

SEC's Response to OIG's Recent Recommendations for Disciplinary Action

Date of Report	Case No.	Subject	OIG Finding	OIG Recommendation	Action Taken
12/26/2007	OIG-463	SEC employee	Misuse of computer resources and official time for photography business; Lack of candor in OIG testimony	Disciplinary action	14-day suspension
12/31/2007; Supplemental report issued on 6/2/2008	OIG-472	Senior Officer (Senior Executive Level- equivalent)	Disruptive act at workplace; Intimidating and controlling behavior; Lack of candor in OIG testimony	Disciplinary action, up to and including dismissal; Reminder of obligation to provide full and truthful testimony in official OIG investigations	No disciplinary action; reassigned to new position
1/23/2008	OIG-462	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	Resigned
3/13/2008	OIG-466	SEC employee	Excessive abuse of time and attendance	Disciplinary action, up to and including dismissal; Charging for hours absent	Resigned; Leave amounting to \$24,116 paid back
3/14/2008		SEC employee	Misuse of computer resources and official time to view pornography	Would have recommended disciplinary action, up to an including dismissal	Resigned
3/25/2008	OIG-473	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	10-day suspension
3/25/2008; Supplemental report issued on 5/23/2008	OIG-456	SEC employee	Misuse of government parking permit; Refusal to cooperate with official OIG investigation	Disciplinary action, up to and including dismissal	Removed
3/27/2008	OIG-465	SEC staff member	Misrepresentation of professional credentials; Misuse of government resources and official time for personal e-mails	Disciplinary action, up to and including dismissal; Revoking grant of recurring telework schedule	3-day suspension

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4/30/2008	OIG-468	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	14-day suspension
6/5/2008	OIG-469	SEC senior manager	Misuse of official position to send letter containing false and misleading statements	Disciplinary action	Informal memorandum disagreeing with report, but counseling on perception
6/5/2008	OIG-469	Staff member in a supervisory position	Conflict of interest; Improper solicitation and receipt of gifts from a prohibited source and other misconduct	Disciplinary action, up to and including dismissal	No action
6/24/2008	OIG-493	SEC employee	Falsification of employment application and personnel forms	Disciplinary action, up to and including dismissal	Removed
7/1/2008	PI No. 08-48	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action	Received counseling memorandum before resigning
7/2/2008	PI No. 08-49	SEC contract employee	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
7/9/2008	OIG-484	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	Resigned
7/18/2008	OIG-476	SEC employee	Misuse of government resources and official time for photography business	Disciplinary action	14-day suspension
7/30/2008	OIG-464	SEC employee	Misuse of government resources and official time for photography business	Disciplinary action, up to and including dismissal; Review position description	9-day suspension
8/4/2008	OIG-457	SEC employee	Misuse of government resources for outside legal work; Appearance of conflict of interest; Lack of candor in OIG testimony	Disciplinary action	Informal counseling memorandum
8/12/2008	OIG-480	Senior-level employee	Misuse of official government position to assist family member	Disciplinary action, up to and including dismissal	Reprimand
8/12/2008	OIG-497	SEC employee	Misuse of computer resources and official time to view pornography	Disciplinary action	Reprimand
9/11/2008		SEC attorney	Failure to maintain active bar status	Would have recommended disciplinary action, up to an including dismissal	Employee retired while OIG investigation was ongoing

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9/30/2008	OIG-431	Enforcement Supervisor	Failures in management of former attorney; Allowed inappropriate reasons to factor into decision to terminate former attorney; Questionable disclosure of non-public information	Disciplinary and/or performance-based action	No action*
9/30/2008	OIG-431	Enforcement Supervisor	Failures in management of former attorney; Allowed inappropriate reasons to factor into decision to terminate former attorney; Abusive management style	Disciplinary and/or performance-based action, including removal of supervisory responsibilities	No action*
9/30/2008	OIG-431	Enforcement Supervisor	Failures in management of former attorney; Allowed inappropriate reasons to factor into decision to terminate former attorney; Concerns about management style	Disciplinary and/or performance-based action, including removal of supervisory responsibilities	No action*
9/30/2008	OIG-483	Regional Office Director	Failure to vigorously enforce action	Disciplinary and/or performance-based action	No action*
11/7/2008	OIG-488	SK-13 Information Technology Specialist	Misuse of government resources and official time for photography business	Disciplinary action	9-day suspension
11/26/2008	OIG-503	Los Angeles Regional Office SK-17 supervisor	Misuse of government computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	Reprimand
12/12/2008	PI No. 09-25	SEC employee	Misuse of government computer resources and official time to view pornography	Disciplinary action	Counseling memorandum
12/12/2008	PI No. 09-19	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
12/12/2008	PI No. 09-20	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
12/12/2008	PI No. 09-21	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
12/15/2008	OIG-495	Security guard contractor	Violation of D.C. Metropolitan Police Security Officers Management Branch rules and other misconduct	Disciplinary action, up to and including removal from contract	Removed from contract

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12/15/2008	OIG-495	SEC employee	Improper issuance of waiver from contractual requirements and other inappropriate conduct	Disciplinary action	Reprimand
3/3/2009	OIG-481	Enforcement attorney	Suspicious of insider trading and appearances of impropriety in securities transactions; Violations of financial reporting requirements	Disciplinary action	No action**
3/3/2009	OIG-481	Enforcement attorney	Suspicious of insider trading and appearances of impropriety in securities transactions; Violations of financial reporting requirements	Disciplinary action	No action**
3/5/2009	OIG-499	Office of Information Technology SK-17 Assistant Director	Appearance of lack of impartiality in performing official duties	Disciplinary action	Reprimand
3/17/2009	OIG-477	Enforcement Administrative Contact	Lack of candor in prior statements to OIG investigator	Disciplinary action	No action*
3/18/2009	OIG-492	SK-12 Financial Analyst in the Division of Investment Management	Excessive abuse of time and attendance	Disciplinary action up to and including dismissal	Removed
3/30/2009	OIG-501	New York Regional Office Staff Attorney	Unauthorized disclosure of non-public information	Disciplinary action	No action*
6/5/2009	PI No. 09-81	Headquarters Enforcement employee	Misuse of government computer resources and official time to view pornography	Disciplinary action	3-day suspension
6/8/2009	PI No. 09-82	Enforcement Regional Office Branch Chief	Misuse of government computer resources and official time to view pornography	Disciplinary action	Management had proposed 1-day suspension
6/15/2009	PI No. 09-85	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
6/16/2009	PI No. 09-89	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract
6/16/2009	PI No. 09-83	SEC contractor	Misuse of government computer resources to view pornography	Disciplinary action	Removed from contract

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6/24/2009		Enforcement Assistant Director	Excessive use of SEC email for personal purposes	Disciplinary action	No disciplinary action; issued memorandum on using SEC email for personal purposes
7/1/2009		SEC employee	Misuse of computer resources and official time to manage rental property business	Disciplinary action	Counseling memorandum
7/9/2009	OIG-506	Supervisor in an SEC Regional Office	Misuse of government computer resources and official time to view pornography	Disciplinary action, up to and including dismissal	5-day suspension
7/9/2009	OIG-514	Enforcement Accountant	Possession of a dangerous weapon in a federal facility	Disciplinary action, up to and including dismissal	No action (management had proposed removal, but disciplinary action had not been finalized)
8/5/2009		SEC employee	Misuse of computer resources and official time for personal makeup business	Disciplinary action	Counseling memorandum
9/15/2009	OIG-494A	Senior Officer in a Regional Office	Inappropriate connections between complaints and personnel actions taken against complainants	Disciplinary action	No action
9/25/2009	OIG-494A	Senior Officer in a Regional Office	Inappropriate connections between complaints and personnel actions taken against complainants	Disciplinary action	No action
9/25/2009	OIG-494B	Fort Worth Regional Office Senior Official	Violation of standards of ethical conduct in regard to official government travel	Disciplinary action	No action
9/30/2009	OIG-504	Supervisor in SEC's Office of Administrative Services	Misuse of government computer resources to assist Ponzi scheme and violations of standards of ethical conduct	Had the supervisor not retired, OIG would have recommended serious disciplinary action including termination; instead recommended pursuing collection of benefits of \$25,000 received by employee through "early out"	No action*
9/30/2009	OIG-519	SK-16 Regional Office Attorney	Misuse of official position, government resources and official time to assist girlfriend; Improperly requested assistance of other SEC employees	Disciplinary action, up to and including dismissal	No action

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9/30/2009	OIG-519	Lower-level staffer	Misuse of official position and resources to assist other employee in non-SEC matter	Disciplinary action; ethics training	No action
11/24/2009	OIG-515	Office of Financial Management manager	Disclosure of non-public information and lack of candor	Disciplinary action, up to and including removal	No action
11/24/2009	OIG-515	Office of Financial Management manager	Disclosure of non-public procurement information	Disciplinary action, up to and including removal	No action
12/16/2009	OIG-517	Office of Administrative Services employee	Misuse of government resources and official time at headquarters	Disciplinary action, up to and including dismissal	No action (management has proposed removal, but disciplinary action has not been finalized)
1/12/2010	OIG-512	SEC Regional Office Enforcement attorneys	Unauthorized disclosure of non-public information by regional office attorneys	Disciplinary action	Counseling memoranda and required training
3/29/2010	OIG-508	SEC supervisor	Inappropriate conduct by a current SEC employee and unauthorized computer access by a former SEC employee	Disciplinary action	No action
	PI No. 10-20	SEC attorney	Misuse of government computer resources and official time to view pornography	Disciplinary action	No action (management is planning to take disciplinary action)
	PI No. 10-21	SEC attorney	Misuse of government computer resources and official time to view pornography	Disciplinary action	No action (management is planning to take disciplinary action)
	PI No. 10-22	SEC attorney	Misuse of government computer resources and official time to view pornography	Disciplinary action	No action (management is planning to take disciplinary action)

* As of December 2009, OIG said that "no action" had been taken on these recommendations, but SEC insists that "final action has in fact occurred"

** SEC says that "followup action is being deferred pending the conclusion of other law enforcement investigations"