



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

**Recommendations 1 – 3 and 4 – 6  
From the Evaluation Report  
Titled, *The Bureau of Indian  
Education Is Not Ensuring That  
Background Checks at Indian  
Education Facilities Are Complete*  
(Report No. 2017-WR-024)**



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SEP 23 2020

Memorandum

To: Tonya Johnson  
Deputy Chief Financial Officer and Director, Office of Financial Management

From: Amy R. Billings *Amy R. Billings*  
Central Region Manager for Audits, Inspections, and Evaluations

Subject: Verification Review – Recommendations 1 – 3 and 6 – 8 From the Evaluation Report Titled *The Bureau of Indian Education Is Not Ensuring That Background Checks at Indian Education Facilities Are Complete* (2017-WR-024) Report No. 2020-CR-033

The Office of Inspector General has completed a verification review of 6 of the 11 recommendations presented in the subject report. Our objective was to determine whether the Bureau of Indian Education (BIE) implemented the recommendations as reported to the Office of Financial Management (PFM), Office of Policy, Management and Budget. The PFM reported to us that the recommendations had been implemented and closed. We concur that Recommendations 1 – 3 and 6 – 8 have been implemented.

## Background

Our February 2018 evaluation report, *The Bureau of Indian Education Is Not Ensuring That Background Checks at Indian Education Facilities Are Complete*, found that the BIE was not completing and updating required background checks for its employees, contractors, and volunteers who have regular contact with children. We made 11 recommendations to help the BIE improve its background check process for both BIE-operated and tribally controlled schools.

On December 26, 2017, the BIE responded to our draft report, concurred with the report's recommendations, and detailed its plans to implement them. On the basis of the response, we considered Recommendations 1 – 10 resolved but not implemented and Recommendation 11 to be unresolved. In a February 15, 2018 memorandum, we referred the 11 recommendations to the Assistant Secretary for Policy, Management and Budget to track their resolution and implementation. As of June 2, 2020, the PFM reported Recommendations 1 – 3 and 6 – 8 as implemented and closed; therefore, only these six recommendations are included in the scope of this review. The five remaining recommendations had not been reported as closed at the start of this review.

## Scope and Methodology

We limited the scope of this review to determining whether the BIE implemented the six recommendations reported closed. To accomplish our objective, we reviewed the supporting documentation the BIE provided to the PFM and collected and reviewed additional supporting documentation from the BIE. We did not perform internal control testing, visit sites, or conduct fieldwork to determine whether the underlying deficiencies we initially identified have been corrected. As a result, this review was not conducted in accordance with generally accepted government auditing standards, issued by the Comptroller General of the United States, or the *Quality Standards for Inspection and Evaluation*, issued by the Council of the Inspectors General on Integrity and Efficiency.

## Results of Review

We found that the BIE has implemented Recommendations 1 – 3 and 6 – 8.

**Recommendation 1:** Develop and implement policy requiring that local law enforcement checks, including tribal law enforcement, be completed prior to final adjudication of the OPM [U.S. Office of Personnel Management] background check.

**Action Taken:** The BIE Human Resources Officer issued a memorandum to his staff, dated March 19, 2019, to update the personnel security pre-employment screening process to ensure coverage for State and local law enforcement checks. In addition, the policy includes follow-up action if disqualifying issues are identified. The BIE Human Resources Office followed that memorandum with more detailed policy, signed June 10, 2019, requiring the completion and favorable review of local law enforcement inquiries (tribal) and State criminal history repository checks prior to entry-on-duty and suitability determinations. This process change was effective June 2019 and applied to all childcare-designated positions within the BIE. Therefore, we consider Recommendation 1 implemented and closed.

**Recommendation 2:** Follow up with the Navajo Police Department to identify and implement the steps needed to complete the local law enforcement checks.

**Action Taken:** Local law enforcement checks involving the Navajo Police Department had not been completed as the checks required a nominal fee. According to the security specialist who formerly led BIE background checks, the Navajo Police Department was willing to waive the local law enforcement fee, following a formal request from the BIE Director. According to the BIE's response to our recommendation, the Office of the Director, BIE, and the Solicitor's Office coordinated on an agreement between the BIE and the Navajo Nation to waive the fee and complete the local law enforcement checks. However, the BIE was unable, ultimately, to implement the waiver agreement with the Navajo Nation. Instead, the BIE updated its *Security Screening Requirements for BIE Childcare Positions* policy to include a requirement that the applicant is responsible for any required fees incurred during tribal law enforcement coordination. The BIE noted that it informed the Navajo Police Department of the changes that were put in place in lieu of the waiver agreement.

On the basis of our review of closure documentation, we concluded that, although the BIE did not come to an agreement with the Navajo Nation, the BIE mitigated the payment issue with the updated policy, which included applicant responsibility for local fees and required completion of local law enforcement inquiries prior to final determination. Therefore, we determined the BIE met the intent of Recommendation 2, and we consider it implemented and closed.

**Recommendation 3:** Develop and implement a plan to complete reinvestigations that addresses both the backlog and reinvestigations coming due.

**Action Taken:** The BIE entered into an agreement with the U.S. Department of the Interior's Interior Business Center (IBC) Human Resources Directorate to complete overdue and future reinvestigations. The agreement's period of performance was extended to September 30, 2021, and specific support to be provided by the IBC includes but is not limited to:

- Coordinating and processing background investigations for applicants, employees, and contractors
- Adjudicating all background investigation results for suitability determination and issuing national security clearances per BIE and OPM regulations and policies
- Coordinating directly with the BIE's Human Resources Office to address unfavorable adjudications and determinations or revoking national security clearances
- Consulting with the BIE on applying OPM or agency personnel security regulations, policies, and procedures

In addition, a BIE official informed us that the bureau added a security officer supervisor and doubled the number of security specialists (from four to eight) who work with the IBC on reinvestigations and will be capable of sustaining all new reinvestigations after the agreement expires in September 2021. On the basis of supporting documentation provided by the BIE, we consider Recommendation 3 implemented and closed.

**Recommendation 6:** Develop and implement up-to-date procedures for the background check process.

**Action Taken:** The BIE worked with the IBC to update its policies on background investigations. Specifically, the BIE Human Resources Office updated its personnel security pre-employment screening process to complete State and local background checks prior to entry-on-duty and suitability determinations. In addition, during fiscal years (FYs) 2018 and 2019, the BIE Personnel Security Office met with security specialists and other BIE and IBC stakeholders to incorporate changes and additions to processes and procedures. Therefore, we consider Recommendation 6 implemented and closed.

**Recommendation 7:** Ensure that schools are provided with consistent access to current procedures, as well as other tools and forms applicable to the background check process.

**Action Taken:** The BIE engaged in outreach and training for schools on background investigation procedures and tools in December 2018. The IBC also provided school security points of contact (POCs) with additional guidance on required childcare background checks and answers to frequently asked questions in April 2019. In addition, the BIE created a new Security Officer Admin Repository SharePoint site, which includes school security POC updates and materials provided during 2019 and 2020 trainings. On the basis of our review of the supporting documentation provided, we consider Recommendation 7 implemented and closed.

**Recommendation 8:** Develop and implement standardized background check training for the schools to be received on a periodic basis.

**Action Taken:** In FY 2019, the BIE conducted annual training for assigned security staff. Specifically, from February 25 to 28, 2019, the BIE provided two daily training sessions on the School Point of Contacts and Affiliate Workforce Tracking System. According to training materials we obtained from the BIE, these trainings provided instruction for school security POCs on personnel security processes, use of the tracking system, and onboarding. The IBC's Personnel Security Services and the BIE's Personnel Security office partnered to provide this information to schools.

In addition, a BIE official stated that the BIE Personnel Security office provided in-person training for all school security POCs at the Southwest Indian Polytechnic Institute in March 2020. According to its Security Officer Admin Repository SharePoint site, the BIE also provided web-based trainings for its staff in 2019 and 2020, including a Personnel Security Training Seminar from July 14 to 16, 2020. The BIE also used the SharePoint site to provide school security POCs with announcements, updates, and historical training materials. On the basis of our review of this information, we consider Recommendation 8 implemented and closed.

## **Conclusion**

We concluded that Recommendations 1 – 3 and 6 – 8 are implemented. We informed BIE officials of the results of this review on August 18, 2020.

We would like to thank the BIE for providing us the information we requested during our review. If you have questions about this verification review, please contact me at 303-236-9243.

cc: Tara Sweeney, Assistant Secretary–Indian Affairs  
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