



**DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL**

# **MANAGEMENT ADVISORY MEMORANDUM**

## **21-100**

**AUGUST 2021**

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Notification of Concerns Identified in the  
Department of Justice's Human Resources  
Policies

**AUDIT DIVISION**



August 2, 2021

Management Advisory Memorandum

To: Lee J. Loftus  
Assistant Attorney General for Administration  
Justice Management Division

A handwritten signature in blue ink that reads "Michael E. Horowitz".

From: Michael E. Horowitz  
Inspector General

Subject: Notification of Concerns Identified in the Department of Justice's Human Resources Policies

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The purpose of this memorandum is to advise you of certain deficiencies with the Department of Justice's (Department or DOJ) human resources (HR) policies and procedures that the Office of the Inspector General (OIG) identified during a review that we undertook after including enhancing human capital in the OIG's most recent report on [Top Management and Performance Challenges Facing the Department of Justice-2020](#). Our review found that [Human Resources \(HR\) Order - DOJ 1200.1](#) (DOJ Order 1200.1), which is intended to provide the Department's mandatory HR policy, is missing pertinent HR guidance and contains information that is inconsistent with relevant regulations and Office of Personnel Management (OPM) guidance. Further, the Department has not fulfilled its internal requirement to review and update its HR policies every 5 years, which has resulted in significantly dated, and at times inaccurate, Department-wide policies. We also have concerns that the Department lacks a centralized location for its HR guidance and various policies. We believe that current, complete, and consistent HR policies are fundamental to the Department's HR infrastructure and human capital management efforts. The policy issues that we identified through this review may not only contribute to DOJ components' lack of knowledge of essential HR authorities and procedures, but they could weaken the Department's ability to recruit and retain high-performing employees and to remain competitive with other federal agencies. In this memorandum, the OIG makes four recommendations to address the concerns we identified.

### **JMD Should Ensure that the Department's HR Policies are Complete, Accurate, Consistent, and Accessible**

The purpose of DOJ Order 1200.1, which officials from the Justice Management Division (JMD) Human Resources Staff (HRS) described as the Department's overarching HR policy, is to provide the Department's mandatory HR policies. DOJ Order 1200.1 contains policies applicable to all DOJ employees in areas such as employment, compensation, leave, workforce development, employee assistance, and employee programs and services. However, the OIG's review of this order found that a number of current DOJ HR policies are not included in it. We noted 19 specific policy areas within DOJ Order 1200.1 that remained incomplete and are listed as "to be inserted later."

JMD officials acknowledged that while DOJ Order 1200.1 should be updated to include the comprehensive HR policy changes for the Department, the process to update a DOJ order is lengthy and involves many levels of approvals, including from each DOJ component agency. Therefore, to provide components with Department-level guidance in response to changes in laws, regulations, or OPM guidance in a timely manner, JMD stated that it has issued HR policies in the form of DOJ Policy Statements, DOJ Instructions, and DOJ Policy Memoranda.<sup>1</sup> We found that this process has resulted in an abundance of policy documents disseminated to components—some of which contain divergent information to the policies contained in DOJ Order 1200.1. We believe that by not maintaining complete and updated guidance in DOJ Order 1200.1, DOJ HR specialists and hiring managers may be limited in their ability to ensure that the most advantageous and appropriate methods to recruit and retain high-performing employees are utilized and implemented correctly. The following sections provide details of these findings and an overview of our review of DOJ HR policies.

### **JMD Should Ensure that the Department’s HR Policies are Current and Consistent with Relevant OPM Guidance and Administrative Personnel Regulations to Provide Accurate Guidance and Enhance Components’ Compliance with Applicable Laws and Regulations**

As the chief human resources agency and personnel policy manager for the federal government, OPM provides policy direction and leadership in developing and promulgating government-wide HR systems, programs, and policies that aim to support the current and emerging needs of federal agencies. Throughout the course of our review, we found numerous instances in which DOJ policies did not reflect current OPM guidance and Title 5 of the Code of Federal Regulations. For example, DOJ lacked formalized Department-wide guidance for implementing and managing vital approaches for effective and progressive human capital administration, such as recruitment, relocation, and retention incentive programs; direct hiring authorities; Pathways Programs; and special hiring authorities for veterans, which are described below.

**Recruitment, Relocation, and Retention Incentives:** In 2007, OPM issued final regulations related to federal agencies’ use of recruitment, relocation, and retention incentives.<sup>2</sup> These incentives constitute three of the seven special payment authorities available to federal agencies to help address recruitment and retention challenges related to pay. The purpose of recruitment incentives is to assist agencies in recruiting new employees when a position is likely to be difficult to fill. Retention incentives are intended to help agencies maintain a high-quality workforce by retaining certain individuals likely to leave federal service. We found that DOJ Order 1200.1 contained the Department's interim plans for paying recruitment, relocation, and retention incentives, but also

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<sup>1</sup> According to JMD’s Office of Records Management Policy, for administrative purposes, which would include HR policies that apply to more than one DOJ component, the Department issues DOJ Orders, DOJ Policy Statements, and DOJ Instructions. A DOJ Order establishes mandatory institutionalized policy for identified Department components or programs, assigns responsibilities for achieving the purposes of the Order, and is intended for long-term applicability. DOJ Orders are signed by the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for Administration. A DOJ Policy Statement defines or supplements the broader mandatory guidance provided by a DOJ Order or establishes specific policy or responsibilities for a program area. A DOJ Instruction defines and standardizes mandatory procedures or provides clarifying information for an approved DOJ Order or Policy Statement. Consistent with delegated authority, a Staff Director or above generally issues and signs Policy Statements, while a Staff Director or equivalent generally issues and signs DOJ Instructions, unless special circumstances require issuance at a higher level. For exceptional policy issues that are determined to be time sensitive, a Policy Memorandum may be used to establish guidance requiring expedited approval and distribution. However, the Policy Memorandum must be converted or merged into a DOJ Directive (DOJ Order, Policy Statement, or DOJ Instruction) within 1 year of the memorandum's issuance.

<sup>2</sup> 5 C.F.R. Parts 530 and 575; Final Rule, Recruitment, Relocation, and Retention Incentives (December 3, 2007).

contained language indicating that the Department would issue a permanent modification to DOJ Order 1200.1 following OPM's issuance of final regulations which, as noted above, occurred almost 15 years ago in 2007.

In 2020, OPM conducted a review of the use of recruitment and retention incentives at the Federal Bureau of Prisons and the Executive Office for United States Attorneys. In its report, OPM found that the Department's policies were adequate for the use of incentives, but did not provide for suitable oversight. OPM concluded that DOJ should establish an overall strategic plan for the use of pay flexibilities and recommended that the Department ensure that its use of retention incentives is consistent with applicable regulations. Given the significance of the Department's need to compete with private and public entities to recruit and retain employees to address attrition and skill gaps, DOJ should prioritize its response to the OPM recommendation and should ensure that its policies provide concise, consistent, and formal guidance for identifying, using, and overseeing these important incentive programs.

**Direct Hiring Authority:** Between 2018 and 2019 OPM issued guidance and regulations authorizing direct hire appointing authorities for a variety of Scientific, Technical, Engineering and Mathematics (STEM); Cybersecurity; and Information Technology positions to allow federal agencies to address severe shortages of candidates and/or critical hiring needs. Following OPM's authorization to use these authorities, JMD issued policy memoranda with guidance for DOJ components. However, we found that DOJ Order 1200.1 does not include this guidance. Given that the use of direct hiring authority is meant to provide agencies with a strategic tool for attracting essential talent in areas where there are staffing shortages, we believe that the Department should ensure that its guidance is incorporated and formalized in DOJ Order 1200.1 to assist components in making use of this tool. Adequate guidance is also essential to ensure that components use this authority appropriately. However, we identified an instance where JMD and OPM found a DOJ component using direct hiring authority improperly to circumvent the hiring process.

**Pathways Programs:** In July 2012, OPM issued final regulations implementing the Pathways Programs, which is a government-wide initiative to recruit and promote federal government employment opportunities for students and recent graduates.<sup>3</sup> The intent of the Pathways Programs is to provide federal agencies with a resource to attract talent and fill key competency gaps and workforce needs. OPM has emphasized that the Pathways Programs can contribute to a diverse workforce by providing a pathway for younger generations to enter a career in federal service, as well as individuals who have returned to school following military service, unemployment, or other time away from the workforce. However, we found that, aside from a policy on the Presidential Management Fellows Program, JMD HRS has not incorporated policies related to the Pathways Internship Program or Recent Graduates Program into DOJ Order 1200.1 or developed any supplemental guidance to ensure that components effectively implement these programs. We also found that, over the past 5 years, JMD has identified various DOJ components that did not comply with OPM policy requirements and exercised questionable hiring practices when filling Pathways intern positions. For one component, these deficiencies included improper appointments and lack of fair and equal competition in the Pathways conversion process.

**Veteran Hiring:** OPM has issued specific regulations on the use of special hiring authorities for veterans, such as the Veteran's Recruitment Appointment, Veterans Employment Opportunities Act,

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<sup>3</sup> 5 C.F.R. Part 362; Final Rule, Excepted Service, Career and Career-Conditional Employment; and Pathways Programs, 77 Fed. Reg. 28,194-01 (May 11, 2012).

Schedule A, and 30% or More Disabled Veteran authority.<sup>4</sup> JMD issued two memoranda over 10 years ago on the application of and adherence to veterans' preference and hiring flexibilities. In a 2007 memorandum, JMD noted that veterans' preference and veterans' hiring flexibilities "serve as vehicles for the Department to tap into a talented pool of highly experienced applicants with desired skill sets." However, we found that the Department did not include veteran hiring policies in DOJ Order 1200.1 to assist component HR specialists with implementing these programs. Through our review of several reports resulting from JMD audits of human capital programs and operations within Department components, we found instances in which DOJ components overlooked or improperly applied special hiring authorities for veterans. This resulted in findings of illegal appointments or the forfeiture of veteran entitlement certifications.

When we spoke with JMD HRS officials about these policy gaps, they acknowledged that the Department was aware of these deficiencies. They also told us that while JMD tries to promptly disseminate OPM guidance to DOJ components, it takes a long time to incorporate changes and new guidance into DOJ orders. Additionally, officials stated that they attempt to keep Department-wide policy broad and not overly prescriptive to components because each component has unique needs based on their mission and responsibilities. While we understand that JMD may encounter challenges in issuing policy updates, we also believe that developing and disseminating guidance related to OPM's HR programs, regulations, and procedures is fundamental to JMD's mission. This guidance is necessary to ensure that DOJ components comply with the requirements and utilize these programs advantageously to recruit and retain a high-performing, skilled, and diverse workforce. Therefore, we recommend that JMD conduct a review to identify all areas where DOJ policies do not reflect current regulations and OPM guidance and requirements and establish a plan of action that includes a timeline for addressing the identified deficiencies and gaps in Department policy.

### **JMD Should Improve its Process for Monitoring and Updating HR Policies**

During our review of the Department's HR policies, we found that certain policies appeared to be significantly dated and out of compliance with JMD's requirements for updating policies. A JMD HRS official acknowledged that JMD has not met a Department requirement to review DOJ Orders, Policy Statements, and Instructions at least every 5 years to determine if they are current and relevant. As a result, certain Department HR policies contradict or supersede other policies. During our review of DOJ Order 1200.1, we identified at least two policies that appear to be current and active, yet we found superseding documentation that cancelled these policies.

**Entry and Retirement of Law Enforcement Officers:** The Department's policy on Maximum Entry Age and Mandatory Retirement of Law Enforcement Officers helps to ensure that the Department remains competitive in attracting and retaining a qualified workforce to fill its mission-critical and physically demanding law enforcement officer positions. We found that this policy was included in DOJ Order 1200.1, Part 1, Chapter 6 on September 9, 2008, and appeared active during our review. However, we also found that, on September 23, 2019, JMD issued DOJ Policy Statement 1200.07 on Exceptions to the Maximum Entry Age and Mandatory Retirement of Law Enforcement Officers. This updated policy specifically authorizes components to consider qualified veterans' preference eligible candidates without regard to the maximum entry age and also includes additional certification

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<sup>4</sup> 5 C.F.R. Part 307; Final Rule, Veterans Recruitment Appointments, 70 Fed. Reg. 72066 (Dec. 1, 2005); 5 C.F.R. § 213.3102(u); Appointment of Persons with Intellectual Disabilities, Severe Physical Disabilities, or Psychiatric Disabilities, 47 Fed. Reg. 28902 (July 2, 1982); 5 C.F.R. § 213.3202(n); Entire Executive Civil Service, 47 Fed. Reg. 28904 (July 2, 1982); 5 C.F.R. § 315.707; Final Rule, Disabled Veterans, 73 Fed. Reg. 60611 (Oct. 14, 2008); and 5 C.F.R. § 335.106; Special Selection Procedures for Certain Veterans Under Merit Promotion, 65 Fed. Reg. 14432 (March 17, 2000).

requirements for these exceptions. Although the DOJ Policy Statement explicitly cancels the corresponding policy included in DOJ Order 1200.1, JMD has not removed or updated DOJ Order 1200.1 to reflect the noteworthy changes.

**Senior Executive Service Performance Management:** The Department's policies related to the Senior Executive Service help to ensure that HR decisions relating to executive resources are consistent, fair, and in compliance with applicable laws and regulations. The Department's policy on the Performance Management System for Senior Executive Service Employees was incorporated in DOJ Order 1200.1, Part 8, Chapter 1 on December 10, 2003, and appeared active during our review. However, we also located DOJ Order 1202 on Executive Resources Management, approved on November 26, 2013, which specifically states that DOJ Order 1200.1, Part 8, was cancelled. Yet, JMD has not removed or updated DOJ Order 1200.1 to reflect the revised guidance and information. For instance, DOJ Order 1202 included guidance on the request, approval, and allocation process for SES positions throughout the Department, which was not included in DOJ Order 1200.1. We also found that DOJ Order 1202 did not contain certain guidance from DOJ Order 1200.1 related to criteria for SES performance appraisal requirements. In general, we believe this type of inconsistency can perpetuate DOJ components' misunderstanding of Department policy and potentially contribute to non-compliance with these important requirements.

We also identified policy memoranda that have been in place for between 10 and 20 years, despite the Department's requirement that a policy memorandum be converted or merged into a permanent DOJ Directive within 1 year if there is continued need for the policy. During our review, we encountered some difficulties in identifying all policies, whether issued by memorandum or directive, because these documents were maintained in disparate locations. As discussed in the following section of this MAM, because the Department's HR policies are not retained in a centralized location nor consistently tracked by JMD to assist components in identifying the interim Department policies in place, we believe that there is an increased risk of component HR specialists using dated or incorrect guidance. Moreover, we found that several of the Department's HR policies that were issued over a decade ago have not been updated to incorporate more recent guidance and requirements, as exemplified below.

**Merit Promotion:** A 2019 OPM review found that the Department's Merit Promotion Plan for the Offices, Boards and Divisions (OBD) was significantly dated. Merit promotion plans set forth the principles and procedures by which the Department will ensure that positions are filled with the best qualified candidates available based solely on job-related criteria. In general, merit system principles are essential to ensuring fair and open recruitment, competition, and employment practices. The Department's Merit Promotion Plan for the OBD was approved in 1984 and, according to OPM, contains outdated requirements, including the use of obsolete procedures and forms related to the consideration of Department employees for merit promotions. OPM's review found that the Department's dated guidance placed HR specialists at high risk of omitting certain requirements and concluded that an updated policy would allow JMD to ensure referral of the best qualified candidates to selecting officials. We believe that ensuring that the Department has a current merit promotion plan is imperative to assist DOJ components with hiring the best-qualified candidates and promoting employees who demonstrate high-quality performance and productivity.

**Leave Administration:** DOJ Order 1630.1B, which establishes the policies and procedures governing leave administration, was issued 30 years ago, in 1991. This policy has not been incorporated into DOJ Order 1200.1, and any updates to the Department's leave administration guidance appear to have been issued as separate policy directives and memoranda. For instance, JMD issued a policy memorandum on September 27, 2002, and a follow-up memorandum on January 10, 2010, on the proper procedures for placing employees on administrative leave. In the 2010 memorandum, JMD

specifically recognized that some components were not complying with administrative leave procedures and noted that maintaining Department employees in non-duty paid status without proper authorization did not promote the interests of the Department. Yet, this guidance has not been incorporated into DOJ Orders 1200.1 or 1630.1B.

In addition, on October 1, 2020, new OPM guidance went into effect to implement a 2019 amendment to the Family and Medical Leave Act to provide up to 12 weeks of paid parental leave to federal employees in connection with the birth, adoption, or foster care placement of a child. On that same day, JMD issued a memorandum which forwarded the OPM guidance to components regarding implementation of the interim regulations for paid parental leave. In the memorandum, JMD stated that it would continue to work with OPM to provide component HR staff with updates and clarification on the new guidance. Although the OIG recognizes that this legislation was recently enacted and only went into effect on October 1, 2020, DOJ components should have the tools and guidance needed to effectively implement this important employee benefit, which can be used to enhance recruitment and retention efforts. Given the various policy deficiencies we have identified, we are concerned that this significant measure may not get the Departmental focus and commitment that is necessary. As such, we believe DOJ should prioritize the development of a DOJ-specific parental leave policy and processes to implement the OPM regulations.

As noted, an essential aspect of enhancing the Department's human capital management efforts is ensuring that DOJ components have the appropriate policy framework to recruit the highest quality employees and to retain its best performers. However, given the aforementioned deficiencies associated with dated and inconsistent HR policies, we are concerned that the Department is not ensuring that its components are provided with the necessary information and guidance to efficiently and effectively conduct HR operations and human capital improvement efforts. Further, the existence of HR policies that contradict or supersede other policies serves to create additional confusion for components attempting to comply with Department-wide policy, which may pose significant barriers for DOJ HR specialists and hiring managers who are responsible for implementing programs geared toward hiring, promoting, and retaining employees. Therefore, we recommend that JMD ensure that it regularly monitors and updates the Department's HR policies, to include: (a) converting interim policy to permanent policy within 1 year, as applicable, and (b) deconflicting policies that contradict or supersede other policies.

In addition, we recognize that the federal HR policy landscape frequently changes due to continual updates and development of new laws and OPM policies and guidance for recruiting, hiring, and retaining employees in the federal government. As such, we recommend that JMD evaluate its process for reviewing and updating the Department's HR policies every 5 years to determine if more frequent periodic reviews may be necessary.

### **JMD Should Maintain all HR Policies and Guidance in a Centralized and Easily Accessible Location**

As noted, Department-wide HR policy is contained within DOJ Order 1200.1 as well as separate DOJ Orders, Policy Memoranda, Policy Statements, and DOJ Instructions. The OIG found that the Department lacks a centralized location that contains a complete universe of its HR policies. Instead, certain policies are stored within a DOJ intranet site, while others are located within JMD's external website. Because of this, Department users must search multiple locations to identify the most current and complete information on a given topic. For example, in a search for the Department's leave-related policies, we located relevant policies within DOJ Order 1200.1, a separate DOJ order on Leave Administration located on DOJ's internal website, various policy memoranda located on JMD's external website, and a number of more recent policy memoranda emailed directly to component HR offices that, at the time of our search, had not been added to either website.

We believe that the absence of a centralized repository for the Department's HR policies makes it unnecessarily difficult for component HR specialists and employees to locate complete, accurate, and current information. JMD HRS officials have recognized the difficulty posed to components and initiated efforts to consolidate the Department's HR policies into one location. However, officials also acknowledged that JMD HRS has a staff of five individuals responsible for developing Department-wide HR policy and disseminating it to components. Due to limited resources within JMD HRS, staff attention is focused mainly on issuing time-sensitive guidance and responding to component inquiries, which leaves few resources available to consolidate and organize the Department's HR policies. Despite this challenge, we believe taking a proactive approach to centralizing the HR policies would help alleviate component inquiries to JMD and assist components in identifying and complying with current policy. Therefore, we recommend that JMD prioritize its efforts to consolidate the Department's HR policies in a centralized location accessible to components and incorporate the relevant policies into DOJ Order 1200.1, as appropriate.

## **Conclusion**

As noted in the 2020 Top Management and Performance Challenges report, the Department faces the challenge of continuously filling vacant and new positions with top-notch employees who can effectively fulfill the DOJ mission. The Department also recognized that human capital was a mission-support risk in its FY 2020 Enterprise Risk Management Risk Profile. We believe dated, incomplete, and disorganized Department-wide HR policies, such as those identified in this memorandum, exacerbate this challenge and have the potential to negatively impact the ability of DOJ components to recruit, hire, and retain a high-performing and diverse workforce. As noted in the examples above, we are concerned that, due to these policy deficiencies, DOJ components may have under-utilized or lacked a full understanding of compensation and hiring flexibilities that would allow them to attract and compete for top talent. Beyond the impact on recruitment and retention, we are especially concerned that a lack of Department guidance could contribute to instances of improper appointments and unfair hiring practices at certain components. Accordingly, establishing complete and current HR policies at the Department-level is the first step to ensuring that components comply with legal requirements and take full advantage of the human capital management tools available to them to compete for highly qualified individuals who can fulfill the DOJ mission. Therefore, we make four recommendations to JMD to ensure that the Department's HR guidance is consistent, accurate, and accessible, and adheres to the latest regulations and guidance.

## **Recommendations**

We recommend that JMD:

1. Conduct a review to identify all areas where DOJ policies do not reflect current regulations and OPM guidance and requirements and establish a plan of action that includes a timeline for addressing the identified deficiencies and gaps in Department policy.
2. Ensure that it regularly monitors and updates the Department's HR policies, to include:  
(a) converting interim policy to permanent policy within 1 year, as applicable; and (b) deconflicting policies that contradict or supersede other policies.
3. Evaluate its process for reviewing and updating the Department's HR policies every 5 years to determine if more frequent periodic reviews may be necessary.
4. Prioritize its efforts to consolidate the Department's HR policies in a centralized location accessible to components and incorporate the relevant policies into DOJ Order 1200.1, as appropriate.

JMD provided a response to the draft advisory memorandum, which can be found in Attachment 1. Our analysis of that response is included in Attachment 2.

If you have any questions regarding the information in this memorandum, please contact me at (202) 514-3435 or Jason R. Malmstrom, Assistant Inspector General for Audit, at (202) 616-4651.

cc: Louise Duhamel  
Acting Assistant Director  
Audit Liaison Group  
Internal Review and Evaluation Office  
Justice Management Division

Bradley Weinsheimer  
Associate Deputy Attorney General

**ATTACHMENT 1: JUSTICE MANAGEMENT DIVISION'S RESPONSE TO THE  
DRAFT MANAGEMENT ADVISORY MEMORANDUM**



**U.S. Department of Justice**  
Justice Management Division  
*Human Resources*

*Washington, D.C. 20530*

MEMORANDUM FOR CAROL S. TARASZKA  
REGIONAL AUDIT MANAGER  
OFFICE OF THE INSPECTOR GENERAL

FROM: Shawn Flinn  
Director *Shawn C. Flinn* Digitally signed by SHAWN FLINN  
Date: 2021.07.23 09:58:49 -04'00'

SUBJECT: Management Advisory Memorandum – Human Resources Policies

This memorandum is in response to the draft Management Advisory Memorandum (MAM), regarding the Department of Justice's Human Resources policies, provided to the Justice Management Division (JMD) on July 6, 2021.

JMD agrees with the findings and recommendations in the MAM, and already is taking steps to achieve the recommended results. Resource limitations over the years have prevented the JMD Human Resources Staff (JMD HR) from being able to update and maintain human capital management policies, procedures, and links to current law and regulation on a shared intranet site. However, the MAM does not address the numerous ways JMD HR provides extensive service and assistance to its customers across the Department. JMD HR has maintained regular communications with components – both those with delegated HR authority as well as components that are JMD's direct customers and rely on timely and accurate human capital management services. This takes place through several mechanisms, including regular/periodic meetings with component HR managers and representatives, check-ins with customers, and active presence at weekly and monthly all-component meetings/conference calls. JMD fully embraces the importance of maintaining updated online policies and guidance and is actively pursuing the necessary resources to meet this crucial need.

If you have any questions, please contact me at 202-598-6922.

## **ATTACHMENT 2: OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO CLOSE THE RECOMMENDATIONS**

The OIG provided a draft of this advisory memorandum to JMD. JMD's response is incorporated in Attachment 1 of this final memorandum. JMD agreed with our recommendations and stated that it is taking steps to achieve the recommended results. As a result, the recommendations are resolved. The following discussion provides the OIG analysis of the response and summary of actions necessary to close the recommendations.

### **Recommendation for JMD:**

- 1. Conduct a review to identify all areas where DOJ policies do not reflect current regulations and OPM guidance and requirements and establish a plan of action that includes a timeline for addressing the identified deficiencies and gaps in Department policy.**

Resolved. JMD agreed with our recommendation. JMD stated that it is taking steps to achieve the recommended results of the findings and recommendations of the OIG's MAM. According to JMD, resource limitations over the years have prevented the JMD Human Resources Staff (JMD HR) from being able to update and maintain human capital management policies, procedures, and links to current law and regulation on a shared intranet site. JMD fully embraces the importance of maintaining updated online policies and guidance and is actively pursuing the necessary resources to meet this crucial need.

This recommendation can be closed when we receive evidence that JMD conducted a review to identify all areas where DOJ policies do not reflect current regulations and OPM guidance and requirements and established a plan of action that includes a timeline for addressing the identified deficiencies and gaps in Department policy.

- 2. Ensure that it regularly monitors and updates the Department's HR policies, to include: (a) converting interim policy to permanent policy within 1 year, as applicable; and (b) deconflicting policies that contradict or supersede other policies.**

Resolved. JMD agreed with our recommendation. JMD stated that it is taking steps to achieve the recommended results of the findings and recommendations of the OIG's MAM. According to JMD, resource limitations over the years have prevented the JMD HR from being able to update and maintain human capital management policies, procedures, and links to current law and regulation on a shared intranet site. JMD fully embraces the importance of maintaining updated online policies and guidance and is actively pursuing the necessary resources to meet this crucial need.

This recommendation can be closed when we receive evidence that JMD has ensured that it regularly monitors and updates the Department's HR policies, to include: (a) converting interim policy to permanent policy within 1 year, as applicable; and (b) deconflicting policies that contradict or supersede other policies.

- 3. Evaluate its process for reviewing and updating the Department's HR policies every 5 years to determine if more frequent periodic reviews may be necessary.**

Resolved. JMD agreed with our recommendation. JMD stated that it is taking steps to achieve the recommended results of the findings and recommendations of the OIG's MAM. According to JMD,

resource limitations over the years have prevented the JMD HR from being able to update and maintain human capital management policies, procedures, and links to current law and regulation on a shared intranet site. JMD fully embraces the importance of maintaining updated online policies and guidance and is actively pursuing the necessary resources to meet this crucial need.

This recommendation can be closed when we receive evidence that JMD has evaluated its process for reviewing and updating the Department's HR policies every 5 years to determine if more frequent periodic reviews may be necessary.

**4. Prioritize its efforts to consolidate the Department's HR policies in a centralized location accessible to components and incorporate the relevant policies into DOJ Order 1200.1, as appropriate.**

Resolved. JMD agreed with our recommendation. JMD stated that it is taking steps to achieve the recommended results of the findings and recommendations of the OIG's MAM. According to JMD, resource limitations over the years have prevented the JMD HR from being able to update and maintain human capital management policies, procedures, and links to current law and regulation on a shared intranet site. JMD fully embraces the importance of maintaining updated online policies and guidance and is actively pursuing the necessary resources to meet this crucial need.

This recommendation can be closed when we receive evidence that JMD has prioritized its efforts to consolidate the Department's HR policies in a centralized location accessible to components and incorporate the relevant policies into DOJ Order 1200.1, as appropriate.