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Description of document: National Endowment for the Humanities (NEH) records provided to Senator Charles E. Grassley and Senator Tom Coburn concerning the independence of Inspectors General necessary to promote efficiency and prevent fraud, waste and abuse in agency programs, in response to the Senators' inquiry, 2011-2012

Requested: 15-April-2012

Released date: 18-May-2012

Posted date: 04-July-2012

Source of document: FOIA
National Endowment for the Humanities
Freedom of Information Act Officer
1100 Pennsylvania Avenue, N.W., Room 529
Washington, D.C. 20506
[electronic FOIA request form](#)

Note: This is one of several files on the same subject for various agencies available on governmentattic.org. See: <http://www.governmentattic.org/6docs/GrassleyCoburn.htm>

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NATIONAL ENDOWMENT FOR THE

Humanities

OFFICE OF INSPECTOR GENERAL

May 18, 2012

Re: Freedom of Information Act Request 12-18

As the National Endowment for the Humanities (NEH) official responsible for inquiries under the Freedom of Information Act (FOIA), I am responding to your FOIA request which NEH received on April 25, 2012. You have asked for “a copy of each biannual response to Senators Grassley and Coburn regarding their April 8, 2010 request to the NEH Office of the Inspector General to provide a summary of . . . [the OIG’s] non-public management advisories and closed investigations.” Further, in an attachment to your request, you clarified that you are “seeking each and every biannual response/report to Senators Grassley and Coburn, in addition to the original” response to the April 8, 2010 letter.

After reviewing your request, I have decided the following:

1. Regarding your request for NEH’s Inspector General’s original response to the April 8, 2010 letter from Senators Grassley and Coburn, I am releasing a copy of this response, dated June 15, 2010, in its entirety.

2. Regarding your request for copies of biannual responses/reports to Senators Grassley and Coburn, NEH has no responsive records as NEH’s Inspector General did not provide any responses/reports to the Senators other than the enclosed June 15, 2010 response.

If you wish to appeal this determination, you must write to the Inspector General, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, no later than 10 working days following your receipt of this letter. Your appeal rights are set out in the Code of Federal Regulations, at 45 C.F.R. § 1100.5. There is no fee for providing this information.

Sincerely,

Laura M.H. Davis
Deputy Inspector General



**NATIONAL
ENDOWMENT
FOR THE
HUMANITIES**

**OFFICE OF INSPECTOR
GENERAL**
Sheldon L. Bernstein
INSPECTOR GENERAL
1100 PENNSYLVANIA AVE. ,
NW
WASHINGTON, D.C. 20506
OFFICE NUMBER (202)
606-8350
FAX NUMBER (202) 606-
8329
EMAIL ADDRESS:
sbernstein@neh.gov

June 15, 2010

Via Electronic Transmission

**The Honorable Charles E. Grassley
United States Senate
Ranking Member
Committee on Finance**

**The Honorable Senator Tom Coburn
United States Senate
Ranking Member
Permanent Subcommittee on
Investigations
Homeland Security and Government
Affairs Committee**

Attention: Brian_Downey@finance-rep.senate.gov

Dear Senators Grassley and Coburn:

This is in response to your letter dated April 8, 2010, concerning the independence of Inspectors General. I appreciate the effort that you have made to assist the Inspectors General to carry out their responsibly pursuant to the IG Act of 1976, as amended.

Concerning your first point, you ask that I provide you with a list of all instances that the Agency resisted or objected to oversight activities and/or restricted access to information. During the period October 1, 2008 to June 14, 2010, we have no matters to report. Over the past several years delays have only been

two or three days, mainly because of the workload of the offices we requested the information from.

Senators Grassley and Coburn
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Your second request was for the OIG to provide your staff with biannual reports on all closed investigations, evaluations, and audits conducted by this office that were not disclosed to the public. You want this non-public information for the period January 1, 2009 through April 30, 2010. During this period all reports were disclosed to the public except one. This is an investigation/audit that is being conducted by three federal agencies. The case is being settled by the Assistant United States Attorneys Office in New York City. The final settlement is will be made during this month and then the OIG will disclose the situation to the public.

Your third request concerns that we notify you immediately if any federal official threatens and/otherwise attempts' to impede our office's ability to communicate with Congress. This has not occurred, however, in the event that such action occurs, you will be notified immediately.

Enclosed is a copy of our letter to The Honorable Darrell Issa, U.S. House of Representatives, Ranking Member Committee on Oversight and Government Reform.

I can be reached by phone at 202/606-3350 (direct line), and by Facsimile at 202/606-8329.

Sincerely,

Sheldon L. Bernstein
Inspector General

Enclosure

April 15, 2010 letter to The Honorable Darrell E. Issa



NATIONAL
ENDOWMENT
FOR THE
HUMANITIES

OFFICE OF INSPECTOR GENERAL
1100 PENNSYLVANIA AVE., NW
ROOM 419
WASHINGTON, D.C. 20506
(202) 606-8350 (PHONE)
(202) 606-8329 (FAX)
WWW.NEH.GOV
HOTLINE 1-877-786-7598

April 15, 2010

The Honorable Darrell E. Issa
Ranking Member
U.S. House of Representatives
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
B-350A
Washington, DC 20515-6143

Dear Congressman Issa:

In response to your letter dated March 24, 2010, I am providing the following information to update the Committee concerning recommendations issued by the National Endowment for the Humanities ~ Office of Inspector General.

I. Open and Unimplemented Recommendations

Currently, there are fifteen (15) open recommendations and one unimplemented recommendation. Six are related to NEH internal operations (information security) and the other nine concern grantees that are recipients of Endowment challenge grants. NEH management has informally responded that one OIG recommendation will not be implemented and therefore has been included in this report as "unimplemented". Upon receipt and review of a formal response, we will determine if this recommendation should remain open or be closed.

The nine open recommendations related to NEH grantees consist of two with monetary benefit and seven concerning internal control and/or operational improvements. The two recommendations with monetary benefit address gifts certified to NEH totaling \$70,600, which are ineligible for release of Federal matching funds. The reports were issued on March 10, 2010 [\$25,600 questioned] and April 5, 2010 [\$45,000 questioned]. A cost savings may not be realized since the grantees may be able to substitute the questioned gifts with gifts that meet the eligibility criteria established by NEH. We fully expect the grantees to quickly implement the seven recommendations concerning operational improvements.

II. Most Important Open Recommendations

1. Concerning the challenge grant program, we are diligently working to promote understanding among the grantees as to how to properly substantiate and account for the gifts that they certify as eligible to match Federal funds. Almost all of our audits of this program disclose the same finding. Therefore, we consider this a generic finding.
2. We recommended that the NEH Chief Privacy Officer finalize a comprehensive agency-wide policy that would address the security of personally identifiable information (PII), including information documented in electronic format (email and other electronic documents), [Report OIG-10-03 (IR)]. This is a relatively recent recommendation and we realize that implementation may be delayed due to other Information Security projects.
3. We recommended that the NEH Chief Information Officer/Chief Privacy Officer continue the detailed study and planning concerning the encryption of all PII that the agency has on mobile devices/computers and on media transported and stored offsite, [Report OIG-06-05 (IR)]. This recommendation is partially implemented. The agency has implemented the encryption of mobile devices but still has not implemented the encryption of data stored offsite.

III. Recommendations Implemented During the Period January 5, 2009 to April 1, 2010

Eighteen recommendations were implemented during the period January 5, 2009 to April 1, 2010.

We continue to work with the agency to resolve our findings and note that significant progress has been accomplished. However, we would like to see the execution of corrective action at a faster pace.

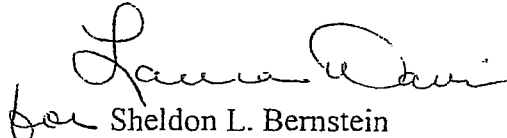
IV. Legislative Suggestions to Further Improve the IG Act or the Reform Act

I do not have any suggestions at this time.

Letter to Congressman Issa
April 15, 2010
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If you have any questions, please contact me at (202) 606-8352.

Sincerely,


for Sheldon L. Bernstein
Inspector General

cc: The Honorable Edolphus Towns
Committee Chairman
U.S. House of Representatives
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515-6143

Mr. James Leach, NEH, Chairman
Ms. Carole Watson, NEH, Deputy Chairman
Mr. Jeff Thomas, NEH, Assistant Chairman for Planning and Operations