

# GAO Highlights

Highlights of [GAO-17-613](#), a report to congressional requesters

## Why GAO Did This Study

FEMA is responsible for coordinating government-wide efforts in preparing for, responding to, and recovering from natural or man-made disasters, including acts of terror. The agency relies on permanent and disaster-related temporary employees and has a total workforce of over 22,000. Employee misconduct incidents can detract from FEMA's mission, damage the agency's reputation, and hamper its ability to respond to disasters and maintain public trust.

GAO was asked to review employee misconduct at FEMA. This report examines: (1) the extent to which FEMA developed policies and procedures for addressing misconduct; (2) available data on FEMA misconduct cases and the extent to which FEMA uses the data to identify and address trends; and (3) the extent that misconduct cases are shared within FEMA and with DHS OIG. GAO reviewed FEMA procedures, analyzed misconduct data, and interviewed officials from FEMA HQ and three regions (selected based on geographic dispersion and number of misconduct allegations). GAO also analyzed a random, non-generalizable sample of 20 complaints referred from DHS OIG to FEMA to determine whether they were addressed.

## What GAO Recommends

GAO is making six recommendations with which DHS concurred, including that FEMA document policies and procedures for addressing Surge Capacity Force and Reservist misconduct, improve the quality and usefulness of its misconduct data, and develop reconciliation procedures to consistently track referred cases.

View [GAO-17-613](#). For more information, contact Chris Currie at (404) 679-1875 or [curriec@gao.gov](mailto:curriec@gao.gov).

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# FEDERAL EMERGENCY MANAGEMENT AGENCY

## Additional Actions Needed to Improve Handling of Employee Misconduct Allegations

### What GAO Found

The Federal Emergency Management Agency (FEMA) has developed and documented misconduct policies and procedures for most employees, but not its entire workforce. Specifically, FEMA has developed policies and procedures regarding misconduct investigations that apply to all FEMA personnel and has also documented options to address misconduct and appeal rights for Title 5 (generally permanent employees) and Cadre of On-Call Response/Recovery Employees (temporary employees who support disaster related activities). However, FEMA has not documented misconduct policies and procedures for Surge Capacity Force members, who may augment FEMA's workforce in the event of a catastrophic disaster. Additionally, FEMA's Reservist (intermittent disaster employees) policies and procedures do not outline disciplinary actions or the appeals process currently in practice at the agency. As a result, supervisors and Reservist employees may not be aware of all aspects of the process. Clearly documented policies and procedures for all workforce categories could help to better prepare management to address misconduct and mitigate perceptions that misconduct is handled inconsistently.

FEMA records data on misconduct cases and their outcomes; however, aspects of this data limit their usefulness for identifying and addressing trends. GAO reviewed misconduct complaints recorded by FEMA's Office of the Chief Security Officer (OCSO) from January 2014 through September 30, 2016, and identified 595 complaints involving 799 alleged offenses, the most common of which were integrity and ethics violations. FEMA reported 546 disciplinary actions related to misconduct from calendar year 2014 through 2016. In addition to OCSO, two other FEMA offices involved in investigating and adjudicating misconduct also record data. However, limited standardization of data fields and entries within fields, limited use of unique case identifiers, and a lack of documented guidance on data entry across all three offices restricts the data's usefulness for identifying and addressing trends in employee misconduct. Improved quality control measures could help the agency use the data to better identify potential problem areas and opportunities for training.

FEMA shares misconduct case information internally and with the Department of Homeland Security Office of Inspector General (DHS OIG) on a regular basis; however, FEMA does not have reconciliation procedures in place to track DHS OIG referred cases to ensure that they are reviewed and addressed. GAO reviewed a random sample of 20 cases DHS OIG referred to FEMA in fiscal year 2016 and found that FEMA missed 6 of the 20 complaints during the referral process and had not reviewed them at the time of GAO's inquiry. As a result of GAO's review, FEMA took action to review the complaints and opened inquiries in 5 of the 6 cases (1 case was closed for lack of information). In 3 of these cases, officials determined that the complaints did not involve FEMA employees. The 2 remaining cases were open as of April 2017. While the results from this review are not generalizable to the entire population of referrals from DHS OIG to FEMA, they raise questions as to whether there could be additional instances of misconduct complaints that FEMA has not reviewed or addressed. Procedures to ensure reconciliation of referred cases across FEMA and DHS OIG records could help ensure that FEMA accounts for all complaints.