

- c. Agencies shall provide a summary of how their overpayments recaptured through payment recapture audits were used; the summary shall include the disposition of amounts recaptured through payment recapture audits.

The following table provides the disposition information for the overpayments recaptured in FY 2017 through the Department's payment recapture audit activities. As shown in the table, \$8.521 million of the \$8.529 million recaptured (or 99 percent) was returned to the original purpose for which the payments were made.

**Disposition of Funds Recaptured through Payment Recapture Audits  
(Dollars in Millions)**

DOJ Mission-Aligned Program	Amount Recaptured in FY 2017	Disposition	
		Returned to Original Purpose	Agency Expenses to Administer the Program
Administrative, Technology, and Other	\$2.261	\$2.261	\$0.000
Litigation	\$1.226	\$1.226	\$0.000
Law Enforcement	\$0.878	\$0.870	\$0.008
State, Local, Tribal, and Other Assistance	\$1.661	\$1.661	\$0.000
Prisons and Detention	\$2.501	\$2.501	\$0.000
<b>TOTAL</b>	<b>\$8.529</b>	<b>\$8.521</b>	<b>\$0.008</b>

- d. Agencies shall provide an aging schedule of the amount of overpayments identified through the payment recapture audit program that are outstanding, including the percent such amounts represent of the total overpayments identified through payment recapture audits, i.e., overpayments that have been identified but not recaptured. Agencies should also report the amount determined to be not collectible, including the percent such amount represents of the total overpayments of the agency.

The following table provides the aging schedule for the \$2.232 million in overpayments identified in FY 2017 through payment recapture audits that were outstanding (not recaptured) as of the end of FY 2017. Of the \$2.232 million, the majority (\$1.521 or 68.1 percent) were outstanding 0 to 6 months; \$0.711 million (or approximately 31.9 percent) were outstanding 6 months to 1 year. As reported previously in this section in II.a., management determined 1.4 percent of the total overpayments identified in FY 2017 through payment recapture audits to be not collectible.

**Aging of Outstanding Overpayments Identified through Payment Recapture Audits  
(Dollars in Millions)**

DOJ Mission-Aligned Program	Amount Outstanding (0 to 6 months)	Amount Outstanding (6 months to 1 year)	Amount Outstanding (over 1 year)	Amount Determined to be Not Collectible
Administrative, Technology, and Other	\$0.001	\$0.000	\$0.000	\$0.000
Litigation	\$0.030	\$0.262	\$0.000	\$0.000
Law Enforcement	\$0.815	\$0.075	\$0.000	\$0.017
State, Local, Tribal, and Other Assistance	\$0.577	\$0.264	\$0.000	\$0.118
Prisons and Detention	\$0.079	\$0.070	\$0.000	\$0.000
<b>TOTAL</b>	<b>\$1.521</b>	<b>\$0.711</b>	<b>\$0.000</b>	<b>\$0.135</b>
<i>Percent of FY 2017 Total Overpayments</i>	15.2%	7.1%	0.0%	1.4%

**III. Barriers.**

Agencies with programs and activities with improper payments exceeding the statutory thresholds shall describe any statutory or regulatory barriers that may limit the agency's corrective actions in reducing improper payments and actions taken by the agency to mitigate the barriers' effects.

Not applicable. Based on the results of the FY 2017 Department-wide risk assessment, there were no programs and activities with improper payments exceeding the statutory thresholds.

**IV. Accountability.**

Agencies with programs and activities with improper payments exceeding the statutory thresholds shall describe the steps the agency has taken and plans to take to ensure that agency managers, accountable officers, program officials/owners, and States and localities (where appropriate) are held accountable for reducing and recapturing improper payments through annual performance appraisal criteria. Specifically, they should be held accountable for meeting applicable improper payment reduction targets and establishing and maintaining sufficient internal controls that effectively prevent improper payments from being made and promptly detect and recapture any improper payments that are made.

Not applicable. Based on the results of the FY 2017 Department-wide risk assessment, there were no programs and activities with improper payments exceeding the statutory thresholds.

**V. Agency Information Systems and Other Infrastructure.**

Agencies with programs and activities with improper payments exceeding the statutory thresholds shall describe whether the agency has the internal controls, human capital, and information systems and other infrastructure it needs to reduce improper payments to the levels the agency has targeted. If the agency does not have such internal controls, human capital, and information systems and other infrastructure, describe the resources the agency requested in its most recent budget submission to Congress to establish and maintain the necessary internal controls, human capital, and information systems and other infrastructure.

Not applicable. Based on the results of the FY 2017 Department-wide risk assessment, there were no programs and activities with improper payments exceeding the statutory thresholds.

**VI. Sampling and Estimation.**

Agencies with programs and activities with improper payments exceeding the statutory thresholds shall briefly describe the statistical sampling process conducted to estimate the improper payment rate for each program identified as being susceptible to significant improper payments.

Based on the results of the FY 2017 Department-wide risk assessment, there were no programs susceptible to significant improper payments. This remains unchanged from FY 2016. Two Department programs received funds under the Disaster Relief Appropriations Act of 2013 (Disaster Relief Act) – the Law Enforcement Program and the Prisons and Detention Program. Payments made with those funds are subject to the sampling and estimation requirements mentioned above. However, due to the limited number of FY 2016 payments made with Disaster Relief Act funds, the Department chose to test 100 percent of those payments rather than a sample. No improper payments were identified, therefore, the improper payment rate for payments made with Disaster Relief Act funds is zero percent.



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**U.S. DEPARTMENT OF JUSTICE OFFICE OF THE INSPECTOR GENERAL**

950 Pennsylvania Avenue, Northwest  
Suite 4760  
Washington, DC 20530 0001

**Website**

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### INVESTIGATIVE SUMMARY

#### **Findings of Misconduct by a DEA Division Counsel for Using DEA Resources to Raise Funds for a Charitable Organization Outside of the CFC**

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation of a Drug Enforcement Administration (DEA) Division Counsel based on information received that the Division Counsel improperly raised funds on behalf of the Drug Enforcement Administration Survivors Benefit Fund (SBF), a private 501(c)(3) organization created for the purpose of providing financial benefits to surviving family members of DEA employees and deputized task force officers killed in the line of duty.

The OIG substantiated the allegation that the Division Counsel violated federal fundraising ethics regulations by using his government e-mail account and other government resources to take actions in support of the SBF, including: (i) sending e-mails from his DEA e-mail account to DEA employees seeking volunteers to perform work relating to a golf tournament held to raise money for the SBF; (ii) drafting letters on his government computer while on duty in which he solicited contributions to the SBF from businesses; (iii) communicating with representatives of a resort while on duty regarding the golf tournament to benefit the SBF; (iv) providing information while on duty to businesses and DEA employees about the golf tournament; and (v) soliciting donations while on duty from businesses for the SBF.

The OIG completed its investigation and provided its report to the DEA for action it deems appropriate.

Posted to [oig.justice.gov](http://oig.justice.gov) on 11/11/2019

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