



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

FRAUD, WASTE, AND ABUSE POLICY

*April 2019*

I. Purpose

Fraud, waste, and abuse of government resources are inconsistent with the Judiciary's commitment to exercising good stewardship over public funds and property. It is the responsibility of all employees of the federal judiciary to refrain from engaging in conduct that constitutes fraud, waste, and abuse, and to report instances of such conduct by other employees. This document serves as the policy and procedures for reporting allegations of fraud, waste, and abuse of government resources.

II. Scope of Coverage

The policy and procedures contained herein apply to the U.S. Judicial Officers, the Clerk of Court's Office, the U.S. Probation Office, and the U.S. Pretrial Services Office of the U.S. District Court for the Western District of Tennessee, as well as to all officers and employees within these offices.

III. Fraud, Waste, and Abuse defined

*Fraud*

An intentional, wrongful act to obtain either money or some other advantage or benefit from government programs. Fraud includes theft, embezzlement, false statements, illegal commissions, kickbacks, conspiracies, obtaining contracts through collusive arrangements, and similar devices.

*Waste*

Inappropriate action or omission by those with controls over government resources that results in taxpayers not receiving reasonable value for money in connection with any government-funded activities. Waste relates primarily to mismanagement, inappropriate actions, and inadequate oversight. It also relates to the loss of, damage to, or misuse of, physical assets belonging to the U.S. Judiciary.

*Abuse*

An administrative violation of judiciary, court unit, or organization regulation that impairs effective and efficient operations. The violation may result in federal losses, or denial or reduction of lawfully authorized federal benefits to participants.

Examples of reportable violations include, but are not limited to, the following:

The extravagant, careless, or needless expenditure of government funds, e.g., failure to abide by “Prudent Traveler Rule.”

The providing of inside information to a favored bidder in the bid process to ensure his/her being awarded a contract.

The acceptance of gifts from a vendor, contractor or supplier.

The use of a government-issued credit card for personal purchases.

The submission of fraudulent or false travel vouchers.

The use of the Court’s Federal Express account for personal mailings.

The use of the Court and/or chambers letterhead for personal purposes.

The spending of significant amounts of time during working hours to engage in personal business.

#### IV. Reporting allegations of fraud, waste, or abuse

Judiciary employees believing they have observed an incident of fraud, waste, and/or abuse should immediately report such concern or allegation. Such reports should be made in writing unless the complaining party objects to the written requirement. In those instances, verbal reports will be accepted. Reports should be sent to any of the following individuals:

- their court unit executive;
- the EDR Coordinator ([Tom\\_Gould@tnwd.uscourts.gov](mailto:Tom_Gould@tnwd.uscourts.gov)); and/or
- the Chief Judge ([S\\_Thomas\\_Anderson@tnwd.uscourts.gov](mailto:S_Thomas_Anderson@tnwd.uscourts.gov))

Reports of alleged fraud, waste, or abuse, should include a full description of the nature of the allegation, the name(s) of the individual(s) involved, the date(s) of the incident(s), and any additional information that supports or verifies the complaint (e.g., the identity of anyone else who observed or has information concerning the alleged misconduct, documentation supporting your allegation, etc.).

Complaining parties are strongly encouraged to provide their name and contact information to facilitate follow-up and assist in the investigation. Retaliation against an employee making a report of fraud, waste, or abuse, is prohibited (see Section V. for additional information).

The confidentiality of all persons, to include the complaining party, that are contacted in connection with an investigation will be maintained except as may reasonably be necessary to conduct a complete and thorough investigation into the allegation.

V. Whistleblower Protection

Judiciary employees are protected from retaliation for making reports of alleged instances of fraud, waste, and/or abuse. Supervisors or other employees with the authority to take personnel actions may not take or threaten to take an adverse action against an employee because of such good faith disclosures. See Chapter VIII of the Employment Dispute Resolution Plan of the United States District Court for the Western District of Tennessee for additional information.

Approved By:



S. Thomas Anderson  
Chief District Court Judge



Date