

Questions Raised About Potential Ethics Violations in New Credit Suisse Plea Agreement

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WASHINGTON – Empower Oversight has asked the Department of Justice Inspector General (DOJ IG) and the Acting Treasury Inspector General for Tax Administration (TIGTA) to investigate potential ethics violations involving a former federal prosecutor now serving as a counsel for whistleblowers in the Credit Suisse tax evasion case.

The case brings forward concerns about the enforcement of the IRS whistleblower law that ensures that former officials do not use their prior public service to unjustly profit from the same matters they once investigated.

The letter to DOJ IG Michael Horowitz and Acting TIGTA Heather Hill follows the May 5, announcement by the Department of Justice and the IRS of a new plea agreement with Credit Suisse Services AG, in which the bank agreed to pay an additional \$510 million for conspiring to help U.S. taxpayers hide \$4 billion in assets—violating the terms of a 2014 agreement in which it pled guilty to similar offenses and paid \$2.6 billion in penalties.

The attorney representing the whistleblowers in the latest case is a former Assistant U.S. Attorney who was directly involved in gathering evidence central to the original 2014 prosecution of Credit Suisse.

“Federal ethics laws and the rules governing the IRS whistleblower program are both designed to guard against abuse of the public trust. They must be strictly enforced in order for the public to have confidence that public officials are not using their government service to simply enrich themselves through the work they have performed on behalf of the U.S. taxpayers,” Empower Oversight President Tristan Leavitt wrote in the letter to the DOJ IG and the acting TIGTA.

Federal conflict of interest laws prohibit former government employees from representing private interests in matters where they were personally and substantially involved during their public service. The letter raises concerns regarding the former government employee’s potential eligibility to benefit financially from a whistleblower award. Under the Internal Revenue Manual, individuals who obtained information through federal employment are ineligible for such awards.

For a copy of the letter, [click here](#).
