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Description of document: Consumer Product Safety Commission (CPSC) Inspector General (OIG) investigations closed FY2015-FY2016

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U.S. Consumer Product Safety Commission
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U.S. CONSUMER PRODUCT SAFETY COMMISSION

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January 05, 2017

RE: Freedom of Information Act Request (FOIA) #17-F-00135: A copy or printout of the list of CPSC OIG investigations closed during calendar year 2015 and calendar year 2016 (See Request for Details)

Thank you for your Freedom of Information Act (FOIA) request seeking the above referenced information from the U.S. Consumer Product Safety Commission ("Commission").

In response to your request, please find enclosed a list of CPSC OIG investigations closed during calendar years 2015 and 2016.

I trust that this information fully satisfies your request. If you need any further assistance or would like to discuss any aspect of your request please do not hesitate to contact *me at 301-504-7479, email, amills@cpsc.gov for any further assistance and to discuss any aspect of your request.* Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Processing your request, including searching files and preparing this information cost the Commission \$30.00. In this instance, we waived the charges. This completes the processing of your request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alberta E. Mills", with a long horizontal flourish extending to the right.

Alberta E. Mills

Enclosure

REPORTABLE INVESTIGATIONS CLOSED IN FY 15 & 16

14-010 Alleged Misuse of Position and Official Time – an allegation was received indicating that a CPSC management official was abusing his position and official time by spending duty time engaging in an otherwise authorized outside activity and otherwise abusing his authority. Preliminary investigation indicated that there was no basis for a formal investigation. The case was closed on December 17, 2014.

15-001 Allegation of Employee Misconduct – an allegation was received by this office indicating that subject had improperly used his government issued Blackberry. Preliminary investigation determined that this matter did not fit the traditional definition of “fraud, waste, abuse, or mismanagement” and was thus outside the jurisdiction of this office. Case closed on October 10, 2014.

15-002 Allegation of Mismanagement – an allegation was received by this office that agency management had mismanaged the CPSC’s Voluntary Leave Transfer program. Preliminary investigation determined that the evidence available did not support the existence of a prima face case. Case closed on December 11, 2014.

15-003 Allegation of Mismanagement – an allegation of mismanagement, based on the complainant’s non-selection for a position, was received by this office. Preliminary investigation determined that there was insufficient evidence to establish a prima facie case. Case closed on February 3, 2015.

15-04 Alleged Misuse of Government Resources and Official Time – An allegation was received indicating that a CPSC management official was using official time and office equipment to engage in an otherwise authorized outside activity. Preliminary investigation indicated that this matter did not rise to a level requiring OIG involvement and the case was transferred to agency management.

16-001 Allegation of Misconduct by an Agency Employee – An allegation was received regarding an agency FOIA response which was stored on cpsc.net in such a way that it was accessible (and searchable) by agency employees who did not have a need to know about the PII it contained. A preliminary investigation determined that the pdf file did contain PII, that the method in which the PII was stored allowed it to be accessed by agency staff that did not have a legitimate reason to access the PII, and that this particular circumstance did not fit the traditional jurisdiction of “fraud, waste, abuse, or mismanagement” as applied to OIG operations. In light of the above, OIG transferred this matter to

agency management, but worked with the agency Office of General Counsel to ensure that the breach was appropriately reported and that the circumstances that led to the breach were addressed.

16-02 Complaint alleging EEO violations closed due to lack of jurisdiction. Employee aware of opportunity to file with EEO office.

16-03 Complaint requesting monetary reimbursement due to perceived CPSC change in position regarding the safety of a consumer product. Complaint outside of jurisdiction of this office, case transferred to OGC.

16-04 Complaint raising landlord tenant issues involving a CPSC employee. Complaint dismissed for lack of jurisdiction.

16-05 Complaint alleging EEO violations closed due to lack of jurisdiction. Employee aware of opportunity to file with EEO office.

16-07 Complaint alleging unsafe manufacturing of a consumer product. Complaint transferred to agency management for action.