



Suspect/Counterfeit Items Reporting Program Annual Report Review

Gabrielle Holcomb
EFCOG Fall Meeting 11/02/2021
Suspect/Counterfeit Items Reporting
Manager
Date: 10/21/2021



Agenda



- Suspect/Counterfeit Items Working Group (SCIWG) Current and Completed Initiatives
- SCIWG Future and Proposed Initiatives
- Communications
- Workshops (Past and Upcoming)
- Metrics



SCIWG Current and Completed Initiatives



SCIWG Current & Completed Initiatives: Task Log



Task Number	Subgroup Name	Group Lead
20-SG-01	Data Collection Sheet (DCS)	Colette Broussard
20-SG-02	Charter	John Verderber
20-SG-03	GIDEP (FAR 52.246-26)	Tammie Graham
21-SG-04	Fastener/ Headmark List	Gabrielle Holcomb
21-SG-05	S/CI CRAD	Gabrielle Holcomb
21-SG-06	S/CI Training/Education	Gabrielle Holcomb



Data Collection Sheet (DCS) Subgroup



Purpose:

- Address the use of DCSs.
- Provide response to Kobe Steel.

Outcome:

- Memo provided to DOE complex on use of DCSs.
- Memo released to Kobe Steel.

COMPLETE



GIDEP Reporting Subgroup



Purpose:

- FAR 52.246-26, Reporting Nonconformances guidance.

To obtain a copy of the whitepaper
email: gabrielle.holcomb@hq.doe.gov

Outcome:

- Whitepaper providing guidance on submitting nonconforming items to GIDEP per FAR 52.246-26.

COMPLETE



Update S/CI CRADS Subgroup



Purpose

Provide accurate up-to-date S/CI information for criteria review and approach document.

Status

Draft complete and in review by team.

IN-PROCESS



Update S/CI Fastener Headmark List Subgroup



Purpose

Update DOE S/CI Fastener Headmark list to include additional context, information, and guidance involving suspect and counterfeit fasteners.

Status

Draft complete and in review by team.

IN-PROCESS



S/CI Training/Education Subgroup



Purpose

Provide S/CI Awareness Training that is available to the DOE/NNSA complex, Subcontractors, and prospective suppliers (with login) through NTC.

Status

Currently in storyboard phase for general S/CI knowledge- Completion date estimated FY 2022 Q2.

IN-PROCESS



Future and Proposed Initiatives



S/CI Virtual and Live Training Courses



Purpose

Provide targeted S/CI Training specific to various roles that is available to the DOE/NNSA complex, Subcontractors, and prospective suppliers (with login) through NTC.

Estimated Start Date

FY 2022-Q2

NOT STARTED



S/CI Centralized Reporting



Purpose

Provide a centralized S/CI reporting website which would be a one-stop shop for reporting to the OIG, ORPS, OPEXShare, and GIDEP through one webform.

Estimated Start Date

TBD

PROPOSED



S/CI Policy Updates: Reporting



Purpose

Update reporting criteria in DOE O 414.1D based on updated reporting processes and collaboration with OIG.

Estimated Start Date

TBD

PROPOSED



S/CI Policy Updates: S/CI Handbook



Purpose

Update DOE S/CI Resource Handbook DOE-HDBK-1221-2016.

Estimated Start Date

TBD

PROPOSED



Communications FY 2021



FAKEs News



Fraudulent
Adulterated
Knockoff
Erroneous

FAKE's News

Fraudulent, Adulterated, Knockoff, & Erroneous (FAKE) products can be a hazard to our health & safety. FAKE's News provides a source for suspect, counterfeit, fraudulent, and defective items updates.

Contents:

News Bites

Updates

Around the DOE

Contact:
Gabrielle Holcomb
gabrielle.holcomb@hq.doe.gov

Upcoming Events:
Event: S/CI Working Group Meeting
Date: 03/16/2021
Time: 12:00 pm (EST)
Location: Virtual
To attend: send an email to gabrielle.holcomb@hq.doe.gov

NEWS BITE: Hundreds of Component Buyers Scammed by Fraudulent Websites
ERAI, Inc. News Blog by Kristal Snider
 This message is a warning to any organization involved in the purchase of electrical, electronic and electromechanical (EEE) parts and/or materiel. ERAI has identified numerous websites run by malicious individuals that are paying for premium placement on Google and require payment in advance for goods but never ship the ordered product. These sites have been set up with the intent to commit fraud. To view the full article click [here](#).

NEWS BITE: CPB Has Taken Steps to Combat Counterfeit Goods in Small Packages but Could Streamline Enforcement
GAO-20-692: Published: Sep 24, 2020. Publicly Released: Oct 26, 2020.
 Counterfeit goods infringe on IPR and can harm the U.S. economy and threaten consumer safety. CBP, the U.S. agency tasked with enforcement against counterfeits at the border, has reported that the annual number of small packages sent to the U.S. since fiscal year 2013 more than doubled, and small packages seized often contain counterfeit goods. The European Union Intellectual Property Office noted similar economic and consumer safety impacts in Europe, as well as increases in counterfeit goods in small packages. GAO recommends that CBP take steps to develop a streamlined enforcement approach against counterfeit goods in small packages. CBP concurred with the recommendation. To view the full article click [here](#).

NEWS BITE: Federal Trade Commission (FTC) COVID-19 and Stimulus Reports
Data from January 1, 2020 through February 1, 2021 (Fraud Reports to FTC)
 The FTC recently released statistics on fraud losses reported during the COVID-19 pandemic which included reports from January 1, 2020 through February 1, 2021. In total there were 182,200 reports of fraud which resulted in \$319.96 million dollars in estimated losses. The top fraud reports which included 43, 021 reports and resulted in a total of \$30.61 million dollars in total losses were due to online shopping which would include the sales of counterfeit goods. To view the full statistic report released click [here](#).

UPDATES
The following Data Collection Sheets (DCS's) were issued between 12/01/2020 and 02/16/2021 and are available to review and download on the S/CI web:

- [DCS 2317](#)
- [DCS 2318](#)
- [DCS 2319](#)
- [DCS 2320](#)

First issued in February 2021 and is issued approx. monthly

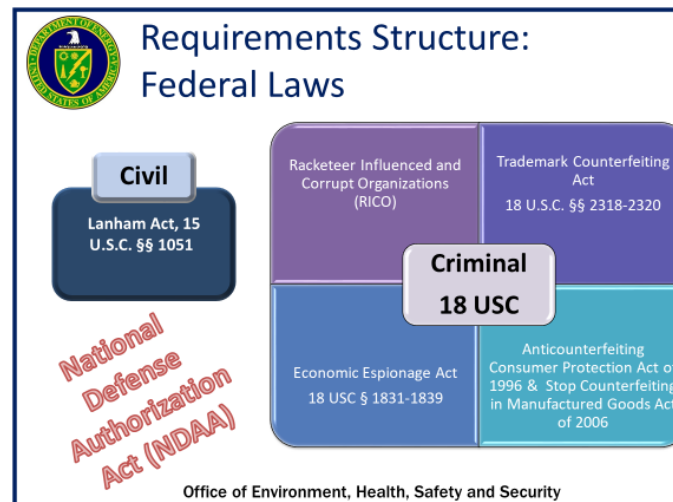
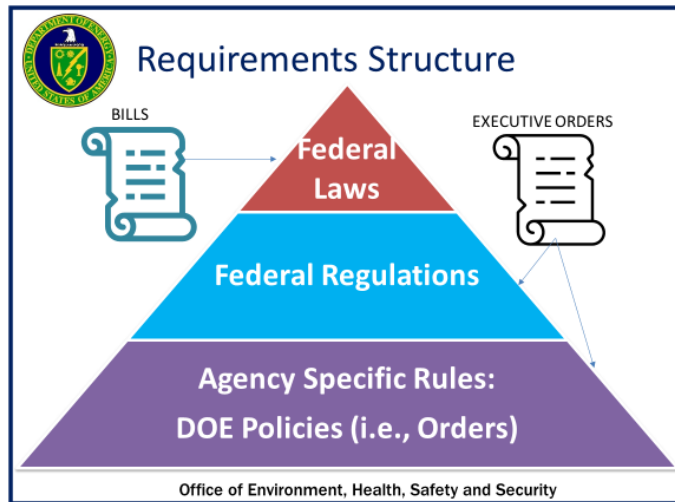
Issued: 2/17/2021



Workshops FY 2021



Workshop: April, May, June



-
- DOE Requirements**
- DOE O 414.1D, Quality Assurance
 - DOE O 232.2A, Occurrence Reporting and Processing of Operations Information
 - DOE O 210.2A, DOE Corporate Operating Experience Program
 - DOE O 221.1B, Reporting Fraud, Waste, and Abuse to the Office of Inspector General
- Office of Environment, Health, Safety and Security



Link to workshop [slides](#) in Powerpedia (access available to DOE Federal and Contractor employees).



S/CI Reporting & Metrics



Reporting



Was the item found in-service (i.e., not during receipt inspection)?

Is the item safety-related such as part of a safety related structure, system or component (i.e., SC, SS, or SSC)?

Could the items failure result in a loss of safety function or does it present a hazard to the public or worker safety?

REFERENCE: [DOE O 232.2A](#),
Occurrence Reporting and
Processing of Operations
Information
(Att. 2-Subgroup C)
RESOURCE: [ORPS](#)



Reporting

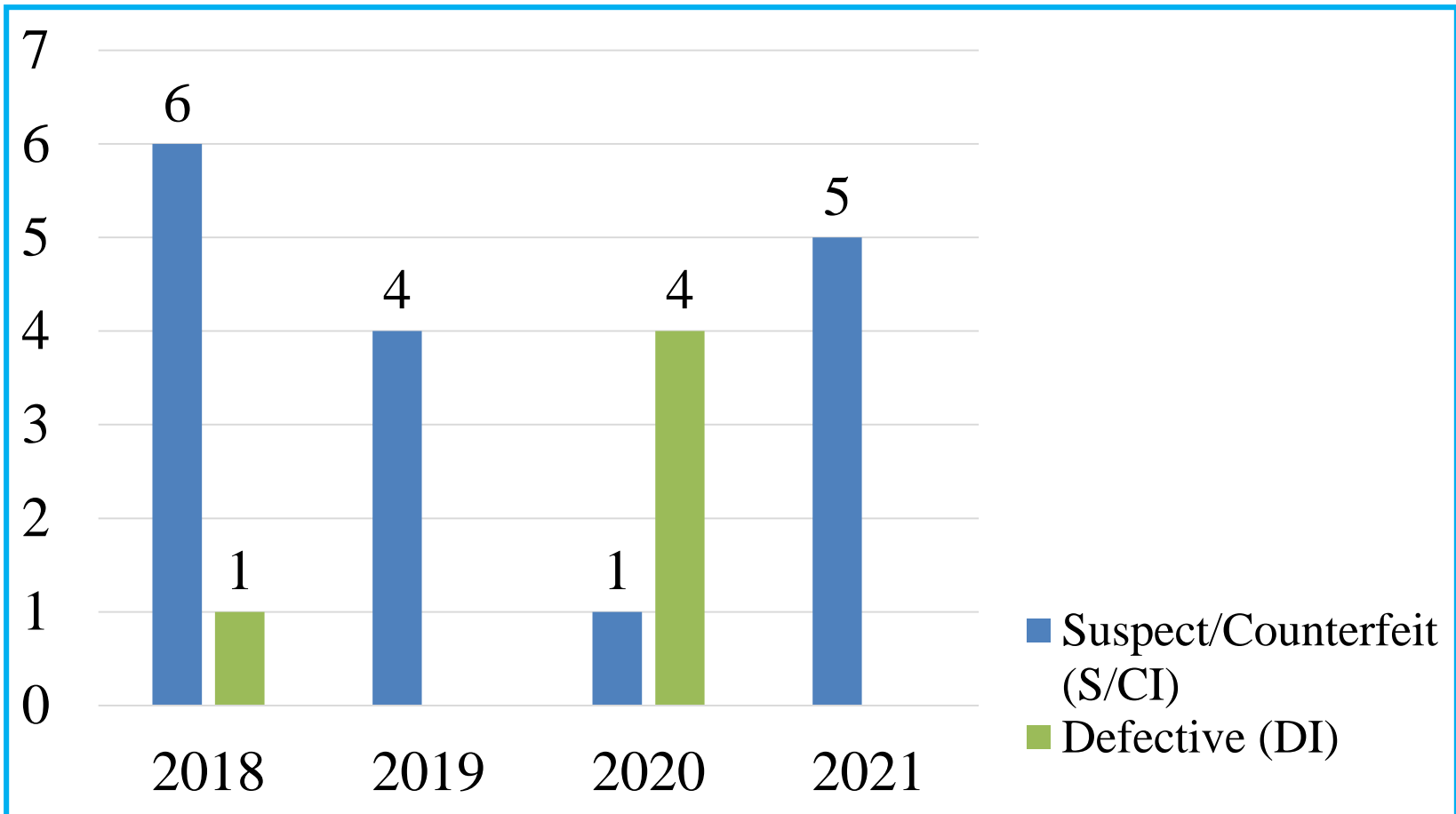


If yes to any or all these questions the item is likely reportable into the Occurrence Reporting and Processing System (ORPS)

REFERENCE: [DOE O 232.2A](#),
Occurrence Reporting and
Processing of Operations
Information
(Att. 2-Subgroup C)
RESOURCE: [ORPS](#)

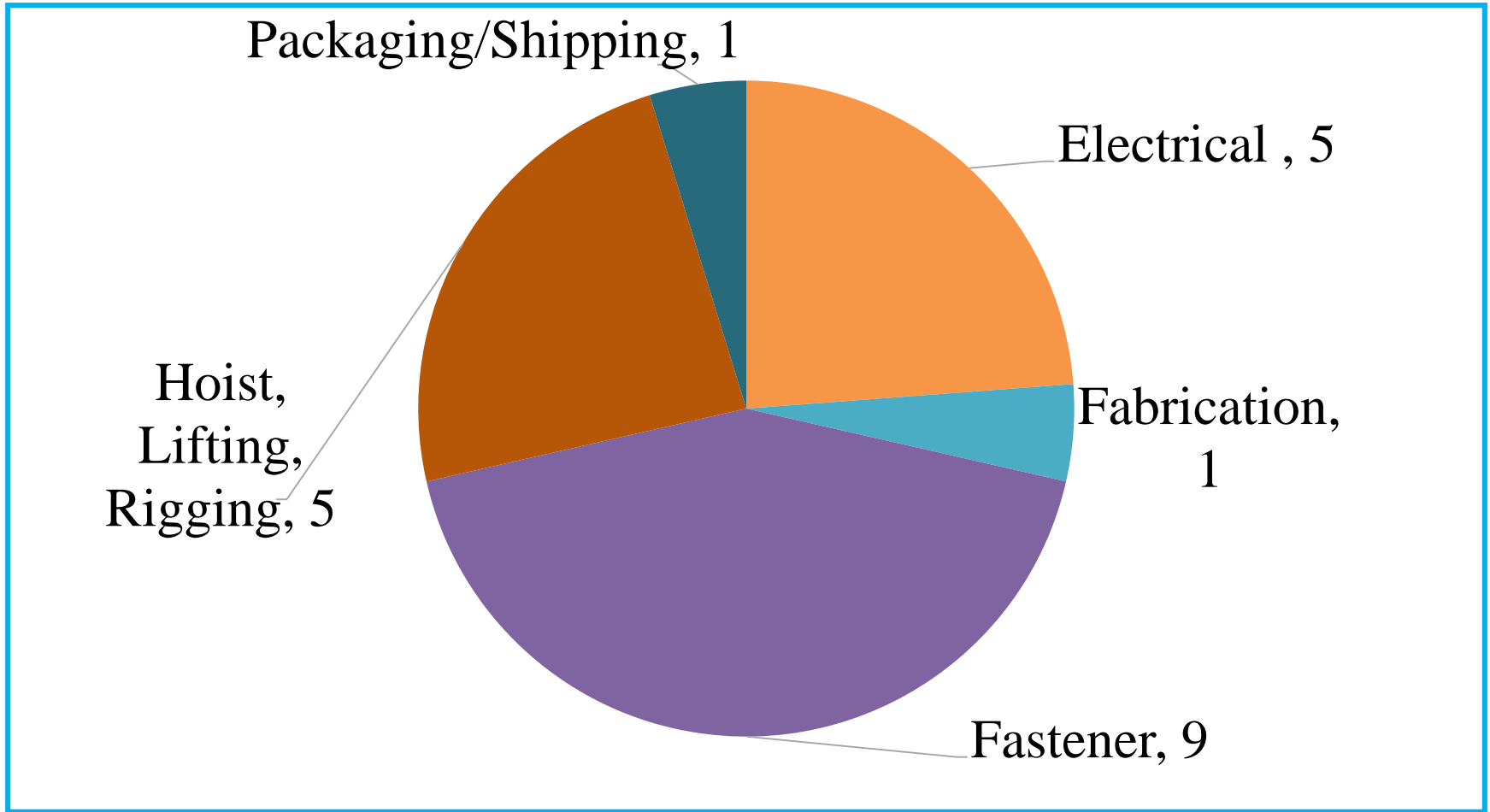


Occurrence Reports (FY 2018-2021)





Occurrence Reports (FY 2018-2021) by Type





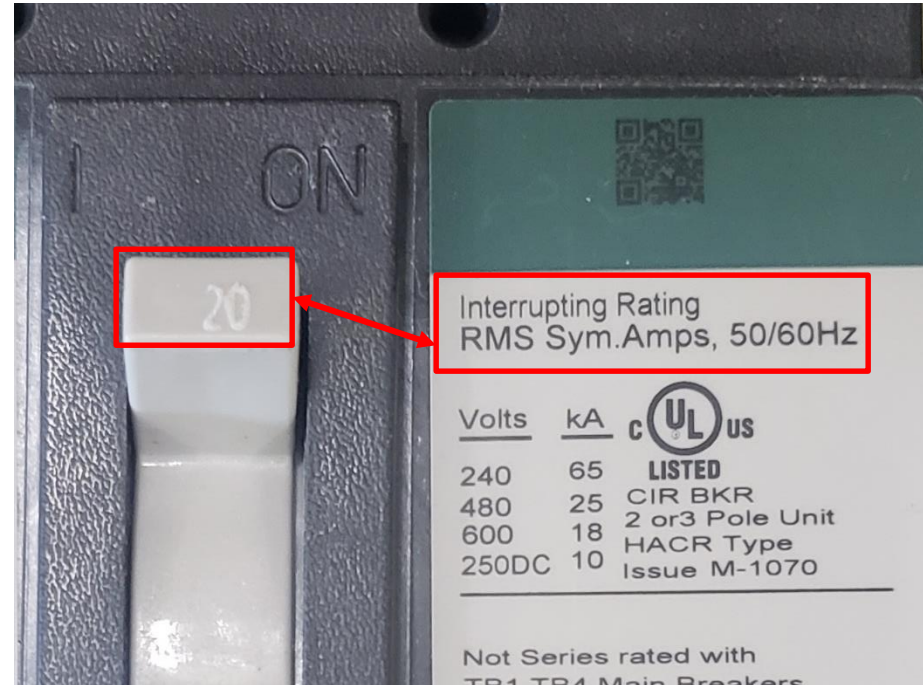
Occurrence Reports (FY 2021) Examples



EXAMPLE 1:

EM-RL--CPCC-GENLAREAS-
2021-0002

Eight Ratchet Straps with
Suspect/Counterfeit Items
Bolts



EXAMPLE 2:

EM-RL--CPCC-324FAC-2021-0001Eight
Suspect Molded Case Electrical Breaker



Reporting



Some S/CI or Defective Item (DI) information may not be well communicated to the sites or may have a broad impact, in these cases DOE OPEXShare should be used

Contact your local OPEX coordinator to see what options may be available (i.e., lessons learned, best practices, or if HQ may be able to issue OE documents, etc.)

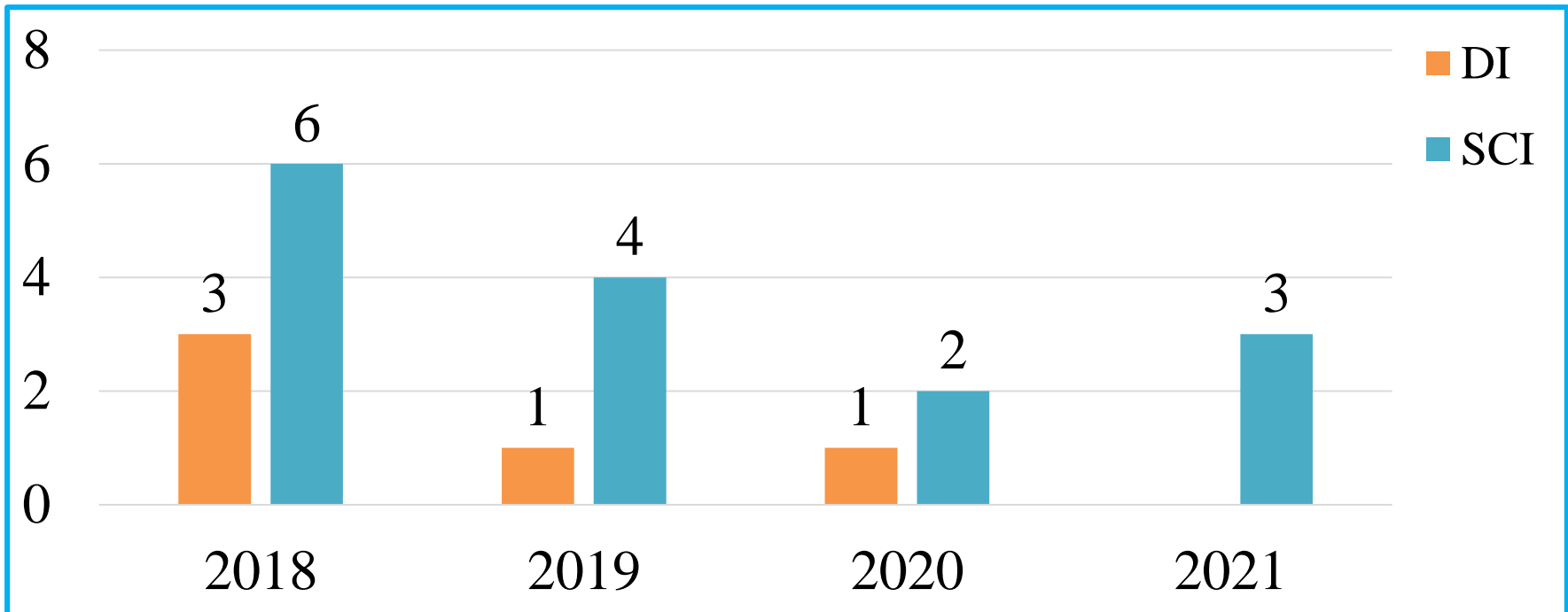
REFERENCE: [DOE O 210.2A](#), DOE Corporate Operating Experience Program
RESOURCE: DOE [OPEXShare](#)



DOE OPEXShare (FY 2018-2021)



NOTE: Operational Experience or OPEX documents include Operating Experience Leveled Documents (i.e., OE-1 through 3), best practices, lessons learned, product recall/alerts, success stories, etc. **NOTE: DOES NOT INCLUDE DCSs**





DOE OPEXShare (FY 2021)



EXAMPLE #1

Thomas Jefferson National Accelerator Facilities (TJNAF) received suspected counterfeit N95 masks. Per contract requirements, approval was requested from the TJNAF/DOE Site Office to dispose of them appropriately.

Reference Lesson Learned in [DOE OPEXShare](#)





DOE OPEXShare (FY 2021)



EXAMPLE #2

Visual inspection revealed that the 12V, 36W power supply/power adapter was marked with a model number but had no manufacturer name. In addition, the Nationally Recognized Testing Laboratory (NRTL) marking was questionable. LLNL concluded that this is a suspect/counterfeit item and not to be used.



DOE OPEXShare (FY 2021)



Office of Environment, Health, Safety and Security
Operating Experience Level 3



OE-3: 2020-03

July 2020

Final FAR Rule Requires Implementing Clause in New Contracts and Expands Counterfeit, Suspect Counterfeit, and Non-Conformance Government-Industry Data Exchange Program (GIDEP) Reporting Requirements for the Department of Energy

PURPOSE

This Operating Experience Level 3 (OE-3) document, which does not constitute contractual direction, provides information on implementing the Federal Acquisition Regulation (FAR) Final Rule that requires Government-Industry Data Exchange Program (GIDEP) screening and reporting by contractors and subcontractors of counterfeit or suspect/counterfeit items (S/CI), and certain major or critical non-conformances. The FAR rule, [Reporting Nonconforming Items](#), requires the new clause at [FAR 52.246-26](#) to be inserted into all new contracts or subcontracts with critical quality requirements.

definition of S/CI found in DOE Order 414.1D. If you need to report a nonconformance into GIDEP and have questions about this difference, refer to [FAR 52.246-26](#) for the specific definitions. However, it is important to note that FAR 52.246-26 does not affect the requirements of DOE Order 414.1D or its Contractor Requirements Document (CRD).

DISCUSSION

The FAR rule, which went into effect on December 23, 2019, requires the insertion of the implementing clause at [FAR 52.246-26](#) into [applicable DOE solicitations, contracts and subcontracts](#). Where the clause is required, no alterations are permitted by DOE

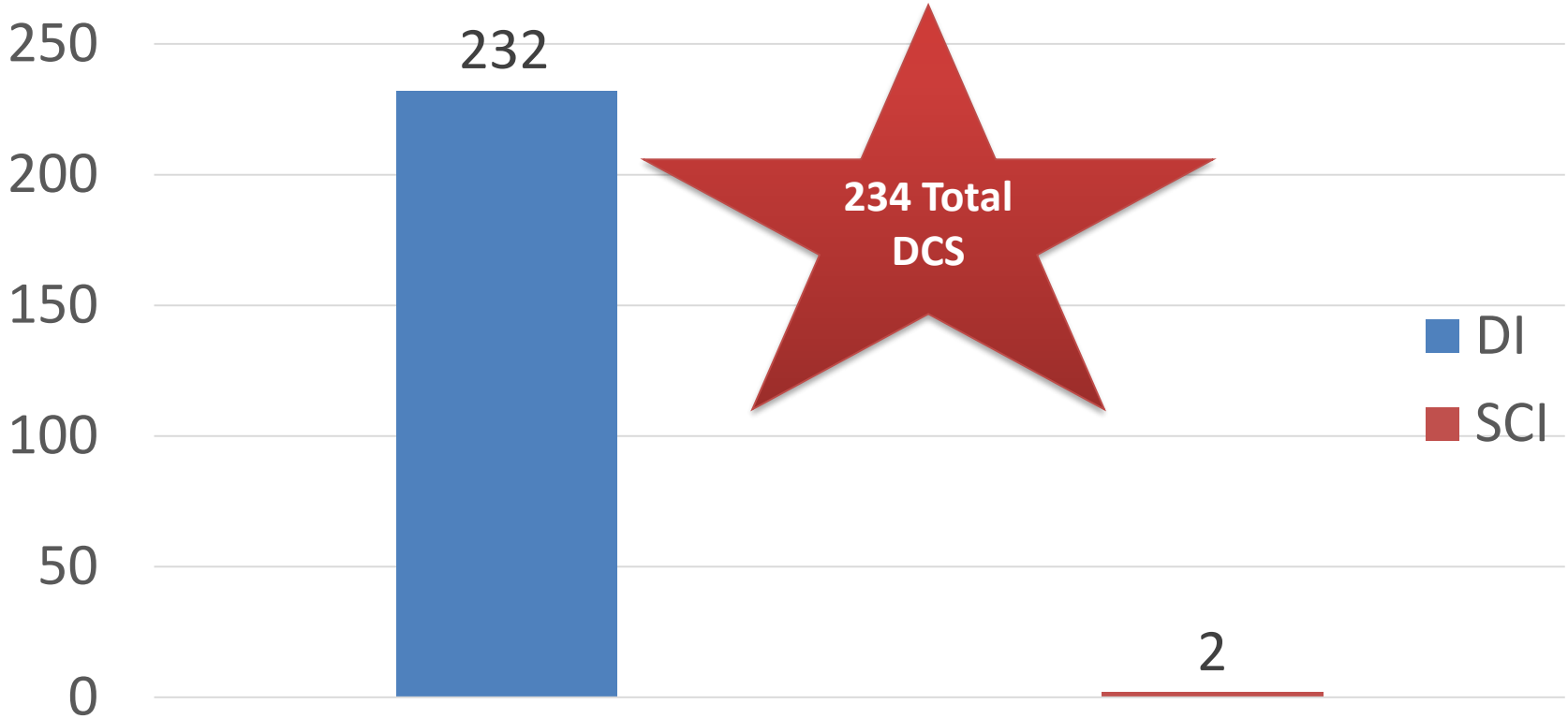
EXAMPLE #3- OE-3 Issued for new FAR rule 52.246-26,
Reporting Nonconforming Items



DOE Data Collection Sheets (FY 2021)- Total Issued



NOTE: Data Collection Sheets (DCS's) are derived from various recalls and alert notices including those from the Consumer Product Safety Commission (CPSC), Federal Drug Administration (FDA), and manufacturer notifications.

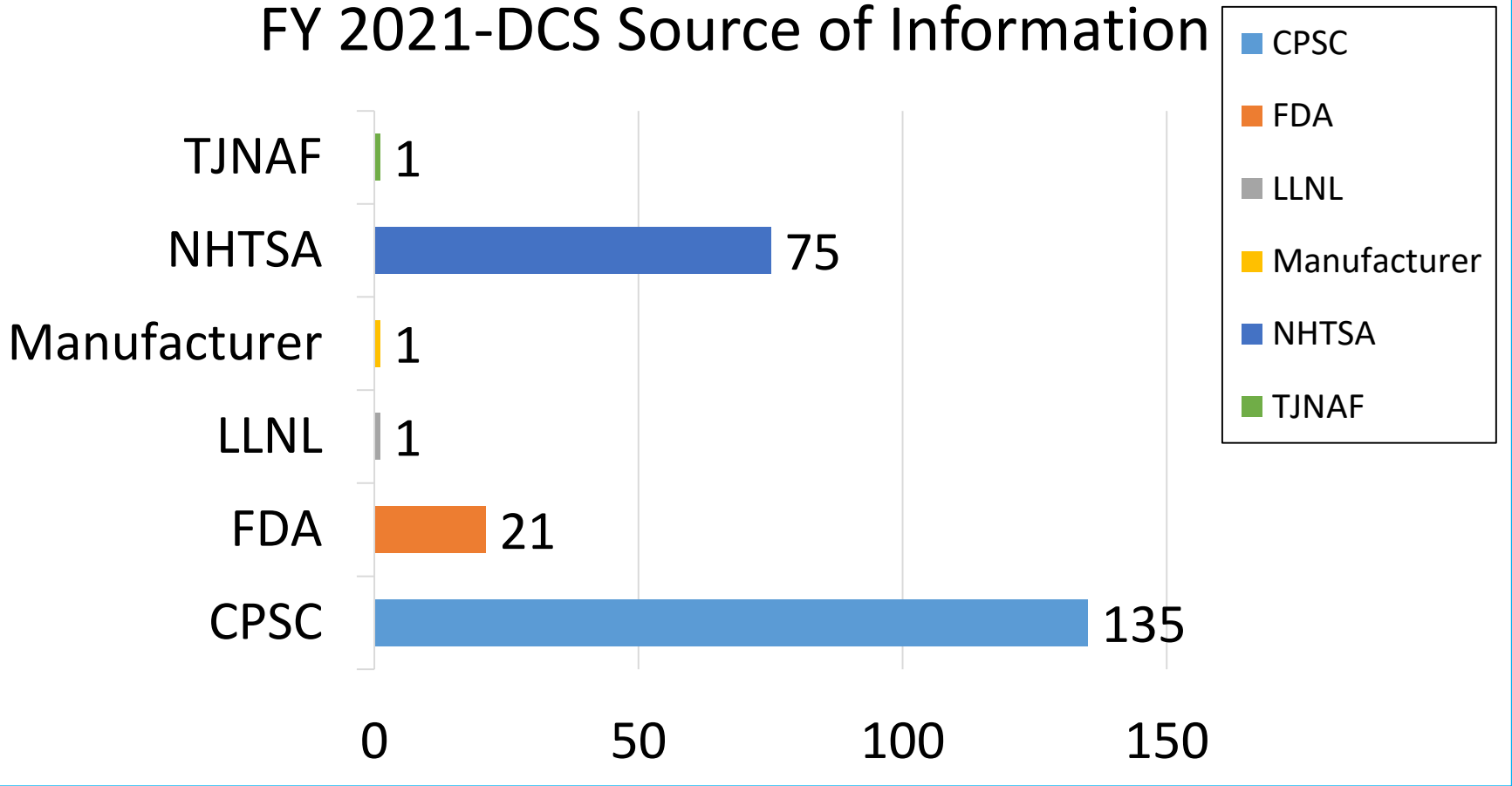




DCS (2021)- Source of Information FY 2021

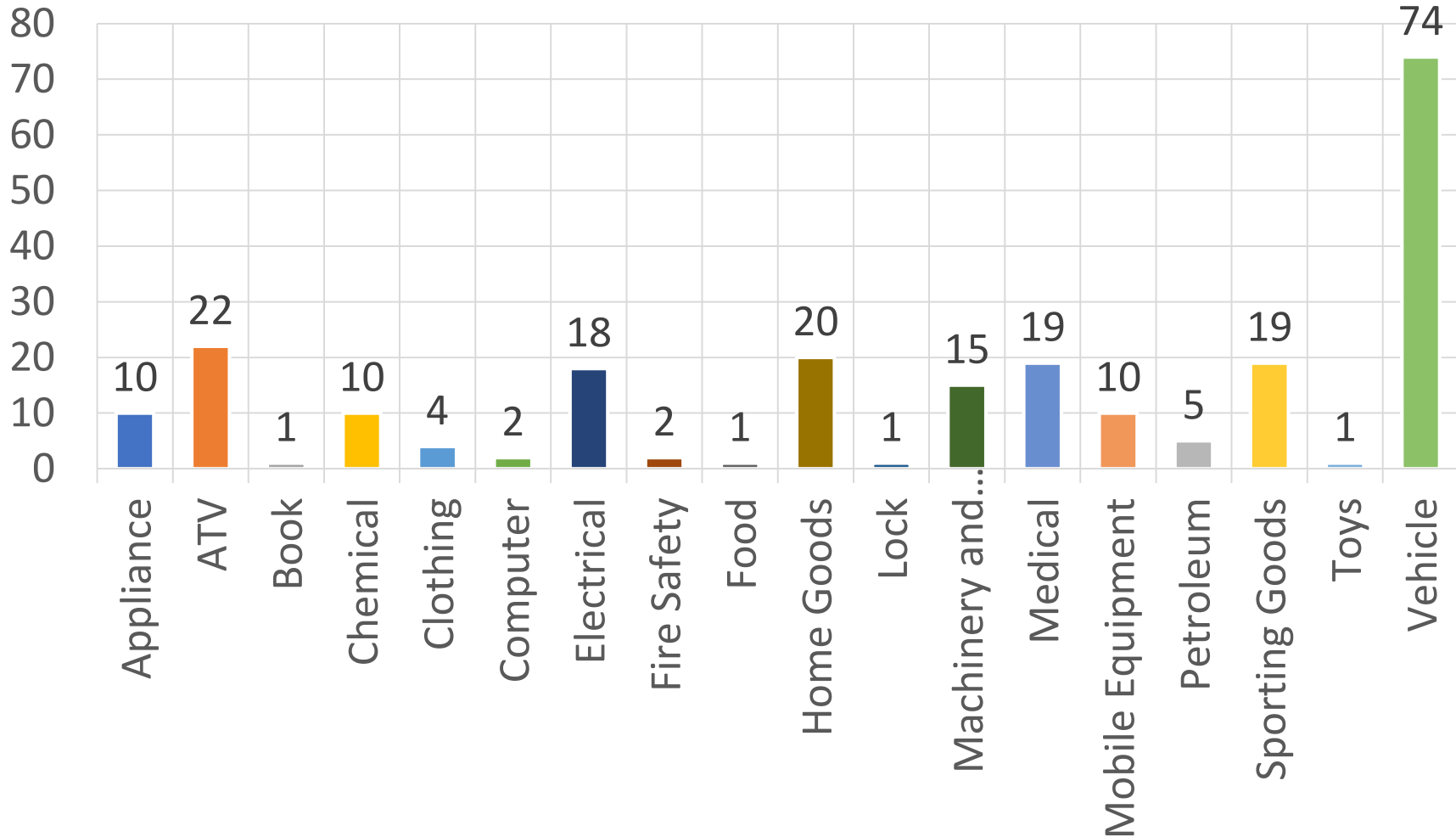


FY 2021-DCS Source of Information





DCS Types of Items (FY 2021)





Office of Environment, Health, Safety and Security
Data Collection Sheet



Suspect Counterfeit Dimensioning and Tolerancing book (ASME Y14.5M-1994) Identified at DOE Site

Tracking Number
DCS 2446

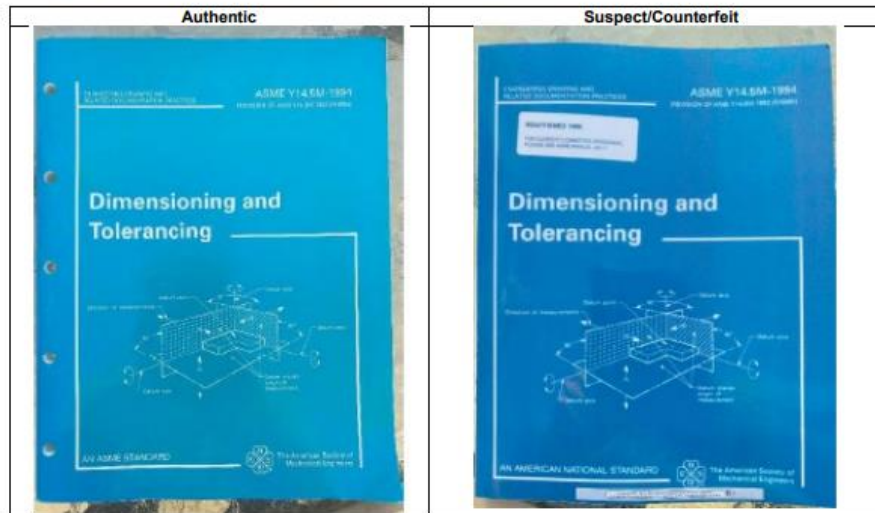
Source of Issue
Lawrence Livermore
National Laboratory

Source Tracking Number
N/A

The Office of Environment, Safety & Health (ES&H) Reporting and Analysis is providing this Data Collection Sheet (DCS) to inform the DOE complex that Lawrence Livermore National Laboratory (LLNL) has received a Suspect/Counterfeit ASME Y14.5M-1994 Dimensioning and Tolerancing Book. This DCS may be of interest to sites that procure these types of books.

In early 2021, LLNL ordered and received a hard copy of an ASME Dimensioning and Tolerancing book (ASME Y14.5M-1994) sold by Amazon.com Services LLC (no third party supplier). When the item was received it was compared to another book that was contained in the LLNL library and some major differences were noted leading the inspector to question if the book received from Amazon was a suspect/counterfeit item (S/CI):

- 1) On the suspect book, the shade of blue is different
- 2) The text and image on the cover are slightly blurred
- 3) The suspect copy states "RAFFIRMED 1999" and "Copywrite" information look like stickers but that information is imprinted on the cover (not a sticker) on the genuine
- 4) Print on the back cover is different
- 5) There is no printing on the binding edge.



EXAMPLE #1

DOE S/CI Related Data Collection Sheets (FY 2021)



Suspect Counterfeit N95 Masks Received from Registered Vendor

Tracking Number	Source of Issue	Source Tracking Number
DCS 2280	Thomas Jefferson National Accelerator Facility	TJNAF-LL 2020-JLAB-1131 9-01-2020

The Office of Environment, Safety & Health (ES&H) Reporting and Analysis is providing this Data Collection Sheet (DCS) to inform the DOE complex that the Thomas Jefferson National Accelerator Facilities (TJNAF) received suspect/counterfeit N95 masks purchased by TJNAF. This DCS may be of interest to sites that procure N95 masks.

Thomas Jefferson National Accelerator Facilities (TJNAF) received suspected counterfeit N95 masks. Per contract requirements, approval was requested from the TJNAF/DOE Site Office to dispose of them appropriately.

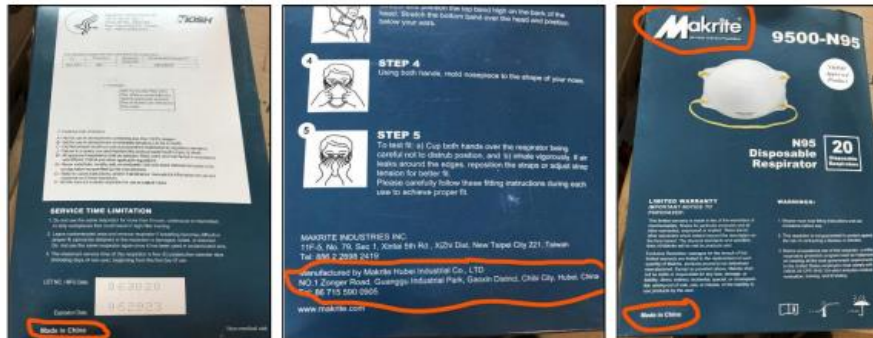
In support of on-site operations during the COVID 19 Pandemic, TJNAF routinely procures N95 masks for staff to use as personal protective equipment. In July, 2020 a credit card order was placed with the domestic vendor Indiana Safety Company for 1,000 N95 masks. The company had an active, valid System for Award Management (SAM) registration at the time of purchase.

Masks were received on August 10, 2020. Upon inspection, the receiving employee immediately noticed an unusual odor coming from the packaging and discerned that the masks were not the Pyramex brand that was ordered.

Upon further investigation, TJNAF found that not only N95 masks but also other products were being manufactured without the permission of Makrite and were being misrepresented as National Institute for Occupational Safety and Health (NIOSH) approved respirators (See CDC website: [cdc.gov/niosh/npptl/usernotices/counterfeitResp.html](https://www.cdc.gov/niosh/npptl/usernotices/counterfeitResp.html)).

As a result of the expedient actions of the Environment, Safety and Health (ES&H) and Procurement employees, TJNAF was able to formally dispute this credit card transaction prior to payment which ensured no contract funds were expended for this purchase.

Photos of suspect marking



EXAMPLE #2 DOE S/CI Related Data Collection Sheets (FY 2021)



Reporting



NOTE:
CONTRACT
SPECIFIC



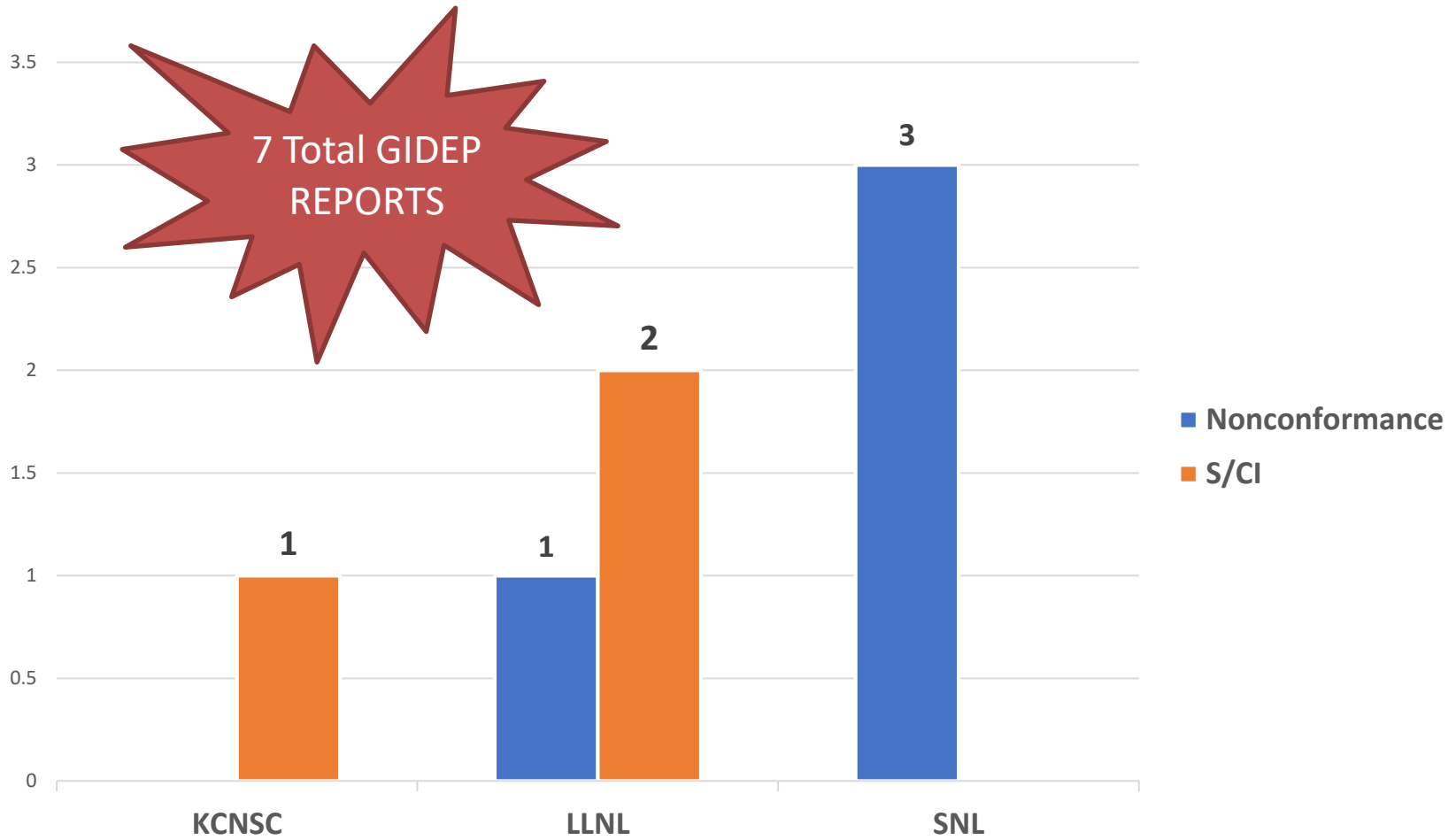
All S/CIs not currently under investigation are required to be entered into GIDEP with very few exceptions if this FAR (52.246-26) is included in your contract.

To obtain a copy of the FAR 52.246-26 whitepaper created by the SCIWG email: gabrielle.holcomb@hq.doe.gov

REFERENCE: [FAR 52.246-26](#), Reporting Nonconforming Items
RESOURCE: [GIDEP](#)



DOE GIDEP Reports FY 2021 Sources

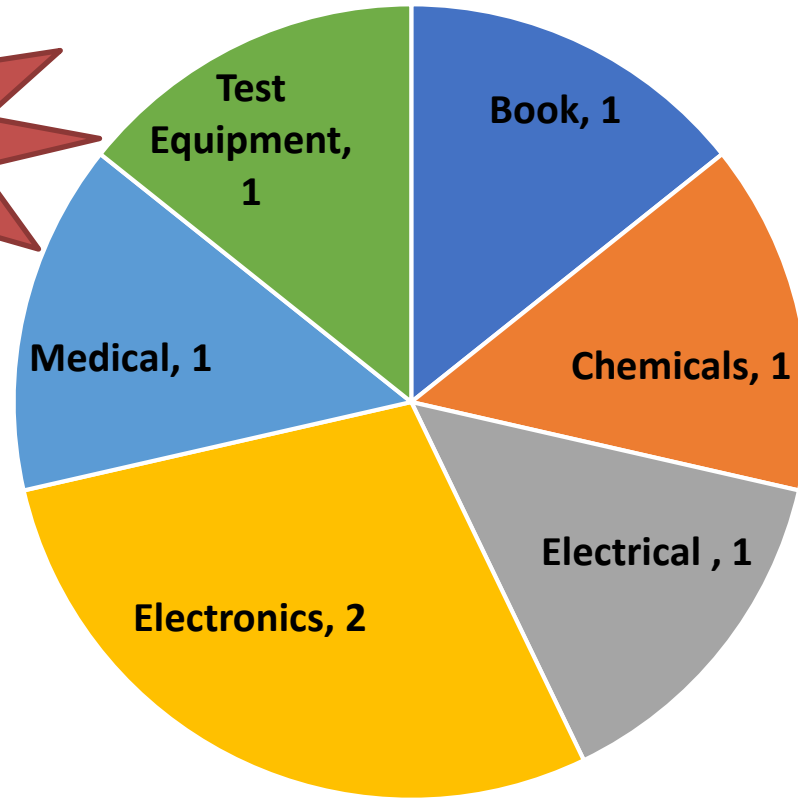




DOE GIDEP Reports FY 2021 Item Types



7 Total GIDEP
REPORTS



- Book
- Chemicals
- Electrical
- Electronics
- Medical
- Test Equipment
- (blank)



Questions



Gabrielle Holcomb
gabrielle.holcomb@hq.doe.gov



Resources & Backup Slides



Resources: Webpages



- Suspect/Counterfeit Items Website on energy.gov:
 - <https://www.energy.gov/ehss/suspectcounterfeit-and-defective-items>
- Suspect/Counterfeit and Defective Items website (requires registration):
 - <https://reportspw1.doe.gov/sci>
- Suspect/Counterfeit website on Powerpedia
 - [https://powerpedia.energy.gov/wiki/Suspect or Counterfeit Items and Defective Items](https://powerpedia.energy.gov/wiki/Suspect_or_Counterfeit_Items_and_Defective_Items)



Resources: DOE Directives & Standards



- DOE O [414.1D](#), Quality Assurance
 - DOE [G 414.1-2B](#), Quality Assurance Program Guide
- DOE O [232.2A](#), Occurrence Reporting and Processing of Operations Information
- DOE O [210.2A](#), Corporate Operating Experience Program
- DOE O [221.1B](#), Reporting Fraud, Waste, and Abuse to the Office of Inspector General
- [DOE-HDBK-1221-2016](#), Suspect/Counterfeit Items Resource Handbook



Occurrence Reports (FY 2021)- Backup Slide



1. **NA--NPO-CNS-PANTEX-2021-0017**
 - Suspect 35-Account Shipping Containers
2. **EM-RL--CPCC-GENLAREAS-2021-0002**
 - Eight Ratchet Straps with Suspect/Counterfeit Items Bolts
3. **NA--NVSO-LLNV-LLNV-2021-0001**
 - Suspect Fasteners
4. **EM-RL--CPCC-324FAC-2021-0001**
 - Suspect Circuit Breaker (later confirmed as defective/nonconforming)
5. **SC--TJSO-JSA-TJNAF-2021-0006**
 - Suspect power supply



DOE GIDEP Reports FY 2021 Backup Slide



Doc	Fiscal	Site	Site	Report #	Link to	Brief Description	Product Group	Nonconformance
Date	Year	Code	Code		Report			or S/CI
10/22/2020	2021	LLNL	EKU	EKU-P-21-01	Link	Nonconforming N95 Masks	Medical	Nonconformance
10/29/2020	2021	SNL	CRJ	CRJ-P-21-01	Link	Nonconforming Capacitors	Electronics	Nonconformance
2/2/2021	2021	SNL	CRJ	CRJ-P-21-02	Link	Nonconforming Socket Contacts	Electronics	Nonconformance
3/4/2021	2021	SNL	CRJ	CRJ-P-21-03	Link	Nonconforming Digital Load Indicators	Test Equipment	Nonconformance
5/25/2021	2021	LLNL	EKU	EKU-P-21-02	Link	Suspect Counterfeit AC DC Adapter	Electrical	S/CI
8/3/2021	2021	LLNL	EKU	EKU-P-21-03	Link	Suspect Counterfeit Dimensioning and Tolerancing Book	Book	S/CI
6/3/2021	2021	KCNSC	AAN	AAN-L-21-057	Link	Acetone found in Isopropyl Alcohol bottles	Chemicals	S/CI