

# Office of Inspector General

Semiannual Report  
to the Congress

April 1 through  
September 30, 2007



*Number 37*  
October 2007

Farm Credit Administration

Office of Inspector General  
1501 Farm Credit Drive  
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(703) 883-4030

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October 11, 2007

The Honorable Nancy C. Pellett  
Chairman of the Board  
Farm Credit Administration  
McLean, Virginia 22102

Dear Chairman Pellett:

Enclosed is the semiannual report on the activities of the Farm Credit Administration's (FCA or Agency) Office of Inspector General (OIG) for the period April 1 through September 30, 2007. This is the thirty-seventh report since the establishment of the OIG on January 22, 1989.

I am submitting this report in accordance with the Inspector General Act of 1978, as amended (IG Act). Section 5(b) of the IG Act requires that you send this report to the appropriate Congressional committees and subcommittees within 30 days after the date of this transmittal, accompanied by management's report on the status of audit action items.

During this reporting period, the OIG was able to fill a significant vacancy. We welcomed to our staff a Senior Information Technology Auditor with years of experience in this field and in the inspector general community.

Additionally, during this period, an inspection report on FCA's Enforcement Program was issued. It contains six agreed-upon actions. Management has established an implementation plan with timelines for each agreed-upon action. One agreed-upon action remains open from the audit of Committees Established by the FCA Board issued in January 2007.

I am confident that the Agency will continue its commitment to address OIG recommendations and/or agreed-upon actions and the management challenges delineated in this report.

I look forward to a continuing positive relationship between the OIG and your office, which I view as a partnership, striving to strengthen FCA operations.

Respectfully,

A handwritten signature in black ink that reads 'Carl A. Clinefelter'.

Carl A. Clinefelter  
Inspector General

Enclosure

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## EXECUTIVE SUMMARY

This Semiannual Report to the Congress summarizes the activities and accomplishments of the Farm Credit Administration's (FCA or Agency) Office of Inspector General (OIG) for the period April 1 through September 30, 2007. The OIG's efforts were directed toward operational and audit planning and performing audits, inspections, and evaluations of FCA programs and operations; conducting investigations, as necessary; and providing objective, independent counsel to the Agency Chairman on FCA programs and operations.

The FCA Board Chairman continues to demonstrate a commitment to resolve open OIG recommendations and/or agreed-upon actions and to address the management challenges delineated in this report.

The Agency's current senior management team, formed in 2004 and 2005, continues to develop and refine operating processes, improve coordination between offices, and solidify as a unit. The evolution of this management team has resulted in the further strengthening of the performance and effectiveness of the Agency, a Federal financial regulator.

During this reporting period, the OIG underwent a peer review of our audit function conducted by the Office of Inspector General of the National Archives and Records Administration. We received an unmodified opinion, that is, the review found that our OIG's quality control system is designed adequately and functioning as prescribed, thus yielding a reasonable assurance that Government Auditing Standards are met.

Also during this period, the OIG welcomed a new person to our staff, a Senior Information Technology (IT) Auditor, who complements our interdisciplinary team and provides further depth to our ongoing auditing engagements.

## BACKGROUND

FCA is an independent Federal agency of the United States government responsible for the regulation and examination of Farm Credit System (FCS or System) institutions chartered under the Farm Credit Act of 1971, as amended (Farm Credit Act). FCA is also a "designated Federal entity" within the meaning of the Inspector General Act of 1978, as amended (IG Act).

As a non-appropriated agency, FCA funds its expenses primarily through assessments to the institutions it regulates. The Agency's fiscal year (FY) 2007 budget was \$45.7 million. Assessments by FCA to FCS institutions for FY 2007 totaled \$41.5 million, with other sources of funding totaling \$4.2 million. The OIG's FY 2007 budget was \$1,016,578.

At the end of this semiannual reporting period, FCA had 258 employees, about half of which are examiners located in five field offices. At the end of the prior semiannual reporting period, the Agency had 257 employees.

The OIG maintains five positions: the Inspector General (IG), a General Counsel, a Senior Auditor, a Senior IT Auditor, and an Administrative Assistant. Appendix E and Appendix F display the organizational structure of FCA and the OIG, respectively.

## MANAGEMENT CHALLENGES

This part of the semiannual report highlights major challenges confronting the Agency as it works to fulfill its mission. The OIG is required by Federal law to identify these challenges and present them in the Agency's Performance and Accountability Report. Except for external environmental challenges, most can be addressed through concerted action by management. Over the past year, the OIG has observed progress by FCA management in addressing the internal challenges.

### Organizational Change

Strategic studies were completed in 2005 that resulted in the initiation of significant organizational change designed to enable the Agency to further address all internal challenges and to better prepare for external environmental challenges. These organizational changes, fully described in previous semiannual reports, have now been fully institutionalized.

### Human Capital

In March 2001, the OIG recommended that FCA develop a human capital plan and FCA management agreed. Chairman Pellett assumed her FCA Board and Agency leadership position in May 2004. In 2006, a comprehensive 5-year strategic human capital plan was completed. The plan identifies five human capital goals and six human capital initiatives, including knowledge management and succession planning.

FCA's challenge is to continue to implement the human capital plan to ensure organizational approaches that enable FCA to adapt to evolving technology, a changing workforce, and other environmental forces. In addition to achieving full transformation of the Agency's organization and processes, how FCA meets its mission will be heavily dependent on the quality of its human capital, having the appropriate skill sets, and how it organizes to meet its mission.

A critical component in implementing the human capital plan is providing for management succession. Individuals with the potential to become managers should be identified, provided developmental opportunities, and, when appropriate, promoted to higher positions. This, as part of a human capital plan, should be linked to the Agency's Strategic Plan for long-term achievement of the Agency's mission.

## **Financial Management**

Timely, accurate, and useful financial information is essential for:

- making day-to-day decisions;
- managing the Agency's operations more effectively;
- supporting results-oriented management approaches; and
- ensuring accountability on an ongoing basis.

In April 2006, FCA outsourced financial reporting, contracting, and procurement functions to the Department of the Treasury's Bureau of the Public Debt (BPD). While the transition is essentially complete, its ultimate success will need to be measured by whether the Agency and its managers are receiving timely service, useful financial reporting, and improved efficiencies. However, timely and efficient service in the procurement area was not occurring and management brought procurement back within the Agency during the prior reporting period. To ensure the effectiveness of BPD's performance and the Agency's reacquisition of the procurement function, the Office of Management Services will need to continue its ongoing assessment of performance and efficiencies in these service areas.

The OIG has initiated an audit of this outsourcing. See page 6, Audits and Inspections in Progress.

## **Leveraging Technology**

Information technology (IT) is a key element in management's efforts to continually improve Agency performance and reduce costs. The ongoing challenge is to continue to establish an effective IT infrastructure to ensure that staff have the IT tools and skills to operate in an efficient and effective manner. In this regard, the Agency is in the early stages of a major infrastructure transition.

The OIG has initiated an audit of this infrastructure transition. See page 6, Audits and Inspections in Progress.

## **Agency Governance**

The Farm Credit Act provides for a full-time three-member board to govern the Agency. FCA Board members are appointed by the President and confirmed by the Senate. A small full-time FCA Board presents a challenge in defining the roles and responsibilities of its members relative to the governance of the Agency. The FCA Board must be able to engage in professional policy debate and set a sound course for the Agency. The FCA Board's rules of operation are a foundation for trust and shared expectations among its members. A collegial FCA Board, founded on mutual trust and respect, is essential to the Agency's ultimate effectiveness.

The Chairman has taken action to address this challenge by sharing authority and creating an environment at the FCA Board level that promotes a constructive working relationship between members. FCA Board members continually strive to remain current and knowledgeable in the dynamic agriculture, financial, and regulatory environments. Changes in the membership of the FCA Board present opportunities and challenges to the FCA Board's governance of the Agency.

## **Strategic Planning**

The FCA Board adopted its current Strategic Plan, which covers 2004-2009, in December 2003. Since adoption, the FCA Board has a new Chairman and two new members. These changes in leadership provide an opportunity to revise the plan to ensure the FCA Board's vision is accomplished. The challenge is to establish a strategic plan that is ongoing in nature and in pace with the Agency's environment. In 2005, the FCA Board established a Strategic Planning Committee (SPC), one of three committees established to facilitate the FCA Board's oversight responsibilities and communication between the FCA Board and Agency staff. This committee has the potential to catalyze the strategic planning function and address this challenge. Steps in this regard were continued by the SPC during this and the past reporting periods, although management's operating plans were submitted without optimum benefit of a revised strategic plan.

The FCA Board refined the Agency's performance measures in January 2005. FCA should evaluate its performance measures on an ongoing basis to ensure that they challenge the organization. Performance measures can be a powerful tool to continue the push into a results-oriented organization. An effective performance management system fosters performance and accountability at the individual, organizational, and ultimately overall Agency levels.

## **A Changing Environment**

The System is a single industry lender and is vulnerable to economic swings. Nevertheless, the FCS remains sound in all material respects. Earnings and capital levels have continued to strengthen and asset quality remains high. However, there are many challenges facing agriculture and rural America today that raise the question of whether there should be modifications to the Farm Credit Act in order to enhance agricultural and rural economies of the future.

In 1994, the Government Accountability Office (GAO) published a report on the cost and availability of credit in rural America.<sup>1</sup> The GAO concluded that the System did not need new statutory authorities in the near term, but that ongoing structural changes in agriculture and rural America could justify such changes in the longer term. GAO noted that over time, as agriculture and rural America continue to change, the

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<sup>1</sup> GAO/GGD-94-39 Farm Credit System Repayment of Federal Assistance and Competitive Position, March 1994.

System's charter may need to be updated to ensure that the System is not hampered by outdated legislation.

The System, through its Horizons project, has developed recommendations for the Congress to update the Farm Credit Act. The Agency can also anticipate that the System will press for broader powers through regulatory interpretations of the Farm Credit Act. At the same time, FCA must anticipate that the System's competitors will press for the Agency to be a strict interpreter of the Farm Credit Act.

As a financial regulator, FCA must maintain a flexible and responsive, yet independent and objective, regulatory environment. In this regard, the FCA must balance the often competing demands of ensuring the FCS fulfills its public policy purpose, proactively examining risk in the regulated institutions both individually and systemically, and controlling the cost of the regulator. FCA's challenge is complex because it has become increasingly difficult to reconcile significant provisions of the Farm Credit Act with the realities of the agricultural industry, the business environment, and financial markets in the 21<sup>st</sup> Century.

## AUDIT AND INSPECTION REPORTS ISSUED

The OIG conducts all audits in accordance with Government Auditing Standards issued by the Comptroller General of the United States for audits of Federal organizations, programs, activities, and functions. Inspections are in accordance with the President's Council on Integrity and Efficiency's Quality Standards for Inspections. Copies of most OIG reports are available on the FCA OIG web site [www.fca.gov/home/inspector.html](http://www.fca.gov/home/inspector.html), or by contacting the OIG at (703) 883-4030, or by TTY at (703) 883-4359, or by e-mail at [ig\\_information@fca.gov](mailto:ig_information@fca.gov).

## FCA's Enforcement Program

The OIG completed an inspection to evaluate the status of FCA's enforcement program and readiness of FCA to impose an enforcement action. Management agreed that, although the need for the Agency's use of its enforcement authority has been dormant for years due to the credit and financial strength of the FCS, attention to better preparation for the utilization of the Agency's enforcement authorities is needed. In this regard, management agreed to identify positions and duties of FCA staff likely to be involved in any enforcement action; capture knowledge from employees experienced in enforcement matters; update all enforcement policies, procedures, and processes and provide briefings to those who may become involved in enforcement; establish policy guidance and thresholds on when enforcement action will be considered to ensure an objective and sound process; and to establish measures to ensure that independent adjudication advice is available to the FCA Board.

Management forwarded implementation plans with timelines to update the enforcement program.



## **Federal Information Security Management Act (FISMA) Review for FY 2007**

The OIG contracted with Harper, Rains, Knight & Co., P.A. (HRK) to perform an independent review of the Agency's information security program's compliance with FISMA for FY 2007. The evaluation was performed using guidelines established by FISMA, OMB Circular A-130, GAO's Federal Information System Controls Audit Manual, and the National Institute of Standards and Technology.

We determined that FCA has an effective information security program. FCA conducted an annual self-assessment of the Agency's security program, categorized systems based on risk, applied a common security configuration, and completed certifications and accreditations on all Agency systems. In addition, FCA implemented an Agency-wide security awareness and training program, tested the Agency's continuity of operations plan, and followed a comprehensive incident response program.

We observed an active, engaged Chief Information Officer (CIO) with a cohesive, experienced, and well trained staff, proactive in their approach to information security and responsive to suggestions made during the FISMA evaluation. We also reviewed the CIO's plan to internally develop a Senior Agency Information Security Officer (SAISO) over the next fifteen months, which includes requiring the SAISO to be a Certified Information Systems Security Professional.

Our evaluation did not reveal any information security control matters that we deemed to be significant deficiencies that must be reported under FISMA.

## **AUDITS AND INSPECTIONS IN PROGRESS**

### **Independent Financial Audit for FY 2007**

The Accountability of Tax Dollars Act of 2002 extended to FCA and certain other agencies a requirement to submit to the Congress and the Office of Management and Budget (OMB) an audited financial statement each fiscal year. Also, the President's Management Agenda states agencies must continue to improve their financial performance by improving timeliness, enhancing usefulness, and ensuring reliability by obtaining and sustaining a clean audit opinion.

In continuing to assist the Agency in meeting these requirements, the OIG contracted with the BPD for Brown & Company, CPA, PLLC to perform the audit of FCA's financial statements for FY 2007.

### **Efficiencies Realized Through Outsourcing**

An audit is in progress to determine whether the outsourcing of financial services to BPD improved Agency operations and reduced costs.

## IT Infrastructure Project Management

An audit is underway to determine if FCA is using sound project management practices to minimize risks associated with making significant changes to the IT infrastructure. We will evaluate the effectiveness of project management and determine if the process complies with agency policy and best practices.

## STATUS OF UNIMPLEMENTED RECOMMENDATIONS

At the beginning of the reporting period, there were two unimplemented agreed-upon actions from an audit. One of these was closed during this period and one remains open. Six new agreed-upon actions from an inspection were opened. At the end of the period, seven agreed-upon actions remain open.

## Audits and Inspections

The following table summarizes the status of action items from audits and inspections.

<b>Audit and Inspection Agreed-Up On Actions and Recommendations</b>				
<b>Audit Report</b>	<b>Issued</b>	<b>Open during this 6-month period</b>	<b>Final Management Actions during this period</b>	<b>Open on 10/01/2007</b>
Committees Established by the FCA Board	1/26/07	2	1	1
FCA's Enforcement Program	7/31/07	6	0	6
<b>Total</b>		<b>8</b>	<b>1</b>	<b>7</b>

An audit report on Committees Established by the FCA Board was issued in January 2007. Management agreed with the report's two recommendations. One recommendation remains open at this time as an agreed-upon action.

An inspection report on FCA's Enforcement Program was issued on July 31, 2007. Management agreed with the report's six recommendations. Management submitted acceptable proposed resolutions to the agreed-upon actions and is working on closing the action items.

## INVESTIGATIONS

OIG Hotline calls and e-mails dealing with borrower complaints concerning FCS institutions and other FCS issues were referred to the FCA office or other Federal agency responsible for reviewing such matters.

No investigations are currently open.

## LEGISLATION AND REGULATIONS

In the furtherance of the OIG's mandate to review existing and proposed legislation and regulations, the IG or Counsel to the IG attends joint briefings of the Board on regulations at the proposed and final stages. The following were reviewed by Counsel to the IG:

### Legislation

- 1) H.R. 928 – Improving Government Accountability Act

### Advanced Notice of Proposed Rulemaking

- 2) FCA Capital Adequacy
- 3) Farmer Mac Risk-Based Capital Stress Test Version 3.0

### Final Rule

- 4) Joint and Several Liability - Priority of Claims
- 5) Priority of Claims – Subordinated Debt

### Briefings

- 6) Fall Unified Agenda
- 7) Mission Related Investments
- 8) Participation Consortium Issues
- 9) Governance in FCS Institution
- 10) Providing Sound and Constructive Credit to Young Beginning and Small Farmers – Bookletter #40
- 11) Preferred Stock
- 12) Table Funding

## OTHER ACTIVITIES

### **OIG Observations Issued**

Although none were issued during this reporting period, the OIG utilizes Observations to provide feedback to management on issues that come to our attention while performing other OIG work.

## **Survey of Farm Credit System Institutions**

The OIG administers an ongoing survey of the regulated institutions of the FCS. The survey measures the quality and consistency of the Agency's examination function. During this 6-month period, we sent surveys to the Audit Committee Chairman and CEO of 26 FCS institutions. The OIG issues a quarterly report to the Chief Examiner and to the Chairman and a summary report at the end of each fiscal year on the responses to surveys.

## **Staff Participation in Activities of the Professional Community**

OIG staff members are encouraged to take part in organizations that contribute to the mission of the Inspector General community, as well as their individual professional development. Most staff are actively involved in one or more professional organizations, as well as ad hoc activities of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE).

The IG continues to meet monthly with all Inspectors General from the ECIE; with Inspectors General from the other Federal financial regulatory agencies, and participates as a member of the PCIE's Inspection and Evaluation Committee.

The IG General Counsel meets at least monthly with counsels to the IGs. Counsel also attends Directors of Investigations meetings.

The OIG Senior Auditor and Senior IT Auditor attend Federal Audit Executive Committee meetings and conferences. The Senior IT Auditor also attends local Information Security and Control Association (ISACA) meetings and Federal information security and audit meetings.

## **Staff Participation in Agency Organizations**

Staff is active on several Agency workgroups and task forces. During this reporting period, the OIG was represented in Blacks in Government, Administrative Burden Reduction Workgroup, the Combined Federal Campaign, Infrastructure Review Pilot, and the FCA Employees' Council. Counsel conducted a briefing of the OIG's mission and operations at an orientation for new employees. The OIG Senior IT Auditor and Administrative Assistant attended the orientation.

## **Staff Development**

OIG employees continually seek ways to improve skills and become knowledgeable in inspector general community initiatives. During this period, the IG participated in several web cast training/information seminars on the audit function. Additionally, the IG attended the PCIE/ECIE Annual Training Conference and Retreat. The Counsel to the IG, a trained mediator, participated in the Sharing Neutrals program by mediating a personnel dispute at the U. S. Department of Agriculture and attended an American

Bar Association course on mediation. Counsel also attended a Summit on Conflict of Interest and Ethics at the Securities and Exchange Commission. The auditors attended: a symposium on Emerging Issues in Banking, an A-123 training course, an ISACA National Capital Area Annual Meeting, a conference of the Federal Audit Executive Council, and a U.S. Government Accountability Office presentation on revisions to the “Yellow Book”. The Administrative Assistant attended Excel training.

**APPENDIX A – INDEX OF REPORTING REQUIREMENTS**

<b>INSPECTOR GENERAL ACT CITATION AND REQUIREMENT</b>	<b>PAGE</b>
Section 4(a) (2) Review of Legislation and Regulations.....	8
Section 5(a)(1) Significant Problems, Abuses, and Deficiencies .....	none
Section 5(a)(2) Recommendations for Corrective Action .....	5-7
Section 5(a) (3) Prior Recommendations Not Yet Implemented.....	7
Section 5(a)(4) Matters Referred to Prosecutive Authorities .....	none
Section 5(a)(5) Summary of Instances Where Information .....	none
Was Unreasonably Refused or Not Provided	
Section 5(a) (6) List of OIG Audit/Inspection Reports Issued During the Period.....	5, 6, 12
Section 5(a) (7) Summary of Significant Reports Issued During the Period.....	5
Section 5(a) (8) Statistical Table on Management Decisions.....	12
with Questioned Costs	
Section 5(a) (9) Statistical Table on Management Decisions on .....	13
Recommendations that Funds be put to Better Use	
Section 5(a) (10) Summary of Each Audit Over Six Months Old for .....	none
Which No Management Decision Has Been Made	
Section 5(a)(11) Significant Revised Management Decisions .....	none
Section 5(a)(12) Significant Management Decisions with Which .....	none
the Inspector General Disagreed	
Section 5(a) (13) Compliance of Agency Financial Management System .....	6

APPENDIX B

<b>Audit / Inspection Reports Issued</b>			
<b>Title of Report</b>	<b>Number of Agreed Upon Actions/ Recommendations</b>	<b>Questioned Costs</b>	<b>Recommendations That Funds Be Put to Better Use</b>
FCA's Enforcement Program	6	\$ 0	\$ 0
<b>Total</b>	<b>6</b>	<b>\$ 0</b>	<b>\$ 0</b>

APPENDIX C

<b>Reports with Questioned Costs</b>				
	<b>Number</b>		<b>Dollar Value</b>	
	<b>Reports</b>	<b>Recom- mendations</b>	<b>Questioned Costs</b>	<b>Unsupported Costs</b>
A. For which no management decision has been made by the commencement of the reporting period	0	0	\$ 0	\$ 0
B. Which were issued during the reporting period	0	0	\$ 0	\$ 0
<i>Subtotals (A+B)</i>	0	0	\$ 0	\$ 0
C. For which a management decision was made during the reporting period	0	0	\$ 0	\$ 0
(i) dollar value of disallowed costs	0	0	\$ 0	\$ 0
(ii) dollar value of costs not disallowed	0	0	\$ 0	\$ 0
D. For which no management decision has been made by the end of the reporting period	0	0	\$ 0	\$ 0
E. For which no management decision was made within six months of issuance	0	0	\$ 0	\$ 0

APPENDIX D

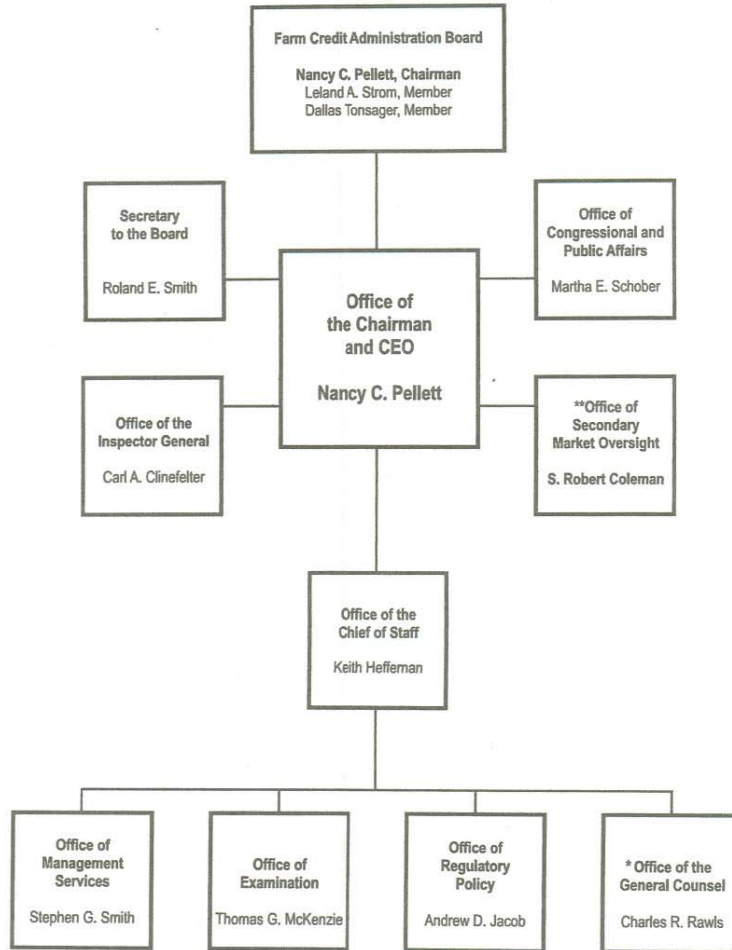
<b>Reports with Recommendations that Funds be Put to Better Use</b>			
	<b>Number of Reports</b>	<b>Number of Recommendations</b>	<b>Dollar Value</b>
A. For which no management decision has been made by the commencement of the reporting period	0	0	\$ 0
B. Which were issued during the reporting period	0	0	\$ 0
<i>Subtotals (A + B)</i>	0	0	\$ 0
C. For which a management decision was made during the reporting period	0	0	\$ 0
(i) dollar value of recommendations that were agreed to by management	0	0	\$ 0
--based on proposed management action	0	0	\$ 0
--based on proposed legislative action	0	0	\$ 0
(ii) dollar value of recommendations that were not agreed to by management	0	0	\$ 0
D. For which no management decision has been made by the end of the reporting period	0	0	\$ 0
E. For which no management decision was made within six months of issuance	0	0	\$ 0



**APPENDIX E – FCA Organizational Chart**

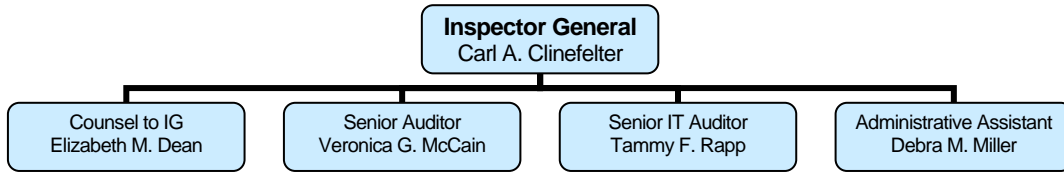
Farm Credit Administration  
Organizational Structure

*Nancy C. Pellett* 1-08-07  
Chairman Date



\*Maintains a confidential advisory relationship with each of the Board members.  
\*\* Reports to the Board for policy and to the CEO for administration.

**APPENDIX F – Office of Inspector General Organizational Chart**



# R E P O R T


Fraud ❖ Waste ❖ Abuse ❖ Mismanagement




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