



PRESIDENT'S COUNCIL on INTEGRITY & EFFICIENCY

JUL 1 1988

The Honorable Carl Levin
 Chairman, Subcommittee on Oversight
 of Government Management
 Committee on Governmental Affairs
 United States Senate
 Washington, D.C. 20510-2202

Dear Mr. Chairman:

Enclosed is the final report of the President's Council on Integrity and Efficiency (PCIE) study of civil monetary penalties (CMPs). We surveyed all agencies with statutory Inspectors General, plus the Departments of Treasury and Justice, and the smaller agencies represented by the PCIE Coordinating Conference. As was agreed at the hearing, the Internal Revenue Service (IRS) and the tax code were not included.

We found a total of 311 different CMP amounts which ranged from \$10 to \$1,000,000. Although many penalties were established or have been updated since 1981, some penalties date back to as early as 1793. Consequently, the effect of S. 1014 is negligible in around 40 percent of the cases, but would increase older CMPs by as much as 1,089 percent.

As I mentioned in my previous letter, the civil monetary penalty area appears to be a fertile field for further study. Congress may want to consider future reductions or consolidations in civil monetary penalties or adding sunset provisions rather than automatic increases. The Inspectors General will probably also consider this area for further review given the apparent wide variance in accounting and reporting practices.

DEPARTMENT OF
 TRANSPORTATION
 2019 DEC - 3 P 4: 53
 DOCKET OPERATIONS

CIVIL MONETARY PENALTIES

FINAL REPORT

June 30, 1988

**Prepared by the President's Council on Integrity and
Efficiency for the U.S. Senate Subcommittee on Oversight of
Government Management, Committee on Governmental Affairs.**

INTRODUCTION

Background

On April 10, 1987, Senator Lautenberg introduced S. 1014 (Federal Civil Penalties Inflation Adjustment Act of 1987). The bill would provide a regular inflation adjustment for each civil monetary penalty (CMP) and require annual reporting of the number of CMPs imposed and the status of collections. On February 29, 1988, the Senate Committee on Governmental Affairs, Subcommittee on Oversight of Government Management, held a hearing on S. 1014. Joseph R. Wright, Jr., Deputy Director, Office of Management and Budget and Chairman of the President's Council on Integrity and Efficiency (PCIE), and Richard P. Kusserow, Inspector General, Department of Health and Human Services and Vice Chairman of PCIE, were among the witnesses.

In his statement, Mr. Wright stated, "Statutes containing civil monetary penalties are so widespread that it is impossible at this point to say exactly how many there are." Mr. Wright proposed that the PCIE catalog CMPs throughout Federal departments and agencies and examine how they are used. A first phase report covering those agencies and departments that have a statutory Inspector General (plus the Departments of Justice and Treasury) was submitted to the subcommittee on May 2, 1988. This final report includes data which was obtained from smaller agencies and regulatory bodies and provides more extensive information on all of the departments and agencies surveyed.

Objectives

Study issue areas were submitted to the committee as part of the hearing record. The objectives as reflected by these study questions were to:

- o catalog CMPs under each agency's jurisdiction,
- o summarize the number of penalties imposed,
- o provide data on whether and when the amounts of these penalties had been adjusted by statute,
- o assess the effects which the inflation adjustments proposed in S. 1014 would have upon current CMP amounts, and
- o describe how the penalties are accounted for and controlled through the point of collection.

Scope and Methodology

To catalog and describe the CMPs across the Government, we surveyed Federal agencies (attachment A) using a brief survey instrument (attachment B). The survey requested information for each CMP on statutory authority citation; penalty amount(s) and description; date of the last adjustments in penalty amount(s); and administrative processes for imposing, collecting and accounting for CMPs. The Phase I report summarized the initial raw responses of the PCIE agencies. Because many agencies needed additional time to respond, no attempt was made at that stage to clarify answers or obtain missing information:

Since S. 1014, as introduced, did not provide a definition of CMPs, the study focused on those monetary penalties established by statute and imposed through administrative process and procedures. After the study began, the bill was redrafted to include the following definition of CMPs:

"...any penalty, fine, or other sanction that (A)(i) is for a specific monetary amount as provided by Federal law; or (ii) has a maximum amount provided for by Federal law; (B) is enforceable by an agency pursuant to Federal law; and (C) is enforced pursuant to an administrative proceeding or a civil action in the courts..."

Using this definition, we are including only those monetary penalties which are for specific monetary amounts or have maximum amounts provided in statute. It should be noted, however, that we are not including CMPs enforced pursuant to a civil action in the Federal courts. We were unable to amend our survey definition after the survey had begun. It should also be noted that, by agreement with the committee, we did not include any CMPs authorized by the tax code because these CMPs have been the subject of continuous study and oversight by the Congress.

Agencies reported CMPs with varying degrees of specificity. We attempted to introduce consistency by consolidating all penalties of the same amount which fell within the same subsection of the U.S. Code. For example, an agency that reported three penalties of the same amount which fell within the same subsection of the U.S. Code would find them in our listing as one penalty, albeit for several different kinds of violations (e.g., record keeping violations and noncompliance with Federal standards).

Several agencies reported CMPs which were also administered by other agencies. An example of this type of CMP is the

Program Fraud Civil Remedies Act, under which many different agencies may administer CMPs. When the CMPs were tabulated, these duplicates were counted more than once if they were separately administered by different agencies.

Following the completion of the first phase report, we obtained additional CMP information from those agencies which had needed more time to respond to the survey. All of the statutory information concerning CMPs which was provided by the agencies was checked in the U.S. Code (1982 edition, with annual updates) where available. The CMPs set or adjusted since 1986 were not checked due to the unavailability of the code. Where discrepancies remained after referencing the U.S. Code, members of the reporting agency were contacted in order to resolve any questions.

After all of the information was verified, it was entered into a database so that adjustment calculations could be performed. The amounts of the CMP were adjusted for inflation by accounting for the change in the Consumer Price Index for Urban Consumers (CPI-U) between June of the year when the CMP was last increased and March of 1988, the last month in which the figures for the CPI-U were available. The database allowed us to compare the dates of last changes in CMPs, as well as the amount of change the enactment of S. 1014 would have on current CMP levels.

FINDINGS

Agencies Responding

Thirty agencies responded with reports of at least one CMP authority for which they have responsibility. A complete list of the agencies and components responding, plus the acronyms used to designate them in data tables, is contained in attachment C.

A number of the responding agencies have only one civil monetary penalty -- the recent Program Fraud Civil Remedies Act -- which is still in the process of being implemented. Thus, for this statutory CMP, as well as for other recently enacted CMPs, no actual penalties have yet been imposed, and agency processes for administering, collecting and accounting for these CMPs are still under development.

Types and Amounts of CMPs

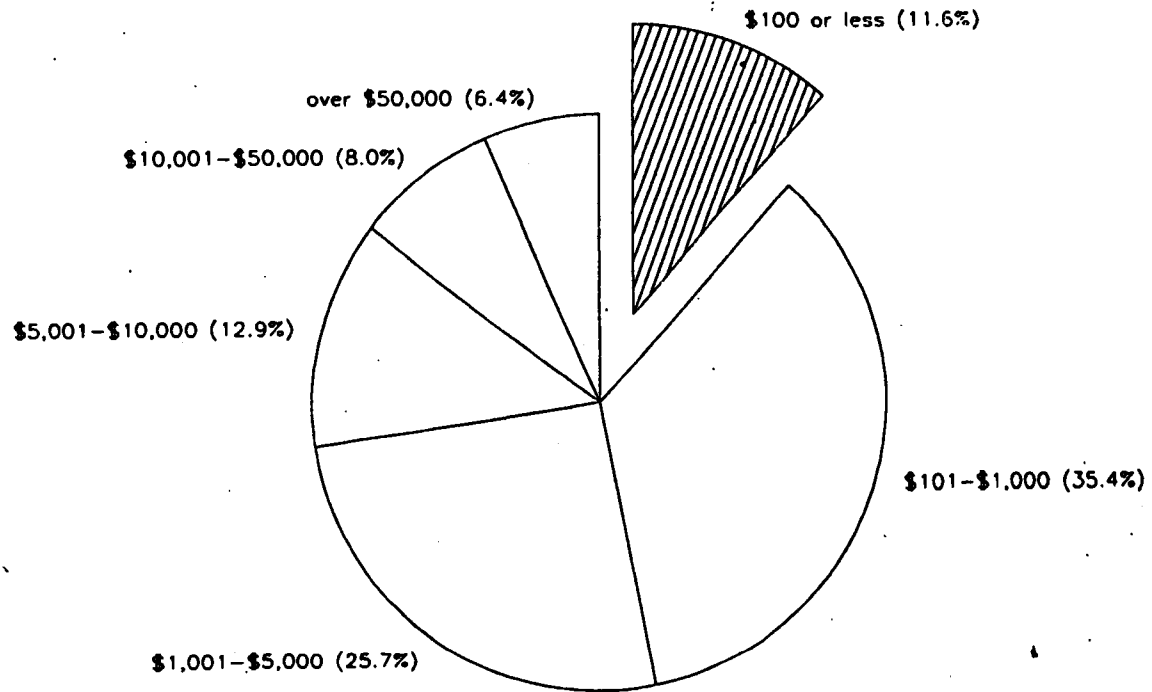
Respondents reported 200 different statutory CMPs. These CMPs allowed agencies to levy 311 different penalty amounts for 251 types of violations. The CMPs describe violations in a wide range of areas, including health and medical care, transportation safety, environmental hazards, customs, plant and animal protection, import/export restrictions, land and resource management, economic sanctions and routine reporting requirements. A list of the statutes and descriptions of penalties, as reported, can be found in attachment D.

Individual penalties range from \$10 to \$1,000,000. As exhibit I shows, CMPs are not evenly distributed between these amounts. The largest area of CMP amounts is between \$101 and \$1,000, which contains 35.4 percent of all CMPs. This finding is contrary to our preliminary finding in the Phase I report which stated that the predominant range of CMPs was between \$1,000 and \$10,000. Actually, a majority of CMPs fall into a smaller range, with over 70 percent of the amounts stated as \$5,000 or less.

Most penalties are provided with maximum amounts for each violation, but some have specified flat amounts, and a few penalties have stated minimum amounts. Further, some penalties not only provide maximums per violation (or per day), but also maximums for a series of related offenses. For example, the Water Quality Act (33 U.S.C. 1319) contains monetary penalties amounts not to exceed \$10,000 per day for each day during which certain types of violations continue, except that the maximum amount may not exceed \$125,000 in total.

In addition, some penalties provide general maximum amounts plus different (usually higher) maximum amounts for specific violations within the general category described. For

EXHIBIT I
CIVIL MONEY PENALTY AMOUNTS



example, the U.S. Customs Service, under 19 U.S.C. 1584, enforces CMPs on the master or owner of a vessel who does not produce a manifest to a customs officer (penalty of \$1,000) or whose vessel has on board merchandise not described on the manifest (penalty of \$10,000). If the unmanifested merchandise consists of narcotics, however, the penalty can range up to \$1,000 per ounce of the narcotics.

Age of CMPs

The amounts of many CMPs have been established or updated in the past 10 years. In fact, as exhibit II shows, 80 of the CMPs (40 percent) were established or updated between 1981 and 1988. Over 70 percent of all CMPs have been established or updated since 1961.

However, many CMPs have never been updated or have not been updated in decades. In fact, 16 percent were established or last updated before World War II. Six CMPs have been the same since the turn of the century, with several dating back as far as 1793. The Treasury Department administers a large share of the older CMPs. An example of one of the CMPs from 1793 can be found in 46 U.S.C. 312, which allows for the assessment of a \$20 penalty for the failure of a ship to report its arrival in port.

Effect of the Inflation Adjustments Proposed in S. 1014

The major component of S. 1014 is a proposed method for periodically updating CMPs to account for inflation. The proposal suggests using the CPI-U as a means to adjust CMPs so they retain their originally desired effect as deterrents. In addition, a rounding process is proposed so that the adjustments do not result in unusual figures.

When the adjustment technique is applied to current CMP amounts, it produces some interesting results. Using the adjusted figures, the penalty amounts would range from \$40 to \$2,000,000. However, not all CMPs are increased substantially. As exhibit III indicates, over 40 percent of the CMPs are altered by \$100 or less. Just over 85 percent of the CMPs in this group are those which are not altered at all (zero change) due to rounding. Many of the CMPs which show little or no change are either very small penalties whose adjustment would obviously be proportionately small, or penalties which have been established so recently that the inflation factor is insignificant.

The rest of the altered figures show some substantial differences between the current CMPs and their inflation-adjusted counterparts. Most of the largest increases in amounts are due to the large size or extreme age

EXHIBIT II
YEAR IN WHICH CMPs ESTABLISHED
OR LAST ADJUSTED

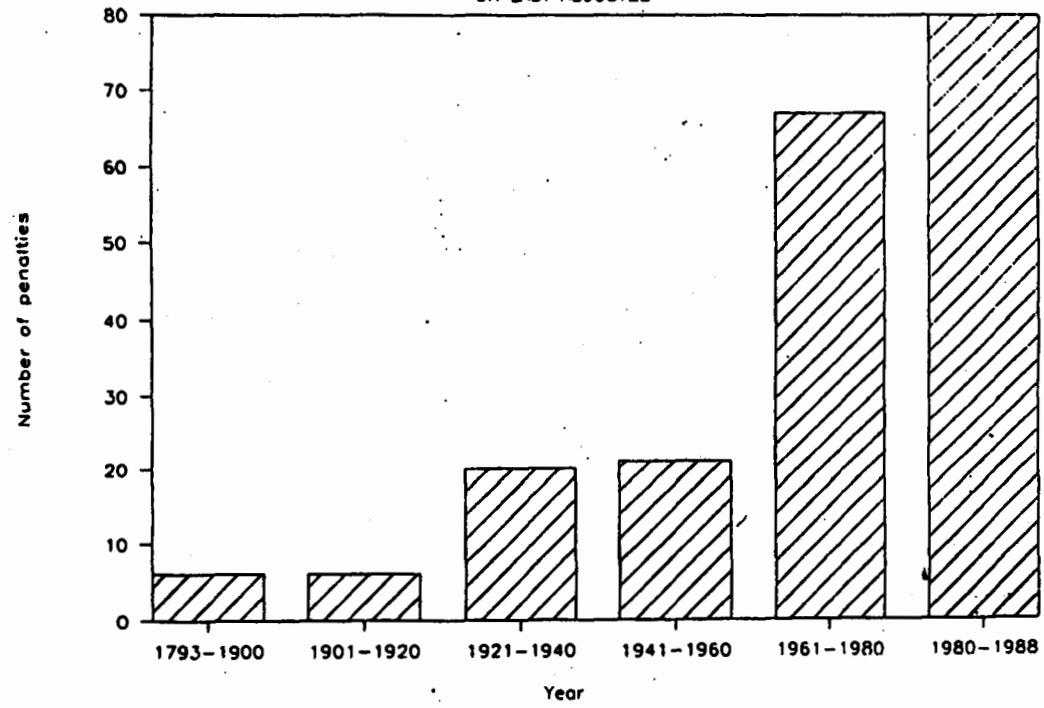
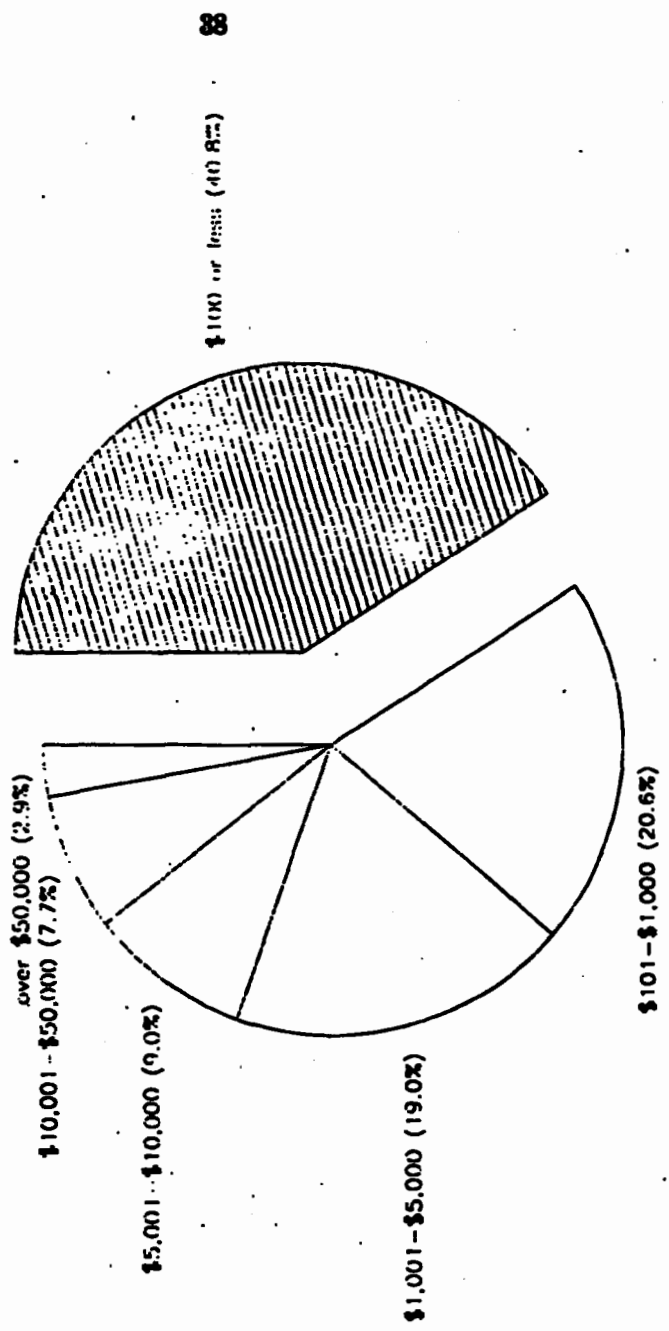


EXHIBIT III
EFFECT OF CHANGE OF DEFERRED CAPITAL AMOUNTS
(Dollar amount added to current dividend)



of the original CMP. For example, when 29 U.S.C. 216 (The Fair Labor Standards Act) is updated for inflation from its 1938 base year, it increases 726.2 percent from \$1,000 to \$8,262 (\$8,000 after rounding). Older CMPs produce even greater increases. When the \$5,000 CMP in 49 U.S.C. 11901(A) (Interstate Commerce Act) is adjusted from its base date of 1906, it increases to \$59,439 (\$60,000 when rounded).

Although most CMPs have been updated since 1961, even many of these recent CMPs show large increases when adjusted for inflation. All CMPs established in or before 1970 have inflation adjustment rates of over 200 percent and CMPs established as recently as 1976 have rates over 100 percent. These high rates can lead to some substantial changes in CMP amounts. For example, the \$10,000 CMP which was established in 1964 under 12 U.S.C. 1817(J) (Federal Reserve Act) would be increased to \$37,581 (\$40,000 after rounding), an increase of 275.8 percent. The adjustments for each CMP are included in attachment D.

Since almost half (47 percent) of all current CMPs are \$1,000 or under, many of the inflation changes do not create large new amounts despite being increased by several hundred percent. The adjusted CMP for 8 U.S.C. 1285 (Immigration and Nationality Act) is only \$220 (lowered to \$200 by rounding). This does not seem to be an impressive number, but it represents a 339.6 percent increase over the 1952 base amount of \$50.

Large base CMPs can create just the opposite situation. Even a minor adjustment can result in a difference of tens of thousands of dollars. The most glaring example of this phenomenon is found in 15 U.S.C. 1398 (National Traffic and Motor Vehicle Safety Act). This 1974 statute set a maximum CMP for a series of violations of automobile standards at \$800,000. When this amount is adjusted at the rate of 137.8 percent it creates an adjusted CMP of \$1,902,041 (\$2,000,000 when rounded). A less glaring, yet still significant, example is found in 7 U.S.C. 86(C) (U.S. Grain Standards Act). When this 1976 statute's \$75,000 CMP is adjusted at the 105.1 percent rate, it becomes \$153,829 (rounded to \$150,000). While this is not an increase of the magnitude of the previous example, \$75,000 is still a substantial increase for a 12-year old CMP.

CMPs Imposed

Nineteen agencies reported a total of 186,902 CMPs imposed in Fiscal Year (FY) 1987 and a total of 876,373 imposed in the last 5 years (attachment E). Among the agencies, the Mine Safety and Health Administration within the Department of Labor accounted for almost three-fourths of those totals with the CMPs it enforces under the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 820).

It should be noted that a number of agencies reported that data was not available, including many which enforce a number of CMPs one would expect to be imposed numerous times per year (e.g., U.S. Coast Guard, U.S. Customs Service). Although some data were not available due to the time constraints of the study, the predominant reason was decentralized accounting and control.

The survey also asked whether the agency identifies and controls CMP collections in the agency-wide accounts receivable system. The results of these responses are shown in attachment F. Eighteen components in nine agencies of the PCIE reported that their CMPs are reported to their agency-wide accounts receivable. An additional three components report some but not all types of CMPs in the accounts receivable. Six of the smaller agencies of the Coordinating Conference report CMPs in their agency accounts receivable.

The survey also asked whether CMPs were reported by the Inspector General (IG) in the semiannual report to the agency head and Congress. Only eight components in six agencies responded that their penalties are reported by the Inspector General. In some instances, these penalties are part of a larger category of reporting (e.g., status of accounts receivable). In other instances, the CMPs are reported in the IG semiannual report because the IG enforces the penalties and is thus reporting on the results of Office of Inspector General efforts.

CONCLUSIONS

Based on the results of this study, the following conclusions may be made.

- o CMPs have been authorized for a wide range of violations and prohibited conduct. As such, they affect many segments of our society from industry and commerce, to health care, to the traveling or boating public. They are administered with varying frequency among different agencies, but several agencies levy them quite frequently.
- o CMP amounts vary a great deal. Current CMP levels range from \$10 to \$1,000,000. The amounts of a majority of these CMPs are \$5,000 or under with the largest portion in the \$101 to \$1,000 range.
- o CMP amounts most often range up to a maximum with some additional maximum for series of violations. As such, these maximums provide a cushion against the erosion of inflation. Few penalties have minimum amounts. The absence of minimums gives enforcement agencies a great deal of discretion in determining the amount of penalty to impose. Although actual amounts of penalties imposed was not a specific line of inquiry in our study, it is our impression that agencies seldom impose maximum penalties when they have this discretion.
- o The establishment or update dates of CMPs vary. Many CMPs (40 percent) have been established or updated in the 1980's, and over 70 percent of all CMPs have been established or updated since 1961. However, there are a substantial number which have not been updated recently, and these date back to 1793.
- o When inflation adjustment and rounding techniques which are proposed in S.1014 are applied to current CMP amounts they cause very little change in just over 40 percent of the amounts. This is due to the fact that many CMPs are recent and rounding may negate a minimal change. However, the alterations in dollar amounts which the adjustment technique causes among older and larger CMPs can be quite substantial.
- o CMPs are enforced by a variety of agencies and agency components and appear not to have a central locus of responsibility. Instead CMPs are apparently administered at an agency component or even lower level.
- o Accounting and reporting also appears to be diffused, resulting in unavailability of data at the agency-wide level on the numbers of CMPs imposed.

Because of the apparent decentralized authority and processes, the civil monetary penalty area appears to be a fertile field for further study to assess the effectiveness of CMPs and the internal controls in agency CMP processes.

ATTACHMENT A

PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY

Joseph R. Wright, Jr. Deputy Director Office of Management and Budget Room 252 OEOB Washington, DC 20415	395-4742
Robert W. Beuley Inspector General Department of Agriculture Room 248E, Administration Building Washington, DC 20523	447-8001
Herbert L. Beckington Inspector General Agency for International Development 21st and Virginia Avenue N.W. Room 5644, New State Building Washington, DC 20523	647-7844
Frank DeGeorge Inspector General Department of Commerce 14th and Constitution Avenue, N.W. Room 7898-C Washington, DC 20230	377-4661
June Gibbs Brown Inspector General Department of Defense 400 Army-Navy Drive, Room 1000 Arlington, VA 22202	695-4249
James B. Thomas, Jr. Inspector General Department of Education 330 C Street S.W. Room 4006 Switzer Building Washington, DC 20202	453-4041
John C. Layton Inspector General Department of Energy 1000 Independence Avenue, S.W. Room 5D039 Forrestal Building Washington, DC 20585	586-4393

John C. Martin Inspector General Environmental Protection Agency 401 M Street, S.W. Room NE 301 Washington, DC 20460	382-3137
Oliver B. Revell Executive Assistant Director for Investigations Federal Bureau of Investigations Room 7116, J. Edgar Hoover Building Washington, DC 20530	324-3333
William R. Barton Inspector General General Services Administration 18th and F Streets, N.W. Room 5340 Washington, DC 20405	566-0450
Richard P. Kusserow Inspector General Department of Health and Human Services 330 Independence Avenue, S.W. Room 5250 Cohen Building Washington, DC 20201	472-3148
Paul A. Adams Inspector General Department of Housing and Urban Development 451 7th Street, S.W. Room 8256 Washington, DC 20410	755-6430
James R. Richards Inspector General Department of the Interior 18th and C Streets, N.W. Room 5346 Washington, DC 20240	343-5745
Frank Keating Acting Associate Attorney General Department of Justice Room 4119, Main Justice Building Washington, DC 20530	633-4338
J. Brian Hyland Inspector General Department of Labor 200 Constitution Avenue, N.W. Room S1303 Washington, DC 20210	523-7296

Bill D. Colvin Inspector General National Aeronautics and Space Administration 400 Maryland Avenue, S.W. (Code W) Room 6075 Washington, DC 20546	453-1220
Constance Horner Director Office of Personnel Management 1900 E Street, N.W. Room 7353 Washington, DC 20415	632-6106
William J. Doyle, III Inspector General Railroad Retirement Board 844 Rush Street, Room 450 Chicago, IL 60611	(312) 751-4690
Charles R. Gillum Inspector General Small Business Administration 1441 L Street, N.W. Room 1018 Washington, DC 20416	653-6597
Sherman M. Funk Inspector General Department of State 2201 C Street, N.W. Room 6821 New State Building Washington, DC 20520	647-9567
John W. Melchner Inspector General Department of Transportation 400 7th Street Room 9210 Washington, DC 20590	366-1959
Michael R. Hill Inspector General Department of the Treasury 15th and Pennsylvania Avenue, N.W. Room 9210 Washington, DC 20220	566-6900

Anthony J. Gabriel Inspector General United States Information Agency 400 6th Street, S.W. Room 1100 Washington, DC 20547	485-7931
Renald Morani Deputy Inspector General Veterans Administration 1425 K Street N.W. Room 1100 McPherson Building Washington, DC 20420	233-2636
Frank Q. Nebeker Director Office of Government Ethics P. O. Box 14108. Washington, DC 20044	632-2792
Mary F. Wieseman Special Counsel Merit Systems Protection Board 1120 Vermont Avenue, N.W. Washington, DC 20005	653-7122

ATTACHMENT B

PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY

ADMINISTRATIVE MONETARY PENALTY STUDY

[Please complete a study form for each administrative monetary penalty for which your Department or agency is responsible. If exact data are not available, please estimate and label your response "ESTIMATE." An administrative monetary penalty is a monetary fine or penalty which is authorized by law and imposed through administrative process and procedures.]

1. Name of Department/Agency and Component:
2. Give the statutory authority citation for the administrative monetary penalty (cite name of law and U.S. Code section).
3. Give the date of last regulations implementing this authority or date of last amendments to that regulation.
4. Describe the administrative monetary penalty (i.e., the violation for which it is imposed) and specify the amount of or other valuation method for the penalty.
5. Give the date of last statutory/regulatory adjustment of the dollar amount of the administrative penalty.
How many times have there been such adjustments?

6. How many times has this administrative monetary penalty been imposed in the last year? _____ In the last 5 years? _____
7. Describe in one paragraph the major steps of the administrative monetary penalty process works from point of imposition of the penalty through collection and forwarding to Treasury. Identify what agency components or components outside the agency have roles in this process.

8. Does your agency identify and control the collections of these penalties in your agency-wide accounts receivable system? If not, how are they accounted for (e.g., on accounts maintained by program office)?
9. Does the Inspector General currently report on the penalties imposed and/or collected in the OIG semiannual report? If so, is it reported separately or as a part of another reporting category?
10. Please list a contact name, title and phone number for further information, if necessary.

Remarks (use this section for further information which clarifies your answers):

ATTACHMENT C

AGENCIES/COMPONENTS ENFORCING CMPs

[Source: April 1988 survey - President's Council on Integrity and Efficiency (PCIE)]

<u>AGENCY/COMPONENT</u>	<u>ABBREVIATION</u>
DEPARTMENT OF AGRICULTURE	USDA
Agricultural Stabilization and Conservation Service	ASCS
Agricultural Marketing Service	AMS
Animal and Plant Health Inspection Service	APHIS
Federal Grain Inspection Service	FGIS
Food and Nutrition Service	FNS
Forest Service	FS
Packers and Stockyards Administration	PSA
AGENCY FOR INTERNATIONAL DEVELOPMENT	AID
Office of Inspector General	OIG
CONSUMER PRODUCT SAFETY CORPORATION	CPSC
DEPARTMENT OF EDUCATION	ED
Office of Postsecondary Education	OPE
ENVIRONMENTAL PROTECTION AGENCY	EPA
Office of Air and Radiation	OAR
Office of Pesticides and Toxic Substances	OPTS
Office of Solid Waste and Emergency Response	OSWER
Office of Water	OW
FARM CREDIT ADMINISTRATION	FCA
FEDERAL COMMUNICATIONS COMMISSION	FCC
Common Carrier Bureau	CCB
Field Operations Bureau	FOB
Mass Media Bureau	MMB
Private Radio Bureau	PRB
FEDERAL ELECTION COMMISSION	FEC
FEDERAL HOME LOAN BANK BOARD	FHLBB
FEDERAL RESERVE SYSTEM	FRS

GENERAL SERVICES ADMINISTRATION	GSA
Office of Inspector General	OIG
DEPARTMENT OF HEALTH AND HUMAN SERVICES	HHS
Food and Drug Administration	FDA
Health Care Financing Administration	HCFA
Office of Inspector General	OIG
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	HUD
Office of Inspector General	OIG
Office of Manufactured Housing and Regulatory Functions	OMHRF
DEPARTMENT OF THE INTERIOR	INT
Bureau of Land Management	BLM
Fish and Wildlife Service	FWS
Minerals Management Service	MMS
Office of Surface Mining Reclamation and Enforcement	SMR
INTERSTATE COMMERCE COMMISSION	ICC
DEPARTMENT OF JUSTICE	DOJ
Civil Division	CD
Immigration and Naturalization Service	INS
DEPARTMENT OF LABOR	DOL
Employment Standards Administration	ESA
Mine Safety and Health Administration	MSHA
MERIT SYSTEMS PROTECTION BOARD	MSPB
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	NASA
Office of Inspector General	OIG
NATIONAL CREDIT UNION ADMINISTRATION	NCUA
NATIONAL SCIENCE FOUNDATION	NSF
NUCLEAR REGULATORY COMMISSION	NRC
PENSION BENEFIT GUARANTY CORPORATION	PBGC
RAILROAD RETIREMENT BOARD	RRB
Office of Inspector General	OIG

SMALL BUSINESS ADMINISTRATION	SBA
Office of General Counsel	OGC
DEPARTMENT OF STATE	STATE
Office of Inspector General	OIG
DEPARTMENT OF TRANSPORTATION	DOT
Assistant General Counsel for Aviation Enforcement and Proceedings	AEP
Federal Aviation Administration	FAA
Federal Highway Administration	FHA
Federal Railroad Administration	FRA
Maritime Administration	MARAD
National Highway Traffic Safety Administration	NHTSA
Research and Special Programs Administration	RSPA
Saint Lawrence Seaway Development Corporation	SLSDC
U.S. Coast Guard	USCG
DEPARTMENT OF THE TREASURY	TRES
U.S. Customs Service	CUSTOMS
Financial Management Service	FMS
Office of Comptroller of the Currency	OCC
Office of Financial Enforcement	OFE
Office of Foreign Assets Control	OFAC
U.S. INFORMATION AGENCY	USIA
Office of Inspector General	OIG
VETERANS ADMINISTRATION	VA
Office of Inspector General	OIG

STATUTE TITLE OF VIOLATION YEAR TYPE OF VIOLATION AMOUNT CPY-4 PERCENT NET ASSET COVERED OR DIFFERENCE

Table with 7 columns: STATUTE, TITLE OF VIOLATION, YEAR, TYPE OF VIOLATION, AMOUNT, CPY-4 PERCENT, NET ASSET COVERED OR DIFFERENCE. Includes rows for FEDERAL RESERVE ACT, FEDERAL RESERVE DISCOUNT ACT, FEDERAL RESERVE ACT OF 1977, FEDERAL RESERVE ACT, FEDERAL RESERVE ACT OF 1974, FEDERAL RESERVE ACT OF 1970, FEDERAL RESERVE ACT OF 1968, FEDERAL RESERVE ACT OF 1965, FEDERAL RESERVE ACT OF 1963, FEDERAL RESERVE ACT OF 1960, FEDERAL RESERVE ACT OF 1958, FEDERAL RESERVE ACT OF 1956, FEDERAL RESERVE ACT OF 1954, FEDERAL RESERVE ACT OF 1952, FEDERAL RESERVE ACT OF 1950, FEDERAL RESERVE ACT OF 1948, FEDERAL RESERVE ACT OF 1946, FEDERAL RESERVE ACT OF 1944, FEDERAL RESERVE ACT OF 1942, FEDERAL RESERVE ACT OF 1940, FEDERAL RESERVE ACT OF 1938, FEDERAL RESERVE ACT OF 1936, FEDERAL RESERVE ACT OF 1934, FEDERAL RESERVE ACT OF 1932, FEDERAL RESERVE ACT OF 1930, FEDERAL RESERVE ACT OF 1928, FEDERAL RESERVE ACT OF 1926, FEDERAL RESERVE ACT OF 1924, FEDERAL RESERVE ACT OF 1922, FEDERAL RESERVE ACT OF 1920, FEDERAL RESERVE ACT OF 1918, FEDERAL RESERVE ACT OF 1916, FEDERAL RESERVE ACT OF 1914, FEDERAL RESERVE ACT OF 1912, FEDERAL RESERVE ACT OF 1910, FEDERAL RESERVE ACT OF 1908, FEDERAL RESERVE ACT OF 1906, FEDERAL RESERVE ACT OF 1904, FEDERAL RESERVE ACT OF 1902, FEDERAL RESERVE ACT OF 1900.

Table with 7 columns: STATUTE, TITLE OF VIOLATION, YEAR, TYPE OF VIOLATION, AMOUNT, CPY-4 PERCENT, NET ASSET COVERED OR DIFFERENCE. Includes rows for FEDERAL RESERVE ACT, FEDERAL RESERVE DISCOUNT ACT, FEDERAL RESERVE ACT OF 1977, FEDERAL RESERVE ACT, FEDERAL RESERVE ACT OF 1974, FEDERAL RESERVE ACT OF 1970, FEDERAL RESERVE ACT OF 1968, FEDERAL RESERVE ACT OF 1965, FEDERAL RESERVE ACT OF 1963, FEDERAL RESERVE ACT OF 1960, FEDERAL RESERVE ACT OF 1958, FEDERAL RESERVE ACT OF 1956, FEDERAL RESERVE ACT OF 1954, FEDERAL RESERVE ACT OF 1952, FEDERAL RESERVE ACT OF 1950, FEDERAL RESERVE ACT OF 1948, FEDERAL RESERVE ACT OF 1946, FEDERAL RESERVE ACT OF 1944, FEDERAL RESERVE ACT OF 1942, FEDERAL RESERVE ACT OF 1940, FEDERAL RESERVE ACT OF 1938, FEDERAL RESERVE ACT OF 1936, FEDERAL RESERVE ACT OF 1934, FEDERAL RESERVE ACT OF 1932, FEDERAL RESERVE ACT OF 1930, FEDERAL RESERVE ACT OF 1928, FEDERAL RESERVE ACT OF 1926, FEDERAL RESERVE ACT OF 1924, FEDERAL RESERVE ACT OF 1922, FEDERAL RESERVE ACT OF 1920, FEDERAL RESERVE ACT OF 1918, FEDERAL RESERVE ACT OF 1916, FEDERAL RESERVE ACT OF 1914, FEDERAL RESERVE ACT OF 1912, FEDERAL RESERVE ACT OF 1910, FEDERAL RESERVE ACT OF 1908, FEDERAL RESERVE ACT OF 1906, FEDERAL RESERVE ACT OF 1904, FEDERAL RESERVE ACT OF 1902, FEDERAL RESERVE ACT OF 1900.

FEDERAL RESERVE ACT

FEDERAL RESERVE ACT

CITIZEN	NAME OF ACT	YEAR	TYPE OF VIOLATION	TYPE OF PENALTY	AMOUNT PAID	DATE PAID	AGE AT ARREST	AGE AT ARREST	AGE AT ARREST
	U. S. DEPARTMENT OF JUSTICE								
1 DEC 2002	FEDERAL TRADE COMMISSION ACT	1998	TRADE PRACTICE VIOLATION	FINES	15,000	12/13	6-02	63,220	65,000
	INTERNAL SECURITY								
1 DEC 2002	INTERNAL SECURITY - FEDERAL TRADE COMMISSION ACT	1998	TRADE PRACTICE VIOLATION	FINES	15,000	12/13	6-02	63,220	65,000
	INTERNAL SECURITY - FEDERAL TRADE COMMISSION ACT								
1 DEC 2002	INTERNAL SECURITY - FEDERAL TRADE COMMISSION ACT	1998	TRADE PRACTICE VIOLATION	FINES	15,000	12/13	6-02	63,220	65,000

ATTACHMENT B

NUMBERS OF CMPs IMPOSED

AGENCY	COMPONENT	CMPs LAST YEAR	CMPs LAST 5 YRS
CPSC	---	4	16
DOJ	CD	3	6
DOJ	INS	3122	10703
DOL	ESA	1379	5360
DOL	MSHA	133073	629350
DOT	AEP	23	86
DOT	FAA	1599	7241
DOT	FHA	568	3821
DOT	FRA	4350	27023
DOT	RSPA	20	39
DOT	SLSDC	6	50
ED	OPE	41	119
EPA	DAR	1	13
EPA	OPTS	757	2615
EPA	OSWER	137	694
EPA	OW	3	3
FCC	CCB	17	126
FCC	PRB	15	75
FCC	MHB	48	225
FCC	FOB	1050	3370
FEC	---	61	136
FRS	---	13	63
IG	OIG	98	356
HUD	OMHRF	3	3
INT	BLM	445	2055
INT	FWS	8616	21245
INT	MMS	3	15
INT	SMR	1159	7293
MSPB	---	5	14
NCUA	---	1	3
NRC	---	87	374
PBGC	---	9850	50000
SBA	OSB	12	60
TRES	CUSTOMS	178	15
TRES	OCC	156	779
TRES	OFE	12	29
USDA	AMS	78	421
USDA	APHIS	17235	96190
USDA	ASCS	2329	4881
USDA	FNS	182	651
USIA	FB	73	510
USIA	PSA	90	345
	TOTAL	186902	876373

ATTACHMENT F

CMP ACCOUNTING AND REPORTING RESPONSES

AGENCY	COMPONENT	CMP REPORTED IN AGENCY ACCOUNTS RECEIVABLE	CMP REPORTED IN OIG SEMIANNUAL
AID	OIG	YES	YES
USDA	AMS	NO	NO
USDA	APHIS	YES	UNK
USDA	ASCS	MIXED	NO
USDA	FGIS	YES	NO
USDA	FNS	YES	NO
USDA	FS	NO	NO
USDA	PSA	NO	UNK
ED	OPE	YES	YES
EPA	OAR	YES	NO
EPA	OPTS	YES	NO
EPA	OSWER	YES	NO
EPA	OW	YES	NO
GSA	OIG	PENDING	NO
HHS	HCFA	PENDING	NO
HHS	OIG	NO	YES
HHS	PHS	PENDING	NO
HUD	OMHRF	YES	NO
HUD	OIG	NO	YES
INT	BLM	NO	YES
INT	FWS	NO	YES
INT	MMS	MIXED	MIXED
INT	SHR	NO	YES
DOJ	CD	NO	N/A
DOJ	INS	YES	N/A
DOL	ESA	MIXED	UNK
DOL	MSHA	YES	UNK
NASA	OIG	PENDING	YES
RRS	OIG	PENDING	PENDING
SBA	OGC	NO	NO
STATE	OIG	PENDING	PENDING
DOT	AEP	YES	NO
DOT	FAA	YES	NO
DOT	FHA	NO	NO
DOT	FRA	YES	NO
DOT	MARAD	NO	NO
DOT	NHTSA	NO	NO
DOT	RSPA	YES	NO
DOT	SLSDC	YES	NO
DOT	USCB	NO	NO
TREB	CUSTOMS	YES*	NO
TRES	OFAC	NO	NO
TRES	OFE	NO	NO
USIA	OIG	PENDING	PENDING
VA	OIG	PENDING	PENDING

*Since Treasury does not have an agency-wide accounts receivable, this refers to the component-wide accounts receivable.

CMP ACCOUNTING AND REPORTING RESPONSES

AGENCY	CMP REPORTED IN AGENCY ACCOUNTS RECEIVABLE
CPSC	YES
FCA	PENDING
FCC	YES*
FEC	UNK**
FHLBB	NO
FRS	NO
ICC	UNK
MSPB	YES
NCUA	NO
NSF	YES
NRC	YES
PBGC	YES

* Agency has manual accounts receivable; automated system is pending.

** Agency has tracking system for CMPs; it is unknown whether it is part of agency accounts receivable.