

U.S. COMMISSION ON CIVIL RIGHTS
OFFICE OF INSPECTOR GENERAL

SEMIANNUAL REPORT TO CONGRESS

October 1, 2012, through March 31, 2013

TABLE OF CONTENTS

Letter	1
Introduction	3
Activities of the Office of Inspector General	4
Appendix: Reporting Requirements of the Inspector General Act of 1978, as Amended	7

April 26, 2013

Commissioners, U.S. Commission on Civil Rights
1331 Pennsylvania Avenue, NW
Suite 1150
Washington, DC 20425

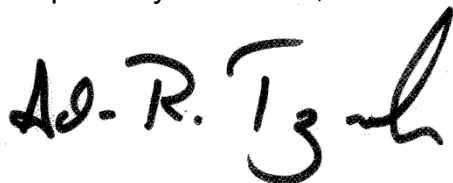
I am submitting this semiannual report in accordance with Section 5 of the Inspector General Act of 1978, as amended. The report summarizes the activities of the Office of Inspector General (OIG) for the period October 1, 2012, to March 31, 2013.

The act requires that you transmit the report to the appropriate congressional committees within 30 days of receipt. Your transmittal should also include any comments you consider appropriate and other statistical tables and reports required by law.

During this semiannual period, the OIG issued an important report on management challenges existing at the U.S. Commission on Civil Rights (Commission) in 2012. One of the serious management challenges facing the Commission concerns vacancies in key positions, including staff director, deputy staff director, and general counsel, that have remained vacant for several years. The staff director, who serves as the administrative head of the Commission, must be appointed by the President with the concurrence of a majority of the Commissioners. The OIG believes that until the staff director position and other key positions are filled, the ability of the Commission to establish an efficient and effective organization is significantly hindered.

I appreciate the Commission's support and look forward to working with you to help promote economy and efficiency in the operations of the U.S. Commission on Civil Rights.

Respectfully submitted,

A handwritten signature in black ink that reads "A. R. Trzeciak" with a stylized flourish at the end.

Adam Trzeciak
Inspector General

List of Commissioners

The Honorable Martin R. Castro, Chairman

The Honorable Abigail Thernstrom, Vice Chair

The Honorable Roberta Achtenberg

The Honorable Todd Gaziano

The Honorable Gail Heriot

The Honorable Peter Kirsanow

The Honorable David Kladney

The Honorable Michael Yaki

INTRODUCTION

THE U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights (Commission), created pursuant to the Civil Rights Act of 1957,¹ is responsible for investigating allegations of voting rights deprivations because of color, race, religion, sex, age, disability, or national origin or as a result of any pattern or practice of fraud. In addition, the Commission is also responsible for performing the following functions regarding discrimination, denials of equal protection of the laws, or the administration of justice because of color, race, religion, sex, age, disability or national origin: (a) collecting and studying information; (b) making appraisals of federal laws and policies; (c) serving as a national clearinghouse for information; and (d) preparing public service announcements and advertising campaigns. The Commission may hold hearings and, within specific guidelines, issue subpoenas to obtain certain records and require witnesses to appear at hearings. It is also required to maintain state advisory committees and consult with representatives of federal, state, and local governments and private organizations to advance its fact-finding work.

The Commission is required to issue reports on its investigative findings to Congress and the President, and to recommend legislative remedies. The Commission also must submit annually to Congress and the President at least one report that monitors federal civil rights enforcement in the United States. In addition, because it lacks enforcement powers that would enable it to apply remedies in individual cases, the Commission refers specific complaints it receives to the appropriate federal, state, or local government agencies for action.

THE OFFICE OF INSPECTOR GENERAL

The U.S. Commission on Civil Rights' Office of Inspector General (OIG) was created by the Consolidated and Further Continuing Appropriations Act of 2012.² The Act designated the Inspector General of the Government Accountability Office (GAO) to serve as the Inspector General of the Commission, and directed personnel of GAO's OIG to perform the duties, responsibilities, and authorities of the Commission's Inspector General as specified in the Inspector General Act of 1978, as amended.³ In our capacity as the Commission's OIG, we audit and investigate programs and operations administered or financed by the Commission, and keep the Commissioners and Congress fully and currently informed about fraud or other serious problems, abuses, and deficiencies we identify.

¹41 U.S.C. 1975 et seq.

²Pub. L. No. 112-55, 125 Stat. 552, 628 (Nov. 18, 2011).

³5 U.S.C. app.

ACTIVITIES OF THE OFFICE OF INSPECTOR GENERAL

AUDITS AND EVALUATIONS

As shown in Table 1, we issued two audit reports and one evaluation. Details of these reports are provided below.

Table 1: Issued Audit and Evaluation Reports October 1, 2012, through March 31, 2013

Report number and date	Title
OIG/USCCR-13-1, November 7, 2012	<i>Fiscal Year 2012 Management and Performance Challenges</i>
OIG/USCCR-13-2, November 15, 2012	<i>Federal Information Security Management Act Evaluation for Fiscal Year 2012</i>
OIG/USCCR-13-3, March 15, 2013	<i>The U.S. Commission of Civil Rights: Fiscal Year 2012 Compliance with the Improper Payments Elimination and Recovery Act of 2010</i>

Source: OIG.

FISCAL YEAR 2012 MANAGEMENT AND PERFORMANCE CHALLENGES (OIG/USCCR-13-1)

For fiscal year 2012, the OIG identified two serious management challenges for the Commission: the need to (1) align its organizational structure with its budget, which has remained constant for more than a decade, and (2) better use state advisory committees to help the Commission achieve its mission. The Commission has several vacancies in key positions, including staff director, deputy staff director, and general counsel, that have remained vacant for several years. The staff director, who serves as the administrative head of the Commission, must be appointed by the President with the concurrence of a majority of the Commissioners. We believe that until the staff director position and other key positions are filled, the ability of the Commission to establish an efficient and effective organization is significantly hindered. The Commission agreed with the reported challenges. We did not make recommendations in this report.

FEDERAL INFORMATION SECURITY MANAGEMENT ACT EVALUATION FOR FISCAL YEAR 2012 (OIG/USCCR-13-2)

Our evaluation determined that the Commission has established an overall information security program that is generally consistent with the requirements of the Federal Information Security Management Act of 2002,⁴ OMB implementing guidance, and standards and guidance issued by the National Institute of Standards and Technology. However, we identified improvements needed in contingency planning, configuration and vulnerability management, risk management, and security training. Our report included five recommendations to help the agency more fully implement federal

⁴ 44 U.S.C. 3541 et seq.

information security requirements for these program elements. The Commission agreed with our findings and recommendations.

THE U.S. COMMISSION ON CIVIL RIGHTS: FISCAL YEAR 2012 COMPLIANCE WITH THE IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010 (OIG/USCCR-13-3)

Our audit determined that the Commission complied with the reporting requirements of the Improper Payments Elimination and Recovery Act of 2010,⁵ performed the required risk assessment to identify those programs and activities susceptible to significant improper payments, and performed a payment recapture audit cost-benefit analysis. The fiscal year 2012 report contained no recommendations. The Commission agreed with our conclusions and had no further comments.

INVESTIGATIVE ACTIVITIES

The OIG received two complaints. As shown in Table 2, we closed one investigation and did not open any new investigations during this reporting period. At the end of the reporting period, four investigations remained open.

Table 2: Summary of OIG Investigations October 1, 2012, through March 31, 2013

Investigations open at the start of the reporting period	5
New investigations initiated this reporting period	0
Total investigations	5
Disposition of investigations	
Investigations closed	1
Total investigations open at the end of the reporting period	4

Source: OIG.

OTHER ACTIVITIES

LEGISLATIVE AND REGULATORY REVIEW

As required by the Inspector General Act of 1978, as amended, the OIG reviews proposed legislation and regulations to assess whether the proposed legislation or regulation impacts the economy and efficiency of the Commission's programs and operations. During this period, we identified no legislation or regulation affecting the programs or operations of the Commission.

PEER REVIEW

Government Auditing Standards require that each audit organization performing audits in accordance with these standards must have an external peer review. The objectives of a peer review are to determine, for the audit function, whether an effective quality

⁵ Pub. L. No. 111-204, 124 Stat 2224 (July 22, 2010).

control system has been established in the office and if policies, procedures, and applicable government auditing standards are being followed. Peer reviews must be performed at least once every 3 years by reviewers independent of the audit organization being reviewed.

The Inspector General Act requires federal offices of inspectors general to include in their semiannual reports to Congress an appendix containing the results of any peer review conducted by another OIG during the reporting period, or, if no peer review was conducted within the reporting period, a statement identifying the date of the last peer review conducted by another OIG. We have not scheduled or undergone a peer review. Further, we did not conduct a peer review of any other OIG.

APPENDIX: REPORTING REQUIREMENTS OF THE INSPECTOR GENERAL ACT OF 1978, AS AMENDED

Table 3 identifies the reporting requirements prescribed by the Inspector General Act of 1978, as amended. References noted as “none” indicate that there was no information to report during this reporting period. Tables 4 and 5 identify the number of reports issued with questioned costs and recommendations that funds be put to better use, respectively.

Table 3: Index of IG Act Reporting Requirements

Reference	Reporting requirements	Page
Section 4(a)(2)	Review of legislation and regulations	5
Section 5(a)(1)	Significant problems, abuses, and deficiencies	4
Section 5(a)(2)	Recommendations for corrective action with respect to significant problems, abuses, and deficiencies	None
Section 5(a)(3)	Significant recommendations described in previous semiannual reports for which corrective action has not been completed	None
Section 5(a)(4)	Matters referred to prosecuting authorities and resulting prosecutions and convictions	None
Sections 5(a)(5) and 6(b)(2)	Summary of instances reported to the Commissioners where records were not provided or other information or assistance was refused	None
Section 5(a)(6)	List of reports issued during the reporting period	4
Section 5(a)(7)	Summary of significant reports	4 and 5
Section 5(a)(8)	Statistical table—audit, inspection, and evaluation reports with questioned costs	Table 4
Section 5(a)(9)	Statistical table—audit, inspection, and evaluation reports with recommendations that funds be put to better use	Table 5
Section 5(a)(10)	Summary of audit reports issued before the commencement of the reporting period for which no management decision has been made	None
Section 5(a)(11)	Significant revised management decisions made during the reporting period	None
Section 5(a)(12)	Significant revised management decisions with which the Inspector General is in disagreement	None
Section 5(a)(14) through (16)	Peer review requirements	5
Section 5(d)	Serious or flagrant problems, abuses, or deficiencies reported to the Commissioners	None

Source: OIG.

Table 4: Audit, Inspection, and Evaluation Reports with Questioned Costs

Reporting requirement	Number of reports	Number of recommendations	Questioned costs	Unsupported costs
For which no management decision has been made by the commencement of the reporting period	0	0	0	0
Which were issued during the reporting period	0	0	0	0
For which a management decision was made during the reporting period	0	0	0	0
For which no management decision has been made by the end of the reporting period	0	0	0	0

Source: OIG.

Table 5: Audit, Inspection, and Evaluation Reports with Recommendations That Funds Be Put to Better Use

Reporting requirement	Number of reports	Number of recommendations	Dollar value
For which no management decision has been made by the commencement of the reporting period	0	0	0
Which were issued during the reporting period	0	0	0
For which a management decision was made during the reporting period	0	0	0
For which no management decision has been made by the end of the reporting period	0	0	0

Source: OIG.

REPORTING FRAUD, WASTE, AND ABUSE IN THE U.S. COMMISSION ON CIVIL RIGHTS

To report fraud, waste, or abuse in Commission programs and operations (which you may do anonymously), do one of the following.

- Call toll-free (866) 680-7963 to speak with a hotline specialist, 24 hours a day, 7 days a week.
- Report online at: <https://oig.alertline.com>.

OBTAINING COPIES OF OFFICE OF INSPECTOR GENERAL REPORTS, PUBLICATIONS, AND TESTIMONIES

- Copies of OIG reports, publications, and testimonies are available on the Commission's website: <http://www.usccr.gov/OIG/index.php>.