



GENERAL COUNSEL

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

September 25, 2009

**MEMORANDUM FOR ASSISTANT GENERAL COUNSELS, CHIEF
COUNSELS AND LEGAL COUNSELS**

FROM:

George W. Madison
General Counsel

SUBJECT:

Reporting Allegations of Misconduct to the Inspector General

Please read the attached memorandum from Inspector General Eric Thorson regarding our continuing obligation to report misconduct. The OIG has the statutory mandate to conduct independent and objective investigations into the Department's programs and operations. In addition, each of us has the duty to report to the IG all allegations of misconduct. The attached memorandum from me to all Departmental Offices and Bureau Heads further explains these important responsibilities.

I have invited Rich Delmar, Counsel to the IG, to attend our staff meeting on Friday, October 2, 2009 at 3:30 p.m. so that he can explain these responsibilities to us and answer any questions that you may have. Please make arrangements to attend this meeting.

Attachments

Memorandum for all Departmental Offices and Bureau Heads
Memorandum from IG

cc: Eric Thorson
Rich Delmar

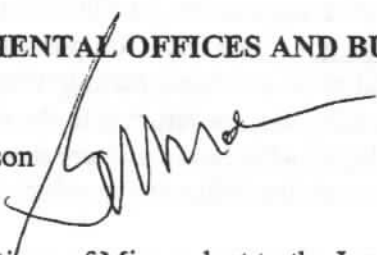


GENERAL COUNSEL

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

September 25, 2009

MEMORANDUM FOR ALL DEPARTMENTAL OFFICES AND BUREAU HEADS

FROM: George W. Madison
General Counsel 

SUBJECT: Reporting Allegations of Misconduct to the Inspector General

As you are aware, Treasury Directive 40-01 requires all Treasury employees to report any known or suspected act of misconduct to the Office of the Inspector General (OIG). I have received the attached memorandum from the Inspector General Eric Thorson clarifying the types of allegations and incidents that should be reported.

Circumstances that must be reported to OIG include, but are not limited to: all allegations of workers' compensation fraud, all instances of loss, theft, or compromise of personally identifiable, classified, or sensitive information or of government-owned or leased property, and all breaches of government-occupied office or other space. Further, all apparent instances of violation of the Hatch Act, the Treasury Employee Rules of Conduct and the Executive Branch Standards of Conduct must be reported.

Issues of the following types need not be reported to OIG and should be addressed by the appropriate manager:

- Leave issues such as tardiness, AWOL, etc. (However, time & attendance fraud must be reported to OIG);
- Performance and productivity related issues, such as disagreements as to how work assignments should be handled, assignment of work, insubordination, poor quality of work, etc;
- Appearance, personal hygiene and dress issues;
- Work atmosphere issues such as loud music, talking, or reading newspapers. However, fundraising or canvassing in the workplace (other than authorized Combined Federal Campaign events) should be reported;
- Minor personality conflicts (not involving assaults or harassment); and
- Minor traffic infractions. However, all arrests must be reported.



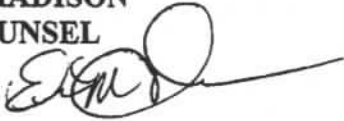
OFFICE OF
INSPECTOR GENERAL

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

SEP 21 2000

**MEMORANDUM FOR GEORGE W. MADISON
GENERAL COUNSEL**

FROM:

Eric M. Thorson 
Inspector General

SUBJECT:

Guidance for Reporting Allegations of Misconduct

As you and my Counsel, Rich Delmar discussed last week, the Office of Inspector General (OIG) seeks to re-state and clarify to all Treasury bureaus and offices its jurisdiction and their obligation to report incidents, problems, and apparent violations of law, rule, or regulation. You have agreed to forward this memo to all concerned officials, and to invite Mr. Delmar to brief Legal Division officials about it. I greatly appreciate your support.

The OIG is tasked by statute and Treasury Order to conduct independent and objective investigations into the Department's programs and operations, to detect fraud and abuse, promote economy and efficiency, and keep the Secretary and the Congress informed about problems and deficiencies. In keeping with this mandate, and in furtherance of transparency and accountability, the OIG must be fully informed of all events that potentially constitute violations of law, rules, or regulations. To accomplish this duty, the OIG must be informed of the full range of misconduct and inefficiency suspected in the Department and the various bureaus.

The OIG recognizes that most minor conduct violations should continue to be addressed by bureau/Departmental Office management and will be returned to bureaus and offices for resolution by management staff. However, the OIG also recognizes the need to become involved in certain violations as well as monitor emerging trends and patterns within the bureaus. To that end, a better balance in reporting needs to be established in order to promote the operations and efficiency of both the bureaus and the OIG.

The OIG requires bureaus and offices to refer all allegations of administrative misconduct with only minimum exceptions. This includes, but is not limited to, all allegations of workmen's compensation fraud, all instances of loss, theft or compromise of personally identifiable information (PII), classified or sensitive information, government-owned or leased property, and breaches of government-occupied offices or other space. In addition, all apparent instances of violation of the Hatch Act, the Treasury Employee Rules of Conduct and the Executive Branch Standards of Conduct must be reported, for OIG review and consideration.

The following types of issues need **not** be reported to the OIG and should be handled directly by your bureau/DO management:

- Leave issues such as tardiness, AWOL, etc., (However, time & attendance fraud must be reported to the OIG).
- Performance and productivity related issues, such as disagreements as to how work assignments should be handled, assignment of work, insubordination, poor quality of work, etc.
- Appearance, personal hygiene and dress issues.
- Workplace atmosphere issues such as loud music or talking, reading newspapers. However, fundraisers or canvassing in the workplace should be reported for assessment.
- Minor personality conflicts (not involving assaults or harassment).
- Minor traffic infractions however, **all arrests** must be reported.

This list is not all-inclusive and is provided as a guideline. Should there arise a question as to whether a particular issue is reportable, we recommend that it be reported to the OIG and allow us to evaluate it and, if appropriate, refer it back to management for resolution.

All allegations are to be reported to the OIG Complaints Management Office, via email at OIGIntake@oig.treas.gov. The OIG Complaints Management Office will respond to each notification and provide a reply whether the OIG will assume responsibility for the investigation of an allegation or return it to the reporting bureau or office for resolution by management. Urgent after hours matters should be reported to the OIG Duty Agent, who is available by calling the Office of Investigations main number, (202) 927-5260.

The OIG is committed to serving the needs of the Department and the performance of its statutory responsibilities efficiently. Any questions concerning this guidance can be addressed to Assistant Inspector General for Investigations (Acting) P. Brian Crane on (202) (b)(6) or to Mr. Delmar, on (202) (b)(6)

Thank you again for your cooperation and support.