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Description of document: Department of Justice (DOJ) 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

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Source of document: FOIA/PA Specialist
Office of the Inspector General
Department of Justice
Suite 4726, 950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001
Fax: (202) 616-9152
Email: oigfoia@usdoj.gov

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>

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U.S. Department of Justice

Office of the Inspector General

May 17, 2012

Subject: Freedom of Information/Privacy Act Request [12-OIG-144]

This responds to your request under the Freedom of Information Act for access to records maintained by the Office of the Inspector General (OIG). Specifically, you seek "a copy of each biannual response to Senators Grassley and Coburn regarding their April 8, 2010, request to the DOJ Office of the Inspector General to provide a summary of your non-public management advisories and closed investigations." The responsive documents have been reviewed. It has been determined that these documents are appropriate for release without excision and a copy is enclosed.

If you are dissatisfied with my action on this request, you may appeal from this action by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Avenue, Suite 11050, Washington, D.C. 20530. Your appeal must be received by OIP within 60 days of the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, which is also where the records you seek are located.

Sincerely,

A handwritten signature in blue ink, reading "Deborah M. Waller", is positioned above the printed name.

Deborah M. Waller
FOI/PA Specialist
Office of the General Counsel

Enclosure



U.S. Department of Justice

Office of the Inspector General

January 19, 2010

The Honorable Charles E. Grassley
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Tom Coburn
United States Senate
172 Russell Senate Office Bldg.
Washington, D.C. 20510

Dear Senators Grassley and Coburn:

In your letter dated April 8, 2010, you requested that we provide biannual reports on all closed investigations, evaluations, and audits conducted by the Office of the Inspector General that were not disclosed to the public. We provided our first report to you by letter dated June 16, 2010. With this letter, we are providing a report that covers information for the period of May 1, 2010 through September 30, 2010.

As we described in our letter of June 16, 2010, it is our practice, with limited exceptions, to publicly release all of our audit and evaluation reports. While some of our reports may contain classified or law enforcement information, we publicly release a report in which the classified or law enforcement sensitive information has been removed. In addition, we provide Congress with copies of the classified and law enforcement sensitive versions of the reports.


However, we do not release audit reports conducted pursuant to the Federal Information Security Management Act (FISMA) due to the sensitivity of the information involved. In addition, while we publicly release the Consolidated Annual Financial Statement audit report regarding the Department of Justice (Department), we do not publicly issue the financial statement audit reports on individual Department components. As we have done in the past, we would be glad to provide these reports to you upon request.

As for information concerning our closed investigations, consistent with our discussions with Senator Grassley's staff following our receipt of the April 8, 2010 letter, we are providing a summary of the following types of closed cases: (1) cases involving employees at the GS-15 grade level or above where

we substantiated misconduct findings but the cases did not result in prosecution; (2) whistleblower cases where we determined the agency retaliated in response to the whistleblower's disclosure; and (3) cases where we disagreed with a prosecutor's decision to decline to prosecute. We have included an enclosure to this letter which describes the cases that fall into these categories that we closed between May 1, 2010 and September 30, 2010.

If you have any questions about this letter, please contact Deputy Inspector General Cynthia Schnedar at (202) 514-3435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glenn A. Fine".

Glenn A. Fine
Inspector General

Enclosure

**U. S. Department of Justice
Office of the Inspector General
Oversight and Review Division
January 2010**

List of Investigations Requested by Senators Grassley and Coburn

1. The Office of the Inspector General (OIG) conducted an investigation concerning allegations that a Department of Justice (DOJ) employee attended political events without receiving prior approval as required by DOJ policy for non-career employees and misused sick leave. The OIG substantiated the allegations. The employee resigned from DOJ prior to the investigation being completed and withdrew a pending application with another DOJ component.
2. The OIG conducted an investigation concerning allegations that a DOJ employee was arrested for refusal to submit to a breathalyzer test pursuant to a traffic stop. The investigation also determined the employee misused his position during his arrest. The investigation further developed information that he had recently been arrested for public intoxication. The subject pled guilty in state court to refusing to undergo the breathalyzer test, and the DUI charges were dropped. Administrative disciplinary action is pending.
3. An OIG investigation was initiated upon discovery that a DOJ employee's government issued computer was causing an internet delay in accessing information within the office system. The OIG's investigation determined the delay was caused by blocked adult websites that the employee visited in an effort to view adult pornographic photos and videos while on duty. Administrative disciplinary action is pending.
4. An OIG investigation was initiated based on information that a DOJ employee was involved in a physical altercation outside a local restaurant. Local police responded and reported that the DOJ employee was restrained by two civilians after witnesses saw the DOJ employee slam his girlfriend into a parked truck. The officers reported the DOJ employee was intoxicated and unruly. The investigation substantiated the allegations, and the DOJ employee received a 14 day suspension.
5. The OIG investigated allegations that three DOJ employees maintained an inappropriate personal relationship with a known target of another federal agency investigation. The OIG found that the DOJ employees' relationship with the target violated government ethics rules and agency policy. Disciplinary action is pending.

6. The OIG investigated allegations that a DOJ employee engaged in a sexual relationship with a confidential source, stole evidence seized during a DOJ investigation, and misused his position to influence an investigation. The OIG investigation substantiated the allegations , and the employee retired from the Department.
7. The OIG investigated allegations that a DOJ employee accepted a gift from a prohibited source in violation of government ethics rules. The OIG substantiated the allegation, and the DOJ employee received a letter of censure.



U.S. Department of Justice

Office of the Inspector General

June 16, 2010

The Honorable Charles E. Grassley
Ranking Member, Committee on Finance
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Tom Coburn
Ranking Member, Permanent Subcommittee on Investigations
Homeland Security and Governmental Affairs Committee
United States Senate
152 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senators Grassley and Coburn:

This is in response to your letter dated April 8, 2010, in which you requested information as part of your oversight duties of executive branch agencies in your role as Ranking Members of the Senate Committee on Finance and the Senate Committee on Homeland Security and Governmental Affairs, Permanent Subcommittee on Investigations. You requested information from the Office of the Inspector General (OIG) in four different categories, and we respond to each in turn below.

First, you requested that we list and describe any instances when the Department of Justice has resisted or objected to OIG oversight activities and or restricted our access to information. We do not have any such instances to report.

Second, you requested that we provide biannual reports on all closed investigations, evaluations and audits conducted by the OIG that were not disclosed to the public. You requested that our first report cover information for the period of January 1, 2009, through April 30, 2010.

It is our practice to publicly release our audit and evaluation reports. While some reports may contain classified or law enforcement information, we publicly release a report in which the classified or law enforcement sensitive information has been redacted. In addition, we provide Congress with copies of the classified and law enforcement sensitive versions of the reports.

However, we do not publicly release reports pursuant to the Federal Information Security Management Act (FISMA) because of the sensitivity of the information involved. We would be glad to make any of these reports available to you upon request.

We publicly release the Consolidated Annual Financial Statement audit report regarding the Department. However, we do not publicly issue the financial statement audit reports on individual Department components. We also would be glad to provide those reports to you upon request.

In addition, we publicly issue executive summaries of external audit reports conducted on individual entities outside the Department who receive Department funding. However, we make the full reports available upon request.

As for information concerning OIG closed investigations, consistent with our discussions with Senator Grassley's staff, we are providing a summary of the following types of closed OIG investigations: (1) cases involving Department employees at the GS-15 grade level or above where we substantiated misconduct findings but the cases did not result in prosecution; (2) whistleblower cases where the complainant alleges that the agency retaliated in response to the whistleblower's disclosure; and (3) cases where we disagreed with a prosecutor's decision to decline to prosecute. We have included an attachment to this letter which describes the cases that fall into these categories that we closed between January 1, 2009, through April 30, 2010.

Third, you requested that we advise you immediately if any federal official threatens and or otherwise attempts to impede our office's ability to communicate with Congress concerning the budget or any other matter. We do not have any such any instances to report, and we would report such interference to Congress if it occurred in the future.

Fourth, you requested that we provide you with a copy of the information that the Ranking Member of the House Committee on Oversight and Government Reform requested on outstanding recommendations that have not been fully implemented. We provided this information to Brian Downey of Senator Grassley's staff on April 8, 2010. Please let us know if you would like another copy.

If you have any questions about this letter or these issues, please contact me or Deputy Inspector General Cynthia Schnedar at (202) 514-3435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glenn A. Fine".

Glenn A. Fine
Inspector General

**U.S. Department of Justice
Office of the Inspector General
List of Investigations Requested by Senators Grassley and Coburn**

1. The Office of the Inspector (OIG) conducted an investigation concerning allegations that a Department of Justice (DOJ) employee engaged in actions that were a conflict of interest, received gratuities, and shared privileged billing information with a contractor.

The OIG investigation determined the employee had received a lunch from a contractor that twice exceeded the allowable amount and that the employee provided information to another unrelated contractor before a bid was awarded. The investigation did not conclude that the employee released any billing information as alleged. The DOJ employee received a 14-day suspension.

2. The OIG conducted an investigation concerning allegations that a DOJ employee misused his position and threatened a young student.

The OIG investigation established that the employee had misused his position, sent a threatening e-mail to the student, and confronted the student in a school hallway. The employee received a 2-day suspension.

3. The OIG conducted an investigation concerning allegations that a DOJ employee allegedly interfered with an OIG investigation.

The investigation disclosed that the employee verbally abused staff and did not cooperate with the OIG during the investigation. Disciplinary action is pending.

4. The OIG conducted an investigation concerning allegations that a DOJ employee engaged in a conflict of interest by awarding payments to a contract interpreter with whom he was romantically and financially involved.

The OIG substantiated the allegations. The DOJ employee resigned from his position.

5. The OIG conducted an investigation in 2009 concerning allegations that a DOJ employee misused his position to secure employment for a friend with a contractor conducting business with DOJ.

The OIG substantiated the allegation, and the DOJ employee was given a letter of admonishment.

6. The OIG conducted an investigation concerning an allegation that a DOJ employee was involved in an intimate relationship with a subordinate.

The OIG investigation substantiated the allegation, and the employee received a 15-day suspension.

7. The OIG conducted an investigation concerning allegations that a DOJ employee repeatedly attempted to view adult and possibly child pornography from his government computer while working.

The investigation substantiated the allegations that the employee attempted to view pornography and searched several Internet sites for "teens." Disciplinary action is pending.

8. The OIG investigated an allegation that a DOJ employee had an inappropriate relationship with a subordinate.

The OIG investigation substantiated that the employee had an intimate relationship with a subordinate and failed to recuse himself from decisions concerning the promotion of the subordinate. The employee retired from DOJ.

9. The OIG investigated an allegation that a DOJ employee improperly solicited campaign contributions from her subordinates and participated in two campaign fundraisers hosted by her husband.

The OIG found that the employee had solicited and received political contributions from subordinate employees for both fundraisers, in violation of the Hatch Act. The matter was referred to the U.S. Office of Special Counsel for appropriate action.

10. The OIG investigated allegations that Federal Bureau of Investigation (FBI) management retaliated against an employee in violation of whistleblower regulations for disclosing information about another employee's misconduct.

The OIG found that an FBI manager's decision to remove the complainant from his position on a particular project was taken in retaliation for the complainant's various allegations of misconduct, although the allegations did not constitute protected disclosures under the whistleblower regulations. The OIG also found that a different employee was not candid in his responses to FBI management once confronted with the complainant's allegations of misconduct.

The FBI Office of Professional Responsibility (OPR) disagreed with the retaliation finding regarding the manager, and no disciplinary action was taken against him. FBI OPR found that the other employee was not candid in his responses to management and recommended a 14-day suspension. Final disciplinary action is pending.

11. The OIG investigated an allegation that a DOJ employee improperly lobbied members of Congress.

The OIG investigation did not substantiate the allegations of improper lobbying of Congress. However, the OIG found that the employee used DOJ letterhead and his official title to send campaign contributions to support candidates in partisan elections, and also directed his subordinates to type his private correspondence on official letterhead. As a result of this investigation the employee resigned from his position.

12. The OIG investigated complaints that a DOJ employee gave preferential treatment to two federal contractors.

The OIG concluded that the employee's participation in a presentation to DOJ officials by one of the contractor's representatives violated ethical standards for federal employees. Disciplinary action is pending.

13. The OIG investigated allegations that a former DOJ employee improperly participated in awarding grants that benefitted corporations for which the employee's spouse was a consultant.

The OIG found that the employee's conduct violated the requirement that federal employees avoid the appearance of violating ethical standards. The employee resigned from DOJ prior to the conclusion of our investigation.

14. The OIG investigated an allegation that FBI supervisors retaliated against an employee for making protected disclosures.

The OIG found that the complainant's disclosures were not protected disclosures within the meaning of the whistleblower regulations and that there was insufficient evidence to conclude that his supervisors retaliated against him because of his disclosure.

15. The OIG investigated allegations that a DOJ employee improperly alerted an informant to information collected in the course of an investigation of the informant. During our investigation, evidence

arose that one of the employee's supervisors failed to report allegations of misconduct.

Our investigation determined that the DOJ employee committed misconduct in his handling of the informant. We also found that two supervisors were negligent in supervising the employee, and that one of those supervisors failed to report the misconduct. The employees have since retired. The supervisors were both disciplined, with one supervisor receiving a 3-day suspension and the other supervisor receiving a 5-day suspension.

16. The OIG investigated allegations that a correctional officer smuggled tobacco into a correctional facility.

In the OIG criminal investigation the correctional officer accepted \$1,300 from an undercover OIG agent in exchange for agreeing to smuggle tobacco into the facility. The U.S. Attorney's Office in the Southern District of Texas declined prosecution. We disagreed with that conclusion. We presented the case to the local District Attorney, who prosecuted the correctional officer. The correctional officer entered a conditional plea to one count of bribery, with the final adjudication of guilt deferred until his sentence of 36 months probation is completed. He also was ordered to pay a \$2,000 fine.



U.S. Department of Justice

Office of the Inspector General

May 31, 2011

The Honorable Charles E. Grassley
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Tom Coburn
Committee on Homeland Security and
Governmental Affairs
United States Senate
413 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Grassley and Coburn:

In your letter dated April 8, 2010, you requested that we provide semiannual reports on closed investigations, evaluations, and audits conducted by the Office of the Inspector General (OIG) that were not disclosed to the public. With this letter, we are providing a report that covers information for the period of October 1, 2010 through March 31, 2011.¹

As we described previously in our letters dated June 16, 2010 and January 19, 2011,² it is our practice, with limited exceptions, to publicly release our audit and evaluation reports. While some of the reports may contain classified or law enforcement sensitive information, we publicly release a report in which the classified or law enforcement sensitive information has been removed. In addition, we provide Congress with versions of the report that contain the classified and law enforcement sensitive information.

However, we do not release audit reports conducted pursuant to the Federal Information Security Management Act (FISMA) due to the sensitivity of the information involved. In addition, while we publicly release the Consolidated Annual Financial Statement audit report regarding the Department of Justice (Department or DOJ), we do not publicly issue the

¹ We have used the dates - October 1, 2010 through March 31, 2011 -- in order to encompass a six-month period that corresponds to both the Government's fiscal year cycle and the OIG Semiannual Report cycle.

² The earlier letter had been mistakenly dated as "January 19, 2010," but was issued on January 19, 2011.

financial statement audit reports on individual Department components. As we have done in the past, we would be glad to provide these reports to you upon request.

As for information concerning our closed investigations, consistent with our previous practice based on discussions with Senator Grassley's staff, we are providing a summary of the following types of closed cases: (1) cases involving employees at the GS-15 grade level or above in which we found misconduct, but no prosecution resulted; (2) whistleblower cases in which we determined the complainant suffered reprisals as a result of the whistleblower disclosure; and (3) cases in which we disagreed with a prosecutor's decision to decline to prosecute.

Enclosed is a description of the cases closed during the period October 1, 2010 to March 31, 2011 that fall into one of these categories.

If you have any questions, please contact me or Senior Counsel Jay Lerner at (202) 514-3435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia A. Schnedar".

Cynthia A. Schnedar
Acting Inspector General

Enclosure

U.S. Department of Justice
Office of the Inspector General
Summaries of Investigations Requested by Senators Grassley and Coburn
October 1, 2010 – March 31, 2011

1. The Office of the Inspector General (OIG) conducted an investigation concerning allegations that an official at the Drug Enforcement Administration (DEA) improperly used his position to influence a contract award process, had a personal affair with a subordinate DEA employee, and arranged official travel to pursue his affair. The OIG investigation did not substantiate any misconduct relative to the contract issue or the travel allegations. However, the OIG investigation determined that the DEA official engaged in a sexual relationship with a subordinate employee in violation of DEA's Standards of Conduct. Furthermore, the OIG investigation determined that the DEA official violated federal merit system principles when he recommended the subordinate employee for a lateral transfer without disclosing his relationship with her to the selecting official. The official retired from DEA the day after his interview with the OIG.
2. The OIG conducted an investigation concerning allegations involving spousal abuse by an employee at the U.S. Marshals Service (USMS). The USMS employee and the spouse each claimed that he or she was assaulted during a domestic dispute incident and received medical treatment at separate facilities for injuries sustained. The USMS employee was arrested, first and second degree assault charges were filed, but the first degree assault charge was dismissed prior to trial and the USMS employee was found not guilty of the second degree assault charge. A second degree assault charge was also filed against the spouse, and she was found not guilty on that charge. The OIG reported its findings to the USMS, and they cautioned the USMS employee but imposed no further disciplinary action.
3. The OIG conducted an investigation into allegations that an Assistant U.S. Attorney (AUSA) misused his position regarding an alleged dispute between the AUSA's daughter and her roommates. The complainant alleged that the AUSA contacted his daughter and the roommates, stated that he was an AUSA, used profane language, and threatened to have the roommates arrested and expelled from college. The AUSA admitted contacting his daughter's roommates, but denied stating he was an AUSA and denied using profanity. During the investigation, the OIG determined that the AUSA had sent e-mails to a parent of one of the roommates containing the AUSA's position and work address from the AUSA's government computer. The e-mails also contained threats of

physical harm directed towards one of the roommates. The OIG investigation substantiated the allegations, and disciplinary action against the AUSA is pending.

4. The OIG conducted an investigation concerning allegations that an AUSA was using his government computer to view inappropriate material on his government computer. The investigation determined that the AUSA routinely viewed adult content during official duty hours, and that there was at least one image of child pornography recovered on the AUSA's government computer. The AUSA acknowledged that he had spent a significant amount of time each day viewing pornography. The U.S. Attorney's Office declined prosecution. Disciplinary action against the AUSA is pending.
5. The OIG conducted an investigation into allegations that a Department attorney made harassing telephone calls to the employee's former supervisor using a DOJ telephone. The OIG substantiated the allegations. The employee resigned from DOJ upon receiving notice of his proposed termination.
6. The OIG conducted an investigation into allegations that officials within the Federal Bureau of Investigation (FBI) retaliated against an FBI Special Agent for making protected disclosures regarding the alleged improper handling of his transfer from an FBI division based on threats to his personal safety arising from his work. The OIG found that there were reasonable grounds to believe that the Special Agent's lowered performance rating was a reprisal for his protected disclosure. The OIG, however, noted that the Special Agent's performance rating was corrected by the FBI's Human Resources Division when the Special Agent filed an appeal concerning his rating. The OIG also found that FBI supervisors made revisions to two threat assessment reports relating to the Special Agent that were highly biased and unfair to the agent. We identified the supervisor who was responsible for the unfair changes in one of the reports, and recommended that she be disciplined. However, because FBI witnesses said they were unable to recall who made the changes to the other report, the OIG was not able to determine with certainty the person or persons responsible for those revisions. With the Special Agent's consent, the OIG provided its report to the Office of Attorney Recruitment and Management for further consideration of the Special Agent's retaliation claim, and to the FBI with a recommendation for disciplinary action relating to the conduct of a supervisor who altered one of the threat assessment reports and unfairly downgraded the agent's performance rating. The OIG also recommended that the unfair threat assessment reports be expunged from FBI records. The FBI has not yet responded to these recommendations.



U.S. Department of Justice

Office of the Inspector General

December 22, 2011

The Honorable Charles E. Grassley
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Tom Coburn
Committee on Homeland Security and
Governmental Affairs
United States Senate
413 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Grassley and Coburn:

In your letter dated April 8, 2010, you requested that we provide semiannual reports on closed investigations, evaluations, and audits conducted by the Office of the Inspector General (OIG) that were not disclosed to the public. With this letter, the fourth of its kind since we received your request, we are providing a report that covers information for the period of April 1, 2011 through September 30, 2011.

As we described in our previous letters responding to your request, it is our practice, with limited exceptions, to publicly release our audit and evaluation reports. While some of the reports may contain classified or law enforcement sensitive information, we publicly release a report in which the classified or law enforcement sensitive information has been redacted. In addition, we provide Congress with versions of the report that contain the classified and law enforcement sensitive information.

In contrast, we do not release audit reports conducted pursuant to the Federal Information Security Management Act (FISMA) due to the sensitivity of the information involved. In addition, while we publicly release the Consolidated Annual Financial Statement audit report regarding the Department of Justice (Department), we do not publicly release the financial statement audit reports on individual Department components. As we have done in the past, we would be glad to provide these reports to you upon request.

As for information concerning our closed investigations, consistent with your request and our previous practice based on discussions with Senator Grassley's staff, we are providing summaries of the following types of non-public closed cases: (1) cases involving employees at the GS-15 grade level or above in which we found misconduct, but no prosecution resulted; (2) whistleblower cases in which we determined the complainant suffered reprisals as a result of the whistleblower disclosure; and (3) cases in which we disagreed with a prosecutor's decision to decline to prosecute. None of the case summaries for this period involve matters in the latter 2 categories.

The enclosed report describes the cases that we closed from April 1, 2011, to September 30, 2011, that fall into these categories and were not disclosed to the public. Where relevant, each description includes the most recent information the OIG has received about the status of resulting disciplinary proceedings or corrective actions taken by the components involved.

If you have any questions, please contact me or Senior Counsel Jay Lerner at (202) 514-3435.

Sincerely,

A handwritten signature in cursive script, reading "Cynthia A. Schnedar".

Cynthia A. Schnedar
Acting Inspector General

Enclosure

U.S. Department of Justice
Office of the Inspector General
Summaries of Investigations Requested by Senators Grassley and Coburn
April 1, 2011 – September 30, 2011

1. The Office of the Inspector General (OIG) conducted an investigation concerning allegations that a Drug Enforcement Administration (DEA) employee had directed a staffing company to convert temporary contractor positions held by the employee's dependent child and another employee's dependent child to full-time positions. The OIG investigation did not substantiate the allegation that the DEA employee induced or coerced the staffing company to hire employees' dependent children as permanent employees. However, the OIG found that DEA employees had sought and obtained permission from DEA supervisors for their dependent children to apply for temporary contractor positions and that the requesting employees supervised these staffing companies. The OIG determined that the permission should not have been granted, and that the DEA supervisors should have sought legal and ethics guidance prior to granting such permission. On September 29, 2011, the OIG referred the matter to the DEA for action it determines to be appropriate.
2. The OIG conducted an investigation concerning allegations of irregularities in connection with a sole source contract awarded by the U.S. Marshals Service (USMS). The OIG did not find a conflict of interest, ethics violation, or contract procurement irregularity. However, the investigation determined that the USMS official violated a USMS policy directive by making an unauthorized commitment to the contractor for compensation for work performed prior to the contract issuance. On August 29, 2011, the OIG referred the matter to the USMS for action it determines to be appropriate.
3. The OIG conducted an investigation concerning allegations that an Assistant U.S. Attorney (AUSA) misused her position by identifying herself as a U.S. Attorney's Office employee and demanding payment on a debt owed to her boyfriend. The OIG investigation determined that the AUSA sent e-mails on behalf of her boyfriend that contained her official position and title. In addition, the OIG investigation determined that the AUSA made unauthorized disclosures of sensitive information to her boyfriend; used government databases to conduct legal research for her boyfriend; provided her boyfriend access to government computer accounts; and sent a gift to an attorney in order to obtain legal assistance for her boyfriend. The matter was presented to the Criminal

Division, which declined prosecution. The OIG has been advised that on December 9, 2011, the AUSA received a letter of suspension for 14 days.

4. The OIG conducted an investigation concerning allegations that an AUSA was arrested for brandishing a gun at his home to a contractor. The local police department arrested the AUSA. Local officials subsequently decided not to file charges. The OIG investigation determined that the AUSA committed off-duty misconduct, misused his official position by telling the arresting officers of his position, and failed to follow supervisory instructions relating to the police investigation. The AUSA resigned prior to the conclusion of the OIG's investigation. The OIG provided its report to the Executive Office for U.S. Attorneys.
5. The OIG conducted an investigation concerning an allegation that a Bureau of Prisons (BOP) official smuggled contraband into a federal prison facility. The OIG investigation determined that the BOP official signed forms authorizing inmates to have items such as shoes and toiletries mailed to the BOP official's attention at the prison facility, in violation of BOP policies and procedures. The OIG investigation further determined that the BOP official did not thoroughly inspect a package he received on behalf of an inmate and used his government computer to track incoming packages for the same inmate. This investigation was presented to the U.S. Attorney's Office, which declined prosecution. The BOP official resigned prior to the conclusion of the OIG's investigation. The OIG provided its report to the BOP.
6. The OIG conducted an investigation concerning allegations that a Department attorney may be associated with the subject of a child pornography investigation. The OIG investigation determined that the DOJ employee was not associated with the child pornography subject. However, in the course of the investigation, the OIG determined that the employee had used his government computer to visit adult pornography websites. There was no evidence that he had accessed child pornography websites. The employee resigned his Department employment prior to the conclusion of the OIG's investigation. The OIG provided its report to the Department.
7. The OIG conducted an investigation into an allegation that Leonard Briskman, the lead career official with the USMS Complex Asset Team, owned a private appraisal business that presented a conflict of interest with his official USMS duties, which involved valuing and selling assets. The investigation did not substantiate the allegation of a conflict of interest, but concerns about potential irregularities in the USMS's management of complex assets prompted the OIG to conduct an audit of the USMS Complex Asset Team. In addition, the OIG investigation determined that Briskman had failed to obtain the required authorization

permitting him to engage in outside employment through his appraisal business. On September 12, 2011, the OIG referred the matter to the USMS for action it determines to be appropriate.

8. The OIG conducted an investigation concerning allegations that a Department attorney identified himself as a federal prosecutor to local police and another person at the scene of a minor automobile accident in which he was involved as a passenger. The attorney was initially arrested for assault, but the charges were eventually dismissed. The OIG investigation determined that the attorney had identified himself as a federal prosecutor to the police in an attempt to influence the police action. The OIG provided its report to the Department, and the OIG was advised that on December 1, 2011, the Department attorney received a letter of counseling.
9. The OIG conducted an investigation concerning an allegation that a Department employee arranged for the relative of a friend to be hired under a government contract. The OIG determined that the employee misused his position. The OIG provided its report to the Department for action it determines to be appropriate.