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**Effective Dates: 09/28/2022 - Present (Go to [History](#))**

**SENSITIVE - NOT TO BE SHARED WITH THE PUBLIC**

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**TN 4 (09-22)**

# **GN 04112.005 Reporting Employee Criminal Violations — General**

## **A. Introduction**

This material covers alleged or suspected employee criminal violations of the Social Security Act, relevant provisions of Title 18 of the U.S. Code, the Privacy Act of 1974, and conflict of interest laws. It does not cover violations involving the protection of Federal personnel and property, such as theft of equipment, drug abuse, false fire alarms, assault, bomb threats, gambling, and other acts of misconduct not directly related to program administration.

## **B. Policy**

SSA actively encourages prompt reporting and investigation of suspected or alleged employee violations, while protecting the rights of all parties involved.

SSA cooperates with the Office of Investigations (OI), Office of the Inspector General (OIG) in the investigation by providing information, access to documents, and similar support, as requested by OI.

SSA employees must be aware of the obligation to report and the procedure for reporting an alleged or suspected criminal violation by an SSA employee. Alleged or suspected criminal acts must be promptly reported to expedite investigation, and to avoid any appearance of an attempt to cover up such acts or to otherwise prevent effective investigation.

SSA will take no reprisal against any employee for reporting what they reasonably believe to be a potential violation. However, making a deliberate false report could result in disciplinary action against the employee making the report.

## **C. Definition – Employee**

The term "employee" includes both present and former employees and managers (including employees hired under special training programs), special program participants, volunteers and contractors and employees of contractors suspected of committing offenses either during Federal employment or later if the offense is related to prior Federal employment.

## **D. List – Employee Potential Violations**

Employee violations include but are not limited to situations in which an employee is suspected of willfully:

- acting as an agent or attorney for prosecuting any Social Security claim before the Commissioner

while an employee;

- disclosing without authorization any confidential information in violation of the Social Security Act or the Privacy Act of 1974;
- obtaining or attempting to obtain confidential information under false pretenses;
- making or causing to be made any false representation concerning the requirements of the Social Security Act or related provisions of the Internal Revenue Code;
- asking for, accepting, or agreeing to accept anything of value from a third party in return for executing or influencing the performance of official duties;
- participating in the planning or execution of any scheme or other activity under which a financial or other advantage improperly accrues or could accrue to any person or organization at the expense of the Government or parties with whom the Government may contract or otherwise deal;
- stealing or otherwise illegally disposing of refund remittances, Government checks, cash, directly deposited funds, or other obligations;
- illegally generating Social Security checks or depositing funds electronically to oneself or another;
- stealing or mutilating Government records, or destroying or removing them without authorization;
- violating conflict of interest laws as described in the Ethics in Government Act, the Standards of Ethical Conduct for Employees of the Executive Branch, and the SSA Guide on Employee Conduct;
- making or causing to be made any false statement or representation about wages, earnings, or self-employment income in connection with claims or the maintenance of earnings records;
- making or causing to be made any false statement or representation of a material fact in an application for payments or for a disability determination, or at any other time for use in determining rights to payments;
- concealing or failing to disclose a fact or event affecting initial or continued eligibility for payment;
- furnishing or causing to be furnished false information about identity in connection with a claim, issuing a Social Security number (SSN), or maintaining an earnings record;
- selling Social Security numbers/cards; or
- unlawfully disclosing, using, or compelling the disclosure of an SSN.

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## Section History

### Action Item Explanation

Effective Date Title

08/18/2008 [Reporting Employee Criminal Violations - General](#)

### Prior Versions of Section

<b>Effective Date</b>	<b>Title</b>
08/11/2008 - 09/27/2022	<a href="#">Reporting Employee Criminal Violations — General</a>
08/11/2008 - 08/10/2008	<a href="#">Reporting Employee Criminal Violations -- General</a>
03/21/2000 - 08/10/2008	<a href="#">Reporting Employee Criminal Violations General</a>

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