

DISTRICT OF COLUMBIA OFFICE OF THE INSPECTOR GENERAL

OIG Project No. 16-1-10BN

June 2017



HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY:

CONTINUITY OF OPERATIONS PLANNING ACTIVITIES ARE NOT
ADEQUATELY MANAGED



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- inform stakeholders about issues relating to District programs and operations; and
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* Transparency * Empowerment * Courage * Passion
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OIG

Why the OIG Did This Audit

District government agencies are required to adjust and respond quickly to unexpected emergencies, such as an earthquake (2011), the Metro subway incident at L'Enfant Plaza (2015), and the most recent snowstorm (2016). An unexpected event can disrupt an agency's ability to perform its essential functions, but having a contingency plan minimizes the impact of disruptions.

The Homeland Security and Emergency Management Agency (HSEMA) is responsible for ensuring that the District of Columbia (the District) has contingency plans in place to prevent, protect against, respond to, mitigate, and recover from all threats and hazards. Effective contingency planning can minimize disruption of District agencies' essential functions during unexpected events. HSEMA's role is to provide assistance and guidance to 76 District cabinet-level agencies (agencies¹) for developing, updating, and exercising their Continuity of Operations (COOP) plans to perform essential functions for District residents and visitors during and after a catastrophic event.

The Office of the Inspector General (OIG) performed this audit to assess HSEMA's role in ensuring District agencies (1) identified their essential functions; and (2) received COOP assistance and guidance.

What OIG Recommends

The OIG provides two recommendations to HSEMA pertaining to its reporting role and its lack of policies and procedures for providing COOP assistance and guidance.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY:

Continuity of Operations Planning Activities Are Not Adequately Managed

What the OIG Found

HSEMA did not ensure all District government agencies submitted a COOP plan that identified each agency's essential functions during an unexpected emergency. Additionally, HSEMA did not effectively communicate the agencies non-compliance to District officials. For example, HSEMA's annual COOP planning report to District officials did not contain any information or metrics on the number and type of District cabinet-level agencies that had not identified essential functions, updated their plans, or exercised these plans. Comprehensive reporting could bring greater awareness to District officials with enforcement authority and provide assurance that cabinet-level agencies are prepared to resume operations for District residents in the event of an emergency.

HSEMA provided assistance and guidance to many District agencies but did not always ensure agencies updated and exercised COOP plans or that the list of COOP coordinators was complete and accurate. Without reviewing all COOP plans to ensure agencies made their plans viable by exercising and updating them, and ensuring that agencies maintain accurate contact information for COOP coordinators, HSEMA cannot have reasonable assurance it is providing adequate assistance and guidance to District agencies.

¹ HSEMA defines District cabinet-level agencies as agencies whose directors are appointed by the Mayor and confirmed by the District of Columbia Council.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General



Inspector General

June 15, 2017

Brian C. Baker
Interim Director
Homeland Security and Emergency Management Agency
2720 Martin Luther King, Jr. Avenue, S.E.
Washington, D.C. 20032

Dear Interim Director Baker:

Enclosed is the Office of the Inspector General's (OIG) final audit report titled *Homeland Security and Emergency Management Agency: Continuity of Operations Planning Activities Are Not Adequately Managed* (OIG No. 16-1-10BN). The audit was included in the OIG's *Fiscal Year 2016 Audit and Inspection Plan* dated August 31, 2015. Our audit objectives were to assess HSEMA's role in ensuring District agencies: (1) identified their essential functions; and (2) received COOP assistance and guidance. We conducted this audit in accordance with generally accepted government auditing standards.

We provided you with two recommendations and HSEMA responded outlining actions that it believes meet the intent of both recommendations. However, HSEMA did not provide target action dates for completion of these actions, therefore we consider these recommendations unresolved and open pending receipt of target action dates. We request that HSEMA provide the OIG with the requested information within 30 days of the date of this final report.

Additionally, in your response, you indicate that Mayor's Order 2012-61 "*does not grant HSEMA any enforcement authority to compel [District] agencies to develop COOP plans or ensure that the contact information for their respective COOP coordinators is up to date.*" The ambiguity of HSEMA's leadership role in COOP planning and its lack of ability to compel District agencies should be addressed as a change in either legislation or executive policy. HSEMA is the most appropriate agency to advocate for this policy change.

We appreciate the cooperation and courtesies extended to our staff during this audit. If you have any questions concerning this report, please contact me or Ben Huddle, Acting Assistant Inspector General for Audits, at (202) 727-2540.

Sincerely,

Daniel W. Lucas
Inspector General

DWL/tda

cc: See Distribution List

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BACKGROUND

Mayor's Order (Order) 2012-61² established HSEMA's and agencies' roles in emergency preparedness. The Order requires each agency to develop a COOP plan that identifies its essential functions and details of how the agency will continue to perform those functions while recovering from disruptive events. The Order requires District cabinet-level agencies to submit their plans to HSEMA, which, in turn, has a reporting role to communicate the agencies' compliance to the Deputy Mayor for Public Safety and Justice.

HSEMA's duties under the Order include:

- Creating a COOP plan template for agencies to follow;
- Developing a process for reviewing all agencies' COOP plans, including After-Action Reports (AARs) detailing results of a mandated exercise to test the COOP plans' implementation;
- Preparing an annual report by January 31 on the status of agencies' COOP planning and submitting the report to the Office of the Deputy Mayor for Public Safety and Justice; and
- Providing technical support and guidance to agencies for developing COOP plans.

HSEMA provides COOP planning assistance and guidance by communicating directly with each agency's COOP coordinator. Thus, HSEMA plays an important role in the COOP planning and implementation process to ensure agencies continue providing essential functions to District residents and visitors during and after a wide range of emergencies.

We conducted this audit in accordance with generally accepted government auditing standards from April 2016 through May 2017. For our work, we interviewed HSEMA officials, reviewed COOP plans, and surveyed 76 District cabinet-level agencies.³ Our scope covered COOP planning activities for the 76 agencies as of fiscal year (FY) 2015. See Appendix A for further details on our scope and methodology.

² Mayor's Order 2012-61 was signed on April 27, 2012.

³ See Appendix C for the list of 76 District cabinet-level agencies.

FINDINGS

HSEMA DID NOT ENSURE ALL AGENCIES SUBMITTED COOP PLANS WITH IDENTIFIED ESSENTIAL FUNCTIONS

HSEMA did not ensure all agencies subject to the Order submitted COOP plans that identified their essential functions. HSEMA created a COOP plan template that includes guidance on how agencies are to define their essential functions, but our review revealed that not all agencies submitted plans and identified their essential functions. We found 55 of 76 District agencies submitted COOP plans to HSEMA. Of the 55 agencies, 54 identified their essential functions, and one agency submitted a COOP plan without identifying its essential functions. The remaining 21 agencies did not submit their COOP plans to HSEMA and therefore, did not identify their essential functions. According to HSEMA officials, the agency does not have enforcement authority to compel agencies to develop a plan that identifies their essential functions.

HSEMA annual reports on the status of cabinet-level agency COOP plans did not communicate agencies' non-compliance with the Order. HSEMA provided us with annual reports for 2012, 2013, 2014, and 2015. The annual reports for 2012 and 2013 described program accomplishments, shortfalls, lessons learned, and projections for the upcoming year. The annual reports for 2014 and 2015 summarized COOP planning initiatives including alternate facilities locations, exercising of plans, future tactics and possible strategies. However, HSEMA's annual reports did not include information or metrics on whether all agencies performed required actions, including submitting a COOP plan with identified essential functions and results from exercising COOP plans. In the absence of enforcement authority to require agencies to comply with COOP planning, the annual report to the Deputy Mayor for Public Safety and Justice can serve as a powerful tool to raise awareness regarding the status of District-wide COOP planning efforts.

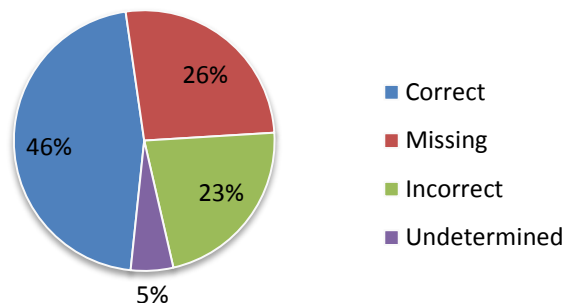
HSEMA PROVIDED ASSISTANCE AND GUIDANCE TO MANY AGENCIES BUT DID NOT MAINTAIN CURRENT AGENCY CONTACT INFORMATION

HSEMA provided a wide range of assistance to agencies but did not ensure agencies updated and exercised their COOP plans. The Order says, "HSEMA shall provide technical support and guidance to agencies for developing COOP Plans" but does not include any details on the type or frequency of assistance and guidance. We surveyed the 76 agencies to determine what support they requested and received from HSEMA, as well as to gain an understanding of each agency's awareness and involvement in COOP planning. Forty-four agencies responded to our survey, and 28 indicated that they requested and received the following types of support: a COOP plan template; reviews and feedback; exercise facilitation; planning and procedural development; and alternate facility identification. In addition, HSEMA staff gave us examples of emails, workshop presentations, and reports that demonstrate the type of assistance agencies requested and received. HSEMA also proactively reached out to agencies to provide copies of the current COOP plan template and the Order with all COOP planning activity requirements.

However, HSEMA did not ensure agency COOP plans were updated and/or tested. HSEMA's FY 2015 records did not include documentation identifying that all agencies updated and exercised COOP plans. We found that of the 54 agencies that submitted a COOP plan and identified their essential functions, only 9 agencies updated plans annually. Furthermore, of the nine agencies with updated plans, only two exercised their plans and submitted an AAR detailing results of a mandated exercise to test the plans' implementation. As such, only 2 of the 76 agencies fully complied with the Order, and 74 agencies did not have COOP plans that were fully tested and updated.

HSEMA's list of agencies' COOP coordinators was not complete or accurate. Initially we contacted the 76 COOP coordinators by email, but we did not receive many responses because more than half of the contacts that HSEMA provided were erroneous. HSEMA provided us a list of COOP coordinators that contained the names and contact information for 56 of the 76 (74%) agencies. To verify the accuracy of the list, we contacted each coordinator and found that 35 were correct (46%); 17 were incorrect or the agency no longer had a coordinator (23%); and 4 (5%) could not be determined because the agency either could not identify a COOP coordinator or did not have a designated coordinator. For the remaining 20 agencies, the COOP coordinators' names and contact information were missing (26%) (see Figure 1). We also contacted those agencies and asked to speak with or had an agency official identify their COOP Coordinator.

Figure 1. Accuracy of HSEMA's List of COOP Coordinators



Source: OIG analysis

HSEMA did not work with agencies to update and exercise COOP plans or ensure the list of COOP coordinators was accurate because the Agency has not developed policies and procedures to manage the process for COOP planning, including providing assistance and guidance to District agencies. The only guidance HSEMA has is the Order. Without accurate information to contact COOP coordinators, HSEMA cannot provide adequate assistance and guidance to agencies including a COOP plan template updates and plan exercises, and reminders to comply with the Order.

CONCLUSION

COOP preparedness is necessary to ensure that District cabinet-level agencies are positioned to restore their essential functions in the event of an unexpected disaster. While HSEMA has a COOP coordinator, collected a majority of cabinet-level COOP plans and essential functions, and issued an annual report to the Deputy Mayor for Public Safety and Justice, there is more they can do to be effective. Making better use of the resources the Agency has at its disposal is instrumental in ensuring cabinet-level agencies have all the information and tools necessary to improve their planning and preparedness efforts and increase their chances of continuing to provide services to District residents and visitors in the event of an emergency.

RECOMMENDATIONS

We recommend that the HSEMA Director:

1. Provide a more comprehensive annual report to the Deputy Mayor for Public Safety and Justice that includes information and metrics on the status of agencies' COOP planning and performance.
2. Develop and implement policies and procedures to fulfill the requirements of the Mayor's Order that include reviewing all COOP plans and AARs; providing COOP assistance and guidance; and establishing an outreach process with accurate contact information to communicate with all pertinent agencies.

AGENCY RESPONSE AND OFFICE OF THE INSPECTOR GENERAL COMMENTS

We provided HSEMA with our report on May 4, 2017, and received its response on May 30, 2017, which is included as Appendix D to this report. HSEMA outlined actions that it believes meet the intent of the recommendations. HSEMA's response and actions meet the intent for both recommendations. However, the agency did not provide target action dates for completion. Therefore, we consider these recommendations unresolved and open pending the receipt of target action dates.

Additionally, HSEMA stated that Mayor's Order 2012-61 "*does not grant HSEMA any enforcement authority* to compel [District] agencies to develop COOP plans or ensure that the contact information for their respective COOP coordinators is up to date." The ambiguity of HSEMA's leadership role in COOP planning and its lack of ability to compel District agencies should be addressed as a change in either legislation or executive policy. We believe that HSEMA is the most appropriate agency to advocate for this policy change.

ACTIONS REQUIRED

We request that HSEMA provide target action dates for completion of recommendations 1 and 2 within 30 days of the date of this final report.

APPENDIX A. OBJECTIVES, SCOPE, AND METHODOLOGY

We conducted our audit work from April 2016 through May 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Our audit objectives were to assess HSEMA's role in ensuring District agencies: (1) identified their essential functions; and (2) received COOP planning assistance and guidance. Our scope covered COOP planning activities for the 76 District cabinet-level agencies as of fiscal year (FY) 2015.

To assess HSEMA's role in ensuring District agencies identified their essential functions, we assessed compliance with Mayor's Order 2012-61, issued on April 27, 2012, which contains COOP planning requirements for HSEMA and District agencies. We reviewed the COOPs HSEMA maintained for the agencies as of July 2016 to check whether they conformed to the HSEMA COOP plan template and identified each agency's essential functions.

To assess HSEMA's role in ensuring District agencies received COOP planning assistance and guidance, we conducted interviews with responsible officials from HSEMA to obtain a general understanding of the processes used for providing agencies COOP planning assistance and guidance. Additionally, we sent a survey questionnaire to each agency to determine whether HSEMA was providing them COOP planning assistance and guidance.

We did not rely on computer-processed data to answer our audit objectives. The COOP planning documentation we reviewed was source documentation created by the respective originating agency. Therefore, we did not perform a formal reliability assessment of any computer-processed data or information system.

APPENDIX B. ACRONYMS AND ABBREVIATIONS

AAR	After-Action Report
COOP	Continuity of Operations
FY	Fiscal Year
HSEMA	Homeland Security and Emergency Management Agency
OIG	Office of the Inspector General
ORDER	Mayor's Order 2012-61

APPENDIX C. STATUS OF DISTRICT CABINET-LEVEL AGENCIES COOP PLANS

District Cabinet-Level Agencies	COOP Plan Submitted
Department of Behavioral Health	Yes
Office of Chief Medical Examiner	Yes
Office of the Chief Technology Officer	Yes
Child and Family Services Agency	Yes
Department of Consumer and Regulatory Affairs	Yes
Office of Contracting and Procurement	Yes
Department of Corrections	Yes
Department of Energy & Environment	Yes
EOM ⁴ , Office of the Chief of Staff	Yes
EOM, Office of Communications	Yes
EOM, Office of the City Administrator	Yes
EOM, Deputy Mayor for Public Safety and Justice	Yes
Fire and Emergency Medical Services Department	Yes
Department of Forensic Sciences	Yes
Department of General Services	Yes
Department of Health	Yes
EOM, Deputy Mayor for Health and Human Services	Yes
Homeland Security and Emergency Management Agency	Yes
EOM, Human Services	Yes
Metropolitan Police Department	Yes
Department of Parks and Recreation	Yes
Department of Public Works	Yes
Department of Transportation	Yes
Office of Unified Communications	Yes
Department of Youth Rehabilitation Services	Yes
Office on Aging	Yes
Office of the Attorney General	Yes
Office of the Chief Financial Officer	Yes
Department of Disability Services	No
EOM, Deputy Mayor of Education	No
Department of Employment Services	Yes
EOM, Office of the General Counsel	Yes
EOM, Serve DC	Yes
EOM, Office of, Budget and Finance	No
Department of Healthcare Finance	Yes
Department of Housing and Community Development	Yes
Department of Human Resources	Yes
Office of the Inspector General	No

⁴ EOM stands for the Executive Office of the Mayor.

APPENDIX C. STATUS OF DISTRICT CABINET-LEVEL AGENCIES COOP PLANS

District Cabinet-Level Agencies	COOP Plan Submitted
Department of Insurance, Securities, and Banking	Yes
Justice Grants Administration	Yes
Department of Motor Vehicles	Yes
Office of Planning	Yes
EOM, Deputy Mayor of Planning and Economic Development	Yes
Office of Risk Management	Yes
Office of State Superintendent of Education	Yes
Office of Cable TV	Yes
Commission on the Arts and Humanities	Yes
Office of Disability Rights	Yes
EOM, Office of African Affairs	Yes
EOM, Office of African-American Affairs	No
EOM, Office of Asian and Pacific Islander Affairs	Yes
EOM, Office of Clean City	No
EOM, Commission on Fathers, Men, and Boys	No
EOM, Office of Latino Affairs	Yes
EOM, Office of LGBT Affairs	No
EOM, Office of Partnerships and Grants Services	No
EOM, Office of Religious Affairs	No
EOM, Office of Returning Citizens Affairs	Yes
EOM, Office of Talent and Appointments	No
EOM, Office of Veteran Affairs	Yes
EOM, Office of Women's Policy and Initiatives	No
EOM, Youth Advisory Council	No
EOM, Office of Labor Relations and Collective Bargaining	Yes
EOM, Office of Performance Management	No
EOM, Office of Senior Advisor, Federal and Regional Affairs	No
EOM, Office of Senior Advisor, Policy and Legislative Affairs	Yes
EOM, Office of the Secretary	Yes
EOM, Deputy Mayor for Greater Economic Opportunity	No
Office of Human Rights	Yes
Office of Motion Picture and Television Development	No
Public Charter School Board	No
DC Public Schools	Yes
Department of Small and Local Business Development	Yes
DC Taxicab Commission	No
University of the District of Columbia	No
University of the District of Columbia Community College	No

APPENDIX D. AGENCY RESPONSE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Homeland Security and Emergency Management Agency

Muriel Bowser
Mayor



Brian C. Baker
Interim Director

May 30, 2017

Daniel W. Lucas
Inspector General
717 14th Street, N.W.
Washington, D.C. 20005

Re: Agency Response – Continuity of Operations Audit

Dear Mr. Lucas,

I am writing in response to the draft report the Office of the Inspector General (OIG) audit team released entitled *Homeland Security and Emergency Management Agency: Continuity of Operations Planning Activities Are Not Adequately Managed* (OIG No. 16-1-10BN). I disagree with several of the audit team's characterizations of the Homeland and Emergency Management Agency's (HSEMA) role in the District's Continuity of Operations Planning (COOP) process. Specifically, I take issue with the assertion that HSEMA "did not ensure all agencies submitted COOP plans with identified essential functions" and that HSEMA "did not ensure agencies updated and exercised their COOP plans."

Mayor's Order 2012-61, *Continuity of Operations Planning*, is the legal directive establishing agencies' roles in ensuring the continued operations of the District government in the event of a catastrophic event. In that regard, Mayor's Order 2012-61 unambiguously states the following: (1) "Each District of Columbia cabinet-level agency shall create or update their Continuity of Operations Plan (COOP)..."; (2) "Each agency must designate a COOP Coordinator and submit the Coordinator's name and contact information to HSEMA"; (3) "Each cabinet-level agency shall update its COOP annually"; and (4) Each cabinet-level agency shall conduct an exercise of its COOP annually, and afterwards evaluate and, if necessary, revise the COOP." The language of the Order is clear that the onus of developing, exercising, and updating COOP plans is on each of the Cabinet level agencies, *not HSEMA*.

HSEMA is directed to "provide technical support and guidance to agencies for developing COOP Plans." Consistent with that directive, my agency created a COOP Coordinator position and the incumbent has worked tirelessly with willing agencies to ensure their compliance with Mayor's Order 2012-61. The audit team is correct in stating that my agency has "proactively reached out to agencies to provide copies of the current COOP template and the Order with all COOP planning activity requirements." However, as alluded to in the draft audit report, Mayor's Order 2012-61 *does not grant HSEMA any enforcement authority* to compel agencies to develop COOP plans or ensure that the contact information for their respective COOP coordinators is up to date. Absent that grant of enforcement authority, it is unrealistic to assert that HSEMA should be attaining perfect compliance from the District agencies required to draft, exercise, and update COOP Plans.



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APPENDIX D. AGENCY RESPONSE

Despite the issues raised above, I acknowledge that more can be done to improve the COOP planning process. Moving forward, HSEMA will provide a more comprehensive annual report to the Deputy Mayor for Public Safety and Justice that identifies those Cabinet-level agencies that have not submitted, updated, or exercised their respective COOP plans. In addition, HSEMA will develop and implement policies and procedures regarding the review of COOP plans and AAR; providing COOP assistance and guidance; and refining the outreach program already in place.

Sincerely,



Brian C. Baker
Interim Director

Cc: Rashad M. Young, City Administrator – District of Columbia; Kevin Donahue, Deputy City Administrator, Deputy Mayor for Public Safety and Justice – District of Columbia