



SEMIANNUAL REPORT TO CONGRESS
APRIL 1, 2017 – SEPTEMBER 30, 2017

NOVEMBER 2017

Federal Election Commission - Office of Inspector General
999 E Street, N.W. Suite 940, Washington, D.C. 20463

MANAGEMENT REPORT ON
INSPECTOR GENERAL ISSUED REPORTS
WITH QUESTIONED COSTS
FOR THE SIX-MONTH PERIOD ENDING SEPTEMBER 30, 2017

	<u>Number of Reports</u>	<u>Questioned Costs</u>	<u>Unsupported Costs</u>
A. Reports for which no management decision has been made by commencement of the reporting period	0	0	[0]
B. Reports issued during the reporting period	0	0	[0]
Subtotals (A + B)	0	0	[0]
C. Reports for which a management decision was made during the reporting period	0	0	[0]
(i) Dollar value of disallowed costs	0	0	[0]
(ii) Dollar value of costs not disallowed	0	0	[0]
D. Reports for which no management decision has been made by the end of the reporting period	0	0	[0]
E. Reports for which no management decision was made within six months of issuance	0	0	[0]

MANAGEMENT REPORT ON
INSPECTOR GENERAL ISSUED REPORTS WITH
RECOMMENDATIONS TO PUT FUNDS TO BETTER USE FOR
THE SIX-MONTH PERIOD ENDING SEPTEMBER 30, 2017

	<u>Number of Reports</u>	<u>Funds to be Put To Better Use</u>
A. Reports for which no management decision has been made by the commencement of the reporting period	0	0
B. Reports issued during the reporting period	0	0
C. Reports for which a management decision was made during the reporting period	0	0
(i) Dollar value of recommendations that were agreed to by management	0	0
- Based on proposed management action	0	0
- Based on proposed legislative action	0	0
(ii) Dollar value of recommendations that were not agreed to by management	0	0
D. Reports for which no management decision has been made by the end of the reporting period	0	0
E. Reports for which no management decision was made within six months of issuance	0	0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Office of Inspector General

A Message from the Deputy Inspector General

The Federal Election Commission (FEC) Office of Inspector General (OIG) has had a productive six months. Much work has been accomplished with two statutorily mandated audits, the *Audit of the FEC's Fiscal Year 2017 Financial Statement* and the *Audit of the FEC's Compliance under the Digital Accountability and Transparency Act of 2014* (DATA Act). The DATA Act audit has been logistically challenging due to the relatively short timeframes involved, but the OIG's audit staff has been handling the matter with alacrity. The OIG issued its semiannual Review of Outstanding Recommendations, as well. Progress has also been made in several investigations, and one investigation was closed. OIG staff took part in a number of training opportunities to enhance their professional skills.

The OIG took part in an Inspector General community-wide effort to post its public documents on oversight.gov, a one stop shop for the public to be able to view the work of Federal Inspectors General. Public documents posted by the FEC OIG on oversight.gov include Semiannual Reports to Congress, audits, inspections, reviews, and other reports dating back to 2013. This is the second Semiannual Report to Congress to incorporate changes mandated by the Inspector General Empowerment Act, which became law in December 2016.

As always, the OIG staff has remained diligent and hard-working, and I commend their professionalism during this reporting period. The OIG is fortunate to have employees of such a high caliber.

A handwritten signature in blue ink, appearing to read "J. Cameron Thurber".

J. Cameron Thurber
Deputy Inspector General
Federal Election Commission

October 31, 2017

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EXECUTIVE SUMMARY

The *Inspector General Act of 1978*, as amended (IG Act), states that the Inspector General (IG) is responsible for: conducting audits and investigations; recommending policies and procedures that promote economy, efficiency, and effectiveness of agency resources and programs; and preventing fraud, waste, abuse, and mismanagement. The *IG Act* also requires the IG to keep the Federal Election Commission (Commission or FEC) and Congress fully and currently informed about problems and deficiencies in the Commission's operations and the need for corrective action.

This Semiannual Report (SAR) includes the major accomplishments of the FEC Office of Inspector General (OIG), as well as relevant information regarding additional OIG activities. The executive summary highlights the most significant completed activities of the OIG. The *Inspector General Empowerment Act*, which became law in December 2016, added additional reporting requirements to the SAR; those changes are incorporated herein. Additional details pertaining to each activity (e.g., audits, hotline, and investigations) can be found in subsequent sections of this report. The honesty, integrity, and diligent work of our entire IG staff make the accomplishments of the OIG possible.

Audit of the FEC's Fiscal Year (FY) 2017 Financial Statements – Leon Snead & Co. (LSC) conducted the entrance conference for the FEC's 2017 Financial Statement Audit on April 18, 2017. LSC has conducted audit planning, internal controls testing, and followed up on the progress and status of prior year audit recommendations.

As in prior years, the OIG conducted bi-weekly status meetings with LSC and management. LSC conducted the required Governance meetings with the Chair and Vice Chair. At the conclusion of interim testing, LSC identified six audit issues and provided a Notice

of Findings and Recommendation to management for each (see page 3 for additional information). ***Audit of Contract Management and Oversight*** – Originated during a previous reporting period. The OIG selected the audit testing sample and retrieved all contract files for the selected audit samples. Due to the OIG's workload in meeting several mandated IG reporting requirements, only the limited activity described has been conducted on the audit during this reporting period (see page 3 for additional information).

Audit of the FEC's Compliance under the Digital Accountability and Transparency Act of 2014 (DATA Act) – Commenced during this reporting period. The primary purpose of this audit is to satisfy the OIG's responsibilities under the *DATA Act* by assessing the: (1) completeness, timeliness, quality, and accuracy of financial and payment data submitted for publication on USASpending.gov; and (2) the FEC's implementation and use of Government-wide financial data standards established by the Office of Management and Budget (OMB) and the Department of Treasury (The Treasury). This engagement is being conducted as a performance audit in accordance with Generally Accepted Government Auditing Standards, and the Inspectors General Guide to Compliance under the *DATA Act*.

The scope of this audit, which was mandated by the *DATA Act*, is the FEC's fiscal year 2017 second quarter financial and payment data submitted for publication on USASpending.gov. The OIG held the entrance conference on June 14, 2017. As of September 30, 2017, the engagement team has conducted audit planning, internal controls testing, and is in the process of completing detailed testing of financial transactions submitted to the Treasury DATA Broker (see page 3 for additional information).

OIG's Review of Outstanding Recommendations as of August 2017 – On a semiannual basis, the OIG

provides the Commission with a report of outstanding recommendations that contains details of the follow-up work conducted by the OIG. We reviewed 7 audits and inspections that contained a combined total of 59 outstanding recommendations. The OIG was able to close 3 recommendations included in the *Audit of the FEC's Office of Human Resources* and 1 recommendation from the *Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans*, for a total of 4 recommendations closed for this review period; 55 outstanding recommendations remain open as of August 2017. In addition to the details regarding the outstanding recommendations, the report also identified concerns of the OIG that we believe significantly impact the agency's overall control environment and require immediate attention from Governance (see page 5 for additional information).



OIG AUDIT ACTIVITY

Audit of the FEC's FY 2017 Financial Statements

Assignment Number: OIG-17-01

Status: In Progress

Leon Snead & Co. conducted the entrance conference for the FEC's 2017 Financial Statement Audit on April 18, 2017, and the start of fieldwork commenced shortly after. For the interim audit phase, LSC has conducted audit planning, internal controls testing, and followed up on the progress and status of prior year audit recommendations.

In connection with LSC's audit follow-up work, the OIG requested that the Office of General Counsel (OGC) consider management's decision to implement the OIG's prior recommendation to officially adopt the National Institute of Standards and Technology (NIST) information technology (IT) security controls and other applicable IT security best practices during their required assessment of IT security laws and regulations applicable to the agency. In addition, LSC reviewed the status of the Office of the Chief Information Officer's (OCIO) contract with SeNet International to assist the OCIO with implementing the applicable NIST IT security controls.

As in prior years, the OIG conducted bi-weekly status meetings with LSC and management to discuss audit issues, upcoming deliverables, and any outstanding audit requests. Also during interim testing, LSC conducted the required Governance meetings with the Chair and Vice Chair to provide a status update of the audit and address any potential concerns from Governance in relation to the audit.

At the conclusion of interim testing, LSC identified six audit issues and provided a Notice of Findings and Recommendation to management for each. The OIG reviewed all deliverables and significant work papers for the interim phase of the audit and final audit testing is scheduled to start in October.

Audit of Contract Management and Oversight

Assignment Number: OIG-16-02

Status: In Progress

During this semiannual reporting period, the OIG obtained the required system information from management listing all agency contracts. The OIG selected the audit testing sample and retrieved all contract files for the selected audit sample from the Procurement Office. Due to the OIG's workload in meeting several mandated IG reporting requirements, only limited activity has been conducted on this audit during this reporting period. The OIG anticipates more progress on the audit at the conclusion of the agency's annual financial statement audit.

Audit of the FEC's Compliance under the Digital Accountability and Transparency Act of 2014

Assignment Number: OIG-17-05

Status: In Progress

The Audit of FEC's Compliance under the *DATA Act*¹ commenced during this reporting period. The primary purpose of this audit is to satisfy the OIG's responsibilities under the *DATA Act* by assessing the: (1) completeness, timeliness, quality, and accuracy of financial and payment data submitted for publication on USASpending.gov; and (2) the FEC's implementation and use of Government-wide financial data standards established by the OMB and the Treasury. This engagement is being conducted as

¹ The *DATA Act* requires the establishment of government-wide standards for information on spending by Federal agencies, and all agencies must begin reporting spending data in compliance with the *DATA Act*. According to OMB's *Management Procedures Memorandum No. 2016-03*, data reported by Federal agencies in fiscal year 2017 second quarter will be displayed on USASpending.gov by May 2017.

a performance audit in accordance with Generally Accepted Government Auditing Standards, and the Inspectors General Guide to Compliance under the *DATA Act*, which was updated and released in July 2017.

The scope of this audit, which is mandated by the *DATA Act*, is the FEC's fiscal year 2017 second quarter financial and payment data submitted for publication on USASpending.gov. It includes any applicable procedures, certifications, documentation, and controls to achieve this process.

The main objectives are as follows:

- Assess the FEC's internal controls in place over the financial and payment data reported to USASpending.gov per OMB Circular A-123;
- Assess the FEC's internal controls in place over data management, collection, reporting, and processes used to report financial and payment data under the *DATA Act*;
- Assess the general and application controls pertaining to the procurement and financial systems from which the data elements were derived and linked; and
- Perform testing of fiscal year 2017 second quarter financial and payment data submitted by the FEC for publication on USASpending.gov.

To help accomplish the objectives of this performance audit, the OIG has leveraged the work performed by the FEC OIG during the FEC's *DATA Act* Readiness Review and obtained assistance from LSC, the independent public accounting firm that performs our financial statement audit. A contract modification to the FEC's FY 2017 financial statement audit was awarded to LSC to expand, where necessary, interim work and testing around internal controls applicable to implementing the requirements of the *DATA Act*.

The OIG held the entrance conference on June 14, 2017. As of September 30, 2017, the engagement team has conducted audit planning, internal controls testing, and is in the process of completing detailed testing of financial transactions submitted to the Treasury DATA Broker. Preliminary findings have

been communicated to Management and the OIG is waiting for follow-up by Management in order to finalize some of the audit findings and recommendations. The OIG's goal is to meet the reporting deadline requirement which is November 8, 2017. As such, we expect to publish audit results during the next reporting period.



OIG AUDIT FOLLOW-UP ACTIVITY

Office of Inspector General's Review of Outstanding Recommendations as of August 2017

Assignment Number: *OIG-17-07*

Status: *Released September 2017*

Report Location:

[https://transition.fec.gov/fecig/documents/](https://transition.fec.gov/fecig/documents/OIGReviewofOutstandingRecommendationsasofAugust2017.pdf)

[OIGReviewofOutstandingRecommendationsasofAugust2017.pdf](https://transition.fec.gov/fecig/documents/OIGReviewofOutstandingRecommendationsasofAugust2017.pdf)

The OIG provides the Commission with a semi-annual report of outstanding recommendations that contains details of the follow-up work conducted by the OIG and the status of the outstanding OIG audit and inspection recommendations. For this reporting period, we reviewed the following 7 audits and inspections that contained a combined total of 59 outstanding recommendations:

- Audit of the Commission's Property Management Controls;
- 2010 Follow-up Audit of Privacy and Data Protection;
- 2010 Follow-up Audit of Procurement and Contract Management;
- Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans;
- Audit of the FEC's Office of Human Resources;
- Inspection of the FEC's Compliance with FMFIA/OMB A-123; and
- Audit of the FEC Telework Programs.

The OIG's review determined that management had made no significant progress to close any of the outstanding recommendations for five of the seven audits and inspections. The OIG was able to close three recommendations that were included in the *Audit of the FEC's Office of Human Resources*, and one

recommendation from the Inspection of the *FEC's Disaster Recovery Plan and Continuity of Operations Plans*, closing a total of four recommendations for this review period, leaving 55 outstanding recommendations open as of August 2017.

In addition to the details regarding the outstanding recommendations, the report also identified concerns of the OIG that we believe significantly impact the agency's overall control environment and require immediate attention from Governance. Specifically, these areas of concern were related to the high risks impacting the agency's mission, information technology assets, and procurement functions.

The OIG's transmittal letter to the Commission for this report included a request to the Commission to thoroughly review and consider addressing these areas of concern to reduce potential risks to the agency. The OIG has not received any response from Governance regarding this OIG request or report.

OIG SPECIAL REVIEW ACTIVITY

The Council of Inspectors General on Integrity and Efficiency (CIGIE) Purchase Card Project

Assignment Number: OIG-17-04

Status: In Progress

The CIGIE Information Technology (IT) Committee's mission is to facilitate effective IT audits, evaluations, and investigations by OIGs, and to provide a vehicle to express the OIG community's perspective on Government-wide IT operations. Under its operating principles, this committee strives to promote participation by the IG community members in its activities; encourage communication and cooperation with colleagues in the IT field (including Federal Chief Information Officers and staff, and IT security professionals); and promote effective teamwork in addressing Government-wide initiatives, improve Federal Government IT activities, and safeguard national IT assets and infrastructure.

The OIG volunteered to participate in this CIGIE IT Committee's Government-wide purchase card (P-Card) project initiated during the prior reporting period. The main objective of this project is to analyze P-Card data to determine risks associated with purchase card transactions.

The OIG has reviewed the P-Card process and completed testing of FEC's P-Card transactions using the standard algorithms and applicable methodologies established by the CIGIE IT Committee P-Card team. The FEC OIG is in the process of compiling, certifying, and submitting its results to the U.S. Department of Agriculture OIG, which has agreed to compile the results and publish a consolidated report for the CIGIE IT Committee. The FEC OIG is also planning to issue a Management Letter to formally communicate the results of this review to FEC Management. We expect the consolidated report and Management Letter to be issued during the next reporting cycle.

OIG HOTLINE INFORMATION

The OIG Hotline exists to enable FEC employees, FEC contractors, and the public to have direct and confidential contact with the OIG. All allegations and referrals of fraud, waste, abuse, mismanagement, and misconduct involving FEC employees, contractors, programs, operations, property, or funds received through any means are termed “hotline complaints” per OIG policy. Once a hotline complaint has been received, a preliminary inquiry is conducted to determine whether the hotline complaint will have an investigation initiated, referred to management or another agency, or closed with no further action taken.

The OIG considers many factors when evaluating whether to open an investigation based on a hotline complaint, and acknowledges that every hotline complaint received by the OIG will not be investigated, and in many cases a complaint does not merit an investigation. OIG policy requires that hotline complaints be evaluated on certain criteria, including the merits of an allegation, the availability of evidence, and the existing priorities, commitments, and resources of the OIG. Under this policy, hotline complaints are classified as either high or low priority complaints. High priority complaints are investigated and low priority complaints are either closed with no action or referred to the appropriate FEC official for possible further review. Often, a hotline complaint will be closed because a preliminary inquiry found the allegations to be unsubstantiated, there is a lack of information to proceed, or the issue giving rise to the allegation has been otherwise resolved. Hotline evaluation decisions are made by the Chief Investigator, with concurrence from the IG.

The OIG frequently receives reports and allegations which are misdirected complaints that should have been routed to the Office of Complaints and Legal Administration within the Office of General Counsel, are outside the jurisdiction of the OIG or the FEC, or are facially unsubstantiated, meritless or invalid. In

cases of misdirected complaints, a response is sent to the individual referring him or her to the proper office or other agency. In some limited instances where a misdirected communication does not concern a campaign finance violation but falls under the purview of another FEC component or government agency the inquiry may be redirected and sent to the appropriate office or agency directly from the OIG. Reviewing and, where appropriate, responding to these reports and allegations when aggregated can entail a significant amount of staff time and effort, despite the fact that they are not valid hotline complaints. In order to capture and document these hotline contacts, the OIG created a category for “hotline inquiries” that do not meet the criteria for hotline complaints.

During this reporting period, 5 new hotline complaints were opened and 5 hotline complaints were closed; 11 hotline complaints remain open.

OIG INVESTIGATIVE INFORMATION

OIG investigations seek out facts related to allegations of wrongdoing. OIG investigations may address administrative, civil, and criminal violations of laws, regulations, and policies. The subject of an OIG investigation can be any agency employee, an FEC contractor, consultant, or a person or entity involved in alleged wrongdoing affecting FEC programs and operations.

As discussed in *OIG Hotline Information*, all hotline complaints are evaluated to determine if they warrant an investigation. If an investigation is opened, the hotline complaint is closed and merged into the investigative file. OIG investigations involve a detailed examination or inquiry into issues brought to our attention by various sources, and may include interviews of relevant witnesses and subjects, document reviews, and computer forensic examinations. At the conclusion of an OIG investigation, the OIG prepares a report that sets forth the allegations and an objective description of the facts developed during the investigation.

During this reporting period one new investigation was opened, one investigation was closed, and eight investigations remain open. The closed investigation is listed below:

- **Hatch Act Violation**

The OIG initiated an investigation of a Commissioner's Executive Assistant's involvement with the Montgomery County, Maryland ballot initiative, *No on B and Common Cause Maryland*. The OIG found no evidence that the executive Assistant's involvement with *No on B and Common Cause Maryland* violated any restrictions of the Hatch Act.

ADDITIONAL OIG ACTIVITY

Besides conducting audits, inspections, and investigations, the OIG performs, and is involved in an array of additional projects and activities. As required by the *IG Act*, as amended, all legislation compiled by the Commission's Congressional Affairs office is reviewed by the IG. The *IG Act* states that the Inspector General is responsible for: 1) conducting and supervising audits and investigations relating to the FEC's programs and operations; 2) detecting and preventing fraud, waste, and abuse of agency programs and operations while providing leadership and coordination; 3) recommending policies designed to promote economy, efficiency, and effectiveness of the establishment; and 4) keeping the Commission and Congress fully and currently informed about problems and deficiencies in FEC agency programs and operations, and the need for corrective action.

The Deputy IG also reviews and provides comments, when appropriate, on legislation provided by the Council of Inspectors General on Integrity and Efficiency (CIGIE) Legislative Committee. In addition, the Deputy IG routinely reads all Commission agenda items.

Listed below are examples of the OIG's additional activities during this reporting period:

- The OIG participated in an IG community-wide endeavor to place public reports on the oversight.gov website. The FEC OIG's public documents posted on oversight.gov date back to 2013, and include Semiannual Reports to Congress, audit and inspection reports, outstanding recommendation reports, reviews, and management challenges reports. The FEC OIG will continue to post public documents on oversight.gov as those reports are issued.
- The OIG received an inquiry from CIGIE soliciting information relating to experiences with the FY 2018 budgetary process, with additional questions relating to the recent Executive Order on a "Comprehensive Plan for Reorganizing the Executive Branch." The Deputy IG provided a response to the data call. The OIG also reviewed the FEC's plan in response to the Executive Order.
- The OIG provided a response pertaining to Government Accountability Office (GAO) Vacancy Information Confirmation – the OIG is without an acting or permanent IG at this time; the Deputy IG serves as head of the office until the Commission decides to appoint an acting or permanent IG.
- The Deputy IG appeared as a panelist for the DATA Coalition's presentation on *Auditing Compliance and Investigating the Data* for the 4th Annual *DATA Act* Summit held in Washington, DC.
- The OIG Counsel / Chief Investigator responded to an inquiry pertaining to OIG designated positions. In accordance with section 11 (d)(4) (C) of the IG Reform Act as revised by Public Law 110-409 (October 14, 2008), the OIG reported the designated positions within the FEC OIG that qualify as "staff members" for purposes of the Integrity Committee.

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY (CIGIE)

Deputy Inspector General J. Cameron Thurber attended CIGIE meetings, as well as meetings of the Professional Development Committee and Small/Unique OIGs. He also attended the 2017 CIGIE Annual Conference in Shepherdstown, West Virginia, and served on panels for the CIGIE-American University New and Experienced Leaders Courses.



OIG CONTACTS

OIG contacts run the gamut, from citizens expressing their views or trying to reach the right FEC component to graduate students doing research. Contacts requesting information concerning where to submit a complaint or concern are directed to the appropriate FEC component or other agency. Other citizen contacts are handled and responded to as appropriate for the circumstances.

The table below is a reflection of the total contacts received by the OIG for the reporting period. These contacts were made through various sources such as telephone calls, emails, faxes, U.S. mail, and personal visits to the OIG. Those forwarded for action were referred to another FEC component and/or appropriate outside source.

Total Contacts	OIG Action	No Action Necessary	Forwarded for Action
2,600	15	2,573	12

LIST OF TRAINING, MEETINGS AND CONFERENCES

The chart listed below depicts training, meetings, programs, seminars, and/or conferences attended by the Inspector General and/or the OIG staff for the period April 1, 2017 – September 30, 2017:

MEETINGS:

Host / Sponsor	Topic / Subject
<p align="center">Council of Inspectors General on Integrity and Efficiency (CIGIE)</p>	<p>Monthly Meetings Professional Development Committee Meetings Quarterly Small / Unique IG Quarterly Meetings 2017 CIGIE Annual Conference</p>
<p align="center">Council of Counsels to the Inspectors General</p>	<p>Monthly Meetings Small OIG Working Group Meeting</p>
<p align="center">Government Accountability Office</p>	<p>DATA Act Working Group Joint Meetings</p>
<p align="center">Federal Election Commission</p>	<p>Bi-weekly Directors' Meetings with Deputy IG, Acting GC, SD & Acting CFO Finance Committee Meetings Lease Renewal Team Meetings New Employee Orientations Administrative Liaison Group Meetings</p>

TRAINING/CONFERENCES:

Host / Sponsor	Topic / Subject
Council of the Inspectors General on Integrity and Efficiency	2017 Data Analytics Forum SAC Leadership Workshop – Prepare to Lead
Council of the Inspectors General on Integrity and Efficiency / GAO	Financial Statement Audit Conference
Workiva (Virtual)	Fitting the Fraud Triangle into your Culture, Risk Management, and Internal Controls
Society of Corporate Compliance and Ethics Regional Compliance & Ethics	SCCE Conference
Association of Certified Fraud Examiners	Effective Report Writing for Fraud Examiners Professional Interviewing Skills Fraud Examiners Review Course Fraud Examiners 28th Annual Conference
Federal Audit Executive Council	FAEC Annual Conference
African American Federal Executive Association	AAFEA 13th Annual Professional Development Workshop – Business Acumen
Federal Employment Law Training Group	MSPB Law Week Employee Relations Week
Department of Labor	Federal Employees Compensation Act Anti-Fraud Conference
Federal Election Commission	Comprizon – Required Fields Working with Excel 2013 Access 2013 – An Overview Privacy Training – 2017-2018 EEO No Fear Act Information Security Awareness Smartpay Travel Card Training (GSA)

REPORTING REQUIREMENTS

Reporting requirements required by the *Inspector General Act of 1978*, as amended by the *Inspector General Act Amendments of 1988* are listed below:

IG ACT	DESCRIPTION	PAGE
Section 4(a)(2)	Review of Legislation	9
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies	None
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies	None
Section 5(a)(3)	Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed (Table III)	18
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)(7)	Summary of Significant Reports	3
Section 5(a)(8)	Questioned and Unsupported Costs (Table I)	16
Section 5(a)(9)	Recommendations that Funds be put to Better Use (Table II)	17
Section 5(a)(10)(A)	Summary of Audit Reports issued before the start of the Reporting Period for which no Management Decision has been made	N/A
Section 5(a)(10)(B)	Summary of Audit Reports Issued Before the start of the Reporting Period for which No Management Comment was Returned within 60 Days	N/A
Section 5(a)(10)(C)	Summary of Audit Reports Issued Before the Start of the Reporting Period for which There Are Outstanding Unimplemented Recommendations	21
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
Section 5(a)(11)	Peer Review Recommendations	20

Reporting requirements required by the *Inspector General Act of 1978*, as amended by the *Inspector General Act Amendments of 1988* are listed below:

Section 5(a)(17),(18)	Investigative Reports Table and Metrics (Table IV)	19
Section 5(a)(19)	Investigations Involving a Senior Government Employee with Substantiated Misconduct	None
Section 5(a)(20)	Instances of Whistleblower Retaliation	None
Section 5(a)(21)	Attempts by the Agency to Interfere with OIG Independence	None
Section 5(a)(22)	Undisclosed Inspections, Evaluations, Audits, and Investigations	None

TABLE I

Inspector General issued reports with questioned costs (dollar value in thousands)

	NUMBER	QUESTIONED COSTS	UNSUPPORTED COSTS
A. For which no management decision has been made by commencement of the reporting period	0	0	0
B. Which were issued during the reporting period	0	0	0
Sub-Totals (A&B)	0	0	0
C. For which a management decision was made during the reporting period	0	0	0
(i) Dollar value of disallowed costs	0	0	0
(ii) Dollar value of costs not disallowed	0	0	0
D. For which no management decision has been made by the end of the reporting period	0	0	0
E. Reports for which no management decision was made within six months of issuance	0	0	0

TABLE II

Inspector general issued reports with recommendations that funds be put to better use

	Number	Dollar Value (In Thousands)
A. For which no management decision has been made by the commencement of the reporting period	0	0
B. Which were issued during the reporting period	0	0
C. For which a management decision was made during the reporting period	0	0
(i) dollar value of recommendations were agreed to by management	0	0
based on proposed management action	0	0
based on proposed legislative action	0	0
(ii) dollar value of recommendations that were not agreed to by management	0	0
D. For which no management decision has been made by the end of the reporting period	0	0
E. Reports for which no management decision was made within six months of issuance	0	0

TABLE III

Summary of audit and inspection reports with corrective actions outstanding for more than six months

Report Title	Report Number	Issue Date	Recommendations			
			Number	Closed	Open	Cost Savings
Audit of the Commission's Property Management Controls	OIG-09-02	03/10	36	35	1	0
2010 Follow-up Audit of Procurement and Contract Management	OIG-10-02	06/11	29	28	1	0
2010 Follow-up Audit of Privacy and Data Protection	OIG-10-03	03/11	45	20	25	0
Inspection of the Federal Election Commission's Disaster Recovery Plan and Continuity of Operations Plans	OIG-12-06	01/13	30	21 ²	9	0
Audit of the Federal Election Commission's Office of Human Resources	OIG-12-05	07/13	26	21	5	0
Inspection of FEC's Compliance with FMFIA/OMB Circular A-123	OIG-14-01	06/14	8	3	5	0
Audit of the FEC's Telework Programs	OIG-15-03	06/16	11	2	9	0

Cumulative Total Of Outstanding Recommendations 55

² Includes a number adjustment to correct an inadvertent miscalculation from prior report.

TABLE IV

Summary of Investigative Reports

Title	Number
Total Number of Investigative Reports Issued	1
Total Number of Persons Referred to DOJ for Criminal Prosecution	0
Total Number of Persons Referred to State and Local Prosecuting Authorities for Criminal Prosecution	0
Total Number of Indictments and Criminal Information Resulting from Any Prior Referral to Prosecuting Authorities	0

Metrics Used for Developing Data for Table IV:

The Total Number of Investigative Reports Issued reflects the number of all Reports of Investigation (ROI) issued to FEC management, the Department of Justice, or State and local prosecuting authorities during the reporting period;

The Total Number of Persons Referred to DOJ for Criminal Prosecution and Total Number of Persons Referred to State and Local Prosecuting Authorities for Criminal Prosecution reflects the total number of referrals for criminal prosecution made by the FEC OIG to the respective criminal prosecuting authorities during the reporting period;

The Total Number of Indictments and Criminal Informations Resulting from Any Prior Referral to Prosecuting Authorities includes all indictments and informations issued during the reporting period by Federal, State, or local criminal prosecuting authorities based upon any referral by the FEC OIG, whether the referral was made during this reporting period or a prior reporting period. OIG, whether the referral was made during this reporting period or a prior reporting period.

APPENDIX A

PEER REVIEW RESULTS

In accordance with the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Section 989C of Pub. L. No. 111-203), which amended Section 5 of the Inspector General Act of 1978, OIGs are required to include in their semiannual reports (SAR) to Congress the results of peer reviews of their offices, as well as outstanding and not fully implemented recommendations from peer reviews the OIG received from another OIG, and outstanding and not fully implemented recommendations the OIG made in any peer review it performed for another OIG.

Peer Review of the National Endowment for the Arts (NEA) OIG

Assignment Number: OIG -17-02

Status: Completed January, 2017

The FEC OIG completed an audit peer review of the National Endowment for the Arts (NEA) Office of Inspector General during the prior reporting period and issued the final system review report (peer review report) on January 27, 2017. The results of our peer review of the NEA OIG resulted in one recommendation for improvement. Consistent with the requirements of Section 5 of the *IG Act*, the FEC OIG contacted the NEA IG to obtain the status of the recommendation contained in the system review report. According to the NEA IG, corrective action was taken on March 30, 2017, to fully implement our recommendation.



Federal Election Commission
Office of Inspector General

**Review of Outstanding Recommendations
as of August 2017**

September 2017

Assignment No. OIG-17-07

Office of Inspector General's Review of Outstanding Recommendations as of August 2017

Summary of Review

The Office of Inspector General (OIG) semiannually provides to the Commission a report on the status of outstanding recommendations. The OIG provides these status reports as of February and August of each year. For this reporting period, we continued our review of the previous seven audits and inspections with outstanding recommendations as of February 2017. Collectively, these 7 audits and inspections had 59 outstanding recommendations that required follow-up for this review period. Based on the results of the follow-up review, the OIG was able to collectively close only 4 of the 59 outstanding recommendations from 2 separate OIG reports.

OIG Concerns

The overarching concern of the OIG is the lack of governance accountability for ensuring that management enforces the required internal control to assure outstanding recommendations that are intended to improve agency programs and prevent fraud, waste, and abuse are timely and sufficiently implemented. This management control is mandated by the Office of Management and Budget's (OMB) Circulars A-123 and A-50, and also is required by the Federal Election Commission's (FEC) own policy, Commission Directive 50: Audit Follow-up. Governance must hold management accountable for promptly addressing outstanding recommendations to decrease the agency's risk exposure, effectively manage resources, and ensure cost control. Per OMB's Circular A-123, deficiencies reported "...through internal review or by an external audit, should be evaluated and corrected. A systematic process should be in place for addressing deficiencies."

Although corrective action plans (CAP) are created to address audit issues, and are submitted to the Commission biannually,¹ the standard for addressing deficiencies timely and appropriately must be established and enforced by the head of the agency. The OIG has highlighted a few deficiencies below that have gone unaddressed for several years, having an impact on agency operations.

¹ Per Commission Directive 50: Audit Follow-up, management must submit their CAPs to the Commission in May and November of each year.

Risks to Agency Mission

The FEC has operated for almost 13 years without an approved and tested contingency plan to ensure that in the event of a local or agency specific disaster, the Commission would have the ability to continue normal business operations within a reasonable timeframe. This issue was first reported in the agency's 2004 financial statement audit report in relation to Information Technology (IT) control weaknesses, and risks to government IT infrastructure have increased since then. In 2008, management hired a contractor for over \$200,000 to assist with developing the agency's contingency plan. The plans were finalized in 2010, but never tested by management to determine if the plans could be effectively executed. Due to the lack of progress in this critical area over time, the OIG conducted the *Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans* (COOP Inspection) and released a report in 2013 to support the need for improvement in this critical area. The absence of an approved and tested contingency plan poses a material threat to the agency's mission, particularly during timeframes related to election cycles when agency staff is at the height of its daily business operations.

Risks to Agency Assets

The OIG has reported on inventory control weaknesses regarding the Office of the Chief Information Officer's (OCIO) inventory process for laptops since the release of the *2010 Follow-up Audit of Privacy and Data Protection* report. In January 2017, management made the decision to officially accept the risks of this reported internal control weakness to close out the OIG's audit recommendation. However, in accordance with its responsibilities outlined in the Inspector General Act of 1978 (IG Act) to recommend policies to promote efficiency and effectiveness, and to prevent fraud, the OIG continues to encourage management to reconsider its inventory and control process. Specifically, management does not maintain complete inventory records and has inadequate control processes for agency laptops. These weaknesses result in OCIO not having an account for all assets on hand in their inventory database, and the potential for waste of agency funds as assets can sit in storage for long periods of time unused, becoming obsolete due to an inherent short life cycle for IT equipment. In addition, the agency is also susceptible to theft and abuse that can go undetected not having adequate records for inventory.

The OIG has also reported for seven years that the OCIO has not maintained adequate inventory records for agency issued cellular devices as detailed in the *Audit of the FEC's Property Management Controls* report. The continuous issues reported to the Commission through our follow-up reviews illustrates the high risk exposure the agency is subject to in this area, as management's inventory process for laptops is the same for the agency cellular devices. Since the release of the initial OIG reports, the agency has been through at least two or more separate distribution cycles of new agency devices (cell phones and laptops) in which management could have implemented additional controls to fix the reported audit issues.

Risks to Procurement Functions

The six year outstanding *2010 Follow-up Audit of Procurement and Contract Management* recommendation has yet to be closed by the OIG because the updates by management to Commission Directive 66, which is the agency-wide policy for procurement and acquisitions, have yet to be approved by Governance. The Procurement Office is currently understaffed and the Contracting Officer's position has experienced major turnover over the past few years. It is necessary that this essential part of the agency not only has consistent leadership, but also that policies and procedures are established for efficient operations, and for ensuring proper compliance with managing and distributing funds in accordance with Federal regulations.

Table Summary of Results

The table below summarizes the progress made by FEC management since the OIG's last reporting period and the total outstanding recommendations as of August 2017.

<i>Title & Report Date of OIG Audits/Inspection</i>	<i>Total Outstanding Recommendations as of February 2017</i>	<i>Total Closed</i>	<i>Total Open as of August 2017²</i>
Audit of the Commission's Property Management Controls (3/2010)	1	0	1
2010 Follow-up Audit of Privacy and Data Protection (3/2011)	25	0	25
2010 Follow-up Audit of Procurement and Contract Management (6/2011)	1	0	1
Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans (1/2013)	10	1	9
Audit of the FEC's Office of Human Resources (7/2013)	8	3	5
Inspection of FEC's Compliance with FMFIA/OMB A-123 (6/2014)	5	0	5
Audit of the FEC Telework Programs (6/2016)	9	0	9
Total Outstanding Recommendations			55

² Column numbers may include recommendations that management has disagreed with or has not adequately implemented, and the OIG concludes that these recommendations are still open.

Audit Follow-up Meetings/Communications

Closed Audits/Inspections³

The OIG did not close any audits or inspections this review period.

Open Audits/Inspections

A. Audit of the Commission's Property Management Controls

The remaining outstanding recommendation for the *Audit of the Commission's Property Management Controls* (Property Audit) is related to the Office of the Chief Information Officer's (OCIO) inventory records for cellular devices. The OIG has followed up on this recommendation since the release of the report in March of 2010, and this reported weakness within management's business process for appropriately recording agency assets remains an outstanding issue. For the most recent iPhone devices distributed to FEC staff, the OCIO enrolled in Apple's Device Enrollment Program (DEP) to manage the agency devices. For review purposes, the OIG requested documentation of all devices enrolled and who was assigned administrative rights to this system. In addition, we requested the latest vendor billing information and the OCIO's official inventory listing. The OIG found no issues with the current administrative rights assigned to the DEP; however, the following issues with the inventory records for the devices were noted:

- Eight active iPhone devices are missing from OCIO's official inventory record
- One device (same barcode, serial number, and phone number) is assigned to two different FEC employees on OCIO's inventory list
 - Two devices are incorrectly assigned
 - One device is assigned to a user but listed as in storage
 - One device is assigned to the wrong user
- One device is listed as in storage on the OCIO's inventory, although vendor billing shows current usage activity and the device as being assigned to a separated employee
- Inventory records are unclear on how many devices OCIO has on hand
 - 133 iPhones are listed on OCIO's official inventory list⁴

³ An audit or inspection is closed when the OIG determines that all applicable recommendations have been adequately addressed by management.

⁴ This does not include the one duplicate and the eight devices OIG identified from the AT&T bill that were not listed on OCIO's official inventory list

- 138 iPhones are listed on AT&T's latest monthly bill
- 163 iPhones are listed as enrolled devices for FEC per Apple records
 - 36 of the 163 agency iPhones registered with Apple were not recorded as inventory by OCIO

Although OCIO management officially accepted the risks of their inventory process in January 2017, the OIG continues to have concerns that the failure to record all acquired assets upon receipt not only causes the agency to have incomplete inventory records, but also greatly exposes the agency to potential theft of assets without detection from management. During our follow-up review, OCIO management confirmed that new devices are only recorded at the time they are distributed to FEC employees. Management stated as a reason for doing so, "The plastic around the box includes information that we use and removing the wrapping to barcode the device and possibly losing the wrapping becomes a problem that we would rather avoid." However, if the OCIO scanned the information for each purchased device at the time of receipt to ensure they matched the purchase order, the potential loss of pertinent information would be avoided and records would more accurately reflect current inventory. With this process, when a device is issued to staff, the only task necessary would be to assign the already tracked device to the proper user on the inventory listing. *See the OIG Concerns section regarding this matter.*

B. 2010 Follow-up Audit of Privacy and Data Protection

For the *2010 Follow-up Audit of Privacy and Data Protection* (Privacy Audit), the OIG's *Review of Outstanding Recommendations as of February 2017* report identified 25 open recommendations. As we reported in our February 2017 report, the OIG suggested that a meeting with the Privacy Team be scheduled between follow-up review periods to discuss the outstanding recommendations so that management could appropriately provide a status update for this current review period. The OIG provided the Privacy Team with a copy of all the outstanding Privacy Audit recommendations on February 17, 2017, more than a month prior to the meeting scheduled for March 29, 2017. However, management was not prepared to discuss updates or corrective actions during this meeting. The OIG agreed to re-send the previous email and requested that management notify the OIG once it was ready to discuss the status of the open recommendations. The OIG followed up with the Privacy Team again on June 28 and July 18, 2017, but did not receive a response from management. Thus, the 25 outstanding recommendations remain open for the Privacy Audit. The OIG remains agreeable to meeting with the Privacy Team to discuss the outstanding recommendations.

C. 2010 Follow-up Audit of Procurement and Contract Management

The *2010 Follow-up Audit of Procurement and Contract Management* was issued in June 2011. The OIG's *Review of Outstanding Recommendations as of February 2017* report identified only one open recommendation related to the updated Directive 66, which is the overarching agency-wide policy for procurement and acquisitions. This one recommendation is still open for this follow-up review period. *See the OIG Concerns section regarding this matter.*

D. Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans

The *Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans* (COOP Inspection) report was released in January 2013. The OIG's *Review of Outstanding Recommendations as of February 2017* report identified 10 outstanding recommendations. Based on management's revised completion dates in their latest corrective action plan, five recommendations were scheduled to be completed during this follow-up review period. The OIG requested a status update from management regarding the five open recommendations, and was able to close one recommendation assigned to the Chief Information Security Officer upon review of the finalized FEC System Security Plan. The due date for three of the five recommendations was revised to September 2017. The one remaining recommendation was partially completed, as an updated list of COOP essential staff was provided, but a Disaster Recovery Plan has yet to be finalized. Therefore, the COOP Inspection has nine open recommendations remaining.

E. Audit of the FEC's Office of Human Resources

The *Audit of the Federal Election Commission's Office of Human Resources* (OHR Audit) report was issued in July 2013. The OIG's *Review of Outstanding Recommendations as of February 2017* report identified eight open recommendations for the OHR audit report.

In August 2017, the OIG met with the Director of OHR to discuss the status of the eight outstanding audit recommendations as well as review corrective actions since the last follow-up review was conducted in February 2017. Based on follow-up work performed, the OIG closed three recommendations as follows:

- Two open recommendations related to the fingerprinting scheduling process have been closed. The OIG confirmed that the on-line electronic scheduling system (Timetrade) has been fully implemented for automating the scheduling for both fingerprinting and badging appointments.
- One recommendation related to the hiring process has also been closed. The OIG has confirmed that the OHR has converted to the USA Staffing automated system which

follows the standard OPM 80 day hiring model. The new system utilizes workflow and automatically tracks each vacancy according to the OPM 80 day hiring model and stores all applicable forms and documentation.

The OIG would also like to acknowledge the progress made with updating and creating personnel related policies and procedures. For example, OHR has finalized and released the standard operating procedures for both the FERS and CSRS retirement systems, and is in the process of rolling out a service level agreement for hiring. The OHR Director is still waiting on a decision concerning an on-line correspondence tracking system called Service Now which is being considered for agency-wide use. The Director of OHR would like to replace HR On Demand, which is currently used to track and monitor HR inquiries, with the Service Now system, as he believes it would be a more effective and efficient tracking tool. Based on follow-up work performed, the OHR Audit has five open audit recommendations for this follow-up review period.

F. Inspection of FEC's Compliance with FMFIA/OMB Circular A-123

The *Inspection of FEC's Compliance with FMFIA/OMB Circular A-123* (A-123 Inspection) was released in June 2014. The OIG's *Review of Outstanding Recommendations as of February 2017* report identified five open recommendations for the A-123 Inspection report. Since the February 2017 follow-up review period, the Office of the Chief Financial Officer (OCFO), in cooperation with the FEC A-123 Task Force, has formally adopted the Senior Management Council (SMC) charter which will be the designated oversight body responsible for the FEC's internal control and Enterprise Risk Management (ERM) programs. The SMC members have begun meeting on a regular basis to begin developing the FEC's ERM plan. The OIG notes that the initial OMB requirements related to submitting ERM and Fraud Reduction plans by June 4, 2017, have been postponed.

Although progress was made during this review period, the OIG will be unable to close the remaining five recommendations until the FEC fully implements ERM and fraud risk assessments into the Internal Control Report process, and the OIG can verify that the new processes are operating effectively. Therefore, five recommendations remain open for this follow-up review period.

G. Audit of the FEC’s Telework Programs

The *Audit of the FEC’s Telework Programs* (Telework Audit) was released in June 2016. The Telework Audit report identified 11 recommendations. The OIG’s *Review of Outstanding Recommendations as of February 2017* report identified nine open recommendations for the Telework Audit report. In August 2017, the OIG contacted the Telework Management Official and was informed there is no additional updates to report at this time. Therefore, nine recommendations remain open for this follow-up review period.

Background

As required by the Inspector General Act of 1978, as amended, the OIG is responsible for conducting audits of the FEC's programs and operations. In addition to conducting and supervising audits, the OIG also has the responsibility to conduct audit follow-ups to ensure that management has effectively implemented OIG recommendations. Audit follow-up, including the timely implementation of audit recommendations by FEC management, is required by Office of Management and Budget Circular A-50, *Audit Follow-up*, as revised, and FEC Directive 50: *Audit Follow-up*.

At the conclusion of each OIG audit and inspection, it is management's responsibility to develop a corrective action plan (CAP). The CAP identifies the plan management has developed to address the OIG's findings and recommendations. The CAP should detail the following:

1. assignment of Audit Follow-up Official, who is responsible for overseeing the corrective action;
2. OIG finding(s);
3. OIG recommendation(s);
4. detailed corrective action to implement the OIG's recommendation(s);
5. FEC staff person with responsibility to implement each task; and
6. expected completion dates.

Once management drafts the CAP, the OIG then reviews the CAP and provides comments to management regarding the sufficiency of their planned corrective actions to address the OIG's findings. Management reviews the OIG's comments, finalizes the CAP, and then provides the final CAP to the Commission with a courtesy copy to the OIG.

FEC Directive 50 requires management to:

(3) Conduct regular meetings with the Inspector General throughout the year to follow-up on outstanding findings and recommendations, and include reports of these meetings in the written corrective action plan and semi-annual reports required to be presented to the Commission...;

In order to work effectively with FEC management in adhering to FEC Directive 50, and to ensure continuous monitoring and adequate and timely audit resolution, the OIG communicates with management at least semiannually to discuss the status of outstanding OIG recommendations. If management has implemented any corrective action(s), the OIG schedules a meeting with management to discuss the implementation of the corrective action(s), and the OIG then reviews evidence of the corrective action (e.g., new/updated policies, procedures, and processes to improve internal controls).

To provide management with timely feedback and the results of our review prior to management's reporting deadlines to the Commission in May and November, the OIG reports on our review of outstanding recommendations as of February and August of each year. The semiannual meetings are also intended to assist the audit follow-up official in following provisions 4 through 6 of Directive 50, which are listed as follows:

- (4) Respond in a timely manner to all audit reports;*
- (5) Engage in a good faith effort to resolve all disagreements; and*
- (6) Produce semi-annual reports that are submitted to the agency head.*

The official status (open/closed) of OIG recommendations is determined by the OIG once the OIG has verified that management has adequately implemented the corrective actions. The Inspector General can also make a decision to close recommendations or seek resolution from the Commission for recommendations where the OIG and management disagree. Lastly, the number of outstanding recommendations is also reported to the Commission and Congress in the OIG's Semiannual Reports to Congress.

APPENDIX C

The Federal Election Commission

In 1975, Congress created the Federal Election Commission to administer and enforce the *Federal Election Campaign Act of 1971*, as amended. The duties of the FEC, an independent regulatory agency, are to disclose campaign finance information, enforce the provisions of the law, and oversee the public funding of Presidential elections.

The Commission consists of six members who are appointed by the President and confirmed by the Senate. Each member serves a six-year term, and two seats are subject to appointment every two years. By law, no more than three Commissioners can be members of the same political party, and at least four votes are required for any official Commission action. The Chairmanship of the Commission rotates among the members each year, with no member serving as Chairman more than once during his or her term.

Currently the FEC Commissioners consist of – Steven T. Walther, Chair; Carolyn C. Hunter, Vice Chair; Commissioners Lee E. Goodman; Matthew S. Petersen; and Ellen L. Weintraub.

Office of Inspector General

The *Inspector General Act of 1978*, as amended, states that the Inspector General is responsible for: 1) conducting and supervising audits and investigations relating to the FEC's programs and operations; 2) detecting and preventing fraud, waste, and abuse of agency programs and operations while providing leadership and coordination; 3) recommending policies designed to promote economy, efficiency, and effectiveness of the establishment; and 4) keeping the Commission and Congress fully and currently informed about problems and deficiencies in FEC agency programs and operations, and the need for corrective action.

Federal Election Commission Office of Inspector General



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Individuals including FEC and FEC contractor employees are encouraged to alert the OIG to fraud, waste, abuse, and mismanagement of agency programs and operations. Individuals who contact the OIG can remain anonymous. However, persons who report allegations are encouraged to provide their contact information in the event additional questions arise as the OIG evaluates the allegations. Allegations with limited details or merit may be held in abeyance until further specific details are reported or obtained. Pursuant to the Inspector General Act of 1978, as amended, the Inspector General will not disclose the identity of an individual who provides information without the consent of that individual, unless the Inspector General determines that such disclosure is unavoidable during the course of an investigation. To learn more about the OIG, visit our Website at: <http://www.fec.gov/fecig/fecig.shtml>

Together we can make a difference.