

BPA Policy 230-2

Reporting Incidents of Fraud, Waste and Abuse

Compliance and Governance

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232-1.1 Purpose & Background

To inform all employees and their supervisors of their obligations to report any incidents of fraud, waste, abuse, misuse, corruption, criminal acts, or mismanagement of which they may have knowledge, as outlined in Department of Energy (DOE) Order 221.1A, Reporting Fraud, Waste and Abuse to the Office of the Inspector General, and DOE Order 221.2A, Cooperating with the Office of the Inspector General, to which BPA is subject per Delegation Order No. 00-033.00B, Appendix, signed by the Secretary of Energy on July 20, 2009.

231-1.2 Policy Owner

The Deputy Administrator, working through the Ethics Program Manager and Compliance & Governance office has overall responsibility for monitoring, reporting, evaluating, and proposing revisions to this policy.

232-1.3 Applicability

All BPA employees.

232-1.4 Terms & Definitions

None.

232-1.5 Policy

- A. Per DOE Order 221.1A, all employees of DOE must report actual or suspected violations of law, regulations, or policy to an appropriate authority. For such violations that involve fraud, waste, abuse, misuse, corruption, criminal acts, or mismanagement, relating to DOE programs, operations, facilities, contracts, or information technology systems, BPA employees should report to the appropriate authorities, which include, but are not limited to:
1. BPA supervisors
 2. The BPA Ethichs Hotline: 800-440-2241: <https://bpahotline.intercedeservices.com>
 3. BPA Internal Audit
 4. BPA Office of General Counsel
 5. DOE Office of Inspector General (DOE OIG)
 6. U.S. Office of Special Counsel
 7. BPA Security and Emergency Response (if theft is involved)
 8. Law enforcement entities
- B. Violations to be reported involve, but are not limited to:
1. Making false claims

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2. Falsifying official records such as time and attendance reports, inventories, travel vouchers
3. Mischarging by a contractor
4. Misuse of purchasing/requisition authority
5. Bribery
6. Kickbacks
7. Theft of government property
8. Misuse of government vehicles, aircraft, computers, tools and equipment
9. Misuse of government credit cards
10. Computer crimes
11. Environmental, safety, and health violations
12. Conflicts of interest
13. Conspiracy to commit any of these or other acts

232-1.6 Policy Exceptions

The above reporting requirement does not apply to information about espionage. Information regarding espionage, including approaches made by representatives of other governments for commission of espionage or the collection of information, should be reported directly to the Chief, Security & Continuity Officer.

232-1.7 Responsibilities

All BPA employees: An employee may always report incidents and information directly to the DOE OIG.

Per Title 10 Code of Federal Regulations, Part 1010, Conduct of Employees, failure to report incidents may result in disciplinary action up to and including removal from Federal service.

In addition, employees must report to the DOE OIG any allegations of reprisals taken against employees who have reported to the DOE OIG fraud, waste, abuse, misuse, corruption, criminal acts, or mismanagement relating to DOE programs, operations, facilities, contracts, or information technology systems.

It is unlawful for BPA to take or threaten to take an adverse personnel action against an employee because he or she disclosed wrongdoing. Adverse personnel actions include poor performance reviews, demotion, suspension or other forms of retaliation for filing an appeal, complaint, or grievance. Other types of protected activity include helping someone else file or testifying on their behalf; cooperating with or disclosing information to the Office of Special Counsel or an Inspector General; or refusing to obey an unlawful order.

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Protections for Federal employees include: The Inspector General Act of 1978 and the Whistleblower Protection Act of 1989. Presidential Policy Directive 19 also protects Federal whistleblowers with access to classified information. The Inspector General Act of 1978 and the Whistleblower Protection Act of 1989. Presidential Policy Directive 19 also protects Federal whistleblowers with access to classified information. The Whistleblower Protection Enhancement Act of 2012 also protects Federal employees who have entered into a nondisclosure policy, form, or agreement with the Government.

232-1.8 Standards & Procedures

None.

232-1.9 Performance & Monitoring

As a part of BPA’s overall ethics program (see BPA Policy 150-1: Ethics), the Ethics Program Manager monitors reports of fraud, waste, and abuse, and ensures that BPA is compliant with protocols, procedures and laws in responding to such reports.

232-1.10 Authorities & References

- A. BPA Policy 400/700A, Employee Relations Program
- B. BPA Policy 400/792A, Use of Alcohol and Substance Abuse on BPA Property
- C. BPA Policy 400/792C, Drug Free Workplace
- D. 10 CFR Section 1010.103 – Reporting Wrongdoing
- E. 10 CFR Section 1010.104 – Cooperation with Inspector General
- F. 5 CFR Section 2635 – Standards of Ethical Conduct
- G. BPA Policy 1070, Security and Emergency Management
- H. BPA Policy 160-1, Ethics
- I. BPA Ethics Hotline: 800-440-2241; <https://bpahotline.intercedeservices.com>
- J. Title 10 Code of Federal Regulations

232-1.11 Review

This policy is scheduled for review in 2020.

232-1.12 Revision History

Version	Issue Date	Description of Change
2.0	6/23/2014	Migration of content to new policy format.
2.1	12/19/2016	Updated document references. Change not subject to review.

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