Office of Inspector General

FY 2013

President's Budget Submission

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Section 1 – Purpose

1A – Mission Statement

To promote the integrity, efficiency, and effectiveness of Treasury programs and operations.

1.1 – Appropriations Detail Table

Dollars in Thousands

Pennyana Available for Obligation	FY 2011		FY 2012		FY 2013			nange
Resources Available for Obligation	Enacted		Enacted		Request		F1 20121	to FY 2013
	FTE	AMOUNT	FTE	AMOUNT I	FTE	AMOUNT	FTE	AMOUNT
New Appropriated Resources:								
Audit	119	\$22,823	142	\$22,823	142	\$22,015	0.00%	-3.54%
Investigations	53	6,818	30	6,818	30	6,577	0.00%	-3.52%
Subtotal New Appropriated Resources	172	\$29,641	172	\$29,641	172	\$28,593	0.00%	-3.54%
Other Resources:								
Reimbursables	19	\$8,000	19	\$13,200	19	\$15,400	0.00%	16.67%
Subtotal Other Resources	19	\$8,000	19	\$13,200	19	\$15,400	0.00%	16.67%
Total Resources Available for Obligation	191	\$37,641	191	\$42,841	191	\$43,993	0.00%	2.69%

1B – Mission Priorities and Context

The Inspector General Act of 1978, as amended, gives the OIG the authority and responsibility to (1) audit and investigate the Treasury Department's programs and operations; (2) promote economy and efficiency and to detect and prevent fraud and waste in those programs and operations; and (3) keep the Secretary and Congress aware of problems and solutions.

The OIG provides independent oversight of the Department of the Treasury and all of its bureaus except the Internal Revenue Service (IRS) and activities related to the Troubled Asset Relief Program (TARP). The OIG has five components, including three mission offices – the Office of Audit, the Office of Investigations, and the Office of Small Business Lending Fund (SBLF) Program Oversight (funded through 2017).

Fiscal Year 2013 Priorities

The Fiscal Year (FY) 2013 President's Budget request for the Treasury OIG will be used to fund critical audit, investigative and support activities to meet the requirements of the Inspector General Act of 1978, the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), the Federal Information Security Management Act (FISMA), the Government Management Reform Act, the Federal Deposit Insurance Act , the Small Business Jobs Act of 2010, and the American Recovery and Reinvestment Act of 2009 (Recovery Act). Specific mandates include audits of the Department's financial statements, the Department's implementation of FISMA, and failed insured depositary institutions regulated by Treasury.

With the resources available after mandated requirements are met, the OIG will conduct audits and investigations of the Department's highest risk programs and operations, as reported through a memorandum from the Inspector General to Secretary Geithner on October 22, 2010.

These include:

- Programs that Support the Transformation of Financial Regulation
- Management of Treasury's Authorities to Support and Improve the Economy
- Programs to Combat Anti-Money Laundering and Terrorist Financing/Bank Secrecy Act Enforcement
- Treasury's Management of Capital Investments

Material Loss Reviews

The wave of bank failures that began in calendar year 2007 underscores the need for ongoing and proactive oversight in the banking area. Under the Federal Deposit Insurance Act, Treasury OIG is required to perform a review of certain failures of Treasury-regulated insured depository institutions whose failures results in a statutorily-designated loss to the Deposit Insurance Fund. These Material Loss Reviews (MLRs) are a retrospective look at the quality of bank supervision, and help identify and correct weaknesses in the supervisory process. In addition, OIG must determine the effectiveness of regulators in addressing emerging financial risks in real time and prospectively. Prior to the enactment of the Dodd-Frank Act, MLRs were required for any failed institution with a loss to the Deposit Insurance Fund in excess of \$25 million. Dodd-Frank raised the threshold to \$200 million but added a new requirement for a limited review and reporting on all bank failures below the threshold. For 2012 and 2013, the threshold is reset to \$150 million.

Since September 2007, 114 Treasury-regulated banks have failed, prompting 54 MLRs, including 43 that have been completed and 11 that are in progress as of December 31, 2011. In FY 2010, 53 Treasury-regulated depository institutions failed, 24 failed in FY 2011, and 1 has failed to date in FY 2012 (as of December 31, 2011). While failures have slowed significantly, the number of problem banks remains high. At the end of the third quarter of 2011, FDIC was tracking 844 problem banks industry-wide, up from 775 tracked during the same time period in 2010 and 305 in 2009. As of November 1, 2011, the Office of the Comptroller of the Currency (OCC) was tracking 193 problem banks and thrifts.

With increasing frequency, auditors are discovering instances of suspected fraud by bank officials during MLRs and limited reviews of failed banks. These potential criminal violations are being referred to the Treasury OIG Office of Investigations for investigation. In each of the 106 Treasury regulated bank failures since 2007, the average loss was \$333.3 million. Because of the high number of failed and failing institutions, bringing to justice those individuals who commit these serious acts becomes a greater challenge. Without criminal prosecution, would-be criminals are not deterred from action.

The OIG currently has one supervisor and four agents working bank fraud cases and anticipates additional MLR referrals, in addition to numerous self-initiated cases over the next several years. With available resources, OIG will strive to identify potential fraud occurring inside a bank prior to an irreversible closure. Early intervention into fraudulent banking activities will help prevent losses and deter systemic misconduct.

Programs that Support the Transformation of Financial Regulation

The Dodd-Frank Act established the Council of Inspectors General on Financial Oversight (CIGFO) and designated the Treasury Inspector General as Chair. The Council has statutory requirements to provide oversight of the Financial Stability Oversight Council (FSOC), which is chaired by the Treasury Secretary. In addition to providing leadership and staff support to the CIGFO, Treasury OIG expects to participate in working groups to oversee the promulgation and implementation of regulations establishing a process for designating non-financial institutions as systemically important financial institutions (SIFI) for heightened prudential supervision.

The Dodd-Frank Act also mandates Treasury OIG work jointly with the Federal Reserve Board (FRB) OIG and Federal Deposit Insurance Corporation (FDIC) OIG to review and report every six months on the transfer of Office of Thrift Supervision (OTS) functions to other federal banking agencies. At a minimum, this work is anticipated to continue through the end of FY 2012. In addition, Treasury OIG was required to jointly oversee with the FRB OIG, the Consumer Financial Protection Bureau until a director was appointed. Work is also necessary at the OCC to ensure it effectively carries out its new responsibilities to supervise thrifts in addition to national banks.

Apart from CIGFO, the OIG has direct oversight responsibilities for three new and significant Treasury offices – the Office of Financial Research, the Federal Insurance Office and the Office of Minority and Women Inclusion.

Management of Treasury's Authorities to Support and Improve the Economy

The Recovery Act provided Treasury with approximately \$24 billion in non-IRS funding for low-income housing projects and specified energy properties for which the OIG must provide oversight. Funds through the Recovery Act are available through FY 2013 and beyond for the specified energy properties program and will require continued oversight. The OIG will continue this work at Departmental Offices to determine whether the funds were spent as intended. The Treasury OIG is providing the only monitoring presence in the field by Treasury for this program. The OIG will also need to continue its oversight of the low-income housing program as funded projects are being brought on line. In addition, OIG anticipates a significant increase of related criminal investigations as Treasury continues to disburse these funds.

Another area that requires vigorous oversight by the OIG is Treasury's responsibilities under the Housing and Economic Recovery Act of 2008 (HERA). During FY 2013, audit work is planned in the following areas:

- Treasury's process used to monitor the financial agents it uses to administer its program
 activities related Fannie Mae and Freddie Mac and the Housing Finance Agency (HFA)
 Initiative Programs.
- Preferred Stock Purchase Agreement (PSPA) Program, the program that requires Treasury to provide funds to Fannie Mae and Freddie Mac so they maintain a positive net worth. The amounts provided to date are \$95.6 billion in FY 2009, \$52.6 billion in FY 2010, and \$47.5 billion in FY 2011. These payments will be on-going until the entities return to a level of profitability that exceeds their dividend obligations to Treasury.

• HFA Initiative Programs include the New Issue Bond Program (\$15.3 billion) and the Temporary Credit and Liquidity Program (\$8 billion). These programs include participation of over 90 state and local HFAs in an effort to support mortgage financing.

Programs to Combat Anti-Money Laundering and Terrorist Financing/Bank Secrecy Act Enforcement

Treasury faces unique challenges in carrying out its responsibilities under the Bank Secrecy Act (BSA) and the USA Patriot Act to prevent and detect money laundering and terrorist financing. While the Financial Crimes Enforcement Network (FinCEN) is the Treasury bureau responsible for administering BSA, it relies on other Treasury and non-Treasury agencies to enforce compliance with the Act's requirements. Similarly, the Office of Foreign Assets Control (OFAC), the Treasury office responsible for administering U.S. foreign sanction programs, also relies on other Treasury and non-Treasury agencies to ensure compliance with OFAC requirements. Past audits and Congressional hearings have surfaced serious regulatory gaps in the detection of and/or timely enforcement action against financial institutions for BSA and OFAC violations. Moreover, with continued distress in many financial institutions both domestically and globally, there is an increased risk that compliance with BSA and OFAC requirements may have deteriorated even further. These programs will continue to be a major focus of the OIG's audit program.

OIG's investigative focus on unlicensed and unregistered money services business has resulted in over 500 potential investigative leads since October 2010. Money services business registration with FinCEN is a critical part of the government's efforts against money laundering, terrorist financing, and other financial crimes. Registration and licensing is critical to preventing and deterring money transmitters/remitters from being misused to illegally move money. The OIG currently receives approximately 20 additional leads in this area per month. With current resources, the OIG has seven agents assigned to these leads, with each investigating 8-10 leads per year. In the future, OIG will work with other law enforcement partners to identify and prosecute those who are violating these laws and assess this program for deficiencies and weaknesses.

The Financial Management Service's Check Forgery Insurance Fund (CFIF) generates approximately 1,000 plus potential criminal cases each month based on the number of Treasury checks that do not reach their intended recipient as the result of potential fraud. Since August 2010, more than 8,000 Treasury checks totaling nearly \$12 million have negatively impacted the CFIF fund. Since 2008, nearly 42,000 Treasury checks have impacted the CFIF fund. CFIF losses and potential recoveries for the investigations conducted since August 2011 is over \$420,000.

Each special agent assigned to investigate CFIF allegations generates approximately 10-12 arrests per year which has a significant deterrent effect on others – often part of the same family – who are part of a scheme that is passed on to the next generation. Potential restitution from single cases could range anywhere from \$20,000-100,000 a year (per agent) to the CFIF and potentially much larger amounts of fraud recovery to other agencies both within and outside of Treasury. For instance, some ongoing criminal cases should result in recoveries/cost savings to the government ranging from \$300,000 up to more than \$14 million.

Finally, Treasury OIG has seen a significant increase in threats against Treasury employees, facilities and resources, and contract facilities and employees, a majority of which are related to the current economic concerns. These investigations require extensive manpower, a thorough assessment and a timely response, which impacts other priority investigative cases.

Treasury's Management of Capital Investments

Treasury must ensure that the hundreds of millions of dollars being expended on large acquisitions of systems and other capital investments are properly managed. The Department's record in this regard has been mixed, at best. The OIG must continue its oversight of FinCEN's BSA Information Technology Modernization program; the Treasury Network (TNet), and investments in systems for the Office of Financial Research in support of the FSOC.

In addition to audit responsibilities, OIG investigative priorities for FY 2013 include:

- Investigating complaints of alleged criminal and serious misconduct by Department employees and contract employees;
- Investigating allegations of fraud and other crimes involving Treasury contracts, procurements, grants, guarantees (fictitious instruments), and federal funds; and
- Proactive efforts in detecting, investigating, and deterring electronic crimes and other threats to the Department's physical and cyber critical infrastructure.

The OIG will also continue to provide audit and investigative oversight over two new Treasury programs—the Small Business Lending Fund (SBLF) and State Small Business Credit Initiative (SSBCI). The SBLF is a \$30 billion fund that is used by Treasury to inject capital into small and medium banks with incentives to encourage them to increase their lending. The SSBCI provides Treasury with \$1.5 billion to support state programs designed to increase access to credit for small businesses. To ensure proper oversight of the SBLF, in 2010 OIG established the SBLF Program Oversight Office headed by a Special Deputy Inspector General with responsibility for all audit and investigative activities relating to the program and for recommending program improvements. Congress also directed the OIG to audit the use of SSBCI funds by participating states and required Treasury to recoup any misused funds identified by such audits. To comply with its mandates, the OIG will continue to assess Treasury's implementation of the two programs, continually monitor recipient compliance with program requirements and use of funds, and evaluate the impact of these programs on small business lending.

Future Outlook

Treasury is a complex agency with many programs and operations that are vital to the Nation's economic and national security. Many of these programs and operations are thinly resourced and the OIG is often the only Treasury presence providing on-site verification and quality control.

Because the budget is nearly 75 percent for salaries and related expenses, the OIG has few, if any, opportunities to internally achieve efficiencies that would lead to significant cost savings. The OIG has already taken measures to make more effective use of its leased facilities and reduce the size of its investigative vehicle fleet, including converting that fleet to a less expensive/greener carbon footprint. The OIG operates with little contractor support and maintains a very basic IT infrastructure. The only specialized applications are an off-the-shelf electronic audit work paper system and an investigative case tracking system; both mature

systems. Staff levels must be maintained to ensure mandatory and critical oversight and investigative work is completed.

While Treasury OIG expects fewer failed banks in the future, resources continue to be necessary to meet the demand of both MLR work and limited reviews in FY 2013, as well as other critical oversight activities. To date, OIG has initiated 43 limited reviews – 28 in FY 2010 and 15 in FY 2011 to date. In addition, the current \$200 million threshold prompting an MLR will decrease to \$150 million for and 2013. We estimate that a typical MLR requires approximately 3000 staff hours or 1.5 FTE over a 5-6 month period. Limited reviews require approximately 50 staff hours over a 3 month period. For FY 13, Treasury OIG currently projects 2-3 MLRs and 30-40 limited reviews, assuming continued economic recovery. This equates to 4 to 5.5 FTE. Resources currently used for MLRs will be diverted to new mandates, ongoing oversight of high risk Treasury programs and operations, and new vital initiatives in the investigative arena.

Office of Inspector General's Fiscal Year 2013 Budget Request

In accordance with the Inspector General Act, the Treasury Inspector General submits the following information relating to the OIG's requested budget for FY 2013:

- The aggregate budget request for the operations of the OIG is \$43,993,000 comprised of \$28,593,000 from direct appropriation, and \$15,400,000 from reimbursable collections,
- The portion of this amount needed for OIG training is \$600,000, and
- The portion of this amount needed to support the Council of Inspectors General on Integrity and Efficiency (CIGIE) is \$60,000.

The amount requested for training satisfies all OIG training needs for fiscal year 2013.

Section 2 – Budget Adjustments and Appropriation Language

2.1 – Budget Adjustments Table Dollars in Thousands

Donars in Thousands		
Office of Inspector General	FTE	Amount
FY 2012 Enacted	172	\$29,641
Changes to Base:		
Maintaining Current Levels (MCLs):	-	\$225
Maintaining Current Levels	-	\$225
Non-Recurring Costs:	-	(\$784)
Decrease in Material Loss Review Workload	-	(\$784)
Subtotal FY 2013 Changes to Base	-	(\$559)
Total FY 2013 Base	172	\$29,082
Program Changes:		
Program Decreases:	-	(\$549)
Workload Management	-	(\$549)
Program Increases:	-	\$60
Council of the Inspectors General on Integrity and Efficiency	-	\$60
Total FY 2013 Request	172	\$28,593

2A – Budget Increases and Decreases Description

Maintaining Current Levels (MCLs)+\$225,000 / +0 FTE Maintaining Current Levels +\$225,000 / +0 FTE

Funds are requested for inflation adjustments (1.7 percent) in non-labor expenses such as GSA rent adjustments, postage, supplies and equipment and health benefits and the increase in Federal Employees Retirement System participation. Funds are also required for the proposed 2013 pay raise (0.5 percent).

Program Decreases-\$549,000 / +0 FTE Decrease in Material Loss Review Workload -\$784,000 / +0 FTE

Decreased workload related to Material Loss Reviews (MLR) due economic improvement and decreasing bank failure rate.

Workload Management -\$549,000 / +0 FTE

Decrease in mandatory and high-risk program and process oversight, attrition management and oversight of other estimated high return programs.

2.3 - Operating Levels Table

Dollars in Thousands

	FY 2011 FY 2		FY 2013
	Actual Pres	esident's Enacted Pro	posed Proposed Request
Office of Inspector General	В	Budget Rep	orogra Operating
		mn	nings Level

FTE						
	163	172	172	0	172	172
Object Classification						
11.1 - Full-time permanent	14,820	16,971	16,750	0	16,750	16,806
11.3 - Other than full-time permanent	270	105	100	0	100	105
11.5 - Other personnel compensation	654	560	550	0	550	560
11.8 - Special personal services payments	970	765	795	0	795	825
11.9 Personnel Compensation (Total)	\$16,714	\$18,401	\$18,195	\$0	\$18,195	\$18,296
12 - Personnel benefits	4,815	4,819	4,812	0	4,812	5,020
13 - Benefits for former personnel	2	0	0	0	0	0
21 - Travel and transportation of persons	660	650	650	0	650	500
23.1 - Rental payments to GSA	1,606	1,365	1,310	0	1,310	1,902
23.2 - Rental payments to others	0	405	453	0	453	0
23.3 - Communication, utilities, and misc charges	396	800	750	0	750	750
24 - Printing and reproduction	1	20	20	0	20	12
25.2 - Other services	0	1,000	950	0	950	950
25.3 - Other purchases of goods and services from Govt. accounts	3,701	1,500	1,400	0	1,400	1,100
25.6 - Medical care	32	45	60	0	60	45
25.7 - Operation and maintenance of equip	57	350	400	0	400	200
26 - Supplies and materials	59	200	250	0	250	75
31 - Equipment	1,094	300	391	0	391	150
Total Budget Authority	\$29,137	\$29,855	\$29,641	\$0	\$29,641	\$29,000
Budget Activities:						
Audit	22,435	22,897	22,823	0	22,823	22,015
Investigations	6,702	6,958	6,818	0	6,818	6,578
Total Budget Authority	\$29,137	\$29,855	\$29,641	\$0	\$29,641	\$28,593

2B - Appropriations Language and Explanation of Changes

Appropriations Language	Explanation of Changes
DEPARTMENT OF THE TREASURY	
OFFICE OF INSPECTOR GENERAL	
Federal Funds	
SALARIES AND EXPENSES	
For necessary expenses of the Office of Inspector General	
in carrying out the provisions of the Inspector General Act	
of 1978, [\$29,641,000] as amended, \$28,593,000, of	
which not to exceed \$2,000,000 shall be available for	
official travel expenses, including hire of passenger motor	
vehicles; and of which not to exceed \$100,000 shall be	
available for unforeseen emergencies of a confidential	
nature, to be allocated and expended under the direction of	
the Inspector General of the Treasury[; and of which not to	
exceed \$2,500 shall be available for official reception and	
representation expenses]. (Department of the Treasury	
Appropriations Act, 2012.)	

2C – Legislative ProposalsThe OIG has no legislative proposals.

<u>Section 3 – Budget and Performance Report and Plan</u>

3A – Audit

(\$22,016,000 from direct appropriations, and \$15,400,000 from reimbursable resources): The Office of Audit conducts audits, provides firsthand, unbiased perspectives and recommendations for improving the economy, efficiency, and effectiveness of Treasury programs and operations under its jurisdiction. The Office produces more than 60 products annually. The requested funding for FY 2013 is necessary to perform mandated work and maintain a minimally appropriate level of oversight of Treasury programs and operations consistent with its responsibilities under the Inspector General Act. The OIG also responds to requests by Treasury officials and the Congress for specific work. Reimbursable funding supports agreements for contract audits of other Treasury bureaus, as well as oversight of the Small Business Lending Fund (SBLF) and the State Small Business Credit Initiative (SSBCI) programs. SBLF/SSBCI program oversight and expected performance is detailed in the SBLF/SSBCI Program Office budget submission.

Description of Performance:

In FY 2011, the Office of Audit completed a total of 126 audit products, a significant one-time increase over the target largely attributable to the elimination of the MLR backlog and the new requirement to review all Treasury-related bank failures with losses under the MLR threshold. The Office plans to complete 70 audit products in FYs 2012 and 2013. In FY 2011, the Office met its new mandated audit requirements.

3.1.1 – Audit Budget and Performance Report and Plan

Dollars in Thousands								
Audit Budget Activity								
Resource Level	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	Enacted	Request						
Appropriated Resources	\$11,549	\$11,561	\$12,512	\$12,658	\$19,721	\$22,823	\$22,823	\$22,016
Reimbursable Resources	\$2,009	\$1,795	\$6,052	\$6,300	\$16,000	\$8,000	\$13,200	\$15,400
Total Resources	\$13,558	\$13,356	\$18,564	\$18,958	\$35,721	\$30,823	\$36,023	\$37,416
Budget Activity Total	\$13,558	\$13,356	\$18,564	\$18,958	\$35,721	\$30,823	\$36,023	\$37,416

Measure	FY 2006 Actual	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Target	FY 2013 Target
Number of Completed Audit Products	57	64	64	68	68	126	70	70
Percent of Statutory Audits Completed by the Required Date	100.0	100.0	100.0	100.0	50.0	100.0	100.0	100.0

Key: DISC - Discontinued and B - Baseline

3B – Investigations

(\$6,577,000 from direct appropriations):

The Office of Investigations prevents, detects and investigates complaints of fraud, waste and abuse. This includes the detection and prevention or deterrence of employee misconduct and fraud, or related financial crimes within or directed against Treasury. The Office refers its cases to the Department of Justice, state or local prosecutors for criminal prosecution or civil litigation, or to agency officials for corrective administrative action. Additionally, investigative oversight also extends to that of performing quality assurance reviews of the Treasury's police operations at BEP and the U.S. Mint.

With the increased risk of the Recovery Act grant programs for low-income housing and specific energy properties, the Office of Investigations faces greater challenges and anticipated increases in grant fraud and the need to identify strengths and weaknesses in Community Development Financial Institutions (CDFI) Fund. Compliance and oversight of dispersed grant funds to ensure that CDFI funds provided are being used in accordance with the grant award. The OIG is also actively investigating numerous allegations in conjunction with failed banks.

Description of Performance:

In FY 2011, the OIG exceeded the Investigative Performance Measure target, opened 84 new investigations and closed 68 investigations. The OIG also referred 100 percent of investigations that substantiated administrative violations against a Treasury employee to the appropriate regulated bureau for action. In addition, the OIG referred 83 investigations for criminal prosecution. The OIG received investigative referrals regarding potential criminal misconduct that occurred prior to or during bank failures, and has worked criminal investigations with the FDIC Office of Inspector General (FDIC OIG) and the OIG Office of Audit regarding potential prosecution of acts which may have contributed to the bank failures.

3.1.2 – Investigations Budget and Performance Report and Plan

Dollars in Thousands

Investigations Budget Activity								
Resource Level	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	Enacted	Request						
Appropriated Resources	\$5,281	\$5,292	\$5,897	\$5,792	\$6,831	\$6,818	\$6,818	\$6,577
Total Resources	\$5,281	\$5,292	\$5,897	\$5,792	\$6,831	\$6,818	\$6,818	\$6,577

Budget Activity Total	\$5,281	\$5,292	\$5,897	\$5,792	\$6,831	\$6,818	\$6,818	\$6,577

Measure	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	Actual	Actual	Actual	Actual	Actual	Actual	Target	Target
Percentage (%) of All Cases Closed During Fiscal Year that were Referred for Criminal/Civil Prosecution or Treasury Administrative Action	N/A	N/A	N/A	N/A	N/A	85.0	80.0	80.0

Key: DISC - Discontinued and B - Baseline

<u>Detailed information about each performance measure, including definition, verification and validation</u> is available.

<u>Section 4 – Supplemental Information</u>

4A – Capital Investment Strategy

The OIG does not have any planned capital investments for FY 2013. The OIG operates and maintains its General Support System, an IT infrastructure for the administrative network utilized by all OIG staff in performing mission requirements. Costs to maintain and operate the infrastructure have been included in the Departmental Offices consolidated infrastructure exhibit.

A summary of capital investment resources, including major information technology and non-technology investments is available.