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United States Senate

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March 1, 2018

Acting Administrator Patterson
Drug Enforcement Administration
8701 Morrissette Drive
Springfield, VA 22152

Dear Acting Administrator Patterson:

I am writing in regards to the report issued last month by Department of Justice Office of Inspector General (OIG) concerning an audit of the Drug Enforcement Administration's (DEA) regional linguists services contract (DJD-13-C-0004) with Conduit Language Specialists, Inc. The report includes many troubling findings about oversight and administration of the contract, which was one of eight such regional contracts awarded in 2012 with a combined total contract ceiling of approximately \$1.8 billion. These findings include the following:

- Contract linguists lacking required language proficiency certifications and performing work without the required signed non-disclosure agreements.
- Contractor and DEA failure to complete linguists' required background investigations.
- Contractor failure to perform, in some instances, requiring DEA to incur additional expense to procure needed services.
- Improper reliance on the contractor for quality assurance controls (for which DEA is responsible).
- DEA contracting officer, contracting officer's representative, and task monitors failing to perform required duties to ensure contract compliance.
- Poor DEA identification and development of contract requirements.

Regrettably, this is not the first time the OIG has identified problems of this nature. A 2010 OIG audit (DEA El Paso Field Office) of another language services contract found "the Contracting Officer's Technical Representative (COTR) was not effectively monitoring contractor compliance with contract requirements" and "linguists did not have the proper language proficiency testing documentation or documentation to support successful background investigations, as required by the contract." Again in 2012, an OIG audit (DEA Dallas Field Office) concluded:

...the COTR did not effectively monitor the contract to ensure compliance with contract requirements or completion of contractor performance assessment reports, the COTR did not complete the required continuous training, and the

Contracting Officer needed to improve monitoring of the COTR's performance of the delegated contract administration responsibilities.

Following these audits, the OIG made 10 recommendations to address the problems identified – recommendations with which DEA concurred. Yet, the 2018 audit demonstrates that problems persist. The OIG states that it “found many of the same problems in this audit, such as with linguist security background investigations, language proficiency, contract administration and oversight, and quality assurance.”

Again, DEA has accepted the OIG recommendations to address these problems, but the already-demonstrated failure to prevent a recurrence is a cause for concern. Taxpayers expect responsible stewardship of their hard-earned dollars, and proper management and oversight of these contracts is essential to ensure they can have confidence that their money is being spent wisely and appropriately.

Though DEA's expressed intentions to accept the OIG's recommendations are appreciated, in the interest of preventing yet another recurrence of these problems, I respectfully request that DEA provide detailed responses to the following:

1. What steps did DEA take following the 2010 and 2012 OIG reports to improve its contracting oversight? Why did it fail to prevent the problems identified in the 2018 report?
2. In the DEA's April 5, 2017, response to the OIG's Management Advisory Memorandum (MAM), the DEA set forth numerous steps it would take to address the contract oversight and management deficiencies identified by the OIG. Please provide a progress report detailing the progress of those corrective actions.
3. As the current linguist services contract term ends, what procedures does DEA now have in place to prevent a recurrence and reverse this trend of unallowable expenditures in any anticipated follow-on contracts?
4. How will DEA implement a training program to ensure that contract oversight remains a priority?
5. Has DEA identified problems similar to those with the Conduit contract in its other contracts for linguistic services? Please explain any reviews conducted of other such contracts and any problems discovered as a result.
6. In its response to the MAM, DEA admitted that before April 2014, linguists were occasionally put to work without proper security vetting and approval. Although corrective actions related to this contract were explained, I remain concerned that DEA and other Justice Department agencies are not properly vetting contractors. Please explain how DEA has improved its procedures to ensure compliance with relevant security requirements.

To benefit from your responses to the above as Congress begins the fiscal year 2019 budget process, I respectfully ask that such responses be provided before March 23, 2018. If you have any questions about this request, please have your staff contact Paul Vinovich on the Budget Committee majority staff at 202-224-0642.

Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Michael B. Enzi". The signature is written in a cursive style with a large, sweeping initial "M".

Michael B. Enzi
Chairman
Senate Budget Committee