforcement Authority, as applicable.

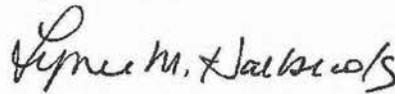
The review was conducted at DHS OIG headquarters in Washington, D.C., and the Philadelphia and Chicago field offices from December 10, 2012 to April 15, 2013. We reviewed compliance of DHS OIG's system of internal policies and procedures to the extent we considered appropriate, to include consideration of supplemental information provided during the course of the review, as well as supplemental field work necessary to validate proffered mitigation. Additionally, we sampled 50 case files for investigations closed subsequent to your prior peer review of July 2009.

In performing our review, we have given consideration to the prerequisites of Section 6(e) of the Inspector General Act of 1978, as amended (IG Act), and Section 812 of the Homeland Security Act of 2002 (Pub.L. 107-296). Those documents authorize law

enforcement powers for eligible personnel of each of the various offices of presidentially-appointed Inspectors General. Those powers may be exercised only for activities authorized by the IG Act, other statutes, or as expressly authorized by the Attorney General.

While this review confirms areas for improvement, it is also clear that your investigative staff is committed and working diligently to resolve outstanding issues through revised or new policies and procedures. In particular, we were able to validate that new procedures for reporting investigative data in your Semi-Annual Report to Congress were effectively implemented for your most recent SAR. In our opinion, therefore, we find the system of internal safeguards and management procedures for the investigative function of the DHS OIG in effect for the period ended April 15, 2013, is in compliance with the quality standards established by the CIGIE and the applicable Attorney General Guidelines. These safeguards and procedures provide reasonable assurance of conforming to professional standards in the planning, execution and reporting of its investigations.

Sincerely,



Lynne M. Halbrooks
Acting Inspector General

Cc: Attorney General, U.S. Department of Justice
Executive Director, Council of the Inspectors General on Integrity and Efficiency

Attachments:

- A. Listing of Visited Field Offices
- B. Listing of Sample Closed Investigative Files

Attachment A: List of Visited Field Offices

- 1. DHS OIG Office of Investigations
Headquarters Office – Washington DC
1120 Vermont Avenue NW
Washington, DC 20005**

- 2. DHS OIG Office of Investigations
Chicago Field Office
55 W. Monroe Street
Suite 1050
Chicago, IL 60603**

- 3. DHS OIG Office of Investigations
Philadelphia Field Office
5002 Lincoln Drive West
Suite B
Marlton, NJ 08053**

Attachment B: List of Closed Investigative Files Reviewed

Philadelphia Field Office

Chicago Field Office

I10-CBP-NYC-01075	I11-FEMA-CHI-00882
I11-ICE-PHL-00263	I10-CBP-CHI-00220
I11-CBP-NYC-00215	I11-TSA-CHI-00148
I11-CIS-BOS-00416	I10-ICE-CHI-00628
I12-FEMA-PHL-00379	I11-CBP-CHI-00131
I09-FEMA-BUF-08866	I11-CBP-CHI-00788
I11-CBP-BUF-00912	I11-TSA-CHI-00880
I10-CBP-BUF-01062	I11-FPS-CHI-00552
I10-FEMA-BUF-00509	I10-ICE-CHI-01093
I07-CBP-NYC-06193	I10-FEMA-CHI-01022
I10-FEMA-BUF-01232	I09-FEMA-CHI-06650
I10-CBP-PHL-01291	I11-CBP-CHI-00715
I11-TSA-PHL-00809	I09-CBP-CHI-10819
I08-ICE-PHL-02303	I10-TSA-CHI-01171
I10-CBP-BUF-00459	I11-ICE-CHI-00812
I10-TSA-BOS-00179	I04-CIS-CHI-00036
I08-USCG-BOS-08567	I09-FEMA-CHI-09885
I11-FEMA-PHL-00943	I10-CIS-CHI-0110
I08-USCG-PHL-07768	I07-FEMA-CHI-11502
I11-CBP-BUF-01289	I11-TSA-CHI-00472
I11-FEMA-PHL-00362	
I11-FEMA-BOS-01120	
I11-ICE-PHL-01075	
I11-FPS-PHL-01018	
I11-TSA-NYC-01344	
I11-CBP-BUF-01162	
I10-CIS-NYC-01220	
I09-CBP-PHL-05038	
I12-TSA-PHL-00373	
I08-OIG-BUF-08985	



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ALEXANDRIA, VIRGINIA 22360-1600

Letter of Observations

Mr. Charles Edwards, Deputy Inspector General
Office of Inspector General, Department of Homeland Security
330 Independence Avenue, SW
Washington, DC 20201

Subject: Letter of Observations following the *Report on the Quality Assessment Review of the Investigative Operations of the Office of Inspector General for the Department of Homeland Security*

Dear Deputy Inspector General Edwards:

This is a supplement to our *Report on the Quality Assessment Review of the Investigative Operations of the Office of Inspector General for the Department of Homeland Security*.

It should be noted that our peer review team recognized and considered the major transition in resources and management ongoing at the DHS OIG Office of Investigations prior to and during the course of this review. While this Letter of Observations lays out a variety of areas requiring or recommending attention, it was also clear to our peer review team, through its interactions with your staff, that the DHS OIG Office of Investigations is committed and working diligently toward resolving these outstanding issues through revised or new policies and procedures.

In addition to reporting a rating of compliant, the peer review team identified areas for improvement or increased efficiency or effectiveness based on various review steps from the appendices of the CIGIE *Qualitative Assessment Review Guidelines* dated December 2011. Specifically, the review team identified the following observations and deficiencies:

1. *Observation of complaint-handling activities pursuant to Appendix C-1, Review Step 37 (Questionnaire for Review of Compliance with the CIGIE Quality Standards for Investigations dated November 15, 2011).*

Standard: The CIGIE, *Quality Standards for Investigations (QSI)*, provides the following:

Complaint-Handling Activities—The investigative process often begins with a complaint from an individual. The initial complaint will rarely provide the agency with all the necessary information and may be the first indication of a serious violation of law. Policies, procedures, and instructions for handling and processing complaints should be in place. Individuals receiving complaints should obtain all pertinent details. The agency shall adopt procedures to ensure

the basic information is recorded, held confidential, and tracked to final resolution.

Summary of Observation: During the course of reviewing the DHS OIG case-management system – EDS – and discussing the DHS OIG Hotline and intake operation procedures with agency personnel, the peer review team learned that DHS OIG's complaint-handling processes had not been in compliance with prevailing CIGIE guidelines and agency policy. In an effort to increase the effectiveness of the complaint-handling process, DHS OIG conducted an internal review of its Hotline in 2011. This review led to the development of an online, web-based Hotline form. A year later in December 2012, a subsequent internal review identified several significant issues:

- (1) A backlog of approximately 500-600 complaints, which were not entered into the Hotline Module of EDS for review.
- (2) The voice mailbox, Spanish language option, for the Hotline number was never reviewed for complaints and at the time was at its maximum capacity.
- (3) The existing English voice mailbox for the Hotline number often contained complaints in Spanish and other foreign languages and was checked only twice a week. It was unclear whether these foreign language complaints were ever entered into EDS for review.
- (4) The backlog of complaints received by U.S. Mail and or FAX dating back to August 2012, were not officially entered into EDS for review by the affected investigative offices.

During the course of the peer review, the peer review team was informed that all backlogs and discrepancies were mitigated and or addressed pursuant to new intake center restructuring and procedures, including but not limited to the use of the online web-based Hotline form. DHS OIG personnel conducted a "walk-through" of their complaint-intake process to include demonstration of how mail, e-mail, and hotline complaints were addressed from arrival, to data entry and upload into the case-management system. DHS OIG further advised all allegations, regardless of source, are currently processed on a daily basis and that internal and or administrative inquiries are being conducted in furtherance of a more in-depth review of the circumstances leading to the previous backlog.

Suggestion: DHS OIG was aware of the above-referenced circumstances prior to the peer review team's arrival, and continues to address the issues outlined herein. The peer review team, based on discussions with DHS OIG headquarters personnel, found that these issues are historical and may be traced back as far as 2003 when DHS was formed. The peer review team suggests DHS OIG review its standing policies and procedures and implement more specific guidance requiring timely processing of complaints by headquarters and field office intake operations, as well as timely input of pertinent data into the EDS Hotline Module.

2. *Deficiency* in data management, tracking, and documentary support of reported investigative results pursuant to Appendix C-1, Review Steps 39, 39c, and 40. (Questionnaire for Review of Compliance with the CIGIE *Quality Standards for Investigations* dated November 15, 2011).

Standard: The QSI provides the following:

“Management Information System—Management should have certain information available to perform its responsibilities, measure its accomplishments, and respond to requests by appropriate external customers. Items that may be considered for tracking purposes include, but are not limited to, the following:

Investigative Results Data

- Number of indictments, convictions, declinations/acceptances, criminal outcomes, and civil actions;
- Amount of recoveries, restitutions, fines, and settlements;
- Reports issued (to prosecutors and agency management);
- Recommendations to agency management for corrective action(s) (take disciplinary action, recover monies, correct internal control weaknesses, etc.);
- Number of disciplinary or other administrative agency actions (terminations, suspensions, debarments, and personnel and contractor actions); and
- Calculated savings from the investigation, if applicable.

Summary of Deficiencies: A review of four DHS OIG Semi-Annual Reports to Congress (SAR) for periods ending March 31, 2011, September 30, 2011, March 31, 2012, and September 30, 2012, revealed that 44 percent of the statistics mentioned in the investigative write-ups were inaccurate. The majority of the inaccuracies related to: (1) a failure to upload supporting documentation into EDS; and (2) a failure to consistently enter data into EDS. As a result, accurate and verified data was not readily available for reporting accomplishments and responding to external customers. We defined this only as a “Deficiency” due to the content of Enclosure 1 to this report. Enclosure 1 was provided to the peer review team subsequent to the completion of its initial field work. It is a policy memorandum that demonstrates DHS OIG’s ongoing and affirmative efforts to improve investigative data reporting in its SAR.

With the support of CIGIE, as well as your office, our review team was invited back to DHS to perform additional field work and validate that the policy directives of Enclosure 1 were effectively implemented in your most recent SAR for the period ending March 31, 2013. The peer review team reviewed 24 of 24 write-ups. The write-ups were examined to compare the data reported in the SAR with the data entered into EDS and the data contained in supportive adjudicative documentation to ensure the data in the SAR was reported accurately. Subsequent to the implementation of the guidance found in Enclosure 1, the peer review team found no discrepancies in the data reported in the SAR for the period ending March 31, 2013. Additionally, all write-ups fell within the SAR reporting period. With continued and supported implementation of the processes referenced in Enclosure 1, such review results should be maintained in future SARs.

Nevertheless, we are also compelled to report the results of our initial field work prior to implementation of Enclosure 1. Our random sampling of cases found in the four previous DHS OIG SARs revealed the following:

Out of 147 cases reported, 97 were reviewed for accuracy and supporting documentation. Of the 97 reviewed cases, 43 were found with discrepancies. It was determined that supporting documentation was not consistently uploaded into the EDS case file. In the absence of supporting documentation, the peer review team utilized resources such as the Public Access to Court Electronic Records (PACER) and System for Award Management\Excluded Party List System (SAM\EPLS) to compare the statistical accomplishments reported in the DHS SAR write-ups with the criminal, civil, and administrative documentation found in PACER and SAM\EPLS. The review team found inconsistencies between the data entered into EDS and the data recorded in PACER and SAM\EPLS. Further, within the cases sampled, there were instances where no supporting documentation had been uploaded into the EDS case file. A sampling of such discrepancies follows:

- **SAR period 10/1/2010-3/31/2011:** The peer review team reviewed 29 of 61 write-ups. All 29 write-ups reviewed contained discrepancies and 26 were out of period.

-DHS Case Number: I08-FEMA-BTN-15520. SAR write-up stated consent judgment requiring one individual to pay \$2.97 million. PACER documents showed the consent judgment ordered all three defendants to pay \$6,178,800. The EDS data entries for all three subjects totaled \$3,302,400. The data in the SAR was under reported.

-DHS Case Number: I09-ICE-PHL-09082. SAR write-up states that as part of the plea agreement the defendant agreed to pay a criminal forfeiture of \$200,000. There is no Order of Forfeiture to support this claim in PACER or in the documents section of EDS to be verified. The EDS data entry of a \$200,000 forfeiture is unsupported.

- **SAR period 4/1/2011-9/30/2011:** The inspection team reviewed 8 of 36 write-ups. Two contained discrepancies.

-DHS Case Number I10-FEMA-BTN-01185-01185. SAR write-up stated the "subject was ordered to pay full restitution." The data entry in EDS shows restitution at \$26,500, but the actual judgment found in PACER shows restitution at \$222,800. Therefore, the highlight summary page in the SAR understates the restitution.

- **SAR period 10/1/2011-3/31/2012:** The inspection team reviewed 28 of 28 write-ups. Five were found to have discrepancies.

-DHS Case Number I100-0219. SAR write-up omitted sentencing of \$514,000 in restitution to be paid jointly and severally. The EDS correctly shows the \$514,000 restitution.

-DHS Case Number I091-0777. SAR write-up for this case is completely out of period. PACER confirms the dates for this case.

-DHS Case Number I100-1111. SAR write-up stated restitution of \$166,392 but EDS does not have restitution entered. SAR highlight summary page is understated.

- **SAR period 4/1/2012-9/30/2012:** The inspection team reviewed 16 of 16 write-ups. Seven were found to contain discrepancies.

-DHS Case Number I11-FEMA-MIA-00528. SAR write-up stated that a total of \$736,769 was to be paid jointly and severally by all three defendants, which is verified in PACER. The EDS showed \$736,769 entered for each of the three subjects, overstating the dollar recovery in the SAR by \$1.47 million.

-DHS Case Number I11-CIS-NYC-00917. SAR write-up stated criminal forfeiture of \$30,000, which was verified in PACER but had no equivalent EDS entry.

-DHS Case Number I11-0560-MIA-00878. SAR write-up stated subject plead guilty and is awaiting sentencing. After verifying in PACER, subject was in fact sentenced during the SAR period to \$77,000 in restitution, 22 months confinement and \$100 special assessment. Therefore, SAR write-up was incorrect in omitting the sentencing. At the time of this inspection, no sentencing data was entered into EDS.

-DHS Case Number I10-ICE-WFP-01317. SAR write-up stated subject was arrested and resigned, but there is no equivalent EDS entry.

These discrepancies were the result of an ineffective and untimely recording, verifying, and reporting process for DHS OIG investigative results. In an effort to address these issues, DHS OIG developed and formalized new SAR preparation processes with clearly assigned roles and responsibilities that not only reduced, but eliminated discrepancies in the subsequent SAR. (See Enclosure).

Suggestion: Successful implementation of the guidelines reflected in Enclosure 1 eliminated reporting errors in the latest SAR. Continued and supported implementation of said guidance should maintain these results in future SARs. We suggest that DHS OIG notify pertinent stakeholders of the ongoing evolution of the SAR investigative reporting process so that all relevant parties will have complete confidence in the investigative data reported by your office. Implementation of the following will help facilitate your reporting processes.

- (1) Timely written investigative memorandums with attached supporting documentation uploaded into EDS in conjunction with timely and accurate data entries into EDS.
 - (2) Validation of memorandums by field managers.
 - (3) Oversight by field managers to ensure supporting documents are uploaded and accurate data entries are made into EDS.
3. *Observation of deadly force policy and training requirements pursuant to Appendix B, Review Step 4. (Questionnaire for Review of Law Enforcement Powers Implementation).*

Standards:

- a. The Attorney General Guidelines for Offices of Inspectors General with Statutory Law Enforcement Authority (December 8, 2003) (Appendix F to the *Qualitative Assessment Review Guidelines*) requires the following:

All individuals exercising authorities under section 6(e) must receive initial and periodic firearms training and qualification in accordance with Federal Law Enforcement Training Center standards. . . . The initial training for this requirement must be met by successful completion of an appropriate course of training at the Federal Law Enforcement Training Center or an equivalent course of instruction (that must include policy and law concerning the use of firearms, civil liability, retention of firearms and other tactical training, and deadly force policy).

- b. DHS OIG Special Agents Handbook (SAH), Section 6.8 states:

“The National Firearms Program Manager ensures that firearms and use-of-force training are accomplished in accordance with the Attorney General’s guidelines (Exhibit 2-4). In addition, each office will designate a qualified Firearms Instructor to coordinate required firearms and use of force training. The Firearms Instructor will administer the office’s weapons and use of force programs and issue firearms and ammunition. Firearms Instructors must successfully complete firearms instructor training at the FLETC or another course approved by the national Firearms Program Manager. Firearms Instructors should be re-certified every five years through in-service training.”

- c. *Graham v. Connor*, in which the U.S. Supreme Court determined that an objective reasonableness standard should apply to a claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other “seizure” of a person.

Summary of Observation: The peer review team noted the use-of-force model in the DHS OIG use-of-force policy is out of date. The DHS OIG SAH, Section 5.7 states that “The use of deadly force shall be in accordance with Attorney General’s Order Number 1814-93, dated November 18, 1993, and Attorney General’s Policy Statement “Use of Deadly Force”, dated October 17, 1995. (Exhibit 5-4) Agents will follow the Federal Law Enforcement Training Center’s Use of Force Model (Exhibit 5-5).”

In an effort to ensure consistency with *Graham v. Connor*, above, FLETC discontinued the utilization of use-of-force models and has adopted the “range of reasonableness” concept. During the course of the peer review, DHS OIG informed the peer review team it completed a follow-up review of its policy and advised it would immediately revise the SAH and other associated materials concerning its use-of-force policy.

The peer review team also reviewed training records for 20 of 49 firearms instructors. Records showed that the National Firearms Program Manager (NFPM) was approved to attend firearms refresher training by the Illinois State Police instead of attending the FLETC Firearms Instructor Refresher Training Program in 2007. The NFPM subsequently conducted an in-house firearms refresher course in 2008 for a number of DHS OIG firearms instructors. The NFPM advised that FLETC could not support his request for refresher training, and he was therefore compelled to conduct his own in-house training in order to meet agency policy requiring refresher training every five years. During the course of the peer review, the NFPM scheduled an April 2013 firearms instructor refresher training program that was to be supported by FLETC.

Additionally, DHS OIG had certified its defensive tactics (DT) instructors through PPCT Management Systems, Inc. (PPCT), a commercial vendor. The NFPM conducted DT training using PPCT rather than FLETC because FLETC was not offering iterations of its Law Enforcement Control Tactics Instructor Training Program (LECTITP) during the development of the DHS OIG Program.

Suggestion: Although PPCT is an internationally recognized authority on research-based use-of-force and tactical team training for law enforcement agencies, the peer review team suggests that DHS OIG utilize the LECTITP and continue to utilize FLETC instructors for all firearm instructor refresher training in the future. By leveraging FLETC assets and training programs for their DT and firearms instruction, there can be no question that DHS OIG will meet FLETC training standards as required by the Attorney General Guidelines. This will also prevent outdated use-of-force information from staying in agency policy.

The peer review team was subsequently informed that DHS OIG determined in 2012 it would pursue its training requirements through FLETC. Currently, all DHS OIG firearms instructors are trained by FLETC to the current FLETC standard pursuant to the Attorney General Guidelines. All agents have been, or are in the process of being trained to the current FLETC use-of-force standards, and all agents are held to FLETC standards when qualifying with firearms.

4. *Observation* of undercover investigative operations pursuant to Appendix B, Review Steps 25, 29, 30, 31, and 33. (Questionnaire for Review of Law Enforcement Powers Implementation).

Standards: Governing standards for DHS OIG undercover investigative operations stem from four primary sources:

- (1) The Attorney General Guidelines for Offices of Inspectors General with Statutory Law Enforcement Authority (December 8, 2003) (Appendix F to the *Qualitative Assessment Review Guidelines*);
- (2) The Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations (November 13, 1992);
- (3) CIGIE Guidelines on Undercover Operations (June 2010) (Appendix J to the *Qualitative Assessment Review Guidelines*); and

- (4) DHS OIG SAH Section 13.10 (March 2011), which establishes undercover policy and procedures and states DHS OIG will comply with the Attorney General's Guidelines and CIGIE standards.

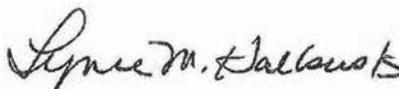
Summary of Observation: A review of SAH, section 13.10, Undercover Activities and Operations, revealed a general lack of specific guidance and clarity with regard to the aforementioned standards.

Suggestion: According to field office management, DHS OIG has not yet conducted any undercover operations. As a result, the current policy has not been tested through real world undercover activities. However, in the event that DHS OIG becomes involved in undercover operations at some point in the future, the peer review team suggests that a robust undercover policy is in order to better prepare DHS OIG for that eventuality. Attaching the Attorney General's and the CIGIE Guidelines to SAH Section 13.10, or providing electronic links to the same will provide agents with a quick and easy reference if contemplating undercover activity, an inherently valuable law enforcement tool.

Furthermore, DHS OIG could also adopt language in SAH Section 13.10 that enhances the guidelines referenced above by providing specific direction on approvals, authorized activities, coordination with legal counsel, and reporting and oversight of undercover activities. This policy should also make clear that should conflict arise between DHS OIG guidance and the Attorney General's Guidelines, the latter will prevail.

Please thank your staff for their cooperation, candor, and responsiveness to our requests during this peer review. If you have questions or would like to discuss this matter further, please contact me, or your staff may contact AIGI Ross Weiland at 703-604-8603.

Sincerely,



Lynne M. Halbrooks
Acting Inspector General

Encl. 1: DHS OIG Policy Memo: SAR Report Production

Enclosure 1: DHS OIG Policy Memo: SAR Report Production



OFFICE OF INSPECTOR GENERAL Department of Homeland Security

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

DHS OIG Office of Investigations Semi-Annual Report Production January 2013

BACKGROUND: The U.S. Department of Homeland Security (DHS), Office of Inspector General (OIG) is required to produce a Semi-Annual Report to Congress (SAR.) The DHS OIG, Office of Management, Planning and Compliance Division (PCD) is the office that receives contributions from the various OIG offices and is responsible for the scheduling and production of the SAR. The DHS OIG, Office of Investigations (INV) is required to provide the PCD information which describes the activities and achievements of INV during the reporting period. The two SARs that are issued annually by the DHS OIG encapsulate each fiscal year and cover the periods October 1 to March 31 and April 1 to September 30. The INV contribution has traditionally been comprised of the following elements:

- 1) A short introductory paragraph that generally describes the functions of INV.
- 2) Statistical data which reflects INV activity during the reporting period. Such data includes the number of complaints received, referred or otherwise closed by the INV Hotline, the number of persons arrested, indicted, convicted, sentenced, civil and administrative personnel actions taken as a result of INV investigations.
- 3) Investigative case paragraphs which describe in a narrative format, the results of activity engaged in by INV criminal investigators during the reporting period.

On Thursday, January 24, 2013, a meeting was held within the INV for the purpose of coordinating a production strategy and schedule for the next INV contribution to the next DHS OIG SAR. In attendance were representatives some of the DHS OIG INV Headquarters offices that will take a role in the production of the INV contribution, specifically the Field Operations Division, the Office of Executive Correspondence, the Office of Enterprise Architecture, and the Deputy Assistant Inspector General for Headquarters Operations Division. Invited to the meeting but not in attendance, were representatives of the Office of Information Technology and Investigative Support and the Special Investigations Division.

The attendees discussed lessons learned during previous INV SAR production efforts. Discussion centered on the following items:



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- 1) The SAR Production Group will consist of the INV Field Operations Division, the Special Investigations Division, the Office of Executive Correspondence, the Office of Enterprise Architecture, and the Office of Information Technology and Investigative Support. It is the responsibility of INV FOD to ensure that field SACs are regularly reporting significant investigative activity and that such reports will be complete, accurate, and timely. It is the responsibility of SAC SID to ensure that SID is regularly reporting significant investigative activity and that such reports will be complete, accurate, and timely. The Office of Enterprise Architecture will produce all statistical material for inclusion in the SAR and will forward that information to the Office of Executive Correspondence. The Office of Information Technology and Investigative Support will design and produce such reporting mechanisms as are requested to facilitate the proper flow, management and storage of information related to the SAR. The Office of Executive Correspondence will produce, edit and forward to PCD the introductory paragraph, investigative narratives, MIR narratives, and such statistical material as is produced by the Office of Enterprise Architecture. The Office of Executive Correspondence will also upload INV SAR material in the DHS OIG Project Tracking System, monitor its progress through the DHS OIG document review process, and act to resolve any issues that arise throughout that process.
- 2) The previous INV policy of including in the SAR investigative narratives for matters that had not yet completed the criminal judicial, civil judicial or administrative personnel action process has resulted in an inordinate effort expended to update case developments in successive SARS and, in some instances, duplication of narratives in successive SARS. The attendees determined that INV should only forward narratives for inclusion that have completed the criminal judicial, civil judicial or administrative personnel action processes, if the volume of that material allows INV to adequately represent the level of investigative activity for the reporting period.
- 3) It is imperative that official court sentencing or other documentation (such as civil judgments, administrative personnel actions, etc.) which records final investigative outcomes be uploaded in the INV Enterprise Data System (EDS) before a matter can be reported in a SAR. This process will facilitate the next CIGIE inspection of OIG INV relative to any data validation concerns.
- 4) INV narratives for the SAR will be obtained from material published in the INV AIG Weekly and Monthly reports.



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- 5) A recognition that INV Senior Management intends to reinvigorate the production of INV Management Implication Reports (MIRS). Narratives describing the findings of MIRs will be included in the SAR.
- 6) Photographs that INV will use to illustrate the narratives will be accompanied by proper attribution and should be obtained from DHS OIG sources or from material that is in general use on the internet.
- 7) The Acting DAIG of HOD will send an e-mail message to the INV field SACs and SID SAC stressing the importance of accurate and complete reporting of investigative field activity. The guidance will instruct that sentencing or other documentation which records final investigative outcomes must be uploaded in the INV Enterprise Data System (EDS) before a matter can be reported in a SAR.

DOJ Press Releases allow INV to include details of the investigative activity, i.e., subject names, location (city, state) or geographic information, etc. that the DHS OIG Office of Counsel will otherwise disallow for inclusion in the SAR. All DOJ or other press releases regarding INV casework should be considered a part of the investigative record and uploaded in EDS.

When possible, photographs of investigative activity should be should be taken that will be used to illustrate INV investigative activity.

At the close of the reporting period, INV HQ FOD will notify the field SACs and the SID SAC that the draft SAR narratives have been posted in an accessible location for their review. Each SAC will be asked to review and verify the accuracy of the material that pertains to their area of operations.

ADDITIONAL:

- A) PCD was consulted and confirmed that the standing policy for SAR narratives dictates that they should be limited to 200 words. PCD further stated that submitting offices should strive to adhere to the rule, but that exceptions would be entertained on a case by case basis.
- B) PCD was informed of the likelihood that INV would submit MIR narratives in future. It was agreed that MIR narratives would appear under the INV headings of SAR entries and would comply with PCD standards in formatting and length.



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- C) PCD informed INV that guidance for the upcoming SAR will be issued in approximately three weeks, on or about February 20, 2013. INV SAR Production Group will develop a SAR material timeline based on that guidance.

- D) The Acting Director, DHS OIG Office of Public Affairs was consulted and stated that the DHS OIG does not issue its own press releases in matters where the DOJ or another entity has not done so.

COMPLETED AND PLANNED AGENDA ITEMS:

02/01/2013: Acting DAIGI HOD will send an email to Field Office SACs alerting them to their roles and responsibilities regarding SAR production.

02/08/2013: SAC Office of Information Technology and Investigative Support is requested to provide a status report regarding the production design and progress of an OIG Central-based reporting mechanism that will allow SACS to review, edit and approve SAR narratives.

Chief Information Officer Robert Duffy has been requested to provide the Office of Investigations an Authorization to Operate (ATO) the OIG Central's Office of Investigations Team Site. Within the Office of Investigation's Team Site, an OIG Central-based reporting mechanism will be built that will allow SACS the ability to review, edit and approve SAR narratives. On 01/31/13, CIO Duffy responded that ITD is currently in the process of assessing potential security concerns associated with the use of a production environment version of the OIG Central SharePoint site. No time frame was provided relative to conclusion of the assessment or publication of potential solutions, if such solutions are required.