



DEPARTMENT OF HEALTH AND HUMAN SERVICES

**OFFICE OF INSPECTOR GENERAL**

WASHINGTON, DC 20201



The Honorable Carolyn N. Lerner  
Special Counsel  
U.S. Office of Special Counsel  
1730 M Street, NW, Suite 218  
Washington, DC 20036

MAY 6 2016

RE: OSC File No. DI-15-5203

Dear Ms. Lerner:

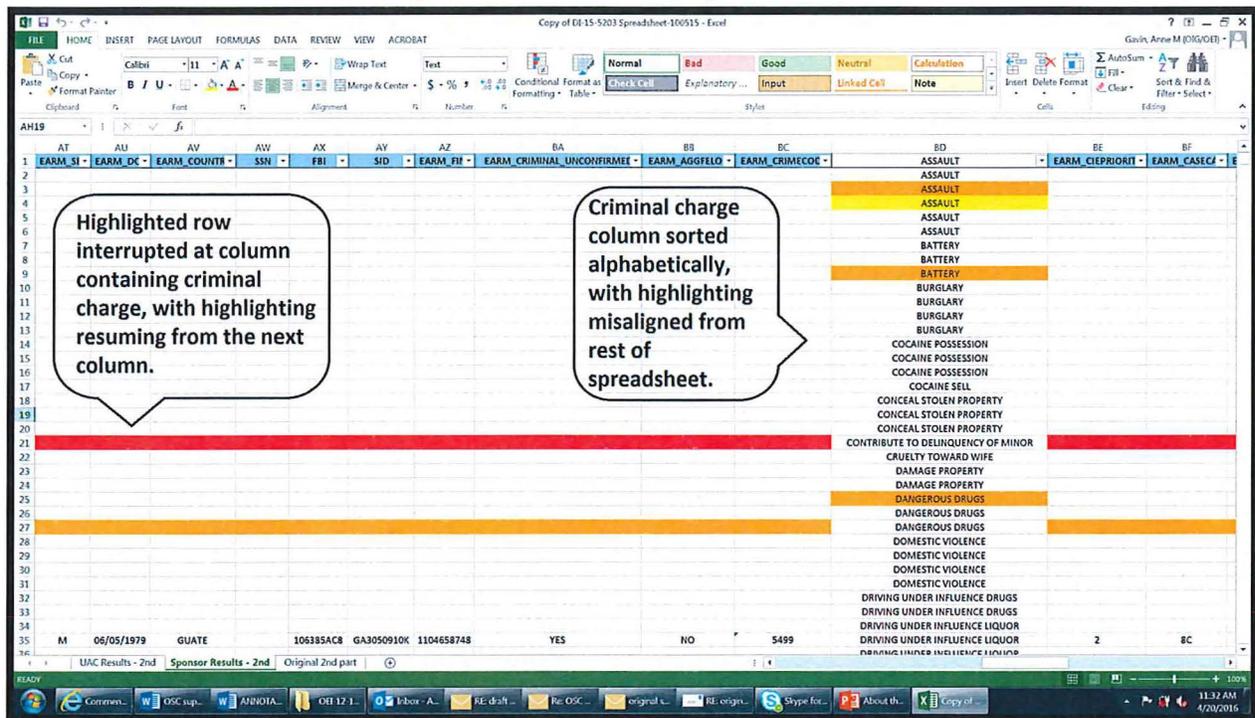
This responds to the request sent by email from your office to the Office of Inspector General's (OIG) Office of Counsel on April 15, 2016. The email requested a supplemental report to answer several specific questions regarding the data deficiencies OIG identified in the whistleblower's submissions. We have provided answers to each of the questions below.

**1. Provide additional information explaining why the OIG was unable to interpret the original spread sheet provided by the whistleblower.**

OIG initiated its review by attempting to assess and interpret the Excel spreadsheet data submitted by the whistleblower; however, the data appeared to have been sorted in a manner that made the data unusable. According to OSC's and the whistleblower's explanation, each of the nearly 33,000 rows in the original spreadsheet contained information relating to an unaccompanied alien child, the sponsor with which ORR had placed the child, and the criminal charge in the sponsor's background. This is also the plain reading of OSC's summary of the allegations on the second page of OSC's August 18 referral to the Secretary.

Based on visual inspection, we observed that many rows in the spreadsheet were highlighted in various colors and that the highlighting was interrupted at the column containing the criminal charge. The highlighting then resumed with the next column. In addition, cells within the column identifying the criminal charge were in alphabetical order, further suggesting that they had at some point been sorted independently of the rest of the spreadsheet. Figure 1 shows a screenshot of the spreadsheet that illustrates these issues.

Figure 1. Screenshot of Spreadsheet



We explained our data concerns to OSC and received a second spreadsheet; however, it contained the same apparent sorting error. A third spreadsheet was provided to us, which again contained the same problem. Finally, on October 14, OIG received from the whistleblower, through OSC, a spreadsheet that appeared to be sorted correctly, but it did not contain sponsors' names.

2. The report noted that the fourth spreadsheet provided did not contain a column labeled as containing the name of the sponsor. Why were investigators unable to determine sponsor names based on the name of the children listed in the spreadsheet?

Ultimately, we were able to identify the sponsors' names for the cases we reviewed by pulling the case files using the names of the children listed in the spreadsheet. The case files included the names of the sponsors. We note, however, that we have cited this data-quality problem to illustrate the significant inconsistencies within the data and among the various spreadsheets, not to suggest that the names of sponsors could not be obtained from other sources. A spreadsheet that has been presented as demonstrating that children had been placed with sponsors with significant criminal backgrounds would logically be expected to include the sponsors' names (as the previous spreadsheets had).

3. **On page 4, the report noted that “it is not possible to determine if there are consistent ORR procedural lapses regarding sponsors’ screening that have resulted in children being inappropriately placed with sponsors with significant criminal backgrounds.” However, the same paragraph states: “OIG’s analysis demonstrated potential weaknesses in ORR’s documentation of the results of the background checks.” Could you please provide additional information regarding these potential weaknesses, and an explanation as to why they are not considered “consistent ORR procedural lapses”?**

In Appendix B of the original response, we described the potential weaknesses in ORR’s documentation. In particular, we noted instances in which documentation to support the assertion that background checks were conducted was not in the case files. We did not extrapolate these weaknesses beyond the case files we reviewed, or describe them as being systemic, because our review focused only on those case files associated with the more serious criminal allegations on the spreadsheet; it did not reflect a review of a statistically valid sample of case files. We did not believe a review of a statistically valid sample was warranted at that time in light of our questions about the quality of the data or their applicability to the whistleblower’s allegations. Furthermore, we could make no finding about procedural lapses leading to children inappropriately being placed with sponsors with significant criminal backgrounds because our case file review identified no such occurrences.

We hope these answers are helpful. If you would like to discuss this matter further, please contact me or your staff may call Anne Gavin, Director of the Evaluation, Planning, and Support Division in the Office of Evaluation and Inspections at (202) 260-4560.

Sincerely,

  
Daniel R. Levinson  
Inspector General

cc:  
Sylvia M. Burwell  
Secretary, Health and Human Services