

FY 2023 Congressional Submission

**DEPARTMENT OF COMMERCE
OFFICE OF INSPECTOR GENERAL
Budget Estimates, Fiscal Year 2023
Congressional Submission**

Table of Contents

<u>Exhibit Number</u>	<u>Exhibit</u>	<u>Page Number</u>
1	Table of Contents	OIG – 1
2	Organization Chart	OIG – 5
3	Executive Summary	OIG – 7
4A	Program Increases / Decreases / Terminations	OIG – 9
5	Summary of Resource Requirements: Direct Obligations	OIG – 11
6	Summary of Reimbursable Obligations	OIG – 13
7	Summary of Financing.....	OIG – 15
8	Adjustments to Base	OIG – 17
10	Program and Performance: Direct Obligations	OIG – 19
11	Program and Performance: Reimbursable Obligations	OIG – 21
12	Justification of Program and Performance	OIG – 23
13	Program Change for 2023 (Continued Oversight of the Census Bureau)	OIG – 29
14	Program Change Personnel Detail (Continued Oversight of the Census Bureau).....	OIG – 31
15	Program Change Detail by Object Class (Continued Oversight of the Census Bureau).....	OIG – 33
13	Program Change for 2023 (Continued Oversight of FirstNet)	OIG – 35
14	Program Change Personnel Detail (Continued Oversight of FirstNet)	OIG – 37
15	Program Change Detail by Object Class (Continued Oversight of FirstNet).....	OIG – 39

13 Program Change for 2023 (Continued Oversight of NOAA Satellite Programs)..... OIG – 41

14 Program Change Personnel Detail (Continued Oversight of NOAA Satellite Programs)..... OIG – 43

15 Program Change Detail by Object Class (Continued Oversight of NOAA Satellite Programs)..... OIG – 45

13 Program Change for 2023 (Increased Oversight of NIST) OIG – 47

14 Program Change Personnel Detail (Increased Oversight of NIST) OIG – 49

15 Program Change Detail by Object Class (Increased Oversight of NIST) OIG – 51

13 Program Change for 2023 (Continued Oversight of Pandemic Relief Efforts)..... OIG – 53

14 Program Change Personnel Detail (Continued Oversight of Pandemic Relief Efforts)..... OIG – 55

15 Program Change Detail by Object Class (Continued Oversight of Pandemic Relief Efforts)..... OIG – 57

13 Program Change for 2023 (Oversight of Trade, Acquisitions, and Grants) OIG – 59

14 Program Change Personnel Detail (Oversight of Trade, Acquisitions, and Grants) OIG – 61

15 Program Change Detail by Object Class (Oversight of Trade, Acquisitions, and Grants)..... OIG – 63

13 Program Change for 2023 (Oversight of NWS Forecasting Capabilities)..... OIG – 65

14 Program Change Personnel Detail (Oversight of NWS Forecasting Capabilities)..... OIG – 67

15 Program Change Detail by Object Class (Oversight of NWS Forecasting Capabilities) OIG – 69

13 Program Change for 2023 (Oversight of NOAA Fleet and Aircraft Acquisition)..... OIG – 71

14 Program Change Personnel Detail (Oversight of NOAA Fleet and Aircraft Acquisition)..... OIG – 73

15 Program Change Detail by Object Class (Oversight of NOAA Fleet and Aircraft Acquisition) OIG – 75

13 Program Change for 2023 (Increased Oversight of USPTO) OIG – 77

14 Program Change Personnel Detail (Increased Oversight of USPTO) OIG – 79

15 Program Change Detail by Object Class (Increased Oversight of USPTO) OIG – 81

16 Summary of Requirements by Object Class (Salaries and Expenses)..... OIG – 83

16 Summary of Requirements by Object Class (Transfers and Other Appropriations) OIG – 85

33 Appropriation Language and Code Citation OIG – 87

34 Advisory and Assistance Services..... OIG – 89

35 Periodicals, Pamphlets, and Audiovisual Products OIG – 91

36 Average Grades and Salaries..... OIG – 93

40 Inspector General Reform Act of 2008 Reporting Requirements OIG – 95

41 Implementation Status of GAO and OIG Recommendations OIG – 97

Annual Performance Plan and Report Backup..... OIG – 99

5 Summary of Resource Requirements (Mandatory Appropriations)..... OIG – 101

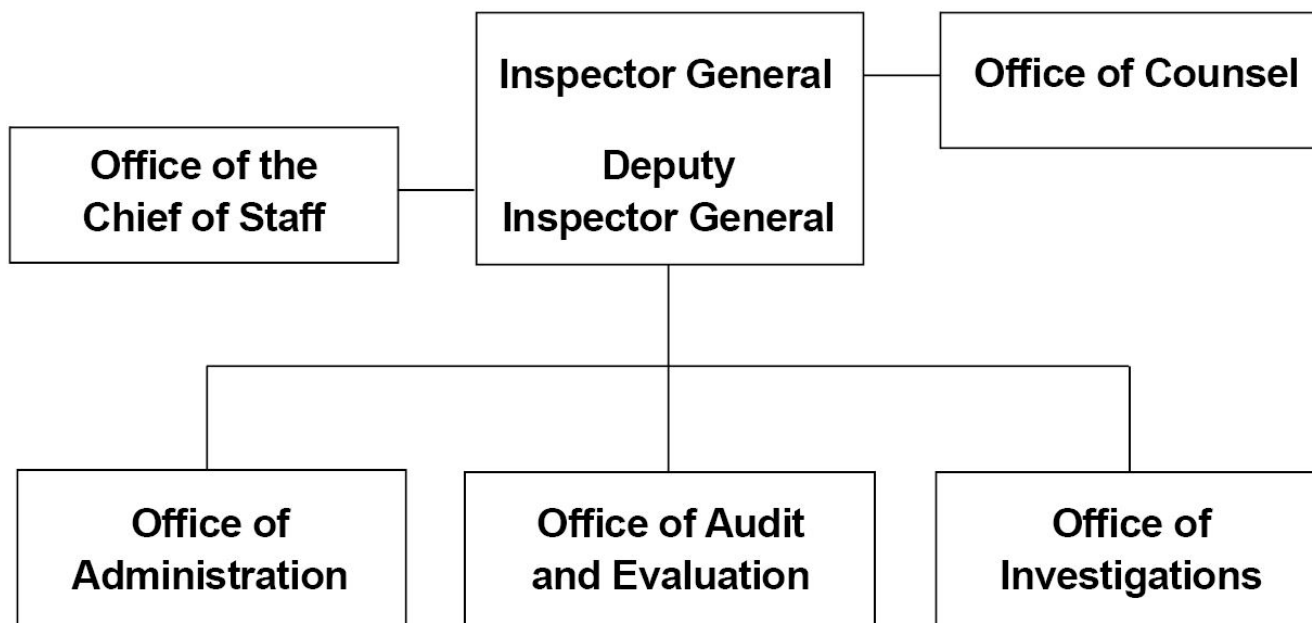
10 Program and Performance (Mandatory Appropriations)..... OIG – 103

12 Justification of Program and Performance (Mandatory Appropriations) OIG – 105

16 Summary of Requirements by Object Class (Mandatory Appropriations)..... OIG – 107

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**Department of Commerce
Office of Inspector General**



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**Department of Commerce
Office of Inspector General
Budget Estimates, Fiscal Year 2023**

Executive Summary

The Office of Inspector General's (OIG's) fiscal year (FY) 2023 budget request is \$52.221 million and 216 positions, of which \$49.771 million and 204 positions are from direct appropriations and \$2.45 million and 12 positions are from a transfer from the U.S. Patent and Trademark Office (USPTO). Additionally, in FY 2023 OIG will receive a \$1 million transfer from NTIA for oversight of Digital Equity programs established by the Infrastructure Investment & Jobs Act (P.L. 117-58).

OIG's mission is to improve the programs and operations of the Department of Commerce through independent and objective oversight. OIG keeps the Secretary, Deputy Secretary, and Congress informed of serious problems and deficiencies relating to the administration of the Department's programs and operations, recommends corrective actions, and reports on the progress made in implementing corrective actions. OIG has authority to inquire into all program and administrative activities of the Department, including those performed under contracts, grants, cooperative agreements, and other financial assistance awards. The Inspector General Act of 1978 (P.L. 95-452), as amended, and other legislation authorizes the specific functions and programs that make up these activities.

OIG's resources support an oversight program that focuses on the most serious management and performance challenges facing the Department. OIG's most recent [Top Management And Performance Challenges Facing the Department of Commerce](#) report identified cybersecurity, environmental satellite programs (current and future), management of acquisitions and grants, trade enforcement, the 2030 Census, intellectual property rights, and Nationwide Public Safety Broadband Network deployment as the most serious management and performance challenges facing the Department.

OIG's FY 2023 budget request includes the following resources:

Direct Appropriation—\$49.771 million. These funds will support OIG's consolidated audit, evaluation, and investigative activities to promote effectiveness, efficiency, economy, and integrity in the management and administration of Departmental programs and operations, including those performed by its contractors and grantees. OIG conducts audits based on risk analysis of the Department's operations, as well as audits and evaluations initiated in response to Congressional requests, both by committees and individual members, and as required by statute. OIG also performs annual audits of the Department's financial statements pursuant to the Chief Financial Officers Act of 1990 (P.L. 101-576) and information security reviews as required by the Federal Information Security Management Act of 2002 (P.L. 107-347). OIG investigates alleged or suspected fraud, waste, abuse, and misconduct by the

Department's employees, contractors, recipients of financial assistance, and others involved in the Department's programs and operations. Such wrongdoing may result in criminal or civil prosecution, as well as administrative sanctions for violations of Department regulations and employee standards of conduct. This Direct Appropriation request includes \$2 million for oversight of National Oceanic and Atmospheric Administration (NOAA) Satellite Programs, \$2 million for oversight of the First Responder Network Authority, and \$3.556 for oversight of Census Bureau Programs that were previously funded through directed transfers.

Transfer—\$2.45 million. OIG's FY 2023 budget request also includes a transfer of \$2.45 million from USPTO. These funds will support OIG's oversight of USPTO's operations, including examining patent and trademark applications, granting patents, registering trademarks, and guiding domestic and international policy to protect U.S. intellectual property.

Inflationary Adjustments

OIG's FY 2023 base funding level includes a total of \$3.709 million and 0 positions for the full funding requirement for inflationary adjustments to current programs for OIG activities. This includes the FY 2022 pay raise of 2.7 percent, the FY 2023 pay raise of 4.6 percent, and inflationary increases for labor and non-labor activities, including benefits, service contracts, utilities, and rent charges.

Program Increases

OIG is requesting \$7.556 million and 37 positions to continue its oversight of the Census Bureau, the First Responder Network Authority (FirstNet), and NOAA satellite programs. This increase would replace transfers of an equal amount that OIG received in FY 2022, resulting in a net increase of \$0. The change from transferred funds to appropriated funds is necessary for FirstNet as the source of the transferred funds is expiring. In the other cases, the transition will provide OIG greater flexibility to provide oversight for emerging areas of Congressional concern and reduce the costs of administering these funds. Additionally, OIG is requesting \$1.135 million and 6 positions to continue oversight of the Department's pandemic relief efforts.

OIG is requesting \$2.176 million and 13 positions to increase oversight of NIST, trade activities, acquisitions, and grants. OIG's limited oversight of NIST has found deficiencies in NIST's management of contracts and grants, as well as substantiated fraud committed by NIST contractors and grantees, indicating the need for continual, dedicated oversight. Trade enforcement is critical to providing a level playing field for American businesses to compete internationally. In addition, contract and grant fraud impacting the Department now accounts for 50 percent of OIG's investigative caseload.

OIG is requesting \$1.195 million and 8 positions to establish dedicated teams that will provide oversight of National Weather Service forecasting capabilities, which has seen limited progress despite increased funding, and NOAA fleet and aircraft acquisition and development, which has experienced schedule slippages and governance issues with its \$1.5 billion fleet refresh. OIG is requesting \$450 thousand and 2 positions for additional oversight of USPTO, focusing on program challenges identified in recent audits.

**Department of Commerce
Office of Inspector General
FY 2023 PROGRAM INCREASES / DECREASES / TERMINATIONS**
(Dollar amounts in thousands)
(By Appropriation, Largest to Smallest)

<u>Increases</u>					
Page No.	Appropriation	Budget Program	Title of Increase	Positions	Budget Authority
OIG-29	Office of Inspector General	Salaries and Expenses	Continued Oversight of the Census Bureau*	18	3,556,000
OIG-35	Office of Inspector General	Salaries and Expenses	Continued Oversight of the First Responder Network Authority*	10	2,000,000
OIG-41	Office of Inspector General	Salaries and Expenses	Continued Oversight of NOAA Satellite Programs*	9	2,000,000
OIG-47	Office of Inspector General	Salaries and Expenses	Increased Oversight of the National Institute of Standards & Technology	7	1,304,000
OIG-53	Office of Inspector General	Salaries and Expenses	Continued Oversight of DOC Pandemic Relief Efforts	6	1,135,000
OIG-59	Office of Inspector General	Salaries and Expenses	Increased Oversight of Trade Activities, Acquisitions, and Grants	6	872,000
OIG-65	Office of Inspector General	Salaries and Expenses	Oversight of National Weather Service Forecasting Capabilities	4	608,000
OIG-71	Office of Inspector General	Salaries and Expenses	Oversight of NOAA Fleet and Aircraft Acquisition and Development	4	587,000
OIG-77	Office of Inspector General	Salaries and Expenses	Increased Oversight of USPTO Operations	2	450,000
Total, Increases				66	12,512,000

* Program increase replaces the annual transfer for oversight of this program.

<u>Decreases</u>					
Page No.	Appropriation	Budget Program	Title of Increase	Positions	Budget Authority
N/A	N/A	N/A	N/A	N/A	N/A
Total, Decreases				N/A	N/A

<u>Terminations</u>						
Page No.	Appropriation	Budget Program	Title of Increase		Positions	Budget Authority
N/A	N/A	N/A	N/A		N/A	N/A
Total, Terminations					N/A	N/A

**Department of Commerce
Office of Inspector General
Salaries and Expenses
SUMMARY OF RESOURCE REQUIREMENTS
(Dollar amounts in thousands)**

	Positions	FTE	Budget Authority	Direct Obligations
Annualized CR, 2022	140	123	34,000	34,000
2023 Adjustments to Base				
Plus: 2023 Transfers	24	24	2,000	5,000
Plus: Inflationary adjustments to base	0	0	3,709	3,709
2023 Base	164	147	39,709	42,709
Plus: 2023 Program changes	66	61	12,512	12,512
2023 Estimate	230	208	52,221	55,221

Comparison by activity / subactivity with totals by activity			2021		2022		2023		2023		Increase/Decrease	
			Actual		Annualized CR		Base		Estimate		from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	
Office of Inspector General	Pos./BA	134	34,000	140	34,000	140	37,709	204	49,771	64	12,062	
	FTE/Obl.	125	33,981	123	34,000	123	37,709	182	49,771	59	12,062	
Transfer from the Census Bureau	Pos./BA	15	3,556	18	3,556	0	0	0	0	0	0	
	FTE/Obl.	17	3,752	18	6,636	0	0	0	0	0	0	
Transfer from the Public Safety Trust Fund (FirstNet)	Pos./BA	10	2,000	10	2,000	0	0	0	0	0	0	
	FTE/Obl.	9	1,802	10	3,477	0	0	0	0	0	0	
Transfer from NOAA (Satellite Programs)	Pos./BA	7	2,000	9	2,000	0	0	0	0	0	0	
	FTE/Obl.	7	1,533	9	3,583	0	0	0	0	0	0	
Transfer from USPTO	Pos./BA	8	2,000	10	2,000	10	2,000	12	2,450	2	450	
	FTE/Obl.	11	2,140	10	2,065	10	2,000	12	2,450	2	450	
Disaster Supplemental Appropriations Act, 2018 (P.L. 115-56)	Pos./BA	0	0	0	0	0	0	0	0	0	0	
	FTE/Obl.	0	0	0	40	0	0	0	0	0	0	
Additional Supplemental Appropriation, Disaster Relief Act, 2019 (P.L. 116-20)	Pos./BA	3	0	2	0	0	0	0	0	0	0	
	FTE/Obl.	2	378	2	319	0	0	0	0	0	0	
CARES Act, 2020 (P.L. 116-136)	Pos./BA	6	0	6	0	0	0	0	0	0	0	
	FTE/Obl.	8	1,524	7	1,347	0	0	0	0	0	0	
Infrastructure Investment & Jobs Act (P.L. 117-58) Transfer from NTIA (non-add FY 2023)*	Pos./BA	0	0	6	14,000	14	1,000	14	1,000	0	0	
	FTE/Obl.	0	0	2	414	14	3,000	14	3,000	0	0	
Total	Pos./BA	183	43,556	201	57,556	164	39,709	230	52,221	66	12,512	
	FTE/Obl.	179	45,110	181	51,881	147	42,709	208	55,221	61	12,512	

* Funds appropriated to NTIA in FY 2022, but not available to OIG until FY 2023, per the IJA.

Exhibit 5

	2021 Actual		2022 Annualized CR		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount
Adjustments for										
Recoveries		(47)		0		0		0		0
Unobligated balance, start of year		(9,481)		(7,911)		(13,586)		(13,586)		0
Unobligated balance transferred		0		0		0		0		0
Unobligated balance, end of year		7,911		13,586		10,586		10,586		0
Unobligated balance expiring		63		0		0		0		0
Financing from transfers:										
Transfer from other accounts (-)		(9,556)		(23,556)		(2,000)		(2,450)		(450)
Transfer to other accounts (+)		0		0		0		0		0
Appropriation		34,000		34,000		37,709		49,771		12,062

**Department of Commerce
Office of Inspector General
Salaries and Expenses
SUMMARY OF REIMBURSABLE OBLIGATIONS**
(Dollar amounts in thousands)

Comparison by Activity		2021 Actual		2022 Annualized CR		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	1	2,898	1	3,500	1	3,500	1	3,500	0	0
	FTE/Obl.	1	2,898	1	3,500	1	3,500	1	3,500	0	0
Total	Pos./BA	1	2,898	1	3,500	1	3,500	1	3,500	0	0
	FTE/Obl.	1	2,898	1	3,500	1	3,500	1	3,500	0	0

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
SUMMARY OF FINANCING**
(Dollar amounts in thousands)

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
Office of Inspector General	36,879	37,500	41,209	53,271	12,062
Transfers*	9,227	15,761	2,000	2,450	450
Disaster Supplemental Appropriations Act, 2018 (P.L. 115-56)	0	40	0	0	0
Additional Supplemental Appropriation, Disaster Relief Act, 2019 (P.L. 116-20)	378	319	0	0	0
CARES Act, 2020 (P.L. 116-136)	1,524	1,347	0	0	0
Infrastructure Investment & Jobs Act (P.L. 117-58)		414	3,000	3,000	0
Total Obligations	48,008	55,381	46,209	58,721	12,512
Offsetting collections from:					
Federal funds	(2,898)	(3,500)	(3,500)	(3,500)	0
Trust funds	0	0	0	0	0
Non-Federal sources	0	0	0	0	0
Recoveries	(47)	0	0	0	0
Restoration of Recoveries					
Unobligated balance, start of year	(9,481)	(7,911)	(13,586)	(13,586)	0
Unobligated balance transferred	0	0	0	0	0
Unobligated balance, end of year	7,911	13,586	10,586	10,586	0
Unobligated balance expiring	63	0	0	0	0
Budget Authority	43,556	57,556	39,709	52,221	12,512
Financing:					
Transfer from other accounts (-)	(9,556)	(23,556)	(2,000)	(2,450)	(450)
Transfer to other accounts (+)	0	0	0	0	0
Appropriation	34,000	34,000	37,709	49,771	12,062

* Includes FY 2021 and FY 2022 transfers of \$3.556 million from Census, \$2 million from NOAA Satellites, and \$2 million from the Public Safety Trust Fund for FirstNet oversight.
Also includes FY 2021, FY 2022, and FY 2023 transfers of \$2 million from USPTO.

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
ADJUSTMENTS TO BASE**
(Dollar amounts in thousands)

	Positions	Amount
Transfers of Estimates		0
Adjustments		0
Financing		0
	0	0
Other Changes:		
2021 Pay raise		49
2022 Pay raise		624
2023 Pay raise		766
Awards		0
Full-year cost in 2022 of positions financed for part-year in 2021		0
Change in compensable days		(91)
Civil Service Retirement System (CSRS)		7
Federal Employees Retirement System (FERS)		350
Thrift Savings Plan		336
Federal Insurance Contribution Act (FICA) - OASDI		49
Health insurance		50
Employees Compensation Fund		0
Travel:		
Mileage		1
Per diem		8
Rental payments to GSA		391
GSA Furniture and IT Program (FIT)		182
Postage		0
Working Capital Fund, Departmental Management		826
National Archives and Records Administration (NARA)		0
General Pricing Level (GPL) Adjustment		147
Continuous Diagnostics and Mitigation Charges		12
Enterprise Services		0
Telecommunications Services - Enterprise Infrastructure Services (EIS)		1
Commerce Business System (CBS)		0
Federal Protective Service		1
Other changes unique to certain bureaus (e.g., grants, ship and aircraft costs)		0
Subtotal, other changes		3,709
Total, adjustments to base	0	3,709

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM AND PERFORMANCE: DIRECT OBLIGATIONS**
(Dollar amounts in thousands)

Activity: Office of Inspector General

Line Item		2021 Actual		2022 Annualized CR		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount
Executive Direction & Counsel	Pos./BA	17	3,604	17	3,604	17	3,752	17	3,752	0	0
	FTE/Obl.	15	3,609	15	4,150	15	3,752	15	3,752	0	0
Audits & Evaluations	Pos./BA	128	31,240	144	41,460	113	28,085	170	38,727	57	10,642
	FTE/Obl.	127	32,479	127	37,354	101	30,504	153	41,146	52	10,642
Investigations	Pos./BA	38	8,712	40	12,492	34	7,872	43	9,742	9	1,870
	FTE/Obl.	37	9,022	39	10,377	31	8,453	40	10,323	9	1,870
Total	Pos./BA	183	43,556	201	57,556	164	39,709	230	52,221	66	12,512
	FTE/Obl.	179	45,110	181	51,881	147	42,709	208	55,221	61	12,512

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM AND PERFORMANCE: REIMBURSABLE OBLIGATIONS**
(Dollar amounts in thousands)

Activity: Office of Inspector General

Line Item	2021		2022		2023		2023		Increase/Decrease		
	Actual		Annualized CR		Base		Estimate		from 2023 Base		
	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	
Office of Inspector General	Pos./BA	1	2,898	1	3,500	1	3,500	1	3,500	0	0
	FTE/Obl.	1	2,898	1	3,500	1	3,500	1	3,500	0	0
Total	Pos./BA	1	2,898	1	3,500	1	3,500	1	3,500	0	0
	FTE/Obl.	1	2,898	1	3,500	1	3,500	1	3,500	0	0

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
JUSTIFICATION OF PROGRAM AND PERFORMANCE**
(Dollar amounts in thousands)

Activity: Office of Inspector General

The Department of Commerce Office of Inspector General (OIG) was established by the Inspector General Act of 1978 (P.L. 95-452), as amended, as an independent oversight agency under the general supervision of the Secretary of Commerce.

Goal Statement

OIG's mission is to improve the programs and operations of the Department of Commerce through independent and objective oversight. OIG keeps the Secretary, Deputy Secretary, and Congress informed of serious problems and deficiencies relating to the administration of the Department's programs and operations, recommends corrective actions, and reports on the progress made in implementing corrective actions. OIG has a Whistleblower Protection Coordinator Program, established by the Whistleblower Protection Enhancement Act of 2012 and revised by the Whistleblower Protection Coordinator Act.

Base Program

OIG's current resources support an oversight program focusing on the Department's top management and performance challenges. OIG's most recent report identified the following seven challenges: 1) continuing to improve the Department's cybersecurity resiliency, 2) managing risks and leveraging investments to improve satellite data, products, and services, 3) improving management and oversight of acquisitions and grants, 4) enhancing the Department's capacity to enforce fair and secure trade, 5) establishing a strong framework for designing the 2030 Census and improving operations over surveys and employee background investigations, 6) meeting intellectual property stakeholder needs in the midst of economic, technological, and legal changes, and 7) deploying a Nationwide Public Safety Broadband Network.

OIG's base funding level for FY 2023 is \$39.709 million, of which \$34 million is for general oversight activities. This funding also includes a transfer of \$2 million from USPTO, and inflationary increases of \$3.709 million.

Statement of Operating Objectives

OIG's independent oversight helps the Department improve the integrity of its operations and programs; ensures their efficient and effective operation; provides stakeholders with independent assessments of those operations and identifies the need for corrective action; and combats waste, fraud, and abuse. OIG provides the results of that oversight to stakeholders such as the Secretary of Commerce, the Department's senior leaders, Congress, and the American taxpayers.

Explanation and Justification

OIG's work is primarily people-driven, with 74 percent of its resources dedicated to personnel-related costs. OIG is headquartered in Washington, DC, and operates three field offices in Atlanta, Denver, and Seattle.

Oversight Activities (\$39.709 million).

Audits and Evaluations OIG supervises and conducts independent and objective audits and other reviews of Commerce programs and activities to ensure they operate economically, efficiently, and effectively. OIG performs work both planned and in response to Congressional or Departmental requests – covering such areas as financial controls, operational efficiencies, information systems, program performance, and major acquisitions.

Investigations OIG investigates alleged or suspected fraud, waste, abuse, and misconduct by Departmental employees, contractors, recipients of financial assistance, and others involved in the Department's programs and operations. OIG's most significant areas of criminal, civil, and administrative investigations are related to contract fraud, grant fraud, public corruption, and senior-level employee misconduct.

Hotline and Whistleblower Protection OIG maintains a Hotline for receiving allegations of fraud, waste, abuse, and gross mismanagement in Departmental programs or operations, including any organization or entity receiving Departmental funds. Allegations may be reported 24 hours a day, 7 days a week by employees, contractors, or the public. OIG also investigates allegations of whistleblower retaliation taken against Department employees, contractors, and grantees.

OIG's major deliverables include:

- A report on the top management and performance challenges facing the Department—*published in October*;
- A semiannual report summarizing the audit and investigative work OIG completed or initiated in the previous 6 months—*posted publicly on the OIG website in May and November*;
- Reports on audits and evaluations—*performed according to OIG's annual audit plan, which may be modified to address*

Congressional requests from committees and individual members, statute, or other changes to oversight priorities;

- Responses to Congressional requests, including testimony—as necessary;
- An annual audit of the Department’s compliance with the Federal Information Security Modernization Act of 2014;
- Biennial audits of the Department’s Digital Accountability and Transparency Act of 2014 (DATA Act) submissions;
- Biennial audits of the Department’s compliance with the Geospatial Data Act of 2018;
- Biennial audits of the Department’s compliance with the Cybersecurity Information Sharing Act of 2015;
- A financial audit report of the Department and its bureaus, to include a separate USPTO report—provided in November; and
- Recommendation tracking, ensuring that OIG’s recommendations are appropriately implemented by Departmental management—ongoing.

OIG focuses its oversight efforts on the Department’s top management and performance challenges. These include the following:

NOAA Environmental Satellite Programs (\$2 million). Satellite data and imagery are essential to NOAA’s capability to understand, predict, and track weather and other environmental phenomena. NOAA’s primary sources for these observations are satellites in geostationary and polar orbits. With life-cycle costs of nearly \$30 billion, strong management and close oversight of these programs are needed to manage risks that could lead to cost overruns, schedule delays, and coverage gaps in the critical capabilities these programs provide. Although these programs are well established, they face significant challenges related to complex and costly systems acquisition and development. NOAA is beginning large investments in the next generations of these programs as well as space weather satellite systems. These programs have lengthy acquisition and development timelines that require sound processes to ensure NOAA’s future needs are met. Although OIG currently provides oversight of NOAA environmental satellites, a program increase is submitted to replace the annual transfer for this oversight with a direct appropriation.

Census (\$3.556 million). The U.S. Census Bureau conducts a decennial census as mandated by the United States Constitution to ensure an accurate count of the U.S. population, which is used to apportion the number of seats each state will have in the U.S. House of Representatives, define congressional districts, and distribute billions of dollars in federal funds for social services programs and infrastructure projects. Although OIG currently provides oversight of the Census Bureau, a program increase is submitted to replace the annual transfer for this oversight with a direct appropriation.

United States Patent and Trademark Office (USPTO) (\$2 million). USPTO faces the challenge of issuing timely and reliable patents. Innovators and creators must have confidence that they will receive both a decision on their application in a reasonable

amount of time, and a rigorous examination that results in quality patents. As noted by stakeholders, patentability concerns will deteriorate confidence in the U.S. patent system, stifle innovation, and weaken the value of U.S. intellectual property rights.

First Responder Network Authority (FirstNet) (\$2 million). The Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) established FirstNet as an independent authority within the National Telecommunications and Information Administration to build, deploy, and operate a Nationwide Public Safety Broadband Network (NPSBN) dedicated to first responders. In 2017, FirstNet entered into a 25-year contract with AT&T for the construction and operation of the NPSBN. FirstNet's partnership with AT&T involves (a) an initial obligation of up to \$6.5 billion in funds to the private company to deploy the network, (b) AT&T's use of dedicated broadband spectrum, and (c) payments from AT&T to FirstNet over the life of the contract. FirstNet will use these proceeds, which will exceed \$17 billion over the life of the NPSBN contract, to support its operations and to fund future upgrades to the network.

Other Top Management Challenges:

- **Cybersecurity.** The U.S. Department of Commerce has been tasked with enhancing cybersecurity awareness and protections, maintaining public safety, and supporting economic and national security. However, it continues to face significant challenges to improving and maintaining its own enterprise cybersecurity posture. This was particularly true in FY 2021 after several of the Department's bureaus were hit by successful attacks, most critically the SolarWinds breach. The prevalence, sophistication, and damage of attacks are increasing, leading to an urgent requirement for the Department to safeguard decennial census data, secure legacy systems, ensure the security of the First Responders Network, and consistently implement IT security policies and procedures.
- **Trade Enforcement and Promotion.** As one of the federal government's leading trade enforcement and promotion agencies, the Department faces the challenge of helping U.S. companies to be more competitive abroad while simultaneously protecting U.S. national security interests. The Department's trade enforcement and promotion responsibilities primarily reside with the International Trade Administration, which enforces U.S. trade laws and agreements and assists U.S. exporters to sell their products overseas, and the Bureau of Industry and Security, which administers and enforces U.S. export control laws and regulations to support U.S. national security interests.
- **The Department's Management of Acquisitions and Grants.** A continuing challenge for the federal government generally, and the Department specifically, is spending taxpayer dollars wisely and protecting them from waste and abuse.

Acquisitions. In FY 2021, the Department awarded various types of contracts—totaling \$6.7 billion—for goods

and services related to satellite acquisitions, support for intellectual property operations, management of coastal and ocean resources, IT, and construction and facilities management. It is imperative that these funds result in the best value for the taxpayer. OIG investigations have resulted in substantiated allegations of fraud by Department contractors, and OIG audits have identified a number of areas where the Department can better manage and oversee contracts to improve program performance, achieve cost savings, and prevent fraud, waste, and abuse.

Pandemic Relief Assistance Funding. The Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), Consolidated Appropriations Act of 2021 (P.L. 116-260), and American Rescue Plan Act of 2021 (P.L. 117-2) provided more than \$6.9 billion to support the Department's response to the COVID-19 pandemic. OIG received \$3 million in the CARES Act and another \$3 million in the American Rescue Plan Act for oversight of the Department's pandemic relief efforts. OIG's work will help the Department to effectively and efficiently respond to COVID-19—and minimize the shortcomings in stimulus program implementation and possible misuse of funds resulting from their rapid deployment.

Broadband Grants Programs. The Infrastructure Investment and Jobs Act, 2022 (P.L. 117-58) provided OIG with \$18 million, transferred from funds appropriated to NTIA for three broadband grants programs—1) Broadband Equity, Access, and Deployment, 2) Digital Equity, and 3) Middle Mile Deployment. OIG received \$14 million in FY 2022 and will receive an additional \$1 million in FY 2023. OIG will provide critical oversight of the entire life-cycle of the grant process, and will conduct program audits and produce audit reports that include a sample of grants and expenditures, Department and grantee monitoring, and cash management issues. OIG's Office of Investigations will conduct criminal, civil, and administrative investigations of alleged and suspected fraud by recipients of broadband funding.

Work Completed by OIG in FY 2021

In FY 2021, OIG published 16 audit, inspection, and evaluation products, made 113 recommendations for improvements to Departmental programs, issued 3 management alerts, and identified \$108 million of monetary benefits from its work. In addition to these results, recent OIG efforts found that:

- The Census Bureau did not put into place fundamental security safeguards to adequately protect the Bureau's IT systems that supported 2020 Census operations.
- USPTO's trademark registration process was not effective in preventing fraudulent or inaccurate registrations.

- The Patent Trial and Appeal Board's IT system did not meet its users' needs, the Board lacked effective data management, a recent court decision threatened retention and recruitment, and the Board could not reliably project its staffing needs.
- NOAA and its Office of Marine and Aviation Management lacked long-range strategies, standards, and processes for managing ship fleet requirements.
- The Department's Business Applications Solution (BAS) program lacked plans for reengineering existing DOC business processes to take advantage of the capabilities of BAS, and the program's process change efforts were not consistent with best practices.
- ITA denied U.S. companies' requests for exclusion from Section 232 tariffs based on incomplete and contradictory information, and the exclusion process lacked transparency.
- FirstNet Authority staff requested additional contract services outside the scope of the contract.
- EDA did not always comply with its own policies and procedures for determining which applicants should receive disaster relief funds.

OIG's direct investigative work resulted in the following results:

- Dealt with 1,152 Hotline contacts related to the Department and its programs;
- Referred 776 Hotline issues to Departmental and bureau management for further investigation and resolution, as appropriate;
- Opened 41 investigations (whistleblower reprisal, preliminary, or full field investigations) and 22 request for assistance files, totaling 63 investigative actions;
- Closed 61 investigations; and
- Referred 30 cases to the U.S. Department of Justice or state/local prosecutors that were accepted for prosecution.

In addition, cases pursued by OIG resulted in five convictions, the indictment of 15 individuals, one suspension/debarment, two personnel actions, and monetary recoveries totaling \$108 million.

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	158	41,265	18	3,556
	FTE/Obl.	123	37,709	141	41,265	18	3,556

Continued Oversight of the Census Bureau (+\$3.556 million, 18 FTE/18 Positions) – This request will enable OIG to continue its critical oversight of the Department’s planning and development of the 2030 decennial census. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary. This request would replace the annual transfer from the Census Bureau with an increase in OIG’s base appropriation, provide OIG additional flexibility in providing oversight to emerging areas of Congressional concern, and reduce OIG costs associated with administering separate funding for Census oversight.

The U.S. Census Bureau is responsible for conducting a decennial census as mandated by the United States Constitution to ensure an accurate count of the U.S. population. Data collected during a decennial census are used to apportion the number of seats each state will have in the U.S. House of Representatives, to define congressional districts, and to distribute billions of dollars in federal funds for social services programs and infrastructure projects such as highways, hospitals, and schools. The Census program carries extra concern for OIG due to its potential vulnerabilities to fraud, waste, abuse, and mismanagement. Planning for a decennial census begins before the prior census concludes. The current funding level provides OIG the capacity to identify problems in the 2030 decennial process and make recommendations sufficiently early that the problems may be dealt with while minimizing budget and schedule impacts. Ongoing work includes:

- Ensuring lessons learned from the 2020 Census are fully captured;
- Ensuring effective planning, budgeting, and scheduling for the 2030 Census; and
- Continuing criminal and civil investigations of data collection and contract fraud.

Without continued funding, OIG will lack the capacity to provide sufficient oversight of the Census Bureau and its planning for the 2030 decennial census. OIG will only be able to perform audits and investigations on an ad hoc basis. OIG will be unable to keep Congress and DOC apprised of issues and challenges related to census planning, or provide independent recommendations to the Bureau for process improvement.

Rather than add new capacity or capability, these resources will enable OIG to retain its trained team of auditors and investigators and continue oversight of Census Bureau activities, and conduct criminal, civil, and administrative investigations. OIG will continue to monitor decennial census planning activities to ensure an efficient and effective 2030 decennial census.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	5	5	5	5	5
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Continued Oversight of the Census Bureau

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Auditor		15	1	168,282	168,282
Supervisory Auditor		14	2	143,064	286,128
Auditor		13	7	121,065	847,455
Auditor		12	5	101,813	509,065
Criminal Investigator		13	3	151,331	453,993
Total			18		2,264,923
Less Lapse*	0.00%		0		-
Total full-time permanent (FTE)			18		2,264,923
2023 pay adjustment (4.6%)					78,140
					2,343,063

* All positions are expected to be filled at the beginning of FY 2023

Personnel Data Summary					
<u>Full-Time Equivalent Employment (FTE)</u>					
Full-time permanent			18		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			18		
<u>Authorized Positions</u>					
Full-time permanent			18		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			18		

Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS
(Direct Obligations amounts in thousands)

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	18,373	2,249
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,365	178
11.9 Total personnel compensation	16,404	16,492	17,492	19,919	2,427
12.1 Civilian personnel benefits	6,253	6,086	7,226	8,158	932
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	550	45
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	662	36
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,310	35
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	6,004	25
26.0 Supplies and materials	51	51	53	55	2
31.0 Equipment	1,693	1,776	1,848	1,902	54
99.9 Total Obligations	33,981	34,000	37,709	41,265	3,556

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	150	39,709	10	2,000
	FTE/Obl.	123	37,709	133	39,709	10	2,000

Continued Oversight of the First Responder Network Authority (FirstNet) (+\$2 million, 10 FTE/10 Positions) – Beginning in FY 2019, Congress provided OIG \$2 million each year from the Public Safety Trust Fund (PSTF) for oversight of FirstNet. However, funds in the PSTF will expire at the end of FY 2022. This request will enable OIG to continue its critical oversight of FirstNet’s management of the development and operation of a nationwide broadband network, which will link first responders as they work to save lives and protect U.S. communities. In addition to audits and evaluations, OIG will conduct investigations as needed.

The Middle Class Tax Relief and Job Creation Act of 2012 established FirstNet as an independent authority to ensure the building, deployment, and operation of a Nationwide Public Safety Broadband Network (NPSBN) dedicated to first responders. In 2017, FirstNet entered into a 25-year contract with AT&T for the construction and operation of the NPSBN with an initial obligation of up to \$6 billion. In addition to its massive scale, this contract is also extremely complex as it includes payments to and from the NPSBN contractor. It is expected that First Net will reinvest about \$15 billion from the annual fees it receives over the life of the contract.

Without this continued funding, OIG will have to cease its FirstNet oversight activities well before FirstNet’s reinvestment process, expected to exceed \$1 billion per year by FY 2026, is fully stress tested. In addition, OIG will be unable to provide oversight of the contractor, equipment acquisitions, and ongoing network improvements.

This request would not add any new capabilities or capacity; rather, it will enable OIG to retain the dedicated team of audit professionals it has built over the past three years to address the specific challenges of this substantial and critical program. OIG would be unable to replicate this level of experience and expertise on an ad hoc basis to conduct limited audits and evaluations.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	2	2	2	2	2
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Continued Oversight of the First Responder Network Authority

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Senior Telecommunications Advisor		SL	1	190,000	190,000
Supervisory Auditor		15	1	176,300	176,300
Supervisory Auditor		14	2	143,064	286,128
Auditor		13	5	121,065	605,325
Auditor		12	1	89,834	89,834
Total			10		1,347,587
Less Lapse*	0.00%		0		-
Total full-time permanent (FTE)			10		1,347,587
2023 pay adjustment (4.6%)					46,492
					1,394,079

* All positions are expected to be filled at the beginning of FY 2023

Personnel Data Summary					
<u>Full-Time Equivalent Employment (FTE)</u>					
Full-time permanent			10		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			10		
<u>Authorized Positions</u>					
Full-time permanent			10		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			10		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS**
(Direct Obligations amounts in thousands)

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	17,518	1,394
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,239	52
11.9 Total personnel compensation	16,404	16,492	17,492	18,938	1,446
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,721	495
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	505	0
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	646	20
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,293	18
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,993	14
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,854	6
99.9 Total Obligations	33,981	34,000	37,709	39,709	2,000

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	149	39,709	9	2,000
	FTE/Obl.	123	37,709	132	39,709	9	2,000

Continued Oversight of NOAA Satellite Programs (+\$2 million, 9 FTE/9 Positions) – This request will enable OIG to continue to provide effective oversight of NOAA’s environmental satellites programs. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary. This request would replace the annual transfer from NOAA with an increase in OIG’s base appropriation, provide OIG additional flexibility in providing oversight to emerging areas of Congressional concern, and reduce OIG costs associated with administering separate funding for NOAA environmental satellite oversight.

Satellite data and imagery are essential to NOAA’s capability to understand, predict, and track weather and other environmental phenomena. NOAA’s primary sources for these observations are satellites in geostationary and polar orbits. With life-cycle costs of nearly \$30 billion, strong management and close oversight of these programs are needed to manage risks that could lead to cost overruns, schedule delays, and coverage gaps in the critical capabilities these programs provide. OIG recently provided NOAA with recommendations to better manage polar satellite spacecraft and instrument development efforts, and to reassess its geostationary satellite launch planning and storage assumptions. Although these programs are well established, they face significant challenges related to complex and costly systems acquisition and development. OIG’s ongoing focus areas include:

- Managing technical challenges with polar and geostationary satellites;
- Planning and implementing next-generation satellite systems to continue observations and meet future needs;

- Addressing risks to observations, operations, and communications from frequency interference;
- Initiating a space traffic management pilot program; and
- Leveraging investments for cost-effective weather data, products, and services to protect communities and increase resilience to climate change.

Without this continued funding, OIG will have to cease or scale back its oversight of NOAA’s environmental satellite programs, which cost from \$1.5 billion to \$2 billion annually. This request would not add any new capabilities or capacity; rather, it will enable OIG to retain the dedicated team of technical experts and audit professionals it has built over the past three years to address the specific challenges of this substantial and critical program. OIG would be unable to replicate this level of experience and expertise on an ad hoc basis to conduct limited audits and evaluations.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	3	3	3	3	3
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
Program Change: Continued Oversight of NOAA Satellite Programs

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory IT Specialist		15	1	168,282	168,282
Physical Scientist		SL	1	190,000	190,000
Aerospace Engineer		14	2	143,064	286,128
Electronics Engineer		14	1	143,064	143,064
Engineer/Physical Scientist		14	3	143,064	429,192
Auditor		13	1	121,065	121,065
Total			9		1,337,731
Less Lapse*	0.00%		0		-
Total full-time permanent (FTE)			9		1,337,731
2023 pay adjustment (4.6%)					46,152
					1,383,883

* All positions are expected to be filled at the beginning of FY 2023

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			9		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			9		
Authorized Positions					
Full-time permanent			9		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			9		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS**
(Direct Obligations amounts in thousands)

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	17,508	1,384
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,239	52
11.9 Total personnel compensation	16,404	16,492	17,492	18,928	1,436
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,709	483
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	533	28
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	644	18
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,291	16
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,991	12
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,854	6
99.9 Total Obligations	33,981	34,000	37,709	39,709	2,000

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2022 Base		2022 Estimate		Increase/Decrease from 2022 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	35,783	147	37,087	7	1,304
	FTE/Obl.	123	35,783	128	37,087	5	1,304

Increased Oversight of the National Institute of Standards and Technology (+\$1.304 million, 5 FTE/7 Positions) – This request will enable OIG to conduct audits and evaluations of National Institute of Standards and Technology (NIST) investments in research laboratories and grant programs, research facility construction, and industry services by providing \$1.304 million and 7 positions. In addition, OIG will conduct criminal, civil, and administrative investigations related to NIST activities.

As the United States’ lead national laboratory, NIST spends up to \$900 million annually to support research into leading-edge technology such as artificial intelligence, quantum information science, 5G and advanced communications, advanced manufacturing, microelectronics, and biotechnology, areas that are critical to the Nation’s technological competitiveness and economic security. Additionally, NIST assists private sector initiatives to capitalize on advanced technology through cooperative efforts with industry, academia, and other governmental entities by pooling skills to accelerate development. These initiatives not only strengthen manufacturing processes, but also ensure that the U.S. maintains its global edge in developing and utilizing emerging technologies.

NIST also spends over \$100 million annually on the maintenance, repair, and construction of its research facilities, many of which rely on infrastructure that was constructed in the 1950s and 1960s and are in dire condition. Per NIST, over half of their facilities nationwide have not been renovated in over 20 years and their facilities have a maintenance backlog of nearly \$835 million. For NIST to advance innovation, enhance job creation, and strengthen U.S. economic security, it must use its resources as effectively as possible.

NIST’s costly and complex investments provide significant opportunities for mismanagement, waste, and fraud. OIG lacks the staffing

capacity and specialized technical expertise to provide ongoing, in-depth analysis into these critical program areas. On those occasions when OIG has been able to conduct individual audits and investigations, OIG has found deficiencies in NIST's oversight of construction contracts, inadequate documentation of contract actions, and inadequate controls for monitoring research & development grants and cooperative agreements. Notably, the Hollings Manufacturing Extension Partnership spends up to \$150 million delivering services such as product and market development to aid manufacturers through 51 centers in every U.S. State and Puerto Rico. This program, similar to other grant programs, is particularly susceptible to fraud. OIG's investigations related to other NIST programs found grantees fraudulently obtaining grants by giving false information, misappropriating funds for personal and other uses, fraudulently soliciting matching funds, and falsifying claims for in-kind services. OIG also identified false invoices and double billings by NIST contractors, and instances of foreign influence tied to the theft of intellectual property from NIST's scientific and technical programs.

OIG will use the additional resources to develop a small, dedicated cadre of engineers, physical scientists, computer scientists, and auditors to conduct ongoing oversight of critical NIST investments, as well as a criminal investigator to focus on illegal activity within NIST programs. The establishment of a dedicated NIST oversight team would ensure that NIST leverages its resources to fulfil its mission and provide value to its public and private sector customers.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	1	2	2	2	2
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$4,000	\$5,000	\$5,000	\$5,000	\$5,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
Program Change: Oversight of the National Institute of Standards and Technology

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Auditor		15	1	148,484	148,484
Engineer/Physical Scientist		SL	1	190,000	190,000
Computer Scientist/Auditor		14	1	126,233	126,233
Computer Scientist/Auditor		13	1	106,823	106,823
Engineer/Physical Scientist		13	1	106,823	106,823
Computer Scientist/Auditor		12	1	89,834	89,834
Criminal Investigator		13	1	133,529	133,529
Total			7		901,726
Less Lapse	25.00%		(2)		(225,432)
Total full-time permanent (FTE)			5		676,295
2023 pay adjustment (4.6%)					31,110
					707,404

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			5		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			5		
<u>Authorized Positions</u>					
Full-time permanent			7		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			7		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS**
(Direct Obligations amounts in thousands)

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	16,810	686
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,234	47
11.9 Total personnel compensation	16,404	16,492	17,492	18,225	733
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,513	287
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	526	21
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	640	14
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,492	217
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,989	10
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,869	21
99.9 Total Obligations	33,981	34,000	37,709	39,013	1,304

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	146	38,844	6	1,135
	FTE/Obl.	123	37,709	129	38,844	6	1,135

Continued Oversight of DOC Pandemic Relief Efforts (+\$1.135 million, 6 FTE/6 Positions) – This request will enable OIG to continue oversight of the Department’s COVID-related spending. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Consolidated Appropriations Act (CAA) of 2021, and the American Rescue Plan Act of 2021 provided more than \$6.9 billion to support the Department’s response to the COVID-19 pandemic. A significant portion of the funds went to EDA, which received more than \$4.4 billion; NTIA, which received more than \$1.5 billion; and NOAA, which received \$620 million. OIG received \$3 million under the CARES Act for oversight of EDA’s CARES Act spending and another \$3 million in the American Rescue Plan Act for oversight of the Department’s pandemic relief efforts. While these funds expire at the end of FY 2022, the need for oversight of this spending will continue through FY 2027 to ensure that funds are disbursed properly and that grantees expend the funding for permitted uses, and to investigate and recover funds that are used improperly.

Rather than add new capacity or capability, the resources OIG requests will enable it to retain the trained team of auditors and investigators it built using funds provided in the CARES Act and the American Rescue Plan Act. This team will continue to monitor grant and relief activities to ensure timely disbursement of relief funds and avoid grantee fraud.

With the equivalent of half of DOC’s annual funding provided to three small bureaus, fraud, waste, and abuse are inevitable, and will likely be substantial. Without continued funding, OIG will not have the capacity to provide sufficient oversight to the bureaus or their grantees, and will only be able to perform audits and investigations on an ad hoc basis. OIG will be unable to keep Congress and

DOC apprised of issues and challenges related to COVID relief, provide independent recommendations to the bureaus for grant process improvement, investigate grantees who have misused taxpayer dollars, and recover misused taxpayer dollars.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	2	2	2	2	2
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
Program Change: Continued Oversight of DOC Pandemic Relief Efforts

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Auditor		14	1	126,233	126,233
Auditor		13	3	106,823	320,469
Criminal Investigator		13	2	133,529	267,058
Total			6		713,760
Less Lapse*	0.00%		0		-
Total full-time permanent (FTE)			6		713,760
2023 pay adjustment (4.6%)					24,625
					738,385

* All positions are expected to be filled at the beginning of FY 2023

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			6		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			6		
Authorized Positions					
Full-time permanent			6		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			6		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS
(Direct Obligations amounts in thousands)**

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	16,807	683
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,268	81
11.9 Total personnel compensation	16,404	16,492	17,492	18,256	764
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,548	322
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	515	10
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	638	12
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,287	12
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,989	10
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,852	4
99.9 Total Obligations	33,981	34,000	37,709	38,844	1,135

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	146	38,581	6	872
	FTE/Obl.	123	37,709	128	38,581	5	872

Increased Oversight of Trade Activities, Acquisitions, and Grants (+\$872 thousand, 5 FTE/6 Positions) – This request will enable OIG to re-build its capacity to provide oversight of trade activities, acquisitions, and grants. OIG’s base funding has remained relatively flat since FY 2014 and it has lost ground to inflation over that time. As a result, OIG has been unable to backfill critical positions on both the Trade and the Acquisitions and Grants teams, and OIG’s capacity to conduct audits and evaluations of the Department’s activities in these areas has been seriously reduced. Of the amounts requested, \$392 thousand will be applied to oversight of Trade activities and the remaining \$480 thousand to the oversight of acquisitions and grants.

In FY 2021, the Department obligated more than \$6.7 billion for contracts as well as \$2.9 billion in grants and other financial assistance awards. OIG audits have identified areas where DOC can better manage and oversee contracts and grants to improve program performance, achieve cost savings, and help prevent fraud, waste, and abuse. Deterring, detecting, and defeating contract and grant fraud has become OIG’s top investigative priority and now accounts for over 50 percent of its investigative caseload. Over the past 5 years, OIG investigations have resulted in the recovery of over \$100 million in restitutions, fines, and civil settlements.

The Department also faces the challenge of helping U.S. companies be more competitive abroad while simultaneously protecting U.S. national security interests. Before OIG’s capacity in this area eroded, OIG was able to identify improvements in business processes that resulted in several hundred million dollars in funds that could be put to better use.

OIG will add a team of auditors to focus on trade activities, as well as three investigators to increase the capacity to investigate alleged and suspected fraud by Department contractors and grantees. Without this additional funding, OIG’s oversight of these critical Departmental missions will remain extremely limited, and will be conducted on an ad hoc basis.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	1	2	2	2	2
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$4,000	\$5,000	\$5,000	\$5,000	\$5,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Increased Oversight of Trade Activities, Acquisitions, and Grants

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Auditor (Trade)		14	1	126,233	126,233
Auditor (Trade)		13	1	106,823	106,823
Auditor (Trade)		12	1	89,834	89,834
Criminal Investigator (Acquisitions & Grants)		13	2	133,529	267,058
Investigator (Acquisitions & Grants)		12	1	89,834	89,834
Total			6		679,782
Less Lapse	25.00%		(1)		(169,946)
Total full-time permanent (FTE)			5		509,837
2023 pay adjustment (4.6%)					23,452
					533,289

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			5		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			5		
Authorized Positions					
Full-time permanent			6		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			6		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS
(Direct Obligations amounts in thousands)**

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	16,615	491
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,247	60
11.9 Total personnel compensation	16,404	16,492	17,492	18,043	551
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,475	249
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	540	35
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	638	12
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,287	12
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,987	8
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,852	4
99.9 Total Obligations	33,981	34,000	37,709	38,581	872

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	144	38,317	4	608
	FTE/Obl.	123	37,709	126	38,317	3	608

Oversight of National Weather Service Forecasting Capabilities (+\$608 thousand, 3 FTE/4 Positions) – This request will enable OIG to evaluate the National Weather Service’s (NWS’s) investments and operations, which support communities, businesses, and industries as they improve their weather and climate resilience, either directly through NWS weather services, or by secondary providers using NWS products.

NWS provides forecasts and warnings crucial to public safety and protection of the Nation’s critical infrastructure. Through the Weather Research and Forecasting Innovation Act of 2017 (P.L. 115-25), Congress directed NOAA to “prioritize improving weather data, modeling, computing, forecasting, and warnings” to protect life and property and promote economic growth. In doing so, NWS has sought to upgrade NOAA’s primary numerical weather prediction model. Despite these upgrades, it remains less accurate than European models and costs nearly \$100 million a year to operate. Also, NWS has made limited progress with forecast performance for severe weather events like hurricanes, tornados, and floods. For FY 2022, the President’s Budget requests \$800 million for NOAA to expand climate observation, forecasting, and research. Increased oversight is required to ensure NWS uses this substantial investment appropriately and efficiently, and to ensure that NWS addresses its lack of progress in improving forecast performance.

Without the additional funding for NWS oversight, OIG will be unable to independently review NWS’s efforts to improve its Global Forecast System, and independently assess the reasons behind NWS’s lagging forecast performance. NWS’s strategy, prioritization, and implementation of investments in weather forecasting, modeling, data assimilation, and supercomputing may be inadequate, leading to waste, delays, and cost overruns. Operations and workforce improvement efforts may not be optimized, resulting in

additional costs and/or inferior forecasts and warning lead times. Information technology consolidation plans may be inadequately managed and implemented, with potentially significant cost and schedule impact; and funds management practices may not receive adequate independent scrutiny, with diversions of funding from Congressionally-directed priorities.

OIG will add three multidisciplinary engineers/scientists and one program analyst/auditor, enabling OIG to provide oversight of the critical program areas noted above. This additional capacity will allow OIG to provide oversight of the development of NWS’s global weather forecast model, assess the efficiency and effectiveness of NWS efforts to provide forecasts and warnings for the protection of life and property and forecasts used by governments and industry. OIG will also assess the return on NWS investments and NWS metrics related to its forecasting capabilities. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	1	2	2	2	2
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$4,000	\$5,000	\$5,000	\$5,000	\$5,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Oversight of National Weather Service Forecasting Capabilities

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Engineer/Physical Scientist		15	1	148,484	148,484
Engineer/Physical Scientist		14	2	126,233	252,466
Program Analyst/Auditor		13	1	106,823	106,823
Total			4		507,773
Less Lapse	25.00%		(1)		(126,943)
Total full-time permanent (FTE)			3		380,830
2023 pay adjustment (4.6%)					17,518
					398,348

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			3		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			3		
<u>Authorized Positions</u>					
Full-time permanent			4		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			4		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS
(Direct Obligations amounts in thousands)**

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	16,522	398
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,202	15
11.9 Total personnel compensation	16,404	16,492	17,492	17,905	413
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,379	153
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	513	8
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	634	8
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,282	7
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,985	6
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,860	12
99.9 Total Obligations	33,981	34,000	37,709	38,317	608

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	140	37,709	144	38,296	4	587
	FTE/Obl.	123	37,709	126	38,296	3	587

Oversight of NOAA Fleet and Aircraft Acquisition and Development (+\$587 thousand, 3 FTE/4 Positions) – This request will enable OIG to dedicate a team of engineering and audit professionals to conduct audits and evaluations of NOAA’s Office of Marine and Aviation Operations (OMAO) ship and aircraft procurements. NOAA’s aircraft and ships play critical roles in collecting oceanographic, atmospheric, hydrographic, and fisheries data in support of NOAA’s missions. For example, they provide navigation hazard surveys and aerial images of disaster-torn areas to first responders and residents, and are often the only source of such data.

Eight of NOAA’s 15 ships are over 30 years old and are expected to be decommissioned by 2028. Unscheduled maintenance costs are increasing significantly as the reliability of these ships declines with age. NOAA has an interagency agreement—valued at \$1.5 billion—with the Navy to acquire up to 8 vessels and is nearing completion of designs for two multi-purpose, “Class A”, vessels. Having experienced schedule slippages and governance issues, NOAA has decided it will lead the acquisition of its Class B ships with support from the Navy. Programs for the two remaining classes, C and D, are in early planning stages. OIG’s initial work identified significant shortcomings in OMAO’s management of requirements as well as risks related to OMAO’s evolving procurement strategy. These same concerns apply to recapitalization of NOAA’s aircraft.

The substantial cost and complexity of these assets provide significant opportunities for mismanagement and waste. In an audit completed in May 2021, OIG found that NOAA lacks long-range strategies and well-defined standards and processes for managing ship fleet requirements, and that OMAO’s requirement validation process is not adequate for new, changing, or emerging requirements. In the past, OIG also found delays and cost increases in NOAA ship acquisition efforts. These are indicators that additional oversight is needed to ensure that NOAA adequately identifies and analyzes gaps between its ship and aircraft capabilities

and mission needs, and conducts acquisition and development activities in accordance with standards and best practices. Without additional oversight, improvements in NOAA's fleet strategy, its processes for managing ship requirements, and ability to adapt to new, changing, and emerging requirements cannot be assured. Further, there is increased risk for delays in completion of new NOAA aircraft that could result in loss of critical capabilities during hurricane season, and future mission capabilities for aircraft may not receive adequate scrutiny. Given the importance of these assets to so many of NOAA's missions and the cost and time sensitivity of their replacement, it is imperative that NOAA avoid significant, costly mismanagement in its fleet replacement.

The additional resources will enable OIG to dedicate two multidisciplinary engineers/scientists and two program analysts/auditors to provide continual oversight of these acquisitions with a focus on cost, schedule, and performance. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	1	1	1	1	1
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$4,000	\$5,000	\$5,000	\$5,000	\$5,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Oversight of NOAA Fleet and Aircraft Acquisition and Development

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Supervisory Engineer		15	1	148,484	148,484
Engineer/Physical Scientist		14	1	126,233	126,233
Program Analyst		13	1	106,823	106,823
Program Analyst/Auditor		13	1	106,823	106,823
Total			4		488,363
Less Lapse	25.00%		(1)		(122,091)
Total full-time permanent (FTE)			3		366,272
2023 pay adjustment (4.6%)					16,849
					383,121

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			3		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			3		
<u>Authorized Positions</u>					
Full-time permanent			4		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			4		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS
(Direct Obligations amounts in thousands)**

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	16,507	383
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,201	14
11.9 Total personnel compensation	16,404	16,492	17,492	17,889	397
12.1 Civilian personnel benefits	6,253	6,086	7,226	7,374	148
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	513	8
22.0 Transportation of things	18	15	16	16	0
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	634	8
24.0 Printing and reproduction	2	2	2	2	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,282	7
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	5,985	6
26.0 Supplies and materials	51	51	53	54	1
31.0 Equipment	1,693	1,776	1,848	1,860	12
99.9 Total Obligations	33,981	34,000	37,709	38,296	587

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE FOR 2023**
(Dollar amounts in thousands)

		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount
Office of Inspector General	Pos./BA	10	2,000	12	2,450	2	450
	FTE/Obl.	10	2,000	12	2,450	2	450

Increased Oversight of U.S. Patent and Trademark Office (USPTO) Operations (+\$450 thousand, 2 FTE/2 Positions) – This increase to the USPTO transfer will enable OIG to address specific program challenges identified in OIG’s recent audit work that underscore the need for enhanced oversight of USPTO operations. USPTO has struggled to replace its aging legacy IT systems, and OIG found deficiencies in USPTO’s data recovery and contingency plans. USPTO is reliant on its IT systems for efficient and timely operation, and these difficulties increase the risk of costly disruptions to USPTO’s mission-critical services.

In addition, USPTO’s trademark registration process permits trademark filings with digitally altered or mocked-up specimens, cannot ensure accurate identification of goods and services, lacks a comprehensive fraud risk strategy, and cannot effectively enforce the requirement that foreign applicants use U.S. counsel to file applications to avoid misrepresentations. Issues with trademark registration can create confusion for both consumers and businesses. Further, USPTO continues to face challenges in efficiently providing quality patent decisions in a timely manner.

New developments, such as the Supreme Court’s *Arthrex* ruling giving the USPTO Director discretion to review and revise Patent Trial and Appeal Board decisions, will force USPTO to develop and administer policy, procedure and/or regulations for exercising that discretion as it works to modernize and improve its operations.

USPTO provides unique, specialized services, and operates under special authorities – such as funding its activities through fee collections and operating with greater flexibility for acquisitions and managing real estate. These characteristics create a unique organization with a unique set of challenges to providing adequate oversight. In addition, USPTO faces a daunting task in view of the massive size and complexity of its operations. Intellectual property (IP) is used in virtually every segment of the U.S. economy, and IP

intensive industries support at least 45 million U.S. jobs and contribute more than \$6 trillion dollars to the U.S. gross domestic product. Without the requested increase, OIG will not be able to produce timely and impactful audit products that improve the efficiency and effectiveness of USPTO operations across the full range of issues noted above.

OIG will increase its USPTO audit team by two positions so that it is able to conduct an adequate number of concurrent audits and evaluations to address the management challenges described above. In addition to audits and evaluations, OIG will conduct criminal, civil, and administrative investigations as necessary.

Performance Measures	2023	2024	2025	2026	2027
Number of audits/products with increase	1	1	1	1	1
Number of audits/products without increase	0	0	0	0	0
Dollars recovered or put to better use with increase	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Dollars recovered or put to better use without increase	\$0	\$0	\$0	\$0	\$0

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE PERSONNEL DETAIL**

Activity: Office of Inspector General
 Program Change: Increased Oversight of USPTO Operations

Full-time permanent					
Title		Grade	Number	Annual Salary	Total Salaries
Auditor		13	2	121,065	242,130
Total			2		242,130
Less Lapse	25.00%		0		(60,533)
Total full-time permanent (FTE)			2		181,598
2023 pay adjustment (4.6%)					8,353
					189,951

Personnel Data Summary					
Full-Time Equivalent Employment (FTE)					
Full-time permanent			2		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total FTE			2		
<u>Authorized Positions</u>					
Full-time permanent			2		
Part-time permanent			0		
Full-time temporary			0		
Part-time temporary			0		
Total Positions			2		

**Department of Commerce
Office of Inspector General
Salaries and Expenses
PROGRAM CHANGE DETAIL BY OBJECT CLASS**
(Direct Obligations amounts in thousands)

Activity: Office of Inspector General

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	1,491	1,468	1,384	1,574	190
11.3 Other than full-time permanent	13	0	0	0	0
11.5 Other personnel compensation	42	0	52	59	7
11.9 Total personnel compensation	1,546	1,468	1,436	1,633	197
12.1 Civilian personnel benefits	584	572	539	612	73
13.0 Benefits for former personnel	0	0	0	0	0
21.0 Travel and transportation of persons	0	3	3	9	6
22.0 Transportation of things	0	0	0	0	0
23.1 Rental payments to GSA	0	0	0	0	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	0	0	0	4	4
24.0 Printing and reproduction	0	0	0	0	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	6	18	18	176	158
25.3 Other goods and services from Federal sources	0	3	3	8	5
26.0 Supplies and materials	4	1	1	2	1
31.0 Equipment	0	0	0	6	6
99.9 Total Obligations	2,140	2,065	2,000	2,450	450

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Department of Commerce
Office of Inspector General
Salaries and Expenses
SUMMARY OF REQUIREMENTS BY OBJECT CLASS
(Direct amounts in thousands)

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.1 Full-time permanent compensation	14,944	15,194	16,124	23,792	7,668
11.3 Other than full-time permanent	153	172	181	181	0
11.5 Other personnel compensation	1,307	1,126	1,187	1,686	499
11.9 Total personnel compensation	16,404	16,492	17,492	25,659	8,167
12.1 Civilian personnel benefits	6,253	6,086	7,226	10,295	3,069
13.0 Benefits for former personnel	7	0	0	0	0
21.0 Travel and transportation of persons	144	496	505	660	155
22.0 Transportation of things	18	15	16	16	0
23 Rent, communications, and utilities					
23.1 Rental payments to GSA	1,935	2,114	2,687	2,687	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	583	602	626	754	128
24.0 Printing and reproduction	2	2	2	2	0
25 Other contractual services					
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	2,216	1,226	1,275	1,599	324
25.3 Other goods and services from Federal sources	4,675	5,140	5,979	6,070	91
26.0 Supplies and materials	51	51	53	62	9
31.0 Equipment	1,693	1,776	1,848	1,967	119
42.0 Insurance Claims and Indemnities	0	0	0	0	0
99.9 Total obligations	33,981	34,000	37,709	49,771	12,062

Exhibit 16

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
Less prior year recoveries	0	0	0	0	0
Restoration of recoveries	0	0	0	0	0
Less transfers	0	0	0	0	0
Less prior year unobligated balance	0	0	0	0	0
Unobligated balance, expiring	19	0	0	0	0
Unobligated balance, end of year	0	0	0	0	0
Total Budget Authority	34,000	34,000	37,709	49,771	12,062

Personnel Data

Full-Time Equivalent Employment:

Full-time permanent	124	122	122	181	59
Other than full-time permanent	1	1	1	1	0
Total	125	123	123	182	59

Authorized Positions:

Full-time permanent	133	139	139	203	64
Other than full-time permanent	1	1	1	1	0
Total	134	140	140	204	64

Department of Commerce
Office of Inspector General
Transfers and Other Appropriations
SUMMARY OF REQUIREMENTS BY OBJECT CLASS
(Direct amounts in thousands)

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.0 Personnel compensation					
11.1 Full-time permanent compensation	7,215	7,843	3,246	3,436	190
11.3 Other than full-time permanent	14	0	0	0	0
11.5 Other personnel compensation	161	282	122	129	7
11.9 Total personnel compensation	7,390	8,125	3,368	3,565	197
12.1 Civilian personnel benefits	2,779	3,244	1,296	1,369	73
13.0 Benefits for former personnel	0	0	0	0	0
21.0 Travel and transportation of persons	0	76	15	21	6
22.0 Transportation of things	0	0	0	0	0
23.1 Rental payments to GSA	201	0	0	0	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	0	80	28	32	4
24.0 Printing and reproduction	0	0	0	0	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	403	6,227	200	358	158
25.3 Other goods and services from Federal sources	309	54	48	53	5
26.0 Supplies and materials	4	5	3	4	1
31.0 Equipment	42	70	42	48	6
42.0 Insurance Claims and Indemnities	1	0	0	0	0
99.9 Total obligations	11,129	17,881	5,000	5,450	450

Exhibit 16

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
Less prior year recoveries	(47)	0	0	0	0
Restoration of recoveries	0	0	0	0	0
Less transfers	(9,556)	(23,556)	(3,000)	(3,450)	(450)
Less prior year unobligated balance	(9,481)	(7,911)	(13,586)	(13,586)	0
Unobligated balance, expiring	44	0	0	0	0
Unobligated balance, end of year	7,911	13,586	11,586	11,586	0
Total Budget Authority	0	0	0	0	0
<u>Personnel Data:</u>					
<u>Full-Time Equivalent Employment:</u>					
Full-time permanent	54	58	24	24	0
Other than full-time permanent	0	0	0	0	0
Total	54	58	24	24	0
<u>Authorized Positions:</u>					
Full-time permanent	49	61	24	26	2
Other than full-time permanent	0	0	0	0	0
Total	49	61	24	26	2

**Department of Commerce
Office of Inspector General
Salaries and Expenses
APPROPRIATION LANGUAGE AND CODE CITATION**

Appropriation: Office of Inspector General

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$49,771,000.

5 U.S.C. App. §1-12, as amended.

Section 2 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended, provides that "In order to create independent and objective units – (1) to conduct and supervise audits and investigations relating to programs and operations of the establishments listed in section 12...there is established in each of such establishments an Office of Inspector General." Section 12(2) defines "establishment" to include the Department of Commerce.

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Department of Commerce
Office of Inspector General
Salaries and Expenses
ADVISORY AND ASSISTANCE SERVICES
(Dollar amounts in thousands)

	2021 Actual	2022 Annualized CR	2023 Estimate
Consulting Services	0	0	0
Management and professional services	0	0	0
Special studies and analyses	0	0	0
Management and support services for research and development	0	0	0
Total	0	0	0

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
PERIODICALS, PAMPHLETS, AND AUDIOVISUAL PRODUCTS**
(Dollar amounts in thousands)

	2021 Actual	2022 Annualized CR	2023 Estimate
Periodicals	2	2	2
Pamphlets	0	0	0
Audiovisuals	0	0	0
Total	2	2	2

OIG no longer prints audit reports and other summary products such as the Semiannual Report to Congress. These reports and products are now published electronically.

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
AVERAGE GRADES AND SALARIES**

	2021 Actual	2022 Annualized CR	2023 Estimate
Average ES Salary & Benefits	\$235,138	\$241,487	\$252,595
Average GS/GM Grade	13	13	13
Average GS/GM Salary & Benefits	\$175,498	\$180,236	\$188,527

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**Department of Commerce
Office of Inspector General
INSPECTOR GENERAL REFORM ACT OF 2008 REPORTING REQUIREMENTS**

In accordance with the requirements of Section 6(g)(1) of the Inspector General Act of 1978, as amended, OIG is required to report the following in its budget submission:

OIG 2023 Request to Department of Commerce	\$60,981,000
Department of Commerce 2023 President's Budget Allowance to OIG	\$55,469,000

Dollar amounts in thousands

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase / Decrease
	BA	BA	BA	BA	BA
Aggregate Funding	46,556	57,556	39,709	52,221	12,512
OIG Funding	46,556	57,556	39,709	52,221	12,512

Amounts provided for training and for support of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) are as follows:

Dollar amounts in thousands

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase / Decrease
	BA	BA	BA	BA	BA
Training	402	402	402	462	60
Amounts for Support of CIGIE	154	190	134	176	42

OIG certifies that the training amount for 2023 listed above represents the total training requirements for OIG.

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**Department of Commerce
Office of Inspector General
Salaries and Expenses
IMPLEMENTATION STATUS OF GAO AND OIG RECOMMENDATIONS**

31 U.S.C. § 720, as amended January 3, 2019, requires the head of a federal agency to submit a written statement of the actions taken or planned in response to Government Accountability Office (GAO) recommendations to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 180 calendar days after the date of the report.

The Good Accounting Obligation in Government Act (GAO-IG Act), passed on January 3, 2019, (P.L. 115-414) requires each agency to include, in its annual budget justification, a report that identifies each public recommendation issued by GAO and the agency's OIG which has remained unimplemented for one year or more from the annual budget justification submission date. In addition, the Act requires a reconciliation between the agency records and the IGs' Semiannual Report to Congress (SAR).

Section 1. Recommendations for which action plans were finalized since the last appropriations request.

Nothing to report.

Section 2. Implementation of GAO public recommendations issued no less than one year ago that are designated by GAO as 'Open' or 'Closed-Unimplemented.'

Nothing to report.

Section 3. Implementation of OIG public recommendations issued no less than one year for which Final Action has not been Taken or Action Not Recommended has been Taken

Nothing to report.

Section 4. Discrepancies between this report and the semiannual reports submitted by the Commerce Office of Inspector General or reports submitted by the GAO

Nothing to report.

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**Annual Performance Plan and Report Backup
Office of Inspector General**

Overview of OIG Accomplishments - An overview of OIG accomplishments appears in Exhibit 12.

Planned Actions for FY 2023 - OIG will continue to develop its staff to meet the oversight requirements of the Department.

Analysis of Performance Indicators -

Explanation of trends – More than 74 percent of OIG’s funding goes to payroll and benefits. As such, changes in funding levels directly affect OIG’s ability to perform its mission and achieve its performance targets.

Explanation of Targets for FY 2022 and FY 2023 – OIG is examining the need to modify its financial benefits performance targets in light of the requested program increases and evolving Departmental challenges.

Progression of the Performance Indicators – OIG continues to examine alternatives to current measures to more closely align measures with desired outcomes.

Performance Data Validation and Verification – OIG obtains data through its audit reports, management responses, Department of Justice databases, and OIG’s Case Management System.

Class	Strategic Objective	Performance Indicator	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Target	FY 2023 Target	Explanation of historical data changes
Current/Recurring	5.3	Percent of OIG recommendations accepted by Departmental and bureau management	95%	100%	100%	100%	100%	95%	95%	N/A
Current/Recurring	5.3	Percent of investigative cases completed within 365 days (OIG)	70%	59%	72%	75%	48%	70%	70%	N/A
Current/Recurring	5.3	Dollar value of financial benefits identified by OIG (millions)	\$56.4	\$10.5	\$291.1	\$332.9	\$108.5	\$70.0	\$70.0	Dollar value can vary depending on nature of audit and programs examined

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**Department of Commerce
Office of Inspector General
American Rescue Plan Act of 2021
SUMMARY OF RESOURCE REQUIREMENTS – MANDATORY APPROPRIATIONS**
(Dollar amounts in thousands)

	Positions	FTE	Budget Authority	Direct Obligations
Annualized CR, 2022	0	0	0	0
2023 Adjustments to Base				
Plus: 2023 Transfers	0	0	0	0
Plus: Inflationary adjustments to base	0	0	0	0
2023 Base	0	0	0	0
Plus: 2023 Program changes	0	0	0	0
2023 Estimate	0	0	0	0

Comparison by activity / subactivity with totals by activity		2021		2022		2023		2023		Increase/Decrease	
		Actual		Annualized CR		Base		Estimate		from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount
American Rescue Plan Act of 2021*	Pos./BA	0	3,000	2	0	0	0	0	0	0	0
	FTE/Obl.	1	130	9	2,870	0	0	0	0	0	0
Total	Pos./BA	0	3,000	2	0	0	0	0	0	0	0
	FTE/Obl.	1	130	9	2,870	0	0	0	0	0	0
Adjustments for											
Recoveries			0		0		0		0		0
Unobligated balance, start of year			0		(2,870)		0		0		0
Unobligated balance transferred			0		0		0		0		0
Unobligated balance, end of year			2,870		0		0		0		0
Unobligated balance expiring			0		0		0		0		0
Financing from transfers:											
Transfer from other accounts (-)			0		0		0		0		0
Transfer to other accounts (+)			0		0		0		0		0
Appropriation			3,000		0		0		0		0

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**Department of Commerce
Office of Inspector General
American Rescue Plan Act of 2021
PROGRAM AND PERFORMANCE: DIRECT OBLIGATIONS – MANDATORY APPROPRIATIONS**
(Dollar amounts in thousands)

Activity: Office of Inspector General

Line Item		2021 Enacted		2022 President's Budget		2023 Base		2023 Estimate		Increase/Decrease from 2023 Base	
		Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount	Personnel	Amount
Executive Direction & Counsel	Pos./BA	0	0	0	0	0	0	0	0	0	0
	FTE/Obl.	0	0	0	0	0	0	0	0	0	0
Audits & Evaluations	Pos./BA	0	2,801	2	0	0	0	0	0	0	0
	FTE/Obl.	1	101	8	2,700	0	0	0	0	0	0
Investigations	Pos./BA	0	199	0	0	0	0	0	0	0	0
	FTE/Obl.	0	29	1	170	0	0	0	0	0	0
Total	Pos./BA	0	3,000	2	0	0	0	0	0	0	0
	FTE/Obl.	1	130	9	2,870	0	0	0	0	0	0

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**Department of Commerce
Office of Inspector General
American Rescue Plan Act of 2021
JUSTIFICATION OF PROGRAM AND PERFORMANCE – MANDATORY APPROPRIATIONS
(Dollar amounts in thousands)**

Activity: Office of Inspector General

The Department of Commerce Office of Inspector General (OIG) was established by the Inspector General Act of 1978 (P.L. 95-452), as amended, as an independent oversight agency under the general supervision of the Secretary of Commerce.

Goal Statement

OIG will provide oversight of activities supported with funds appropriated to the Department of Commerce to prevent, prepare for, and respond to COVID-19.

Base Program

OIG received \$3 million, available through FY 2022, to provide oversight of the Department's efforts to implement the American Rescue Plan (ARP) Act of 2021 (P.L. 117-2). As part of this oversight, OIG will review a sample of grants, cooperative agreements, other federal financial assistance awards, and associated expenditures under various bureau programs that received funds to provide pandemic assistance. OIG's review will include the following:

- Implementation – application review, award process, and funds disbursement;
- Award Oversight – compliance with award policies and procedures;
- Funds Oversight – appropriate use of funds; and
- Closeout – compliance with closeout procedures.

The Department's implementation of the ARP will benefit from the oversight provided by OIG for the Department's prior COVID-19 response efforts (funded via the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) and the Consolidated Appropriations Act, 2021 (P.L. 116-260), increasing efficiency and minimizing shortcomings in program implementation and the possible misuse of funds stemming from the urgency to distribute grants and other assistance.

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**Department of Commerce
Office of Inspector General
American Recuse Plan Act of 2021
SUMMARY OF REQUIREMENTS BY OBJECT CLASS – MANDATORY APPROPRIATIONS
(Direct amounts in thousands)**

Object Class	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
11.0 Personnel compensation					
11.1 Full-time permanent compensation	95	1,190	0	0	0
11.3 Other than full-time permanent	0	0	0	0	0
11.5 Other personnel compensation	0	0	0	0	0
11.9 Total personnel compensation	95	1,190	0	0	0
12.1 Civilian personnel benefits	35	460	0	0	0
13.0 Benefits for former personnel	0	0	0	0	0
21.0 Travel and transportation of persons	0	0	0	0	0
22.0 Transportation of things	0	0	0	0	0
23.1 Rental payments to GSA	0	0	0	0	0
23.2 Rental payments to others	0	0	0	0	0
23.3 Communications, utilities, and misc. charges	0	0	0	0	0
24.0 Printing and reproduction	0	0	0	0	0
25.1 Advisory and assistance services	0	0	0	0	0
25.2 Other services from non-Federal sources	0	0	0	0	0
25.3 Other goods and services from Federal sources	0	1,220	0	0	0
26.0 Supplies and materials	0	0	0	0	0
31.0 Equipment	0	0	0	0	0
42.0 Insurance Claims and Indemnities	0	0	0	0	0
99.9 Total obligations	130	2,870	0	0	0

Exhibit 16

	2021 Actual	2022 Annualized CR	2023 Base	2023 Estimate	Increase/Decrease from 2023 Base
Less prior year recoveries	0	0	0	0	0
Restoration of recoveries	0	0	0	0	0
Less transfers	0	0	0	0	0
Less prior year unobligated balance	0	(2,870)	0	0	0
Unobligated balance, end of year	2,870	0	0	0	0
Total Budget Authority	3,000	0	0	0	0

Personnel Data:

Full-Time Equivalent Employment:

Full-time permanent	1	9	0	0	0
Other than full-time permanent	0	0	0	0	0
Total	1	9	0	0	0

Authorized Positions:

Full-time permanent	0	2	0	0	0
Other than full-time permanent	0	0	0	0	0
Total	0	2	0	0	0