



# governmentattic.org

*"Rummaging in the government's attic"*

Description of document: US Consumer Product Safety Commission (CPSC) records provided to Senator Charles E. Grassley and Senator Tom Coburn concerning the independence of Inspectors General necessary to promote efficiency and prevent fraud, waste and abuse in agency programs, in response to the Senators' inquiry, 2011-2012

Requested: 15-April-2012

Released date: 14-May-2012

Posted date: 04-July-2012

Source of document: FOIA Request  
Office of the Secretary  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

Note: This is one of several files on the same subject for various agencies available on governmentattic.org. See: <http://www.governmentattic.org/6docs/GrassleyCoburn.htm>

The governmentattic.org web site ("the site") is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814**

May 14, 2012

**RE:** Freedom of Information Act (FOIA) Request #12-F-00448: Request a copy of each biannual response to Senator's Grassley and Coburn regarding their April 8, 2010, request to the CPSC Office of the Inspector General to provide a summary of your non-public management advisories and closed investigations.

Thank you for your Freedom of Information Act (FOIA) request seeking information from the Commission. The records from the Commission files responsive to your request have been processed and copies of the releasable responsive records are enclosed.

Enclosed are (3) Commission letters, dated January 24, 2012, January 14, 2011, and June 3, 2010, addressed to Senator Grassley and Senator Coburn in response to their April 8, 2010, request to the CPSC's Office of the Inspector General to provide a summary of our non-public management advisories and closed investigations.

Thank you for your interest in consumer product safety. The cost to the Commission to prepare this information was **\$35.00**. In this case, we have decided to waive the charges. Should you have any questions, contact us by letter, facsimile (301) 504-0127, telephone (301) 504-7923, or e-mail addressed to [cpsc-foia@cpsc.gov](mailto:cpsc-foia@cpsc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson  
The Secretariat - Office of the Secretary  
Office of the General Counsel

Enclosures



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
BETHESDA, MD 20814

Christopher W. Dentel  
Inspector General

Tel: 301 504-7644  
Fax: 301 504-7004  
Email: [cdentel@cpsc.gov](mailto:cdentel@cpsc.gov)

Date: January 24, 2012

Via Electronic Transmission

The Honorable Charles E. Grassley  
Ranking Member  
Committee on Finance  
United States Senate

The Honorable Tom Coburn  
Ranking Member  
Permanent Subcommittee on Investigations  
Homeland Security and Governmental Affairs Committee  
United States Senate

Dear Senators:

The following information is being transmitted in accordance with your request dated, April 8, 2010.

1. You requested a list and description of any instances in which the Consumer Product Safety Commission (CPSC) resisted and/or objected to oversight activities and/or restricted the CPSC Office of Inspector General's (OIG) access to information during the relevant time period.

There were no such instances.

2. You have requested a report of "all closed investigations, evaluations, and audits" conducted by the CPSC OIG that were not disclosed to the public. You have also indicated that you do not wish to receive Privacy Act Protected Data. During the time period October 1, 2010 through September 30, 2011:

a. The following investigations, conducted in accordance with the Inspector General Act, and/or administrative investigations were closed during the time period in question and not released to the public:

Case #            Summary:

11-001            Investigation of allegations that CPSC had paid more than market rate for training services. Investigation determined that although costs of training had been higher than anticipated, said payments had actually been made to another government agency under an Interagency Agreement and thus could not be fraud by definition.

11-003            Investigation of allegations that a CPSC employee had misused her government purchase card, engaged in various time and attendance type violations, and made a false statement to her supervisor. Investigation determined that the alleged violations had occurred. Appropriate disciplinary action was taken by the agency.

11-004            Investigation of allegations that the CPSC was engaging in improper hiring processes. Investigation determined that the specified actions did not constitute a violation of MSPB principles.

11-005            Investigation of allegation that a CPSC employee had made a false official statement. Investigation revealed that although erroneous the statement in question and surrounding circumstances did not constitute a false official statement.

11-009            Investigation of allegations that a CPSC employee had misused government time and equipment were not substantiated by the evidence. Other misconduct found during the course of the investigation was determined to be outside of the jurisdiction of this office and case was transferred to EEO and agency management.

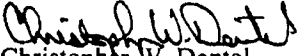
b. All audits and/or reviews completed during the time frame in question were released to the public.

Mr.  
Page 3

3. You have requested that you be informed if any Federal official threatens and/or otherwise attempts to impede my office's ability to communicate with Congress, whether that communication concerns the budget or any other matter.

No such attempt to interfere or impede this office's ability to communicate with Congress has occurred.

Sincerely,

  
Christopher W. Dentel  
Inspector General





U.S. CONSUMER PRODUCT SAFETY COMMISSION  
BETHESDA, MD 20814

Christopher W. Dentel  
Inspector General

Tel: 301 504-7644  
Fax: 301 504-7004  
Email: [cdentel@cpsc.gov](mailto:cdentel@cpsc.gov)

Date: January 14, 2011

Via Electronic Transmission

The Honorable Charles E. Grassley  
Ranking Member  
Committee on Finance  
United States Senate

The Honorable Tom Coburn  
Ranking Member  
Permanent Subcommittee on Investigations  
Homeland Security and Governmental Affairs Committee  
United States Senate

Dear Senators:

The following information is being transmitted in accordance with your request dated, April 8, 2010.

1. You requested a list and description of any instances in which the Consumer Product Safety Commission (CPSC) resisted and/or objected to oversight activities and/or restricted the CPSC Office of Inspector General's (OIG) access to information during the time period May 1, 2010 to September 30, 2010.

There were no such instances.

Page 2

2. You have requested a report of "all closed investigations, evaluations, and audits" conducted by the CPSC OIG that were not disclosed to the public during the time period January 1, 2009 through April 30, 2010. You have also indicated that you do not wish to receive Privacy Act Protected Data.

a. The following investigations, conducted in accordance with the Inspector General Act, and/or administrative investigations were closed during the time period in question and not released to the public:

Case #            Summary:

10-008            Investigation of allegations that a CPSC employee had committed fraud against the agency. Investigation determined that although agency official had misused the Government Travel Card (and already been disciplined for same) said misuse did not constitute fraud (violation was regulatory in nature and did not involved the misappropriation of Government funds or other assets.)

10-010            Investigation of allegations that a CPSC employee had misused his position by using government time and resources for unauthorized purposes. Investigation determined that the problem dealt more with the perception created by the employee's activities than the activities themselves. The matter was referred to the employee's supervisor for action.

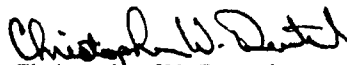
10-013            Investigation of allegations that a senior CPSC official had improperly aided a family member in seeking employment at the CPSC. Investigation determined that the two individuals in question were not related.

b. All audits and/or reviews completed during the time frame in question were released to the public.

3. You have requested that you be informed if any Federal official threatens and/or otherwise attempts to impede my office's ability to communicate with Congress, whether that communication concerns the budget or any other matter.

No such attempt to interfere or impede this office's ability to communicate with Congress has occurred.

Sincerely,

  
Christopher W. Dentel  
Inspector General







U.S. CONSUMER PRODUCT SAFETY COMMISSION  
BETHESDA, MD 20814

Christopher W. Dentel  
Inspector General

Tel: 301 504-7644  
Fax: 301 504-7004  
Email: [cdentel@cpsc.gov](mailto:cdentel@cpsc.gov)

Date: June 3, 2010

Via Electronic Transmission

Senator Charles E. Grassley  
Ranking Member  
Committee on Finance

Senator Tom Coburn  
Ranking Member  
Permanent Subcommittee on Investigations  
Homeland Security and Governmental Affairs Committee

Dear Senators:

The following information is being transmitted in accordance with your request dated, April 8, 2010.

1. You requested a list and description of any instances in which the Consumer Product Safety Commission (CPSC) resisted and/or objected to oversight activities and/or restricted the CPSC Office of Inspector General's (OIG) access to information during the time period October 1, 2008 to April 8, 2010.

There were no such instances.

2. You have requested a report of “all closed investigations, evaluations, and audits” conducted by the CPSC OIG that were not disclosed to the public during the time period January 1, 2009 through April 30, 2010. You have also indicated that you do not wish to receive Privacy Act Protected Data.

a. The following investigations, conducted in accordance with the Inspector General Act, and administrative investigations were closed during the time period in question and not released to the public:

<u>Case #</u>	<u>Summary:</u>
09-001	Administrative investigation into events surrounding the misuse of agency facilities by an employee and agency’s subsequent corrective actions. Allegation regarding employee misconduct substantiated and case forwarded to management for action. Management’s response to misuse of ADA accommodations deemed appropriate.
09-002	Investigation of alleged operation of a for profit business on agency time and using agency equipment by a contractor employee. Case closed for lack of evidence (complainant was anonymous and provided insufficient information). <sup>1</sup>
09-003	Investigation of alleged misconduct by a CPSC supervisor (alleged sale of life insurance to subordinates.) Investigation determined that sales had occurred, but years earlier (before subject became a supervisor) and off-duty.
09-004, 005	Investigation of allegation that married CPSC couple had violated Federal conflict of interest laws by operating a business that contracted with the Federal Government while simultaneously working as Federal employees. Investigation determined that although employees did operate a business they did not contract directly with the Federal Government.
09-006	Investigation into allegations that contractor was maltreating its employees (who worked onsite at agency). No evidence found that Federal laws/regulations were violated. Matter was transferred to agency contracting office.
09-007	Case Open

---

<sup>1</sup> Cases 09-002 and 10-001 involve the same allegations against the same individual.

- 09-008 Investigation into allegations involving misconduct by a management official. The specific act in question was already the subject of an EEO investigation so the case was closed and jurisdiction ceded to that office.
- 10-001 Investigation of alleged misconduct (operation of a for profit printing business on agency time and using agency equipment) by a contractor employee. Allegation regarding contractor employee misconduct substantiated and case forwarded to management for action.
- 10-002 Investigation of alleged misconduct by agency employee. Allegations that employee was operating a for profit business during duty hours and utilizing government equipment (sale of Avon products) were substantiated and case forwarded to management for action.
- 10-003 Case Open
- 10-004, 005 Investigation into allegations by two agency employees that the agency performance appraisal system was not being correctly applied to them. Initial investigation determined that the matter was already the subject of an ongoing investigation by the EEO. Case was closed and jurisdiction ceded to EEO.
- 10-006 Investigation of allegations of mismanagement, failure to follow agency Time and Attendance rules, and abuse against a supervisor. Investigation determined that there was no evidence that any of the alleged misconduct had occurred.

b. A management review of the CPSC's implementation of the *Consumer Product Safety Improvement Act of 2008* (CPSIA) was completed during the relevant timeframe and not released to the public. The Commission's Acting Chairman requested that the OIG carry out a management assessment to identify the strengths and weaknesses of the agency's rulemaking process within the first 180 days after the CPSIA's enactment on August 14, 2008 and ways to improve that process. A number of areas for improvement were noted in this report, nearly all of which were subsequently included in the publicly available "Management Challenges" portion of the agency's PAR Report for FY 2009.

3. You have requested that you be informed if any Federal official threatens and/or otherwise attempts to impede my office's ability to communicate with Congress, whether that communication concerns the budget or any other matter.

No such attempt to interfere or impede this office's ability to communicate with Congress has occurred.

---

Mr.  
Page 4

4. You have requested a courtesy copy of the information regarding unimplemented recommendations that was previously provided to the House Committee on Oversight and Government Reform. A copy of this information is attached to this memorandum.

Sincerely,

- S -

Christopher W. Dentel  
Inspector General

Attachment:  
Memorandum to House Committee on Oversight and Government Reform, copy

---