

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION



Review of the Internal Revenue Service's Purchase Card Violations Report

July 23, 2024

Report Number: 2024-100-044

Why TIGTA Did This Audit

Government purchase cards are a cost-effective and streamlined means for making payments, and the Federal Acquisition Regulation has designated the purchase card as the preferred method to purchase and pay for goods and services up to the micro-purchase limits. This audit was initiated because the Government Charge Card Abuse Prevention Act of 2012 (Charge Card Act), signed into law on October 5, 2012, requires each agency with more than \$10 million in annual purchase card spending to submit semiannual reports of employee purchase card violations and the disposition of those violations, including any disciplinary actions taken.

These semiannual reports, known as Purchase Card Violations Reports, are prepared by the agency head and reviewed by the Inspectors General prior to the agency submitting the report to the Office of Management and Budget. The overall objective of this review was to assess whether the IRS complied with the Charge Card Act requirements for the period October 1, 2023, through March 31, 2024.

Impact on Tax Administration

Inappropriate use of Government charge cards does not promote economic and efficient use of publicly funded resources. Federal audits of agency charge card programs have found varying degrees of fraud, waste, and abuse. The Charge Card Act requires agencies to establish and maintain safeguards and internal controls for Government charge card programs.

What TIGTA Found

The IRS's purchase card program controls are generally effective, and the number of purchase card violations identified by the Chief Financial Officer's Credit Card Services Branch were minimal. According to the IRS, between October 1, 2023, and March 31, 2024, its purchase card program included an average of 2,258 purchase cardholders. These cardholders made 15,025 purchases totaling just over \$8.7 million with their purchase cards. Additionally, authorized cardholders wrote 15 convenience checks totaling \$13,755.



The IRS identified four confirmed purchase card violations for the period October 1, 2023, through March 31, 2024. The cardholders split their purchases and made multiple transactions from the same vendor on the same day that totaled \$48,155, exceeding their daily single transaction limits. These employees received nondisciplinary actions ranging from oral and written counseling to the case being closed without action with a cautionary statement.

The Credit Card Services Branch also identified two purchase card transactions, *e.g.*, facial tissues and coasters, totaling \$39 that did not comply with the IRS's internal charge card policies and procedures, but were not reportable to the Office of Management and Budget. The Office of Management and Budget requires that only certain inappropriate purchase card transactions be reported in an agency's Purchase Card Violations Report. Reportable inappropriate transactions are those indicating that abuse, internal fraud, or misuse has occurred. The Office of Management and Budget excludes from its reporting requirements administrative discrepancies, such as actions that violate operational policies or procedures but do not violate Federal law or regulation.

What TIGTA Recommended

TIGTA made no recommendations as a result of the work performed during this review. However, IRS officials reviewed this report prior to its issuance and agreed with the facts and conclusions presented.



TREASURY INSPECTOR GENERAL
FOR TAX ADMINISTRATION

U.S. DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20024

July 23, 2024

MEMORANDUM FOR: COMMISSIONER OF INTERNAL REVENUE

A handwritten signature in cursive script, reading "Danny R. Verneuille".

FROM: Danny R. Verneuille
Acting Deputy Inspector General for Audit

SUBJECT: Final Audit Report – Review of the Internal Revenue Service’s Purchase Card Violations Report (Audit No.: 2024100003)

This report presents the results of our review to assess whether the Internal Revenue Service (IRS) complied with the Government Charge Card Abuse Prevention Act of 2012 requirements for the period October 1, 2023, through March 31, 2024.¹ This review is part of our Fiscal Year 2024 Annual Audit Plan and addresses the major management and performance challenge of *Protection of Taxpayer Data and IRS Resources*.

The Treasury Inspector General for Tax Administration made no recommendations as a result of the work performed during this review. However, IRS officials reviewed this report prior to its issuance and agreed with the facts and conclusions presented.

If you have any questions, please contact me or Bryce Kisler, Assistant Inspector General for Audit (Management Services and Exempt Organizations).

¹ Pub. L. No. 112-194, 126 Stat. 1445 (codified as amended at 5 U.S.C. § 5701 note, 10 U.S.C. § 2784, and 41 U.S.C. § 1909).

Table of Contents

<u>Background</u>	Page 1
<u>Results of Review</u>	Page 3
<u>Implementation of and Compliance With the</u> <u>Government Charge Card Abuse Prevention Act of 2012</u>	Page 3
Appendices	
<u>Appendix I – Detailed Objective, Scope, and Methodology</u>	Page 6
<u>Appendix II – Internal Revenue Service Purchase Card Violations Report</u>	Page 8
<u>Appendix III – Glossary of Terms</u>	Page 9
<u>Appendix IV – Abbreviations</u>	Page.10

Background

Government purchase cards are a cost-effective and streamlined means for making payments, and the Federal Acquisition Regulation has designated the purchase card as the preferred method to purchase and pay for goods and services up to the micro-purchase limits.¹ On October 5, 2012, the President signed the Government Charge Card Abuse Prevention Act of 2012 (Charge Card Act) into law to reinforce Administration efforts to prevent fraud, waste, and abuse of Governmentwide charge card programs.²

The Office of Management and Budget (OMB) provides oversight of Government charge card programs and issued guidance in September 2013 to establish minimum requirements and best practices for Government charge card programs. These minimum requirements and best practices may be supplemented by individual agency policies and procedures. In August 2019, the OMB revised its guidance contained in Circular A-123, Appendix B, to consolidate the Governmentwide charge card program management requirements and guidance issued by various agencies.³ The updates to the OMB guidance provided best practices and definitions for implementation in agencies' charge card programs.

Requirements of the Charge Card Act

The Charge Card Act established additional reporting and audit requirements for oversight of the Government charge card program. For example, it required at a minimum:

- Agencies to compile reports of purchase card violations.
- The establishment and maintenance of safeguards and internal controls.
- Inspector General risk assessments and audits.

Each agency with more than \$10 million in annual purchase card spending is required to submit to the OMB semiannual reports (October 1 through March 31 and April 1 through September 30) of employee purchase or integrated card violations and the disposition of those violations, including any disciplinary actions taken. These semiannual reports, known as Purchase Card Violations Reports, are prepared by the agency head, reviewed by the Inspectors General, and then submitted to the OMB no more than 120 days after the end of the reporting periods.⁴

Agencies do not have to report purchases that are inconsistent with administrative or internal control processes that do not result in confirmed fraud, loss to the Government, or

¹ See Appendix III for a glossary of terms. The single transaction limit for micro-purchases is \$10,000 for goods and supplies, \$2,500 for services, and \$2,000 for construction and alterations based on the Federal Acquisition Regulation micro-purchase threshold.

² Pub. L. No. 112-194, 126 Stat. 1445 (codified as amended at 5 U.S.C. § 5701 note, 10 U.S.C. § 2784, and 41 U.S.C. § 1909).

³ OMB, OMB Circular No. A-123, Appendix B (Revised), *A Risk Management Framework for Government Charge Card Programs* (Aug. 2019), provides guidance that establishes minimum requirements for Government purchase card programs and suggests best practices.

⁴ As a bureau of the Department of the Treasury, the Internal Revenue Service is required to abide by the Charge Card Act and report charge card violations.

misappropriation of funds or assets (whether or not recouped) in their semiannual violations reports. However, the Treasury Inspector General for Tax Administration (TIGTA) comments on all purchase card noncompliance identified by the Internal Revenue Service (IRS) in its semiannual review of purchase card violations reporting. TIGTA also reviews its Criminal Results Management System to identify potential purchase card violations that may not have been directly identified by the IRS.

Inappropriate use of Government charge cards does not promote economic and efficient use of publicly funded resources. Federal audits of agency charge card programs have found varying degrees of fraud, waste, and abuse. The Charge Card Act requires agencies to establish and maintain safeguards and internal controls over their charge card programs. Each agency head is required to annually certify that appropriate policies and controls are in place or that corrective actions have been taken to mitigate the risk of fraud and inappropriate charge card practices. This certification is reported as part of the existing annual assurance statement under the Federal Managers Financial Integrity Act of 1982.⁵ In addition, each agency is required to develop, issue, and maintain written policies and procedures for the appropriate use of charge cards that are consistent with OMB guidance.

The Charge Card Act also provides for additional oversight by requiring the Inspectors General to conduct periodic risk assessments of purchase cards, including convenience checks, combined integrated cards, and travel card programs to analyze the risks of illegal, improper, and erroneous purchases. Beginning in Fiscal Year 2014, the Inspectors General were also required to report annually to the Director, OMB, by January 31, on the agency's progress in implementing prior audit recommendations related to purchase and travel cards.⁶ This progress is compiled and sent to Congress and to the Comptroller General of the Government Accountability Office.

IRS roles and responsibilities for administering its purchase card program

Within the IRS, the Office of Procurement is responsible for providing policy guidance for the purchase card program as it relates to acquisition regulations. The Credit Card Services (CCS) Branch within the Office of the Chief Financial Officer is responsible for providing oversight for the purchase card program and convenience checks, issuing program guidance, and overseeing periodic program reviews. In addition, the CCS Branch is responsible for tracking and reporting alleged inappropriate purchase card use and compiling the Purchase Card Violations Report for submission to the OMB.

The CCS Branch evaluates compliance with purchase card operating guidance to detect and deter noncompliance with purchase card policy and procedures. According to the IRS, these evaluations include reviews of:

- Merchant categories and names to ensure that purchases are not made from restricted vendors.

⁵ 31 U.S.C. §§ 1105, 1113, and 3512(d)(2) (2018).

⁶ TIGTA issued its most recent report to comply with this requirement of the Act on January 29, 2024. TIGTA, Report No. 2024-100-016, *Review of the Internal Revenue Service's Purchase Card Violations Report and the Status of Recommendations* (Jan. 2024).

- Itemized transaction details reported to the Government credit card contractor by certain vendors to determine if the charge was allowable.
- Random samples of purchase card charges to assess compliance with purchase card regulations. Quarterly purchase card transactions are also reviewed to ensure that cardholders comply with the split purchase policy.
- Convenience checks issued by convenience check cardholders to assess compliance with purchase card regulations.

The Labor/Employee Relations and Negotiations function (hereafter referred to as Labor Relations) is the IRS office responsible for advising and supporting managers on employee disciplinary matters, with the exception of such matters committed by employees of the Office of Chief Counsel. Once an alleged purchase card violation is referred by the CCS Branch, Labor Relations assists the responsible manager by providing procedural advice and guidance in determining whether disciplinary action is appropriate.⁷ Although Office of Chief Counsel employee purchase card violations may be identified by the CCS Branch, the Office of Chief Counsel is responsible for researching and applying disciplinary actions for those employees as well as tracking the disciplinary actions in its own Credit Card database.

Results of Review

Implementation of and Compliance With the Government Charge Card Abuse Prevention Act of 2012

The IRS stated that between October 1, 2023, and March 31, 2024, its purchase card program included an average of 2,258 purchase cardholders. These cardholders made 15,025 purchases totaling just over \$8.7 million with their purchase cards. Figure 1 summarizes the purchase card statistics.

Figure 1: Purchase Card Statistics From October 1, 2023, Through March 31, 2024



Source: TIGTA analysis of IRS purchase card statistics provided by the CCS Branch.

⁷ Purchase card violations are recorded in the Automated Labor and Employee Relations Tracking System. We also looked for violations recorded in the data we received from the Office of Chief Counsel, the TIGTA Office of Investigations, and the CCS Branch Inappropriate Use Referral Log.

Additionally, authorized cardholders wrote 15 convenience checks totaling \$13,755. Our review of the IRS's purchase card program found that controls are generally effective, and the number of purchase card violations identified by the CCS Branch were minimal. However, we also found that purchase cardholders continue to make unauthorized purchases.

Semiannual report on IRS purchase card violations and actions taken by management in response

We reviewed the violations and related supporting documentation that the IRS identified for the Purchase Card Violations Report. For the period of October 1, 2023, through March 31, 2024, the IRS identified four confirmed cases involving exceeding single transaction limits and split purchases totaling \$48,155.⁸

**The IRS identified
four violations out of
15,025 purchase card
transactions during
October 2023 to March 2024.**

With respect to personnel actions taken by IRS management in response to these four cases, the employees received nondisciplinary actions ranging from oral and written counseling to the case being closed without action with a cautionary statement.

The Internal Revenue Manual provides a range of disciplinary and nondisciplinary actions, from no action to suspension, which can be applied for each purchase card policy violation or inappropriate use.⁹ Further, the *IRS Manager's Guide to Penalty Determinations* provides a range of penalties, from a five-day suspension for a first offense up to removal for a third offense.¹⁰ However, according to IRS policy, use of the penalty guide is not mandatory, and the ultimate decision lies with management.

Additionally, the CCS Branch identified one potential credit card violation that occurred during the period of October 1, 2023, through March 31, 2024, that was still pending adjudication by management. We also reviewed information provided by TIGTA's Criminal Results Management System on purchase card violations and complaints that occurred during the review period. TIGTA's Office of Investigations reported no purchase card violations involving IRS employees.

Purchase cardholders continue to make unauthorized purchases

The CCS Branch also identified two purchase card transactions totaling \$39 that did not comply with the IRS's internal charge card policies and procedures and were not reportable to the OMB. The OMB requires that only certain inappropriate purchase card transactions be reported in an agency's Purchase Card Violations Report. Reportable inappropriate transactions are those indicating that abuse, internal fraud, or misuse has occurred. The OMB excludes from its reporting requirements administrative discrepancies, such as actions that violate operational policies or procedures but do not violate Federal law or regulation. In the two transactions totaling \$39, the cardholders purchased facial tissues and coasters without having the proper authorization from IRS management to purchase those items.

⁸ A split purchase is a series of purchases from the same vendor on the same day that collectively exceed the purchase cardholder's single transaction limit (usually \$10,000 for goods, \$2,500 for services, and \$2,000 for construction). Cardholders may not make a split purchase payment under any circumstance.

⁹ Internal Revenue Manual 6.751.1, *Discipline and Disciplinary Actions: Policies, Responsibilities, Authorities, and Guidance* (Nov. 4, 2008).

¹⁰ IRS, *IRS Manager's Guide to Penalty Determinations* (Rev. Aug. 1, 2012).

Status of the Department of the Treasury's Charge Card Management Plan

The Department of the Treasury's Charge Card Management Plan (CCMP) has not been updated or reissued for Fiscal Year 2024. The Department of the Treasury is responsible for issuing the CCMP, and the IRS is responsible for ensuring that its internal controls over the charge card program adhere to the CCMP. According to OMB Circular A-123, Appendix B, agencies must update their plan every two years from the date of the last update or more frequently if needed to address findings of the Inspector General. The Department of the Treasury issued the last CCMP in March 2022.

Appendix I

Detailed Objective, Scope, and Methodology

The overall objective of this audit was to assess whether the IRS complied with the Charge Card Act requirements for the period October 1, 2023, through March 31, 2024. To accomplish our objective, we:

- Determined the methodology and process the IRS uses to identify a confirmed violation.
- Reviewed alleged purchase card (and convenience check) violations by IRS employees and identified the actions the IRS took as a result of these violations.
- Determined whether the IRS is correctly following the process to determine confirmed violations by conducting interviews with key officials within the CCS Branch, the Office of Chief Counsel, and Labor Relations to identify the documentation they obtained to conclude as to whether suspicious purchase card transactions are reportable violations.
- Determined the total number of confirmed violations involving misuse of a purchase card for the specified period based on the data contained in the Automated Labor and Employee Relations Tracking System (ALERTS), the Criminal Results Management System, the Office of Chief Counsel Credit Card database, and the CCS Branch Inappropriate Use Referral Log. We determined whether those violations constituted: 1) abuse,¹ 2) internal fraud,² or 3) misuse.³
- Determined the number of adverse personnel actions, punishments, or other actions taken in response to each reportable violation involving misuse of a purchase card for the specified period using ALERTS. Further, we determined whether the actions involved: 1) demotions, 2) reprimands, 3) suspensions, 4) removals, or 5) any other adverse or administrative personnel actions.
- Determined the total number and status of all pending violations for the specified period based on the Labor Relations Open/Closed Report. We determined if these pending violations were: 1) pending investigation, 2) pending hearing, 3) pending final agency action, or 4) pending decision on appeal.
- Determined that the Department of the Treasury has not issued a new CCMP to the IRS within the required two-year period of its prior plan issued in March 2022. Therefore, we

¹ Intentional use of the purchase, travel, fleet, or integrated charge card in violation of the Federal Acquisition Regulation, Defense Federal Acquisition Regulation Supplement, Agency Supplements, or Government Purchase Card Policies/Procedures. Evidence of intentionality shall be inferred from repeat offenses of the same violation, following administrative or disciplinary action taken for this violation.

² Any felonious act of corruption or attempt to cheat the Government or corrupt the Government's agents by Government Purchase Charge Card Program officials. Use of the Government purchase, travel, fleet, or integrated charge card(s) to transact business that is not sanctioned, not authorized, not in one's official Government capacity, not for the purpose for which the card was issued, or not as part of official Government business.

³ Unintentional use of the purchase, travel, fleet, or integrated charge card in violation of the Federal Acquisition Regulation, Defense Federal Acquisition Regulation Supplement, Federal Travel Regulations, Agency Supplements, or Agency Policies/Procedures. These actions are the result of ignorance or carelessness, lacking intent, to include honest mistakes.

could not assess whether material revisions required changes to IRS processes in identifying and reporting purchase card violations.

Performance of This Review

This review was performed with information obtained from the Office of the Chief Financial Officer and CCS Branch management and staff located in Washington, D.C.; Cincinnati, Ohio; Ogden, Utah; and Beckley, West Virginia. We also obtained information from the Office of Chief Counsel located in Washington, D.C., and the Human Capital Office – Office of Human Relation Strategy located in Atlanta, Georgia, during the period February through July 2024. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Major contributors to the report were Bryce Kisler, Assistant Inspector General for Audit (Management Services and Exempt Organizations); LaToya George, Director; Brian Foltz, Audit Manager; Seth Siegel, Audit Manager; Gary Pressley, Lead Auditor; Lauren Bourg, Senior Auditor, and Cindy Harris, Senior Auditor.

Data Validation Methodology

We performed tests to assess the reliability of the data from ALERTS. We evaluated the data by 1) performing testing of required data elements, and 2) reviewing existing information about the data and the system that produced them. We determined that the data were sufficiently reliable for the purposes of this report.

Internal Controls Methodology

Internal controls relate to management's plans, methods, and procedures used to meet their mission, goals, and objectives. Internal controls include the processes and procedures for planning, organizing, directing, and controlling program operations. They include the systems for measuring, reporting, and monitoring program performance. We determined that the following internal controls were relevant to our audit objective: IRS internal policies and procedures and other guidance pertaining to purchase cards and convenience checks as well as CCS Branch inappropriate use forms, logs, and supporting documentation. We evaluated these controls by reviewing the IRS's methodology for reporting confirmed and pending violations in the Purchase Card Violations Report and analyzing the inappropriate use forms and logs from the CCS Branch and the Office of Chief Counsel as well as violations listed in ALERTS and the Criminal Results Management System. We also reviewed IRS policies and procedures related to the Charge Card Act.

Appendix II

Internal Revenue Service Purchase Card Violations Report

PURCHASE CARD VIOLATION DATA	PERIOD
I. Summary description of confirmed violations involving misuse of a purchase card or integrated card.¹	October 1, 2023, through March 31, 2024
a. Abuse.	4
b. Internal Fraud.	0
c. Misuse.	0
II. Summary description of all adverse personnel actions, punishment, or other actions taken in response to each reportable violation involving misuse of a purchase or integrated card.	October 1, 2023, through March 31, 2024
a. Documentation of Counseling: <i>Oral or written counseling issued.</i>	2
b. Demotion.	0
c. Reprimand.	0
d. Suspension.	0
e. Removal.	0
f. Other (no action taken): <i>Closed without any IRS management adverse personnel action.</i>	2
III. Status of all pending violations.	October 1, 2023, through March 31, 2024
a. Number of violations pending investigation.	0
b. Number of violations pending hearing.	0
c. Number of violations pending final agency action.	0
d. Number of violations pending decision on appeal.	0

Source: IRS review of inappropriate use logs and case information contained in ALERTS.

¹ All terms used here are defined in OMB Circular No. A-123, Appendix B (Revised).

Appendix III

Glossary of Terms

Term	Definition
Automated Labor and Employee Relations Tracking System	An application used to track labor/employee relations case data. It was developed to ensure consistency in tracking labor and employee relations disciplinary actions.
Convenience Check	Checks written against a purchase card account. Convenience checks are a payment and procurement tool intended only for use with merchants that do not accept purchase cards and for other authorized purposes where charge cards are not accepted.
Criminal Results Management System	A management information system that provides the TIGTA Office of Investigations the ability to manage and account for complaints received, including congressional inquiries, investigations initiated, and leads developed from local investigative initiatives and national investigative initiatives.
Fiscal Year	Any yearly accounting period, regardless of its relationship to a calendar year. The Federal Government's fiscal year begins on October 1, and ends on September 30.
Integrated Card	A combination of two or more business lines in a single card, <i>e.g.</i> , purchase and travel.
Internal Controls	Tools to help achieve results and safeguard the integrity of programs. A system of internal controls includes measures such as policies and procedures, checks and balances, monitoring, and reviews to identify potentially wasteful, fraudulent, and other potential misuse.
Micro-Purchase	The single transaction limit for micro-purchases is \$10,000 for goods and supplies, \$2,500 for services and \$2,000 for construction and alterations based on the Federal Acquisition Regulation micro-purchase threshold.
Nondisciplinary Action	Used in situations where the misconduct is not serious or recurring. Oral or written counseling are often used.

Appendix IV

Abbreviations

ALERTS	Automated Labor and Employee Relations Tracking System
CCMP	Charge Card Management Plan
CCS	Credit Card Services
IRS	Internal Revenue Service
OMB	Office of Management and Budget
TIGTA	Treasury Inspector General for Tax Administration



**To report fraud, waste, or abuse,
contact our hotline on the web at www.tigta.gov or via e-mail at
oi.govreports@tigta.treas.gov.**

**To make suggestions to improve IRS policies, processes, or systems
affecting taxpayers, contact us at www.tigta.gov/form/suggestions.**

Information you provide is confidential, and you may remain anonymous.