APPENDIX X

BUREAU OF PRISONS' RESPONSE TO THE REPORT

U. S. Department of Justice

Federal Bureau of Prisons

Office of the Director

Washington, DC 20534

July 10, 2002

MEMORANDUM FOR GUY K. ZIMMERMAN
ASSISTANT INSPECTOR GENERAL FOR AUDIT

FROM: Kathleen Hawk Sawyer, Director
Federal Bureau of Prisons

SUBJECT: Response to the Office of Inspector General's (OIG) Draft Report: The Federal Bureau of Prisons' Control Over Weapons and Laptop Computers

The Bureau of Prisons (BOP) appreciates the opportunity to formally respond to the Office of the Inspector General's (OIG) draft report entitled The Federal Bureau of Prisons' Control Over Weapons and Laptop Computers. The BOP takes its responsibility of accounting for government property seriously and is always looking for ways to improve policies and procedures that will allow us to meet this goal. This report has several recommendations that will assist us in improving our management controls over weapons and laptops.

The OIG points out that two weapons were lost or stolen by the BOP during the two-year review period. We believe it is important to highlight the circumstances surrounding these missing weapons and the actions taken by the BOP upon discovery of the two weapons classified by the OIG as "lost or stolen." One weapon was lost by an airline while a BOP employee was traveling to specialized weapons training. The employee promptly reported the loss to the airline, ensured that the airline conducted a search for the missing weapon, and was instrumental in obtaining monetary reimbursement from the airline. The weapon was reported missing within 24 hours. The second weapon was discovered missing by BOP staff after the transfer of several weapons between facilities. This incident was referred to the

OIG in May 2001. We expect to receive the results of the investigation soon. Upon receipt of the report, liability and responsibility will be determined.

In addition, the OIG reported the BOP had 27 laptop computers, out of an inventory of approximately 3000 "lost or stolen" during the two-year review period. Two were stolen while in the possession of employees through no negligence of the employee. The majority of the remaining 25 were discovered missing during BOP cyclical inventories. Five of the twenty-five previously identified as missing have been located. The BOP continues to search for these items through the inventory process and expects to locate more of the 20 currently unaccounted for. It should be noted that none of these laptops contained classified information.

The Bureau concurs with the report and offers the following comments.

Recommendation #1: Implement procedures to maintain an accurate count of lost and stolen weapons and laptop computers.

Response: The Bureau agrees with the recommendation. BOP policies and procedures will be revised to incorporate these new procedures. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #2: Develop policy and implement procedures for reporting missing weapons and laptop computers through the BOP chain of command to ensure that:

a. initial reports of loss are timely and consistent. This policy should ensure an audit trail and should address: the report format, the time period allowed between the discovery of the loss and filing of the report, identification of the person to report to, the method to forward the report to the Property Officer and the Security Programs Manager, follow-up mechanism to ensure that an investigation was conducted, follow-up mechanism to determine the final disposition of the property, a central log of all reports filed, and a reconciliation of confirmed thefts and losses recorded as such in the property management system to the Department Semiannual Report;
b. lost or stolen weapons are promptly entered into the NCIC system; and
c. Reports of Survey are improved to include relevant dates, adequate documentation of the action taken to investigate the loss, and an assessment of the disciplinary action required.

Response: The Bureau agrees with the recommendation.

a. BOP policies and procedures will be revised to provide procedures regarding the method and timing of initial reports by employees for lost or stolen weapons and laptop computers;

b. BOP policies and procedures will be revised to provide procedures to ensure all lost or stolen weapons are promptly reported and entered into the National Crime Information System (NCIC); and

c. BOP policies and procedures will be revised to include relevant dates, adequate documentation of the action taken to investigate the loss, and an assessment of the disciplinary action required.

BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #3: Initiate action to recover the laptop computer from the separated employee or receive reimbursement for the value of the item when appropriated.

Response: The Bureau agrees with the recommendation. Property Management will determine the value of the laptop computer and forward all pertinent information to the BOP's Office of Internal Affairs by July 26, 2002.

Recommendation #4: Ensure that all Property Officers understand and utilize the "method of disposal" field in the property management system so that lost and stolen items are identified as such.

Response: The Bureau agrees with the recommendation. All property officers have been notified, via electronic memorandum, to ensure the correct Disposition Method Code for all disposed controlled personal property is entered into the SENTRY Property Management System (SPMS) in accordance with the SENTRY Property Management Technical Reference Manual. (see attachment A)

Recommendation #5: Advise Property Officers to review procedures for lost, missing, and stolen property with their APOs, and remind all employees of their responsibility for reporting lost, missing, or stolen property.

Response: The Bureau agrees with the recommendation. BOP policies and procedures will be revised to incorporate these new

procedures. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #6: Weapons that are no longer authorized for use and meet the definition of excess property be disposed.

Response: The Bureau agrees with the recommendation. BOP policies and procedures will be revised to incorporate these new procedures. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #7: FLETC is provided with the AITS, or a similar database, that will enable it to locate weapons by FPS ID number.

Response: The Bureau agrees with the recommendation. Central Office approval of AITS use at FLETC is pending. BOP anticipate approval by November 2002.

Recommendation #8: The field size for serial numbers is increased in the SPMS to accommodate a minimum of 15 digits.

Response: The Bureau agrees with the recommendation. The SPMS serial number field will be increased from a 12-character alpha/numerical field to a minimum 15-character alpha/numerical field, and policies and procedures will be revised to reflect this change. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #9: Procedures are developed to reconcile financial information entered in the FMIS II to the SPMS property entries for all controlled personal property, including weapons and laptop computers.

Response: The Bureau partially agrees with the recommendation. The BOP is confident that adequate procedures are in place to ensure controlled personal property is accurately entered into the SPMS. BOP policies and procedures will be revised to provide procedures to reconcile the financial information entered in the FMIS II to the SPMS property entries for weapons. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #10: The BOP acquisition regulations are modified to prohibit the use of government credit cards to purchase weapons.

Response: The Bureau agrees with the recommendation. A modification to the BOP Acquisition Policy has been issued to prohibit the use of government credit cards to purchase lethal and non-lethal weapons and ammunition. (see attachment B)

Recommendation #11: Weapons and laptop computers purchased by the Northeast Regional Office are delivered directly to the property officer instead of to sub-sites or the credit card purchaser.

Response: The Bureau agrees with the recommendation. The Northeast Regional Office has been notified that delivery of newly acquired weapons and laptop computers is to be made directly to the property officer, instead of the sub-sites or the credit card purchaser.

Recommendation #12: Personnel stationed at the gates of correctional facilities are properly instructed about weapon and laptop computer delivery procedures.

Response: The Bureau agrees with the recommendation. Program Statement 5500, Correctional Services Manual, will be revised to state, "Any incoming items delivered to the front or rear entrance will be routed to the warehouse for distribution. All weapons, ammunition, chemical agents, less-than-lethal munitions, and laptop computers will be routed to the warehouse first, for proper notification and distribution." These procedures will also be included in the appropriate post orders. Negotiations with the union to revise the policy is scheduled to begin in March 2003. BOP anticipates the revision being incorporated into policy within one year after negotiations. (March 2004)

Recommendation #13: Procedures are developed to ensure that laptops delivered to correctional facilities are routed directly to the warehouse.

Response: The Bureau agrees with the recommendation. Program Statement 5500, Correctional Services Manual, will be revised to state, "Any incoming items delivered to the front or rear entrance will be routed to the warehouse for distribution. All weapons, ammunition, chemical agents, less-lethal munitions, and laptop computers will be routed to the warehouse first, for proper notification and distribution." These procedures will be addressed in the appropriate post orders. Negotiations with the union to revise the policy is scheduled to begin in March 2003. BOP anticipates the revision being incorporated into policy within one year after negotiations. (March 2004)

Recommendation #14: The Property Management Regulations are modified to:

a. address the physical security of weapons at administrative offices,

b. require that Property Officers witness the disposal of all controlled personal property.

Response: The Bureau agrees with the recommendation.

a. Program Statement 5500, Correctional Services Manual, will be revised to state, "All firearms at administrative offices will be maintained in an approved for weapons storage type container, e.g., gun safe." Negotiations with the union to revise the policy is scheduled to begin in March 2003. BOP anticipates the revision being incorporated into policy within one year after negotiations. (March 2004)

b. BOP policies and procedures will be revised to more clearly state that property officers will witness the destruction of all controlled personal property, including weapons. The property officer will certify, by affixing their signature to the applicable Report of Survey, they witnessed destruction of the personal property. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #15: The Information Security Programs regulation is modified to address physical security of laptop computers used outside BOP facilities.

Response: The Bureau agrees with the recommendation. The specific use and security of laptop computers outside BOP facilities will be incorporated into the next revision of Program Statement 1237.11, Information Security Programs. BOP anticipates the revision to go before the National Program Review Board in September 2002.

Recommendation #16: A standard checklist for separating employees is developed for use at all BOP facilities that includes a step to surrender all accountable property to the APO.

Response: The Bureau agrees with the recommendation. All personnel offices will be notified by the Human Resource Management Division to require separating employees obtain the signature of the APOs on the exit check list, signifying the employee has surrendered all accountable personal property to the APO. BOP anticipates revisions to policies and procedures will be issued by April 2003.

Recommendation #17: Property Officers are instructed:

a. that shipping should be timed to avoid transfer-outs during the monthly financial closing, rather than delay entry of transfer-outs in the SPMS; and
b. to communicate to APOs the importance of documenting internal transfers and providing documentation to the Property Officer in a timely manner.

Response: The Bureau agrees with the recommendation.

a. BOP policies and procedures will be revised to instruct property officers to time, if possible, shipping of controlled personal property to other BOP facilities, in such a manner that avoids SPMS Transfer Outs (TRO) and Transfer Ins (TRI) during the monthly financial closing.

b. BOP policies and procedures will be revised to instruct all property officers to communicate to APOs, the importance of:

   1. documenting all internal transfers within a BOP facility; and

   2. forwarding this documentation to the property officer in a timely manner.

BOP anticipates revisions to policies and procedures will be issued by April 2003.

If you have any question regarding this response, please contact Michael W. Garrett, Senior Deputy Assistant Director, Program Review Division, at (202) 616-2099.

Attachments

APPENDIX X

ATTACHMENT A

U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

April 26, 2002

MEMORANDUM FOR ALL REGIONAL PROPERTY OFFICERS

/S/

FROM: John H. Romine, Chief
Property Management

SUBJECT: Sentry Property Management System Codes

It has come to my attention that some Property Officers (PO) are entering incorrect disposal codes in the Sentry Property Management System (SPMS) Disposition Method field. In particular, POs are entering disposal code "D" (which refers to lost, stolen, or missing controlled personal property), to dispose of **all** property in the SPMS. The attached Personal Property Disposition Method Code Table has a complete listing of all eight (8) disposal codes.

Please save the attached document in WordPerfect to view the table properly. This code table may also be obtained from the SENTRY Property Management Technical Reference Manual, which is available on BOPDOCS.

If you have any questions, please call me or the Property Management staff at (202) 307-2068.

Attachment

APPENDIX X

PERSONAL PROPERTY DISPOSITION METHOD CODE TABLE	
CODE	DESCRIPTION
A	DESTROYED BY PO DUE TO AGE AND/OR REPAIR COSTS
D	LOST OR STOLEN
E	EXCESSED OR TRANSFERRED FROM BUREAU TO FEDERAL AGENCY
F	DONATED TO NON-FEDERAL RECIPIENTS
L	RETURNED TO VENDOR
N	DESTROYED BY NATURE
R	DESTROYED BY A DISTURBANCE
O	ALL OTHER DISPOSALS

ATTACHMENT B

U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

November 30, 2001

MEMORANDUM FOR ALL REGIONAL DIRECTORS

FROM: Bruce K. Sasser
Assistant Director
for Administration

SUBJECT: Approval of Waiver
Program Statement (P.S.) 4100.03
Bureau of Prisons Acquisition Policy (BPAP)

This is to notify you of a bureau-wide waiver to the BPAP regarding use of the Government Commercial Purchase Card.

The waiver prohibits the acquisition of lethal and non-lethal weapons (i.e., shotguns, 9mm handguns, stun guns, etc.) and ammunition with the Purchase Card. All acquisitions of these types of supplies must be accomplished through the Request for Purchase process.

In accordance with P.S. 1221.66, Directives Management Manual, all locations must maintain a copy of this waiver. The waiver shall remain in effect until the BPAP is revised to include lethal, non-lethal weapons and ammunition as prohibited items for acquisition with the Purchase Card.

If you have any questions, please do not hesitate to contact me or have your staff contact Hugh J. Hurwitz, Acting Procurement Executive, at (202) 307-3067.

cc: Administrator Correctional Services, Central Office
All Regional Comptrollers
All Regional Chiefs, Procurement and Property
All Regional Correctional Services Administrators
All Institution Controllers
All Institution Supervisory Contract Specialists
All Institution Chief Correctional Services Supervisors