



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS' DETENTION FACILITIES

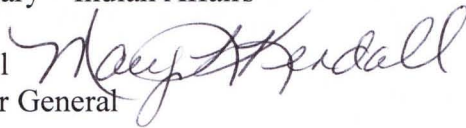


OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

MAR 31 2011

Memorandum

To: Larry Echo Hawk
Assistant Secretary – Indian Affairs

From: Mary L. Kendall 
Acting Inspector General

Subject: Final Evaluation – Bureau of Indian Affairs' Detention Facilities
Report No. WR-EV-BIA-0005-2010

This memorandum transmits the results of our final report detailing the results of our evaluation of the Bureau of Indian Affairs' (BIA) detention facilities. Our objective was to determine what happened to budget funds provided to BIA for staffing detention facilities if they were not used to hire staff. In addition, we wanted to determine what actions BIA has taken to adequately staff these facilities.

We found that BIA does not have a budget allocation for staffing its detention facilities nor a financial management system that identifies, accumulates, and reports on how funds are spent agency-wide. We learned that BIA failed to address staffing shortages reported in a 2004 Office of Inspector General report, and detention facilities continue to be understaffed. Furthermore, we found that the facilities themselves are in poor condition.

Following the completion of our fieldwork, we met with the bureau's newly appointed Deputy Director of the Office of Justice Services, who has been working on a holistic approach to address overall detention operational deficiencies, which includes the recruitment and retention of correctional officers and improving the overall physical conditions of detention facilities. The bureau is also working on establishing a system to track the number of various law enforcement staff positions agency-wide and account for the allocation and expenditure of law enforcement funds.

The draft report contained three recommendations directed to the Assistant Secretary – Indian Affairs. In the Indian Affairs' February 22, 2011 response to the draft report (Appendix 3), the Assistant Secretary concurred with two of the recommendations. Based on the response, we requested additional information for all three recommendations (see Appendix 4 for the status of the recommendations). We respectfully request a written response to this report, number WR-EV-BIA-0005-2010, within 30 days. The response should provide information detailing actions taken or planned to address report recommendations, officials involved, and target dates for implementation. Please address your response to:

Ms. Kimberly Elmore
Assistant Inspector General for Audits, Inspections, and Evaluations
U.S. Department of the Interior
Office of Inspector General
1849 C Street, NW. MS 4428
Washington, DC 20240

If you have any questions regarding this report, please do not hesitate to contact me at 202-208-5745.

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Results in Brief

The U.S. Department of the Interior Office of Inspector General conducted a review of the Bureau of Indian Affairs' (BIA) detention facilities in 2004 that concluded that BIA's detention facilities were severely understaffed and in poor physical condition. As a result, BIA received significant funding increases to address these issues. We conducted this evaluation specifically to determine how BIA spent their increased funding and how they addressed staffing issues.

We found that BIA does not employ a specific budget allocation for staffing its detention facilities Nationwide. Instead, BIA's Office of Justice Services (OJS) decides how detention funds are allocated by facility and by tribe.

We could not determine how BIA spent the increased funding it received because in fiscal years 2005 through 2010, the appropriation language did not specify how detention funds were to be used, leaving it to bureau management discretion. The bureau does not have a financial management system that identifies, accumulates, and reports on how funds are spent agency-wide by activity or cost category. Without specific appropriations or accounting, we could not identify the funding that should have been used to pay salaries for existing employees, as well as new hires, to address the staffing shortages. We found that BIA has failed to address staffing shortages, which has created an unsafe atmosphere for both staff and inmates.

While the scope of this review did not include assessing the state of the facilities, we could not ignore the egregious physical conditions of the detention facilities that we visited including, but not limited to, unsecure fencing, doors, and windows; absence of practiced safety and security measures; leaky roofs; rusted sinks, toilets, and showers; and an overall lack of cleanliness.

Following the completion of our fieldwork, we met with the bureau's newly appointed Deputy Director of OJS, who has been working on a holistic approach to address overall detention operational deficiencies, which includes the recruitment and retention of correctional officers and improving the overall physical conditions of detention facilities. The bureau is also working on establishing a system to track the number of various law enforcement staff positions agency-wide and account for the allocation and expenditure of law enforcement funds.

Introduction

Objective

Our objective was to determine how the Bureau of Indian Affairs (BIA) spent the significant funding increases received for staffing its detention facilities and what actions it was taking to adequately staff these facilities.

Background

In September 2004, the U.S. Department of the Interior, Office of Inspector General (OIG), issued a report, “Neither Safe Nor Secure: An Assessment of Indian Detention Facilities,” which found that BIA failed to provide safe and secure detention facilities throughout Indian Country. Among many of the report’s findings, it stated that BIA’s detention program funding was managed haphazardly and virtually unaccounted for once distributed to tribes, and that detention centers were being operated under minimum staffing levels.

Since this time, BIA’s detention facilities received funding from BIA’s Operation of Indian Programs through the Department’s annual appropriation. Detention funds are two-year monies. Funding for detention has increased 48 percent from \$43.8 million in 2005 to \$64.7 million in 2009. In fiscal years 2005 through 2010, appropriation language did not specify how detention funds were to be used. BIA reported that as of September 2009, the detention program consisted of 94 detention facilities: 23 bureau-operated facilities, 52 tribally-operated facilities under Public Law (P.L.) 93-638 contracts, and 19 tribally-operated facilities under self governance compact agreements.

Corrections data provided by BIA shows that the majority of these facilities continue to have staffing shortages. According to the National Institute of Corrections Standards (a sub-agency of the U.S. Department of Justice, Federal Bureau of Prisons), bureau-operated facilities should employ a total of 445 staff members, and tribally-operated facilities should employ a total of 1290 staff members. In 2009, BIA’s bureau-operated facilities were staffed at only 38 percent, with 168 staff members, and BIA’s tribally-operated facilities were staffed at only 67 percent, with 861 staff members.

Findings

We could not determine how BIA spent the funding increases it received to fix the staffing shortages at its detention facilities. Our review revealed that despite a significant increase in funds, BIA has not fully staffed its facilities.

BIA does not have an allocation for staffing its detention facilities or a financial management system that identifies, accumulates, and reports on how funds are spent. Without specific allocation and a financial management system, we could not determine how the funds for staffing were used. We found that since the issuance of the OIG's 2004 report, BIA failed to address staffing shortages.

Furthermore, while the scope of our review did not include the physical conditions of BIA detention facilities, we could not ignore the poor conditions of the facilities themselves.

Funding Allocation

We found that BIA accounts for expenditures related to bureau-operated facilities, whereas BIA does not account for expenditures related to tribally-operated facilities. BIA's human resources data show that bureau-operated facilities employ 132 correctional officers with about \$5.5 million in salaries. Figure 1 illustrates salary and benefits expenditures for bureau-operated facilities in fiscal years 2008 and 2009.

**BIA-Operated Facilities
2008 and 2009 Expenditures for Salaries and Benefits**

Fiscal Year	Total Allocated	Total Spent on Salaries and Benefits	Percentage Spent on Salaries and Benefits
2008	\$27 million	\$13.1 million	49 percent
2009	\$32 million	\$13.3 million	42 percent

Figure 1. This table illustrates both the dollars allocated to BIA-operated facilities from fiscal year 2008 to fiscal year 2009 and the percentage of those dollars used for salaries and benefits.

The bureau's accounting of the P.L. 93-638 tribally-operated facilities entails only the drawdown of the funding allocated to the tribe. In fiscal years 2008 and 2009, P.L. 93-638 tribally-operated facilities were allocated \$29 million and \$31 million, respectively. These tribes track their own expenditures so financial data provided by BIA shows only the amount allocated and drawn down (expenditure).

Unspecified Allocation and Central Tracking for Detention Funds

We found that BIA does not have a specific allocation for staffing. Instead, the Office of Justice Services (OJS) allocates a lump sum amount to each facility and tribe. We could not easily determine how detention funds were used because BIA does not have a financial management system that identifies, accumulates, and reports on how funds are spent agency-wide by activity or cost category. We were told that detention funds, when not used for hiring, are primarily used to pay for staff overtime, temporary relocation of staff, contract bed space, vehicle purchases, operating costs, or other law enforcement activities not directly related to detention.

Once funds are allocated to the facility, if bureau-operated, or to the tribe, if tribally-operated, management at each of the facilities decides how to distribute funds. For bureau-operated facilities, we found that in fiscal years 2008 and 2009, BIA spent about \$13.1 million and \$13.3 million in salaries and benefits, respectively. BIA budget officials provided us some documentation showing that detention funds were “swept” or reprogrammed from the program to other public safety and justice programs. These officials stated that they provided us with all the documentation they could find. We found that detention funds “swept” or reprogrammed amounted to a minimum of about \$2.9 million, or 4.5 percent, in fiscal year 2008 and about \$2.3 million, or 3.5 percent in fiscal year 2009.

Based on the minimal data provided in various forms of documentation by the facilities visited, we determined that between 44 and 86 percent of funds allocated to bureau-operated facilities were used for salaries and benefits in fiscal year 2009. We were told that staffing shortages exist for a variety of reasons, such as a lack of proactive management and direction; socioeconomic challenges, such as remote locations, unavailable housing, and low salary; applicants frequently fail background checks; or human resources processing delays related to hiring new employees.

Staffing Issues

Understaffed Detention Facilities

BIA has failed to address staffing shortages. During our site visits, we were told that facilities vary in their level of staffing for a variety of reasons. Figure 2 illustrates the understaffed facilities we visited.

Staffing Levels at Facilities Visited

Facility	Inmate Capacity	Correctional Officers		
		Required officers	Total officers	Average number of officers per shift
Blackfeet Detention Center	44	21	7	1-2
Crow Law Enforcement Center	32	13	8	1-2
Truxton Canon Agency Detention Center	40	21	5	2
Pine Ridge Detention Center – Oglala Sioux Tribal Offenders Facility	144	45	36	4-5
Medicine Root Detention Center – Kyle Correctional Facility	24	17 ¹	8	1
San Carlos Department of Corrections and Rehabilitation	156	64	55	4-5
Rosebud Adult Detention Center	68	15	10 ²	1-3
Hualapai Juvenile Detention and Rehabilitation Center ³	24	23	29	3-4

Figure 2. This table shows staffing levels at facilities.

¹ Includes all facility staff.

² Includes two officers detailed from juvenile facility.

³ This facility is fully staffed.

As a result of staffing shortages, correctional officers work long hours and often incur overtime pay. Furthermore, they must often forgo vacation or time off for illness because it would either be denied or be a burden to their coworkers. For example, we were told that one correctional officer at the Crow Law Enforcement Center resigned because her request for maternity leave was denied due to a staffing shortage. We were also told that two correctional officers recently resigned from the Truxton Canon Agency Detention Center because of long hours

and the inability to use annual leave or sick leave. This facility was shut down in 2005 due to staffing shortages but reopened in 2007.

Insufficient staffing also affects inmate supervision. At the sites we visited, we found that inmate housing units are intermittently monitored via a control room rather than directly supervised, which increases the risk of serious incidents. For example, as a result of poor supervision, an in-custody death occurred at the Pine Ridge Detention Center – Oglala Sioux Tribal Offenders Facility (Pine Ridge), and correctional officers were attacked at the Crow Law Enforcement Center. Officers stated that these incidents occurred because of too few officers available to monitor the inmates.

At the Pine Ridge facility and Medicine Root Detention Center – Kyle Correctional Facility (Medicine Root) staffing shortages occurred, in part, because of the reduction in force ordered by the Chief of Police in August 2009. We were told that six to seven correctional officer positions were eliminated from the Pine Ridge facility while a corrections official stated that he witnessed an increase in police officer positions, equipment, and vehicles. At the Medicine Root facility, one correctional officer's position was eliminated while the jail administrator stated that he witnessed an increase in police staff, benefits, training, and equipment. The jail administrator also stated that the corrections program should be moved out from under the Chief of Police.

BIA attempted to address the staffing shortage by entering into a \$1 million, 1-year contract with the National Native American Law Enforcement Association (NNALEA) for recruitment services. As a result of deficiencies in the award process and price negotiations, a vague statement of work, and unspecific contract performance requirements that our office identified in the contract,¹ BIA terminated the contract after 8 months for convenience on February 25, 2010. Since the contractor claimed to have performed most of the work necessary under the terms of the contract, BIA agreed to pay \$967,000 for recruitment efforts which bore little, if any, benefit.

In February 2010, BIA issued a report in response to a Congressional inquiry from former U.S. Senator Byron Dorgan (D-ND) acknowledging that although the bureau received significant budget increases for law enforcement and corrections over the last 3 years, it had been unable to increase the numbers of trained staff for various reasons. The BIA report stated that “[a]lthough much of the evidence for these obstacles is anecdotal, we hear them frequently, and believe that each of them has at least some measure of truth.

- Human resources process takes too long.

¹ Management Advisory – Bureau of Indian Affairs’ Contract With the National Native American Law Enforcement Association Contract No. CBK00090002 (Report No. WR-EV-BIA-0015-2009), dated February 2, 2010.

- Current pay grade structure lower than other federal agencies, particularly for corrections officers and law enforcement supervisors performing the same type of duties.
- Remote areas, with poor job opportunities for spouses.
- In some areas, the lack of available housing for law enforcement employees acts as a barrier to recruitment and retention.
- The length of the Indian Police Academy (IPA) courses and its distance from many tribal locations.
- High dropout rate from the IPA: 56.6 percent attrition from the Basic Police Officer training program and 38.4 percent attrition from the Basic Corrections Officer Training.
- Lack of a permanent BIA law enforcement recruitment program.
- Failure to identify and recruit qualified Indian candidates.
- Dangerous working conditions.
- Lack of upward mobility; many officers are hired away by other agencies.”

DOJ Grant Process

We found that the Department of Justice (DOJ) grant process impacts the current BIA detention facility situation. Currently, DOJ awards grants to tribes for construction and renovation of detention facilities, and BIA is responsible for operating and maintaining these facilities. We were told, however, that BIA and DOJ do not coordinate well in this process. BIA officials commented that they want more involvement in the decision-making process because of the impact on detention funding. For example, in 2009, DOJ awarded ARRA construction and renovation grants amounting to about \$220 million. A DOJ official stated, however, that no ARRA funds were provided for operating these facilities, so it will be difficult for BIA to fully staff, operate, and maintain new facilities when it cannot do so for existing facilities.

Facilities in Unsatisfactory or Poor Condition

Our objective did not include assessing the physical conditions of the detention facilities, yet we could not ignore the egregious conditions we noted during our review. We consider more than half of the nine detention facilities we visited to be in unsatisfactory or poor condition, to include: leaky roofs; defective heating, fire safety, and security systems; non-detention grade doors, windows, and fencing; rust-stained sinks, toilets, and showers; and an overall lack of cleanliness.

BIA-Operated Facilities

The Blackfeet Detention Center needs several repairs and upgrades. We observed non-locking doors, non-detention grade doors and door handles, garbage bags used as shower curtains, and recreation yard concertina wire with gaps wide enough for an inmate to easily fit through.



Figure 3. OIG photo of a shower that uses a garbage bag as a shower curtain at the Blackfeet Detention Center.

The Crow facility has structural deficiencies and needs repairs. We observed non-detention grade doors, windows, and fencing; nonworking security cameras; rust-stained sinks, toilets, and showers; and an overall lack of cleanliness. We also observed potential health and safety hazards, including electrical wires running from one pod to another, fire extinguishers accessible to inmates, recreation and dining areas improperly secured, and potential escape routes. We also observed a relatively new sally port,² fully funded by BIA, unfinished and boarded up.



Figure 4. OIG photo of an inmate dining area with a non-detention grade exit door at the Crow facility.

² A sally port is a secure entry way that consists of a series of doors or gates.

The Truxton Canon facility also has structural deficiencies and needs repairs. We observed a non-working intercom system, excessive use of extension cords, gaps under the perimeter fence, an unsecure sally port, and a potential escape route.

Tribally-Operated Facilities

At the relatively new Pine Ridge facility, we observed an improperly working heating system, and a broken sally port door.

We found that the Medicine Root facility needs major renovations and repairs. We observed improperly working security and fire equipment; leaky roofs; non-working and rust-stained sinks, showers, and toilets; and stained holding cells.

Conclusion and Recommendations

Conclusion

Our review found no significant improvements in the staffing situation of BIA's detention facilities since the OIG report issued in 2004. The problems identified in this evaluation cannot be attributed solely to a lack of funding. Rather, it is how those funds are allocated and spent. We could not easily determine how detention funds were used because there is no financial management system that identifies, accumulates, and reports on how funds are spent agency-wide by activity or cost category. Without specific allocations, we cannot identify what money was to be spent on salary, or what was done with the money that should have been spent on salary.

Recent Actions to Address Staffing Shortages at Detention Facilities

On November 19, 2010, following the completion of our fieldwork, we met with the bureau's newly appointed Deputy Director of OJS. We were encouraged to learn that the Deputy Director has been working on a holistic approach to address overall detention operational deficiencies, which includes the recruitment and retention of correctional officers and improving the overall physical conditions of detention facilities. For example, we were told that the bureau has developed and begun implementing a recruitment model to hire correctional officers, which has already shown promising practices to help alleviate staffing shortages. This model includes, at a minimum, salary up-grades, open and continuous job vacancies for correctional officer positions Nationwide, recruitment and retention bonuses, and duty station travel allowances. The bureau is also working on establishing a system to track the number of various law enforcement staff positions agency-wide and account for the allocation and expenditure of law enforcement funds.

Recommendations

We recommend that the Assistant Secretary – Indian Affairs:

1. Develop and implement a financial management system that identifies, accumulates, and reports on detention funding priorities, budget allocations, and expenditures agency-wide by activity or cost category.

Indian Affairs Response: The Bureau of Indian Affairs disagrees that a financial management system needs to be developed and implemented because BIA already has and utilizes several financial management systems, which, taken together, will accomplish the same objectives. These systems identify, accumulate, and report on detention funding down to the agency level. In addition, BIA utilizes in-house tracking tools along with financial information to prepare reports on such items as spending by object classification. The financial system and tracking tools allow BIA to track budget allocations and expenditures agency-wide by activity and budget object class category to the individual tribe and agency, and in the

case of the Direct Service, to the individual item and budget object cost category.

OIG Reply: We could not complete our objective because the Bureau of Indian Affairs' financial management system and tracking tools cannot identify and account for detention funding expenditures by activity, such as staffing, or the number of corrections officers by facility. We disagree with BIA's assertion that these systems as a whole provide the necessary management information. For example, in the case of Direct Service, which is only 25 percent of BIA's detention program, the bureau has salary data but does not account for funding used for existing staff versus new hires, which is necessary to track the funding increases that BIA received to address the staffing shortage. The bureau does not account for how funding is spent for the remaining 75 percent of the detention program. We found that very little has changed since 2004 when our office reported that funds were virtually unaccounted for once allocated to the bureau-operated and tribally-operated detention facilities. Therefore, we request that BIA reconsider its position on this recommendation and provide a plan for implementation, including target dates for completion and the official(s) responsible.

2. Develop and implement plans and strategies to alleviate detention staff shortages (staff recruitment and retention). Specifically, these plans and strategies should address issues such as the lack of proactive management, unavailable housing, remote locations of the facilities, low pay grade structure, and human resources processing delays.

Indian Affairs Response: The Bureau of Indian Affairs concurs with the recommendation to develop and implement plans and strategies to address staffing shortages. Newly appointed Office of Justice Services (OJS) management has placed an emphasis on hiring within the Division of Corrections. Pay grades of all Division of Corrections field positions have been, or are being, upgraded to come in line with similar positions in other Federal agencies. As a result, there has been an increase in applications and the ability to hire much needed staff. In an attempt to rapidly fill vacant positions on the Standing Rock Reservation, BIA is scheduled to pilot an expedited hiring process in March 2011. If successful, the pilot will be duplicated at other locations. In addition, OJS human resources services were recently relocated in anticipation of increasing the interaction and productivity of processing applications. To address staff housing shortages, OJS is working with local BIA agency superintendents and tribes and the Office of Facilities Management to find suitable housing.

OIG Reply: We request that the Bureau of Indian Affairs provide a plan for implementing this recommendation, including target dates for completion and the official(s) responsible.

3. Improve the physical condition of bureau-operated and tribally-operated detention facilities, and ensure that maintenance and repairs are being performed as required.

Indian Affairs Response: The Bureau of Indian Affairs concurs with the recommendation to improve the physical condition of detention facilities and ensure that maintenance and repairs are being made. The improvement, repair, and new construction of facilities is continuous and therefore, has no completion date. Condition assessments are conducted every 3 years through a contractual arrangement. When identified, deficiencies are recorded in a database, with health and safety deficiencies being corrected first. Major project and operation and maintenance funding is provided by annual appropriations through the Public Safety and Justice Construction budget. Operation and maintenance funds for existing facilities are distributed based on a formula.

OIG Reply: The Bureau of Indian Affairs agrees with the recommendation and states that the bureau is already working to address this issue, but stated that the program does not have a date of completion. To ensure that appropriate corrective actions are being taken to improve, maintain, and repair facilities, we request that BIA provide the bureau's detention facility improvement and repair plan of action and the official(s) responsible, as well as documentation on the nature and extent of improvements and repairs made to bureau-operated and tribally-operated facilities.

Appendix I: Scope and Methodology

Our scope covered fiscal year 2008 through the present and included only BIA-operated and Public Law 93-638 contract tribally-operated facilities. We conducted our evaluation in accordance with the *Quality Standards for Inspections* as put forth by the President's Council on Integrity and Efficiency. To accomplish our objective, we conducted the following activities:

- Reviewed DOI-OIG's 2004 report "Neither Safe Nor Secure: An Assessment of Indian Detention Facilities." Other related coverage was reviewed, but this report was considered most pertinent to our evaluation;
- Reviewed applicable laws, regulations, and bureau policies and procedures related to detention;
- Reviewed BIA's public safety and justice budget justifications for fiscal years 2005 through 2010;
- Reviewed Congressional appropriations related to the BIA's public safety and justice program for fiscal years 2005 through 2010;
- Interviewed Office of Management and Budget, DOI, DOJ, BIA, tribal, and contractor officials; and
- Judgmentally selected and conducted site visits of nine detention facilities.

OJS management provides a lump sum amount of funding to the Office of Self Governance for allocation to the self-governed tribes. Our review did not include self-governance compact tribes, or a review of the economy and efficiency of the tribes visited.

Appendix 2: Sites Visited and/or Contacted

Site Visited	Location
BIA Offices	Washington, DC Reston, VA Albuquerque, NM Phoenix, AZ Billings, MT
DOI Law Enforcement Offices	Washington, DC
Office of Management and Budget*	Washington, DC
Department of Justice*	Washington, DC
NNALEA Headquarters	Washington, DC
San Carlos Department of Corrections and Rehabilitation (638)	San Carlos, AZ
Hualapai Juvenile Detention and Rehabilitation Center (638)	Peach Springs, AZ
Truxton Canon Agency Detention Center (BIA)	Peach Springs, AZ
Crow Law Enforcement Center (BIA)	Crow Agency, MT
Blackfeet Detention Center (BIA)	Browning, MT
Pine Ridge Detention Center - Oglala Sioux Tribal Offenders Facility (638)	Pine Ridge, SD
Rosebud Adult Detention Center (638)	Rosebud, SD
Wanbli Wiconi Tipi Detention Center (638)**	Rosebud, SD
Medicine Root Detention Center – Kyle Correctional Facility (638)	Kyle, SD

*Site contacted but not visited

**Site visited but not thoroughly evaluated

Appendix 3: Bureau Response

See the pages that follow for the bureau's response.



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:

FEB 22 2011

Memorandum

To: Kimberly Elmore
Assistant Inspector General for Audits, Inspections and Evaluations

Through: Larry Echo Hawk
Assistant Secretary – Indian Affairs

From: Michael Black
Director, Bureau of Indian Affairs

Subject: Office of Inspector General Draft Evaluation – Bureau of Indian Affairs
Detention Facilities, (Report No. WR-EV-BIA-0005-2010)

This memorandum is in response to your draft evaluation report dated February 3, 2011, regarding the Bureau of Indian Affairs (BIA) detention facilities. The report identified three recommendations for the BIA to consider. The BIA concurs with two of the three recommendations and has already begun corrective actions to address each area of concern.

Recommendation #1

Develop and implement a financial management system that identifies, accumulates, and reports on detention funding priorities, budget allocations, and expenditures agency-wide by activity or cost category.

Response:

Indian Affairs does not concur with recommendation 1.

Indian Affairs disagrees that a financial management system needs to be developed and implemented because IA already has and utilizes several financial management systems, which taken together will accomplish the same objectives. These systems identify, accumulate and report on detention funding down to the agency level. These financial management systems are the Federal Financial System (FFS) and the Business Objects Enterprise System (BOES). In addition, Indian Affairs also utilizes in-house tracking tools as the Budget Execution and Reporting Tool (BERT) and the Document Direct to utilize information from the FFS to prepare specific reports on such items as spending by object classification. FFS is the legacy financial system used by DOI bureaus that have not yet migrated to the Financial and Business Management System (FBMS). FFS is the official financial system of Indian Affairs. FFS, in concert with BOES, BERT, and Document Direct, provides a complete set of financial

management tools that allows for tracking budget allocations and expenditures agency wide by activity and budget object class category. These tools allow the BIA, Office of Justice Services (OJS) the ability to track budget allocations and expenditures to the individual Tribe and Agency and, in the case of the Direct Service, to the individual item and budget object cost category.

Recommendation #2

Develop and implement plans and strategies to alleviate detention staff shortages (staff recruitment and retention). Specifically, these plans and strategies should address issues such as the lack of proactive management, unavailable housing, and remote locations of the facilities, low pay grade structure, and human processing delays.

Response:

Indian Affairs concurs with recommendation 2.

As noted in the Evaluation Report, the OJS new management structure has placed an emphasis on hiring within the Division of Corrections (DIVCORR). Pay grades of all DIVCORR field positions have been, or are being, upgraded to come in line with similar positions in other Federal agencies. For example, GS-0007-Corrections Officers have been upgraded from GS-3/4/5 to GS-5/6/7. This upgrade has resulted in an increase in applications and the ability to hire much needed additional staff. OJS' expectation is that this will result in significant interest and applications as well as contribute to improved retention rates.

In an attempt to rapidly fill vacant positions, OJS, in cooperation with Indian Affairs Office of Human Capital Management, is scheduled to pilot an expedited hiring process on the Standing Rock Reservation in early March 2011. This process will entail application and initial background processing and the ability to "Direct Hire." Based on the expected success of the pilot, it will be duplicated at other locations. For the longer term, the human resources function(s) which services OJS was recently relocated from Anadarko, Oklahoma to Reston, Virginia, which is expected to increase the interaction and productivity of the processing. The lack of staff housing is also being addressed and OJS has been working with local BIA Agency Superintendents and Tribes to find suitable housing. OJS is also working with the Office of Facilities Management (OFMC) on housing alternatives such as modular housing. Lack of housing is not always a problem, but where it is, OJS has been working diligently with other partners to mitigate the problem.

Point of Contact:

Charlie Addington, Associate Director, Field Operations Division (202)-208-5787

Recommendation # 3

Improve the physical condition of bureau- and tribally-operated detention facilities and ensure that maintenance and repairs are being performed as required.

Response:

Indian Affairs concurs with recommendation 3.

The facilities improvement, repair and new construction program is managed through the Facilities Management Information System and conforms to the Department of the Interior Asset Management Plan. The facility conditions are included in a data base of all facility deficiencies. Deficiencies are recorded whenever discovered and in addition, every three years, a full condition assessment is conducted through a contract arrangement with a consulting firm specializing in facility operations and maintenance.

Funds for correction of deficiencies are provided through annual appropriations and include operations and maintenance funds as well as major project funds are used to improve and repair facilities as a single project or construct new facilities as provided through Public Safety and Justice Construction budget. Routine operations and maintenance funds are distributed on a fair share basis by formula and are used to maintain existing structures. Deficiencies are corrected in a safety and health first priority, with other corrections following. In addition, a risk assessment program is used in evaluating the threat to health and safety risk of the deficiency with imminent threats eliminated immediately through corrective action or other threats corrected in accordance with the risk evaluation. Due to the nature of improvements, repairs and construction to correct facilities deficiencies, the program is continuous and does not have a date of completion.

Point of Contact:

Mr. John Rever, Director, Facilities, Environmental and Cultural Resources, Indian Affairs
(703)-390-6314.

Appendix 4: Status of Report Recommendations

Recommendation	Status	Action Required
1	Indian Affairs does not concur; reconsider and additional information requested	Reconsider recommendation and provide a plan for completing the action, including target dates and official(s) responsible.
2	Indian Affairs concurs; additional information requested	Provide a plan for completing the actions, including target dates and official(s) responsible.
3	Indian Affairs concurs; additional information requested	Provide the bureau's detention facility improvement and repair plan and documentation on the nature and extent of improvements and repairs made to bureau-operated and tribally-operated facilities.

Report Fraud, Waste, and Mismanagement



Fraud, waste, and mismanagement in Government concern everyone: Office of Inspector General staff, Departmental employees, and the general public. We actively solicit allegations of any inefficient and wasteful practices, fraud, and mismanagement related to Departmental or Insular Area programs and operations. You can report allegations to us in several ways.



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