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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20541

7 May 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

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(U//~~FOUO~~) SUBJECT: INV 2011-0021 - [REDACTED]

(U//~~FOUO~~) This office opened the captioned matter on 14 March 2011 after we received information from the Central Intelligence Agency (CIA) Office of Security (OS) Office of General Counsel (OGC) that [REDACTED]

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[REDACTED], an ODNI contractor under a Science Applications International Corporation (SAIC) contract number [REDACTED] b3 supported the National Counterterrorism Center (NCTC) improperly and excessively used his Agency Internet (AIN) account wherein he sent instant messages to friends, checked online dating services, viewed images of "scantily clad or naked women," and accessed several social media sites, among others. An audit of [REDACTED]'s AIN activity showed that approximately 95% of his time on his AIN account was spent for personal use.

(U//~~FOUO~~) [REDACTED] was a contractor on an SAIC contract with the ODNI from 6 November 2006 to 30 March 2012. On 30 March 2012, [REDACTED] participated in an Administrative hearing wherein the security allegations against him were substantiated. The allegations included misuse of government equipment in violation of The Intelligence Community Policy Guidance 704.2 Adjudicative Guidelines for Use of Information Technology Systems. The allegations against [REDACTED] were also a violation of Agency Regulation 7- 21 Limited Personal Use of Government Office Equipment Including Information Technology; AR-7-21 disallows using Agency computers for inappropriate activities and creating sexually explicit materials. These substantiated allegations led to the government revoking his access to classified information which led to termination by his employer, SAIC. [REDACTED] received a letter of reasons on 8 May 2012, explaining the revocation of his access to classified information.

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(U//~~FOUO~~) In the administrative hearing held on 30 March 2012, [REDACTED] admitted that while at work he used his AIN connection to purchase non-official plane tickets, send instant messages to friends, and check online dating services. According to [REDACTED] he accessed these online dating and social accounts to view images of scantily clad or naked women. [REDACTED] noted

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that while on the AIN he used MySpace and Meebo as his means of e-mailing and instant messaging his friends and acknowledged that some of these conversations lasted all day. [REDACTED] also explained that 95% of his time spent on the internet was for personal use.

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(U//~~FOUO~~) In addition to [REDACTED] misconduct with respect to his AIN usage, [REDACTED] had multiple encounters with law enforcement. The Commonwealth of Virginia, County of [REDACTED]

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[REDACTED]

The judge ordered a *nolle prosequi* on prosecutions motion.

(U//~~FOUO~~) On [REDACTED] The State of Maryland, [REDACTED]

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[REDACTED]

(U//~~FOUO~~) On 11 July 2011, Computer Investigations Unit (CIU) opened Case No. [REDACTED] because "CIU received lead information that subject viewed inappropriate materials on his AIN account." The investigation resulted in CIU recognizing [REDACTED] "misuse of computer systems and software and that it violated ICD 704.2 Guideline M: Use of Information Technology Systems. CIU stated that his actions could raise concern regarding his ability to adhere to

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rules and regulations as they relate to his willingness or ability to properly protect sensitive systems, networks, and information. Information Technology Systems include all related computer hardware, software, firmware, and data used for the communication, transmission, processing, manipulation, storage, or protection of information." CIU placed the conducted investigation related documents in [redacted] security file.

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(U//~~FOUO~~) On 5 June 2012, Investigator [redacted] received an electronic spreadsheet from SAIC's [redacted], which revealed [redacted] hours billed and billing rate through the time period of his employment on the DNI contract. A summary of the spreadsheets is as follows:

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Witness

Year 1 (9 October 2006 - 31 May 2007): [redacted] billed 1,151.00 hours at the rate of \$84.25/hour.
The total cost billed for Year 1: \$96,971.75.

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Year 2 (1 June 2007 - 31 May 2008): [redacted] billed 1,967.75 hours at the rate of \$87.62/hour.
The total cost billed for Year 2: \$172,414.26.

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Year 3 (1 June 2008 - 31 May 2009): [redacted] billed 1,877.75 hours at the rate of \$91.13/hour.
The total cost billed for Year 3: \$171,119.36.

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Year 4 (1 June 2009 - 31 May 2010): [redacted] billed 1,974.75 hours at the rate of \$96.08/hour.
The total cost billed for Year 4: \$189,733.98.

Year 5 (1 June 2010 - 31 May 2011): [redacted] billed 1,982.25 hours at the rate of \$95.47/hour.
The total cost billed for Year 5: \$189,245.41.

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Year 6 (1 June 2011 - 12 April 2012): [redacted] billed 1,620.00 hours at the rate of \$95.67/hour.
The total cost billed for Year 6: \$154,985.40.

Grand total of 10,573.50 hours; Total cost \$974,470.15.

(U//~~FOUO~~) On 9 August 2012, Investigator [redacted] executed a person search on [redacted] through the [redacted] database. Investigator [redacted] obtained phone numbers related to [redacted] and attempted to contact [redacted] by using these phone numbers in order to discuss this investigation with him. Investigator [redacted] was unable to contact [redacted]. The phone numbers listed on the search results were [redacted] and [redacted].

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(U//~~FOUO~~) The [redacted] search also produced two Maryland addresses [redacted], with a report date of [redacted].

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(U//~~FOUO~~) Investigator [REDACTED] sent a certified mail, return receipt requested notification letter to the last known address of [REDACTED] on [REDACTED] 2013. The post office returned the item on [REDACTED] 2013 due to an insufficient address.

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(U//~~FOUO~~) ODNI Contracts Office received a letter from Investigator [REDACTED] to advise the of [REDACTED] findings and to provide the office with information to assist with recovery.

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INVESTIGATOR [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20513

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May 7, 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]
(U//~~FOUO~~) FROM: Senior Investigator [REDACTED]
(U//~~FOUO~~) SUBJECT: INV 2012-0003 KPMG, LLP
Contract # [REDACTED] b3

(U//~~FOUO~~) In April 2012, the IC IG Investigations Division opened an investigation into an allegation that KPMG may not have performed work in accordance with the contract terms. This was referred to our office during the IC IG audit of the KPMG contract compliance regarding a review of improper ODNI payments verification. In short, KPMG performed a verification audit of improper ODNI payments for the year 2010 when it should have performed a review of 2011 improper payments, and the government accepted the results.

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(U//~~FOUO~~) According to [REDACTED] the IC IG auditor, the IC IG audit found that the government was unaware of the error. After discovering the mistake, ODNI management chose not to correct the mistake and audit the correct year.

(U//~~FOUO~~) I met with [REDACTED], a CIA contracting officer (CO) to discuss the KPMG contract and whether the government could require KPMG to audit the correct year at no cost to the government. Ms. [REDACTED] reviewed the contract file and verbally provided the following comments relative to the contract:

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- The contract Statement of Work (SOW) was poorly written COTR direction as to what year to review was consistent with KPMG auditing the wrong year.
- Contract Funds have expired. ODNI cannot now go back and require KPMG to perform with expired funds – that would be a violation of the Anti-Deficiency Act.
- KPMG is under no contractual obligation to perform work under the current firm fixed price/level of effort cap once the government accepted the deliverables.
- The contracts office did not receive any derogatory reports on KPMG that would give rise to any indication of mischarging.

(U//~~FOUO~~) There is no "legal means" available to require the contractor to perform additional work once government has accepted delivery. Additionally, there was no indication that KPMG employees were engaged in billing irregularities.

(U//~~FOUO~~) It is recommended that this investigation be closed.

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Office of the Inspector General of the Intelligence Community
Investigations Division
WASHINGTON, DC 20511

21 March 2013
INVM-2012-0012-001

MEMORANDUM FOR: Hon. Dave Buckley, Inspector General
Central Intelligence Agency

SUBJECT: (U) INV 2012-0012 and INV 2012-0013

(U//~~FOUO~~) The IC IG Investigations Division has conducted overtime reviews of ODNI employees as part of ongoing proactive investigative activities. During an initial probe, two CIA employees were misidentified as ODNI employees. The CIA employees are [REDACTED] [REDACTED] [REDACTED] and [REDACTED] [REDACTED].

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(U//~~FOUO~~) Our initial review of [REDACTED] data indicated possible timecard mischarging. However, once we became aware of their CIA affiliation, we discontinued any further investigative action. The initial discrepant hours without any mitigation were 186.5 hours from July 2012 through December 2102 for Mr. [REDACTED] and 46.0 hours for Ms. [REDACTED].

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(U//~~FOUO~~) We will forward copies of our initial [REDACTED] to your office separately via classified email.

b7E - IG TECH

(U//~~FOUO~~) Please direct any questions regarding this memorandum or related actions to [REDACTED].

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[REDACTED]

Assistant Inspector General for Investigations

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Office of the Inspector General of the Intelligence Community
Investigations Division
WASHINGTON, DC 20511

21 March 2013
INVM-2012-0012-001

MEMORANDUM FOR: Hon. Dave Buckley, Inspector General
Central Intelligence Agency

SUBJECT: (U) INV 2012-0012 and INV 2012-0013

(U//~~FOUO~~) The IC IG Investigations Division has conducted overtime reviews of ODNI employees as part of ongoing proactive investigative activities. During an initial probe, two CIA employees were misidentified as ODNI employees. The CIA employees are [redacted] and [redacted].

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(U//~~FOUO~~) Our initial review [redacted] indicated possible timecard mischarging. However, once we became aware of their CIA affiliation, we discontinued any further investigative action. The initial discrepant hours without any mitigation were 186.5 hours from July 2012 through December 2102 for [redacted] and 46.0 hours for [redacted].

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(U//~~FOUO~~) We will forward copies of our initial [redacted] to your office separately via classified email.

b7E - IG TECH

(U//~~FOUO~~) Please direct any questions regarding this memorandum or related actions to [redacted]

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[redacted signature block]

Assistant Inspector General for Investigations

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OFFICE OF THE DEPUTY DIRECTOR OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

2012-0040

DATE: 8 Feb 2013

1. **PURPOSE AND AUTHORITY:** Conduct a Special Review of the unauthorized release of sensitive information concerning the 6 July 2012 so called "7 Day letter" to Congress, authored on 3 July 2012 by the National Reconnaissance Office (NRO) Office of the Inspector General (OIG) and submitted on 6 July 2012 by (Former) NRO Director Bruce Carlson. This investigation was conducted under the authority of the National Security Act of 1947, as amended, Section 103H.

2. **SUBJECT:** UNKNOWN

4. **DATE AND BACKGROUND OF COMPLAINT:** The NRO OIG requested the Intelligence Community Inspector General (IC IG) Investigations Division conduct an inquiry into the unauthorized disclosure of sensitive information, and notified Congress of this request by letter on 16 August 2012. The NRO submitted a "7 Day letter" to Congress on 6 July 2012, and on 14 August 2012, McClatchy Newspapers published an article citing numerous portions of the 7 day letter with enough detail and accuracy make it more likely than not that the author, Marisa Taylor, had direct access to the original letter, in whole or in part.

5. **ALLEGATION:** That persons unknown, and without authority, publicly released non-releasable government information related to an ongoing criminal investigation. The release of this information violates 5 USC 552a, Privacy Act and DOD Instruction 5200.1, DOD Information Security Program, Controlled Unclassified Information.

6. **FINDINGS:**

a. The "7 day" letter to Congress did not contain restricted handling guidance and was unclassified. For these reasons, the release of the information was not a criminal act, as typically required in official leak investigations. The IC IG agreed to investigate the matter as requested but the investigation was limited to only those with access in the Executive Branch. Congressional Staff Members with access were not interviewed in this investigation.

b. IC IG Investigations determined that, at a minimum, the following individuals received the letter, or otherwise had access to it:

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NRO OIG:

[REDACTED]

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NRO Front Office:

[REDACTED]

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Office of the Director of National Intelligence Front Office:

James Clapper
Stephanie O'Sullivan

ODNI:

[REDACTED]

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Department Of Defense IG:

[REDACTED]

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Assistant to the Secretary of Defense for Intelligence Oversight:

[REDACTED]

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IC IG:

[REDACTED]

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[REDACTED]

Undetermined Congressional Staff Members

c. The IC IG conducted behavior based interviews of all of the executive branch personnel cited above. There was no indication the interviewees released the "7day letter".

7. CONCLUSION: The IC IG was unable to determine who was responsible for the unclassified disclosure, and considers this matter closed.

Approved:

[REDACTED]

Senior Investigator

[REDACTED]

Assistant Inspector General
For Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

24 June 2013

(U//~~FOUO~~) MEMO FOR: AI [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2012-0042 [REDACTED]

(U//~~FOUO~~) A [REDACTED] revealed that [REDACTED], AIN [REDACTED] was not present at his assigned worksite at the Bethesda, MD facility, for the full period which he billed the government. [REDACTED] is a Mantech employee, which serves as a subcontractor to General Dynamics supporting ODNI Contract [REDACTED]. A preliminary comparison between the [REDACTED] data and [REDACTED] found that from 15 FEB 12 through 31 JUL 12, [REDACTED] billed the government for approximately 220 hours while not present at his worksite.

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(U//~~FOUO~~) The IC IG interviewed [REDACTED] on 18 October 2012 regarding the preliminary findings. [REDACTED] was unable to explain any of the questionable hours. He admitted that he recorded hours which he did not work, and explained that he took advantage of the lack of supervision and lack of work on the contract. He said that since 2005, he recorded hours which he did not work.

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(U//~~FOUO~~) Finding: [REDACTED] submitted false time cards for approximately 220 hours which he did not work, from 15 FEB 12 until 31 JUL 12. [REDACTED] hourly rate charged to the government was approximately \$125 per hour; the total loss to the government for this time frame is approximately \$27,500. During the IC IG interview with [REDACTED] on 18 October 2012, he admitted that he falsely recorded his time since 2005. Mr. [REDACTED] previously worked on the same contract at a facility without [REDACTED]; therefore the IC IG has no record of his time at work prior to 15 Feb 2012. Mr. [REDACTED] charged approximately 8.8 hours per week which he did not work over 25 weeks from 1 January 2005 through 15 Feb 2012. An average of 8.8 hours per week from January 2005 through 15 February 2012, equates to approximately 3,282.4

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hours which is an estimated loss of \$410,300 (without accounting for rate adjustments).

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

11 JAN 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT: INV-2012-0043: Cost Mischarging - [REDACTED]

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(U//~~FOUO~~) A [REDACTED]

[REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the government. Preliminary [REDACTED] cards show that from 15 FEB 12 until 31 JUL 12, Mr. [REDACTED] billed the government for approximately 61 hours during which he was not present at his worksite.

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(U//~~FOUO~~) The IC IG initial investigation found that some of Mr. [REDACTED] absences were due to work related activities, which brought the questionable hours to 37.75. Due to the minimal number of hours, the IC IG referred this case back to the contractor which employed Mr. [REDACTED] SAIC. SAIC's investigation into Mr. [REDACTED] remaining 37.75 hours found that 21 of those hours were work related, which left 16.75 hours unresolved. SAIC stated that they believed with further investigation, the 16.75 hours could be resolved, however they chose to reimburse the contract for the remaining 16.75 hours. Mr. [REDACTED] burdened rate is \$157.25; SAIC reimbursed the contract \$2,633.94 for Mr. [REDACTED] 16.75 unresolved hours.

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(U//~~FOUO~~) The IC IG considers this matter closed, with no further action.

[REDACTED]

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Investigator/ICIG

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

28 February 2013

(U//~~FOUO~~) MEMO FOR:

AIGI

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(U//~~FOUO~~) FROM:

INV

[Redacted]

(U//~~FOUO~~) SUBJECT: 2012-0047-

[Redacted]

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(U//~~FOUO~~) On 13 SEP 12, the Inspector General of the Intelligence Community received [Redacted]. Preliminary data analysis developed [Redacted] was leaving the worksite on numerous occasions with less than 8 hours at the facility or not at the facility at all.

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(U//~~FOUO~~) An analysis of [Redacted]. However, additional data obtained by the contractor program manager indicated that the employee was permitted to work offsite at a facility [Redacted]. We reviewed those records as well.

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(U//~~FOUO~~) After further review of the preliminary inquiry, and the authorized work location [Redacted] rendering analysis very difficult and almost impossible to prove mischarging, I recommend that this case be closed without further action by this office.

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[Redacted]

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INVESTIGATOR

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[Redacted]

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10 January 2013

(U//~~FOUO~~) MEMO FOR:

(U//~~FOUO~~) FROM:

Investigator [Redacted]

(U//~~FOUO~~) SUBJECT:

INV 2012-0048 - [Redacted]

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(U//~~FOUO~~) Mr. [Redacted] was identified in [Redacted] data at the Bethesda ICCB facility. Indicators revealed that Mr. [Redacted] was not present at his assigned worksite for the full period for which he billed the government.

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[Redacted] and Mr. [Redacted] show that from 15 February 2012 until 31 July 2012, Mr. [Redacted] billed the government for approximately 147.25 hours during which he was not present at his worksite.

(U//~~FOUO~~) Mr. [Redacted] was interviewed on 4 January 2012, in which the days in question were discussed. Mr. [Redacted] was able to rectify 73.5 hours in question. The remaining 73.75 hours were still unaccounted for after the interview. Mr. [Redacted] also admitted to using the AIN for up to 4 hours a day in his "down time" and did not refute when presented with evidence of 8 hours of AIN activity.

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(U//~~FOUO~~) Findings: (1) Mr. [Redacted] had 73.75 hours of unaccounted for time during the period of 15 February 2012 and 31 July 2012; (2) Mr. [Redacted] admitted to use of internet for up to 4 hours per day, totaling approximately 456 hours. Of note: the total number of hours for AIN personal usage was 494 hours for this time period

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(U//~~FOUO~~) Observation: Mr. [Redacted] appears to have many hours of down time and may not have a full work load to keep him busy.

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INVESTIGATOR [Redacted]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

10 January 2013

(U//~~FOUO~~) MEMO FOR: [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT: INV 2012-0049— [REDACTED] :)

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(U//~~FOUO~~) Mr. [REDACTED] was identified in [REDACTED]. [REDACTED] revealed that Mr. [REDACTED] was not present at his assigned worksite for the full period for which he billed the government. Preliminary comparison between [REDACTED] and Mr. [REDACTED] show that from 15 February 2012 until 31 July 2012, Mr. [REDACTED] billed the government for approximately 77.0 hours during which he was not present at his worksite.

(U//~~FOUO~~) Mr. [REDACTED] was interviewed on two occasions with IBM attorneys present, in which the days in question were discussed. Mr. [REDACTED] was able to rectify 24.25 hours in question. The remaining 52.75 hours were still unaccounted for after the interviews. Mr. [REDACTED] was not properly advised that leaving the building for even brief periods of time for activities such as purchasing coffee at the nearby coffee shop, were not appropriate reasons to bill the contract.

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(U//~~FOUO~~) Finding: Mr. [REDACTED] had 52.75 hours of unaccounted for time during the period of 15 February 2012 and 31 July 2012.

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(U//~~FOUO~~) Observation: Mr. [REDACTED] seems to be productive when he is present at work, however it appears that he was not properly advised that leaving the building for even brief periods of time for activities such as purchasing coffee at the nearby coffee shop, were not appropriate reasons to bill the contract.

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INVESTIGATOR [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

REPORT OF INVESTIGATION

#2012-0051

2 NOV 12

EXECUTIVE SUMMARY

NAME / POSITION: [REDACTED] Contractor: MITRE; Lead Systems Engineer

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b7C - IG Subject

BACKGROUND: [REDACTED] that [REDACTED] was not present at her assigned worksite for the full period for which she billed the government. [REDACTED] and [REDACTED] shows that from 15 FEB 12 until 12 JUL 12, [REDACTED] billed the government for approximately 117 hours during which she was not present at her worksite. Additional audits of [REDACTED] AIN internet activity showed that she regularly used the internet for personal use 4-6 hours per day for an additional average of 335 hours from 15 FEB to 12 JUL 12 inclusive of hours for which the government is billed. In addition, the subject was using AIN to administer a distance education course she taught for University of Maryland University College (UMUC) from 10 MAY 11 until 18 OCT 12 for approximately 1-2 hours per day totaling approximately 330 additional hours.

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b7E - IG Tech

SUBSTANTIATED ALLEGATION: That [REDACTED] contract employee with MITRE, by admission, was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC 1001, *False Statements*.

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b7C - IG Subject

SUBSTANTIATED ALLEGATION: That [REDACTED] contract employee with MITRE, knowingly caused to be presented to an employee of the US Government a fraudulent claim for payment, by billing hours to a government contract for which no service was performed, in violation of 18 USC 287, *False Claims*

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SUBSTANTIATED ALLEGATION: That [REDACTED] contract employee with MITRE, having devised an artifice to obtain money by false pretenses, transmitted by means of wire communication for the purpose of executing the scheme, false claims for payment of salary and received, via wire communications, the proceeds of the false claims for payment, in violation of 18 USC 1343, *Fraud by Wire, Radio, or Television*.

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FINDINGS:

That in making false statements and claims, [REDACTED] caused approximately 665 hours of labor charges, for which no service was performed for the government, to be invoiced against a government contract at a rate of \$141.74 per hour between 10 MAY 11 and 18 OCT 12 and 117 hours that were performed outside the scope of the contract.

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That [REDACTED] and other MITRE employees were routinely allowed to claim hours that were spent working from their homes using MITRE laptops, with little oversight or verifiable work performed for the government and contrary to the terms of the contract between ODNI and MITRE.

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That [REDACTED] by admission, was using AIN to support activities related to secondary employment with University of Maryland University College (UMUC), for which she also received compensation, and did so concurrent with hours for which the government was billed.

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MITIGATION: [REDACTED] cooperated with this investigation. [REDACTED] believed she was authorized to work outside the scope of the contract because of guidance received from her MITRE program manager, [REDACTED] who informed [REDACTED] that she may claim time worked at home as long as it was in support of the contract. Additionally, MITRE's timekeeping system was not capable of recording time in increments of less than one hour.

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1. PURPOSE AND AUTHORITY: Investigate allegations that [REDACTED] was fraudulently billing a government contract in violation of 18 USC 1001, 18 USC 287, and 18 USC 1343. This investigation was conducted under the authority of the National Security Act of 1947, as amended, Section 103H.

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2. SUBJECT:

Name: [REDACTED]
Work Address: ONCIX, ICC-B
Home Address: [REDACTED]
Home Phone #: [REDACTED]

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4. DATE AND BACKGROUND OF COMPLAINT: [REDACTED]

[REDACTED] that [REDACTED] was not present at her assigned worksite for the full period for which she billed the government.

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b7E - IG Tech

[REDACTED] shows that from 15 FEB 12 until 12 JUL 12, [REDACTED] billed the government for approximately 117 hours during which she was not present at her worksite. Additional audits of [REDACTED] AIN internet activity showed that she regularly used the internet for personal use 4-6 hours per day for an additional average of 335 hours from 15 FEB to 12 JUL 12 inclusive of hours for which the government is billed. In addition, the subject was using AIN to administer a distance education course she taught for University of Maryland University College (UMUC) from 10 MAY 11 until 18 OCT 12 for approximately 1-2 hours per day totaling approximately 330 additional hours.

5. ANALYSIS OF ALLEGATIONS:

Allegation 1: That [REDACTED] contract employee with MITRE, was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC 1001.

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a. Evidence.

(1) [REDACTED] with [REDACTED] showing a 117.75 hour discrepancy between hours billed to the MITRE contract and hours where [REDACTED] was present at her place of performance. [C-1]

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(2) Analysis of [REDACTED] AIN internet activity demonstrating an average of 4-6 hours per day using AIN internet for non-work related purposes, between 15 FEB and 12 JUL. [C-2]

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(3) Analysis of [REDACTED] UMUC related internet activity demonstrating 1-2 hours per day of activity on UMUC web-based platforms from 10 MAY 11 to 18 OCT 12. [C-3]

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(3) Interview of ██████████ CIC/KMG, on 12 OCT 12, in which ██████████ related that her assessment of Ms. ██████████ AIN use was likely up to six hours per day, 1-2 hours of which was spent on UMUC related websites between 15 FEB 12 and 12 JUL 12. [B-1]

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(4) Interview of ██████████ S, UMUC Faculty Appointments Group, on 12 OCT 12, who confirmed ██████████ employment with UMUC as an adjunct professor since JAN 11. ██████████ further confirmed that ██████████ received compensation from UMUC for her work. [B-2]

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Witness

(5) Interview of ██████████ MITRE, on 22 OCT 12, who admitted to entering false records on her MITRE timecards by rounding up her time to the nearest hour by as much as 35 minutes, admitted to significant use of the internet on a daily basis for personal activities, and admitted to performing activities related to her outside employment while billing the government contract. ██████████ stated her understanding that she may bill the government for hours directly related to the project. She was not aware of a policy on use of the internet. ██████████ agreed that 4-6 hours a day of internet use might be accurate, but stated that she thought it was more like 2.5-3 hours a day. ██████████ stated during the interview that she was not aware of the general terms of her contract, and believed that she was authorized to work at home based on the advice of ██████████ According to ██████████ any hours billed over the time she was either at MITRE or Bethesda may have been billed for work performed at home. ██████████ was aware that her timecards were ultimately billed to a government contract and an invoice approved by a government officer. ██████████ admitted that she was not always supporting the contract while on the internet. ██████████ said she didn't give it any thought when she was billing for that time. ██████████ agreed that the 5-6 hours a day shouldn't have billed if they weren't work related. Her supervisor did not know how much time she spent on the internet, but ██████████ was not given enough work. ██████████ thought it was enough that she was present for duty, but during periods of downtime she didn't know how to keep busy. ██████████ didn't think she was doing anything wrong because she was present and available. ██████████ didn't think about the dual compensation. ██████████ provided a sworn statement admitting to rounding the time on her timecards in her favor. [B-3]

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b. Discussion:

(1) ██████████ contract employee with MITRE, was allegedly making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC 1001.

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(2) 18 USC § 1001, False Statements: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both.

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(3) Documentary evidence obtained through [redacted] show a combined discrepancy of approximately 782 hours between hours billed and hours worked. When interviewed by INV [redacted], [redacted] admitted that she routinely rounded up on her timecards and suggested as an example that if she worked 9 hours and 25 minutes, she would bill for 10 hours. [redacted] ultimately admitted that she spent a significant amount of time on the internet, agreeing that it could have been as much as six hours per day, and that she knew she shouldn't be billing the government for time that wasn't used in support of the contract. [redacted] also agreed that she used AIN to support her activities as an Adjunct Professor for UMUC.

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(4) According to [redacted] she was authorized to work at home by her MITRE Program Manager [redacted] and stated that it was standard practice for MITRE employees to work at home when they don't have MITRE Office Space. [redacted] asserted that she often left the ICCB facility early but would work an additional 1-2 hours from home.

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b7C - IG Subject;
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(5) Though [redacted] asserted the authorization to work at home, she admitted the misconduct by confirming the government's estimate of internet usage and that it was not always related to the project; stating that she routinely rounded her time in her favor on her time sheets; and admitting to use of government time and resources to support her outside employment. [redacted] asserted that she was underemployed at ICCB and that she frequently asked for work, but did not have enough to keep busy. [redacted] assertion that she was underemployed at ICCB undermines the credibility of any assertion that she was working from home for an additional 1-2 hours when not present at either ICCB or MITRE, which suggests that the 117 hours worked outside the scope of the contract may also have been fraudulently billed.

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(6) Conclusion: The allegation that [redacted] was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC 1001 is substantiated.

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Allegation 2: That [redacted] contract employee with MITRE, knowingly caused to be presented to an employee of the US Government a fraudulent claim for payment, by billing hours to a government contract for which no service was performed in violation of 18 USC 287.

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a. Evidence.

(1) [redacted] with [redacted] showing a 117.75 hour discrepancy between hours billed to the MITRE contract and hours where [redacted] was present at her place of performance. [C-1]

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(2) Analysis of [redacted] AIN internet activity demonstrating an average of 4-6 hours per day using AIN internet for non-work related purposes, between 15 FEB 12 and 12 JUL 12. [C-2]

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(3) Analysis of [REDACTED] UMUC related internet activity demonstrating 1-2 hours per day of activity on UMUC web-based platforms from 10 MAY 12 to 18 OCT 12. [C-3]

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(3) Interview of [REDACTED], CIC/KMG, on 12 OCT 12, in which [REDACTED] related that her assessment of Ms. [REDACTED] AIN use was likely up to six hours per day, 1-2 hours of which was spent on UMUC related websites. [B-1]

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b7C - IG Subject

(4) Interview of [REDACTED] UMUC Faculty Appointments Group, on 12 OCT 12, who confirmed [REDACTED] employment with UMUC as an adjunct professor since JAN 11. [REDACTED] further confirmed that [REDACTED] had received compensation from UMUC for her work. [B-2]

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Witness

(5) Interview of [REDACTED] MITRE, on 22 OCT 12, who admitted to entering false records on her MITRE timecards by rounding up her time to the nearest hour by as much as 35 minutes, admitted to significant use of the internet on a daily basis for personal activities, and admitted to performing activities related to her outside employment while billing the government contract. [REDACTED] stated her understanding that she may bill the government for hours directly related to the project. She was not aware of a policy on use of the internet. [REDACTED] agreed that 4-6 hours a day of internet use might be accurate, but stated that she thought it was more like 2.5-3 hours a day. [REDACTED] stated during the interview that she was not aware of the general terms of her contract, and believed that she was authorized to work at home based on the advice of [REDACTED]. According to [REDACTED] any hours billed over the time she was either at MITRE or Bethesda may have been billed for work performed at home. [REDACTED] was aware that her timecards were ultimately billed to a government contract and an invoice approved by a government officer. [REDACTED] admitted that she was not always supporting the contract while on the internet when she was billing the government. [REDACTED] said she didn't give it any thought when she was billing for that time. [REDACTED] agreed that the 5-6 hours a day shouldn't have billed if they weren't work related. Her supervisor did not know how much time she spent on the internet, but [REDACTED] was not given enough work. [REDACTED] thought it was enough that she was present for duty, but during periods of downtime, she didn't know how to keep busy. [REDACTED] didn't think she was doing anything wrong because she was present and available. [REDACTED] didn't think about the dual compensation. [REDACTED] provided a sworn statement admitting to rounding the time on her timecards in her favor. [B-3]

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Witness

b. Discussion:

(1) [REDACTED] contract employee with MITRE, allegedly knowingly caused to be presented to an employee of the US Government a fraudulent claim for payment, by billing hours to a government contract for which no service was performed, in violation of 18 USC 287.

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(2) 18 USC 287, False Claims - Criminal: Any person who knowingly presents, or causes to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval, or knowingly makes, uses, or causes to be made or used, a false

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record or statement to get a false or fraudulent claim paid or approved by the Government, is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages which the Government sustains because of the act of that person.

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(3) Documentary evidence [REDACTED]

[REDACTED] show a combined discrepancy of approximately 782 hours between hours billed and hours worked. When interviewed by INV [REDACTED], [REDACTED] admitted that she routinely rounded up on her timecards and suggested as an example that if she worked 9 hours and 25 minutes, she would bill for 10 hours. [REDACTED] ultimately admitted that she spent a significant amount of time on the internet, agreeing that it could have been as much as six hours per day, and that she knew she shouldn't be billing the government for time that wasn't used in support of the contract. [REDACTED] was aware that her timecards were billed to the government at an hourly rate. [REDACTED] also agreed that she used AIN to support her activities as an Adjunct Professor for UMUC.

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(4) According to [REDACTED] she was authorized to work at home by MITRE Program Manager [REDACTED] and stated that it was standard practice for MITRE employees to work at home when they don't have MITRE Office Space. [REDACTED] asserted that she often left the ICCB facility early but would work an additional 1-2 hours from home. [REDACTED] attribute the amount of time she spent on the internet to being underemployed while on the NCIX project and asserted that she frequently asked for more work.

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(5) Though [REDACTED] asserted the authorization to work at home, she admitted the misconduct by confirming the government's estimate of internet usage and that it was not always related to the project; stating that she routinely rounded her time in her favor on her time sheets; and admitting to using government time and resources to support her outside employment concurrent with hours she was billing to the government. [REDACTED] asserted that she was underemployed at ONCIX and that she frequently asked for work, but did not have enough to keep busy. [REDACTED] assertion that she was underemployed at ICCB undermines the credibility of any assertion that she was working from home for an additional 1-2 hours when not present at either ICCB or MITRE, which suggests that the 117 hours worked outside the scope of the contract may have been fraudulently billed as well.

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(6) Conclusion: The allegation that [REDACTED] contract employee with MITRE, knowingly caused to be presented to an employee of the US Government a fraudulent claim for payment, by using falsified timekeeping documents to bill a government contract in violation of 18 USC 287 is substantiated

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Allegation 3: That [REDACTED] contract employee for MITRE, having devised an artifice to obtain money by false pretenses, transmitted by means of wire communication for the purpose of executing the scheme, false claims for payment of salary and received, via wire communications, the proceeds of the false claims for payment, in violation of 18 USC 1343.

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a. Evidence.

(1) Interview of [REDACTED] MITRE, on 22 OCT 12, who admitted to entering false records on her MITRE timecards by rounding up her time to the nearest hour by as much as 35 minutes, admitted to significant use of the internet on a daily basis for personal activities, and admitted to performing activities related to her outside employment while billing the government contract. [REDACTED] stated that she submits her payments electronically on a web-based system and receives payment via electronic fund transfer.

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b. Discussion:

(1) That [REDACTED] contract employee for MITRE, allegedly having devised an artifice to obtain money by false pretenses transmitted by means of wire communication for the purpose of executing the scheme, false claims for payment of salary and received, via wire communications, the proceeds of the false claims for payment, in violation of 18 USC 1343.

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(2) (U) 18 USC 1343. Fraud by wire, radio, or television: Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, sign, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than five years, or both.

(3) [REDACTED] admitted to entering false records on her MITRE timecards by rounding up her time to the nearest hour by as much as 35 minutes, admitted to significant use of the internet on a daily basis for personal activities, and admitted to performing activities related to her outside employment while billing the government contract. [REDACTED] then made claim for payment of these hours using a web-based timekeeping system and received payment by electronic fund transfer.

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(4) Conclusion: The allegation that [REDACTED] contract employee for MITRE, having devised an artifice to obtain money by false pretenses, transmitted by means of wire communication for the purpose of executing the scheme, false claims for payment of salary and received, via wire communications, the proceeds of the false claims for payment, in violation of 18 USC 1343 is substantiated.

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6. OTHER FINDINGS:

a. That in making false statements and claims, [REDACTED] caused approximately 665 hours of labor charges, for which no service was performed for the

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government, to be invoiced against a government contract at a rate of \$141.74 per hour between 10 MAY 11 and 18 OCT 12 and 117 hours that were performed outside the scope of the contract.

b. That [redacted] and other MITRE employees were routinely allowed to claim hours that were spent working from their homes using MITRE laptops, with little oversight or verifiable work performed for the government and contrary to the terms of the contract between ODNI and MITRE.

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c. That [redacted] by admission, was using AIN to support activities related to secondary employment with University of Maryland University College (UMUC), for which she also received compensation, and did so concurrent with hours for which the government was billed.

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7. RECOMMENDATIONS:

a. That this report be approved and a summary provided to the appropriate Contract Officer and Company representatives for action.

b. That ONCIX reevaluate Full-Time Equivalent needs for each contract and adjust contracts accordingly.

[redacted]

Investigator

Concur:

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(b)(7)(C)

[redacted]

Assistant Inspector General
For Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

*CACI
20 June 2013*

20 June 2013

MEMORANDUM FOR: AIGI Investigations

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FROM: Senior Investigator [REDACTED]

SUBJECT: IC IG Investigation 2012-052 - [REDACTED]

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1. **Agency Official:** (U//~~FOUO~~) [REDACTED] GG-11, AIN [REDACTED]
EOD [REDACTED] 2008, Resigned from ODNI on [REDACTED] 2013.

2. **Authority:** (U) 50 USC § 403-3h.

3. **Background:** (U//~~FOUO~~) The Office of the General Counsel (OGC), Office of b3
the Director of National Intelligence (ODNI), referred a possible 18 U.S.C. § 205 b6
violation to the IC IG for inquiry. Specifically, it was alleged that Mr. [REDACTED] b7C - IG Subject
an ODNI government employee, represented an Agency contractor, CACI, when
meeting with CIA officials.

(U//~~FOUO~~) The incident referred by the OGC occurred on 10 August 2012, b3
when Mr. [REDACTED] who was seeking employment as a contractor, interviewed b6
with CIA officials for a CACI contractor position. Following the interview one of b7C - IG Subject
the CIA officials questioned CIA OGC about the appropriateness of Mr. [REDACTED]
wearing an ODNI issued blue access badge while interviewing for a contractor
position. The matter was referred to ODNI OGC when it was determined that
Mr. [REDACTED] was an ODNI employee.

4. **Summary of Investigation:**

(U//~~FOUO~~) The investigation found that Mr. [REDACTED] met with CIA officials as a b3
prospective CACI employee while wearing his blue (government employee) b6
badge. In doing so, Mr. [REDACTED] a government employee, may have b7C - IG Subject
represented a third party, CACI, back to the government.

5. **Evidence:**

(U//~~FOUO~~) [REDACTED], Program Manager for CIA's Support Contractor b3
Management Program (SCMP) reported Mr. [REDACTED] interview as a possible b6
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Witness

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"ethics violation" to [REDACTED] of the CIA Office of General Counsel by email on 17 August 2012. After obtaining some additional background information from Mr. [REDACTED] Mr. [REDACTED] determined that Mr. [REDACTED] was an ODNI employee and forwarded the matter to Ms [REDACTED], Senior Associate General Counsel for ODNI, who in-turn forwarded the matter to the ICIG for investigation.

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(b)(3)

(U//~~FOUO~~) The ICIG investigator took statements from the subject; Mr. [REDACTED] the subject's supervisor; Ms. [REDACTED], ODNI Security Officer; and, Mr. [REDACTED], Human Resources Officer. Evidence obtained from these statements forms the nucleus of the following discussion section.

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6. Discussion:

(U//~~FOUO~~) During an interview on 17 October 2012, and in a written statement dated 18 October, 2012, Mr. [REDACTED] did not deny the basic facts of the allegation. He stated he sent his resume to CACI because he is looking for a contractor position to increase his income since his GG-11 salary is inadequate to support his wife and [REDACTED] children. Mr. [REDACTED] said CACI forwarded his resume to officials in CIA's DS to fill a CACI position in that office. He was interviewed by DS office officials, including Mr. [REDACTED] who reported the alleged infraction, on 10 August 2012, but no job offer was made. Mr. [REDACTED] said if he had been offered a CACI position he would resign from the government.

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(U//~~FOUO~~) Mr. [REDACTED] explained that he was not aware there was any prohibition against wearing his blue (government employee) badge when interviewing for the CACI position. He said no other option occurred to him, "I thought I had to be appropriately badged at all times while in the building." Mr. [REDACTED] added that though the interview was on a duty day, a Friday, it was not a duty day for him, "it was on my flex day."

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(U//~~FOUO~~) When asked who he consulted prior to applying for contractor positions, Mr. [REDACTED] stated that he talked with his HR representative, Mr. [REDACTED], and his security advisor, Ms. [REDACTED], about leaving the government for contractor work. Mr. [REDACTED] added that he searched the ODNI Ethics office website but "the ethics slides were for contracting officers and people involved with contracts with companies, and didn't apply to me since I don't really do anything with contracts."

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(U//~~FOUO~~) Written statements dated 19 October 2012, from Mr. [redacted] and 19 October 2012, from Ms. [redacted] confirmed that Mr. [redacted] consulted with them about changing over to contractor status. They stated that Mr. [redacted] questions of them were restricted to their realm of expertise – human resources and security matters respectively. Mr. [redacted] added that he reminded Mr. [redacted] that there were “legal/ethics” considerations when switching from government to contractor work, and suggested that Mr. [redacted] consult with Ms. [redacted] of OGC.

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(U//~~FOUO~~) Mr. [redacted] who supervised Mr. [redacted] from January 2010 through September 2012, the period in which the alleged infraction occurred, provided a statement dated 18 October 2012, indicating that Mr. [redacted] had informed him he was looking for a contractor position, but Mr. [redacted] never consulted him regarding procedures to follow when transitioning from government work to contractor work. Mr. [redacted] also stated that Mr. [redacted] official duties did not involve any contact with CACI. He added that though Mr. [redacted] was a contracting officer technical representative (COTR), his COTR responsibilities were very narrow. Mr. [redacted] “was only assigned one contract to manage. It was for one of our leased motorpool vehicles, and the company was US Auto leasing.”

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Witness

7. Conclusion: (U//~~FOUO~~) To the extent the allegation can be substantiated, it would constitute a deminimis violation of 18 U.S.C. § 205, at best. Mr. [redacted] has since left government service and ODNI no longer has jurisdiction over him. The matter does not merit a criminal referral.

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8. Recommendation: (U) Close this investigation with no further action.

[Redacted signature]

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Senior Investigator

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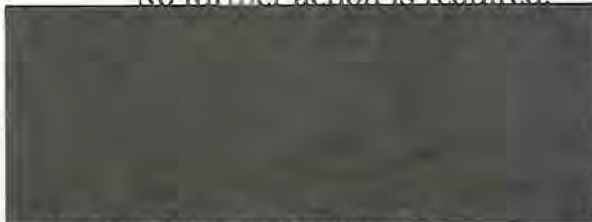
OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2012-0053 Case-Closing Memorandum

The file for case number INV-2012-0053 contains an incorrectly dated Case-Closing Memorandum. This Memorandum For The Record corrects the issue date of that document from 2 January 2013 to 31 December 2012.

No further action is required.



20 MAY 2016

Date

Assistant Inspector General,
Investigations

(b)(3)
(b)(6)
(b)(7)(C)

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

2 January 2013

MEMO FOR: AIGI [REDACTED] 2/3
FROM: INV [REDACTED]
SUBJECT: (U//~~FOUO~~) 2012-0053—MITRE Contractor Fraud

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(U//~~FOUO~~) On 13 SEP 12, the investigations division received turnstile entry/exit data and time card information for contract employees working at the ICC-Bethesda facility. Routine data analysis of time card and entry/exit turn-style data at ICC-Bethesda indicated that several MITRE employees were not present at their assigned worksite for the full period they billed the government.

(U//~~FOUO~~) On 25 OCT 12, Investigators [REDACTED] opened a preliminary inquiry into the billing practices of 5 MITRE employees who met the threshold for further investigative measures. After meeting with officials of the MITRE Corporation and interviewing the MITRE program manager with oversight of the NCIX contract employees, INVs [REDACTED] reviewed the contract, statement of work, and coordinated with the COTR.

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(U//~~FOUO~~) This inquiry determined that MITRE Corporate policy is to consider any use of MITRE infrastructure, including a MITRE laptop used at the employee's residence, as being "at MITRE" for the purpose of the contractually obligated place of performance. The original project proposal, current contract MOD, and statement of work do not reflect this interpretation of the place of performance. MITRE did not produce a policy document; representatives for MITRE asserted that there was no special agreement required between the individual employee, MITRE, or the government when an employee chooses to work at home. Several employees reported working at home and billing the contract for the time, including 117 hours by the subject of INV 2012-0051 and approximately 188 hours by [REDACTED] who was interviewed as part of this inquiry.

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b7C - IG Witness

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SUBJECT: (U//~~FOUO~~) 2012-0053—MITRE Contractor Fraud

(U//~~FOUO~~) Review of all information gathered during this preliminary inquiry indicates that there was no intentional fraud on the part of any individual related to the hours claimed for work at home. The matter appears to be a contract administration issue to be resolved between ODNI contracting officers and the MITRE contracting officer.

(U//~~FOUO~~) Effective 1 OCT 12, ODNI/MSD/Contracts notified MITRE that the work-at-home policy would not be allowed for any MITRE employee tasked to the NCIX projects. I recommend that this be referred to ODNI/MSD/Contracts to resolve any necessary adjustments to overhead expenses or previously allowed expenses and closed without further action by this office.

[Redacted Signature]

INVESTIGATOR/ICIG

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2 JAN 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT: INV 2012-0054- [REDACTED], CACI Contract Labor Mischarging

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] was not present at his assigned worksite for the full period for which he billed the government. Preliminary [REDACTED] and [REDACTED] shows that from 3 OCT 11 to 30 DEC 11 and 29 JUN 12 to 24 OCT 12, [REDACTED] billed the government for approximately 93 hours during which he was not present at his worksite. On 5 DEC 12, INV [REDACTED] opened investigation 2012-0054.

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b7C - IG Subject
b7e - IG Tech

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(U//~~FOUO~~) On 12 DEC 12, INVs [REDACTED] interviewed [REDACTED] stated that he understood CACI timekeeping policies and had received training on ethics and timekeeping from CACI. [REDACTED] also stated his understanding the CACI employees are not allowed to bill for breaks or lunch. [REDACTED] admitted that he regularly takes breaks each day, multiple times per day. [REDACTED] claimed that he thought he worked the hours he billed, and did not realize how much time his breaks totaled. He stated that he rounds his time to account for his breaks, but conceded that rounding is, by definition, not accurate. [REDACTED] specifically stated that he did not intend to defraud the government, but attributed to inattention on his part. [REDACTED] reviewed the IC IG's analysis and stated that he could not dispute the data and conceded that it was accurate.

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b7C - IG Subject

(U//~~FOUO~~) Recommend that this case be closed and referred to ODNI/MSD/Contracts and Security for action.

[REDACTED]
INVESTIGATOR

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WASHINGTON, DC 20511

3 JAN 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT: INV 2012-0055-I [REDACTED], CACI,
Contract Labor Mischarging

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] that [REDACTED] was not present at his assigned worksite for the full period for which he billed the government. [REDACTED]

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b7C - IG Subject
b7E - IG Tech

[REDACTED] and [REDACTED] shows that from 4 OCT 11 to 24 OCT 12, [REDACTED] billed the government for approximately 313 hours during which he was not present at his worksite. On 5 DEC 12, INV [REDACTED] opened investigation 2012-0055.

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(U//~~FOUO~~) On 11 DEC 12, INVs [REDACTED] interviewed [REDACTED] stated that he understood CACI timekeeping policies and had received training on ethics and timekeeping from CACI. [REDACTED] also stated his understanding the CACI employees are not allowed to bill for breaks or lunch. [REDACTED] admitted that he regularly takes breaks each day, multiple times per day. [REDACTED] claimed that he thought he worked the hours he billed, and did not realize how much time his breaks totaled. He conceded that he may have been off on his timekeeping. [REDACTED] reviewed the IC IG's analysis and stated that he did not realize he was going over by that much.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] revealed that [REDACTED] spent as much as 1.4-2.8 per day on the unclassified network using the internet for personal purpose, totaling an additional 357 hours.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) Recommend that this case be closed and referred to ODNI/MSD/Contracts and Security for action.

[REDACTED]
INVESTIGATOR

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2 JAN 12 *B. [Signature]*

(U//~~FOUO~~) MEMO FOR: AIGI [Redacted]

(b)(3)
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(U//~~FOUO~~) FROM: INV [Redacted]

(U//~~FOUO~~) SUBJECT: 2012-0056-[Redacted], TASC, Contract
Labor Mischarging

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b7C - IG Subject

(U//~~FOUO~~) [Redacted] was not present at her assigned worksite for the full period for which she billed the government.

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b7C - IG Subject
b7E - IG Tech

[Redacted] and [Redacted] shows that from 3 OCT 11 to 24 OCT 12, [Redacted] billed the government for approximately 291 hours during which she was not present at her worksite. On 5 DEC 12, INV [Redacted] opened investigation 2012-0056.

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(U//~~FOUO~~) On 17 DEC 12, INVs [Redacted] interviewed [Redacted] stated that she understood TASC timekeeping policies and had received training on ethics and timekeeping from TASC. [Redacted] also stated her understanding the TASC employees are not allowed to bill for breaks or lunch. [Redacted] admitted that her regular shift was 0700 to 1500 but that she left early every day. [Redacted] claimed that she thought she worked the hours she billed, and did not realize she was not working 8 hours per day. [Redacted] reviewed the IC IG's analysis and stated that she could not dispute the data and conceded that it was accurate. [Redacted] provided a written statement stating that she understands she was mischarging the government contract.

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b7C - IG Subject

(U//~~FOUO~~) [Redacted] of [Redacted] revealed that the subject also frequently used the internet for personal use, including on-line college courses for an additional 361 hours during the period of review. [Redacted] statement included an admission to spending time on the internet that is unrelated to the performance of her duties.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) Recommend that this case be closed and referred to ODNI/MSD/Contracts and Security for action

[Redacted]

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WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2012-0057 Case-Closing Memorandum

The file for case number INV-2012-0057 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 18 June 2012 to 18 June 2013.

No further action is required.

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[Redacted signature area]

20 MAY 2016

Date

[Redacted name]
Assistant Inspector General,
Investigations

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WASHINGTON, DC 20511

18 JUN 12

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2012-0057- [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) After further review of the preliminary inquiry, further investigation was unable to establish that [REDACTED] did not perform the work billed against the FUSION contract. [REDACTED] was allegedly authorized to work at home by [REDACTED] Senior Advisor to the IC CIO, and the relevant contract documents only establish that the TASC facility was the primary place of performance. I recommend that this case be closed without further action.

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b7C - IG Subject;
Witness

[REDACTED]

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INVESTIGATOR

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8 March 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(b)(3)
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(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2012-0058— [REDACTED])

(U//~~FOUO~~) [REDACTED] was identified [REDACTED] data at the TECH Building in [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the government on DNI Contract [REDACTED] and [REDACTED] show that from 3 October 2011 through 24 October 2012, [REDACTED] billing the government for approximately 335.75 hours during which he was not present at his worksite.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [REDACTED] was interviewed on 23 January 2013, in which the days in question were discussed. [REDACTED] was able to rectify 150.50 hours in question. The remaining 185.25 hours were still unaccounted for after the interviews. [REDACTED] admitted that the mid-day gaps that were unaccounted for during the normal lunch time were times that he went to lunch outside the building and charged the contract for that time. On 29 January 2013, [REDACTED] provided Investigator [REDACTED] with some explanations and supporting documents for an additional 42.50 hours.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] had 142.75 hours of unaccounted for time during the period of 3 October 2011 through 24 October 2012. [REDACTED] has a billing rate of \$250 per hour. The total amount of mischarging is \$35,687.50.

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b7C - IG Subject

(U//~~FOUO~~) Observation: [REDACTED] seems to be productive when he is present at work, however it appears that he was not aware that arriving late, leaving early, and taking lunch breaks are not billable to the contract.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

17 January 2013

MEMORANDUM FOR: File [REDACTED] *Scan*
FROM: Investigator [REDACTED]
SUBJECT: (U) INV-2012-0059

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[REDACTED], was directed to the IC IG for [REDACTED] billing for 602.92 hours of time in which he did not have data showing him accessing his principle place of work.

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b7C - IG Subject
b7E - IG Tech

[REDACTED] reviewed. There was nothing notable [REDACTED] Mr [REDACTED] computer activity was pulled, also nothing notable in these files.

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b7C - IG Subject
b7E - IG Tech

Upon talking to his Government Team Lead, Ms. [REDACTED], I was able to ascertain information that Mr. [REDACTED] works in other facilities in the WMA. Each day in question was confirmed with Ms. [REDACTED] that Mr. [REDACTED] was indeed in these other facilities in the days in question. Mr. [REDACTED] hours in question are 23.75 hours. We will not be looking further into these hours in question, as Mr. [REDACTED] history on the computer activity and in talking to Ms. [REDACTED] shows him to be productive and responsible in his whereabouts and professionalism.

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b7C - IG Subject;
Witness

This case is closed. The hours in question were unsubstantiated. There will be no further action taken in this matter.

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8 March 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2012-0060-[REDACTED]

(U//~~FOUO~~) [REDACTED] was identified in a [REDACTED] at the TECH Building in [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the government on DNI Contract [REDACTED]

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b7C - IG Subject
b7E - IG Tech

[REDACTED] show that from 3 October 2011 through 24 October 2012, [REDACTED] billing the government for approximately 420.50 hours during which he was not present at his worksite.

(U//~~FOUO~~) [REDACTED] was interviewed on 23 January 2013, in which the days in question were discussed. [REDACTED] was able to rectify 126.25 hours in question. The remaining 294.25 hours were still unaccounted for after the interviews.

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b7C - IG Subject;
Witness

[REDACTED] admitted that the mid-day gaps that were unaccounted for during the normal lunch time were times that he went to lunch outside the building and charged the contract for that time. On 7 February 2013, [REDACTED] provided Investigator [REDACTED] with a document of explanations and supporting documents. Unfortunately, in the document, [REDACTED] admitted 18 times that the time he billed the contract for was time that was not traceable to work related time. For the remaining explanations, [REDACTED] stated and documented his work from home hours. The work from home hours will not be credited. According to an e-mail dated 8 February 2013 from [REDACTED], Senior COTR, ODNI/IC-CIO/SP, [REDACTED] "has not requested, nor has he been given permission, to work from home."

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(U//~~FOUO~~) Finding: [REDACTED] had 294.25 hours of unaccounted for time during the period of 3 October 2011 through 24 October 2012. [REDACTED] has a billing rate of \$158 per hour. The total amount of mischarging is \$44,491.50.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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6 February 2013

(U//~~FOUO~~) MEMO FOR: AIGI [redacted] *6 Feb 2013*
(U//~~FOUO~~) FROM: Investigator [redacted]
(U//~~FOUO~~) SUBJECT: INV 2012-0061— [redacted]

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b7C - IG Subject

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(U//~~FOUO~~) [redacted] was identified [redacted] at the TECH Building in [redacted] revealed that [redacted] was not present at his assigned worksite for the full period for which he billed the government on DNI Contract [redacted] and [redacted] now that from 11 July 2012 through 24 October 2012 [redacted] billed 87.75 hours of time in which he was not present at the worksite. The total amount of the preliminary mischarging was \$12,021.75. During an interview, [redacted] admitted to billing the government for approximately 84.0 hours during which he was not present at his worksite. [redacted] has a billing rate of \$137.00 per hour. The total amount of mischarging is \$11,508.00.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [redacted] was interviewed on 6 February 2013, in which the days in question were discussed. [redacted] was able to rectify 3.75 hours in question. The remaining 84.0 hours were still unaccounted for after the interview. [redacted] admitted that the mid-day gaps that were unaccounted for during the normal lunch time appear to be consistent with times that he went to lunch outside the building and charged the contract for that time. On 12 February 2013, [redacted] sent a Lotus Note to Investigator [redacted] declaring that he would not be sending any supporting document or explanations for the descrepent hours.

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b7C - IG Subject

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(U//~~FOUO~~) Finding: [redacted] had 84.0 hours of unaccounted for time during the period of 11 July 2012 through 24 October 2012. [redacted] has a billing rate of \$137 per hour. The total amount of mischarging is \$11,508.00.

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b7C - IG Subject

(U//~~FOUO~~) Observation: [redacted] stated that he has been a contractor for two companies previously. He stated that he has always taken a lunch and always charged for the time to take lunch because "nobody ever said anything" to him before now, so he didn't think there was anything wrong with this.

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b7C - IG Subject

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INVESTIGATOR [redacted]

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6 JUN 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]
(U//~~FOUO~~) FROM: Investigator [REDACTED]
(U//~~FOUO~~) SUBJECT: INV 2013-0062— [REDACTED]

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b7C - IG Subject

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(U//~~FOUO~~) During [REDACTED] at the TECH Building in [REDACTED] the Investigations Division identified [REDACTED] AIN - [REDACTED] IC CIO, as having an excessive discrepancy between hours billed and hours present at the principal place of performance. [REDACTED] is a Cleared Solutions, Inc. employee and subcontractor to TASC on ODNI Contract [REDACTED] and [REDACTED] shows that from 29 NOV 11 through 24 OCT 12, [REDACTED] billed the government for approximately 455.75 hours during which he was not present at his worksite.

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b7C - IG Subject
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(U//~~FOUO~~) Investigators [REDACTED] interviewed [REDACTED] on 30 APR 13, during which the days in question were discussed. [REDACTED] stated that his job did not fit the "hour by hour, minute by minute paradigm", and stated that he can work at any location as long as he gets the job done. [REDACTED] admitted that he billed the contract for work performed outside the authorized place of performance, including commercial food service locations with WIFI access. [REDACTED] further stated that he was recently instructed that work at home was not permitted, and he is "... trying to adhere to it." (This may refer to a JAN 13 email from the COTR advising that no contractor may bill the contract for work performed at home.)

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b7C - IG Subject

(U//~~FOUO~~) On 16 MAY 13, [REDACTED] reiterated, by email, his belief that he is authorized to work "wherever and whenever" necessary to complete the work and claimed that it was sanctioned by [REDACTED] and [REDACTED] government employees in CIO.

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b7C - IG Subject;
Witness

(U//~~FOUO~~) ON 17 MAY 13, [REDACTED] and [REDACTED] were both questioned about [REDACTED] assertions regarding the authorization to work at offsite locations. Both [REDACTED] and [REDACTED] stated they have never authorized [REDACTED] to work from home and both first became aware of these activities only recently.

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b7C - IG Subject;
Witness

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(U//~~FOUO~~) Investigator [REDACTED] obtained entry/exit badge record data for BAH, TASC, NRO and MITRE facilities which verified that [REDACTED] had been present at those facilities during the period in question. [REDACTED] was credited with 209 hours for the periods that he reported to those facilities.

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b7C - IG Subject

(U//~~FOUO~~) Findings:

[REDACTED] has 246 of unaccounted for time during the period of November 29, 2011 through October 24, 2012, which, by admission, were performed outside the scope of the contract. [REDACTED] has a billing rate of 146.45 per hour. The estimated amount of mischarging is \$36,026.

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b7C - IG Subject

[REDACTED] may have committed a violation of 18 USC 1001, by making false statements to investigators during the 30 APR 13 interview wherein he asserted government employees had sanctioned his work habits.

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b7C - IG Subject

[REDACTED] may have committed security violations by using public access WIFI networks to perform official business on a personal computer.

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b7C - IG Subject

[REDACTED]
investigator [REDACTED]

(b)(3)
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(b)(7)(C)

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
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WASHINGTON, DC 20511

5 June 2013

(U//~~FOUO~~) MEMO FOR:

AIIG



(b)(3)
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(b)(7)(C)

(U//~~FOUO~~) FROM:

Investigator



(U//~~FOUO~~) SUBJECT: Report of Investigation, INV-2012-0063,



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b7C - IG Subject

(U//~~FOUO~~)



, AIN -



was identified



data at the TEC

Building in [redacted] Mr. [redacted] is a K2 Solutions, LLC, employee, a subcontractor to TASC on ODNI FUSION Contract [redacted] revealed that Mr. [redacted] was not present at his assigned worksite for the full period for which he billed the contract.

(b)(3)

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b7C - IG Subject
b7E - IG Tech

Mr. [redacted] show that from 3 October 2011 through 15 October 2012, Mr. [redacted] billed the government for approximately 101 hours during which he was not present at his worksite.

(U//~~FOUO~~) Mr. [redacted] accompanied by his attorney, [redacted], was interviewed on 4 April 2013. Mr. [redacted] attorney did not accompany him for the second interview on 15 May 2013, during which the possible mischarges were discussed. At the second interview Mr. [redacted] presented a two page statement addressing the discrepancies. By doing so, Mr. [redacted] was able to justify several absences as being part of his official duties and was credited with an additional 24 hours of duty time. However, the remaining 77 hours remain unaccounted for after the interviews.

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b7C - IG Subject;
3rd party

(U//~~FOUO~~) Several discrepancies that Mr. [redacted] attempted to justify as duty time were not accepted. Among them are two four-hour discrepancies that Mr. [redacted] stated he was working from home. Per a statement provided by his COTR the contract stipulates that work must be performed in a Government or contractor facility. Most notable among the remaining discrepancies were mid-day absences around noon time.

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b7C - IG Subject

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In the slightly more than one year of Mr. [REDACTED] timesheets that we reviewed there were 23 mid-day absences in excess of 30 minutes that could not be accounted for.

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b7C - IG Subject

(U//~~FOUO~~) Mr. [REDACTED] conceded that there were discrepancies that he could not account for, but did not admit to any wrongdoing. He insisted that all the remaining discrepancies could be balanced off by 'off-the-clock' service to his customer. I pointed out to Mr. [REDACTED] that that the formula used for this investigation is extremely generous in favor of the subject. It gives the subject credit for every minute spent within the turnstiles, regardless of what they are doing.

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b7C - IG Subject

(U//~~FOUO~~) **Finding:** Mr. [REDACTED] has 77 hours of mischarges during the period of 3 October 2011 through 15 October 2012. Throughout the large majority of this report period Mr. [REDACTED] had a billing rate of \$152.96 per hour. Therefore, the total amount of mischarging is at least \$11,777.92.

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b7C - IG Subject

[REDACTED]

Senior Investigator

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

4 June 2013

(U//~~FOUO~~) MEMO FOR: AIG [REDACTED]
(U//~~FOUO~~) FROM: Investigator [REDACTED]
(U//~~FOUO~~) SUBJECT: Report of Investigation, INV- 2012-0064,
[REDACTED]

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(b)(7)(C)

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED], AIN - [REDACTED] was identified [REDACTED] data at the TEC Building in [REDACTED]. Mr. [REDACTED] is a K2 Solutions LLC employee and is a subcontractor to TASC on ODNI FUSION Contract [REDACTED]. [REDACTED] revealed that Mr. [REDACTED] was not present at his assigned worksite for the full period for which he billed the contract.

(b)(3)

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b7C - IG Subject
b7E - IG Tech

[REDACTED] by Mr. [REDACTED] show that from 3 October 2011 through 24 October 2012, Mr. [REDACTED] billed the government for approximately 160 hours during which he was not present at his worksite.

(U//~~FOUO~~) Mr. [REDACTED] accompanied by his attorney, [REDACTED] was interviewed on 15 February 2013, and again on 21 February 2013, in which the possible mischarges were discussed. At that second interview Mr. [REDACTED] presented a two-page statement addressing the discrepancies. By doing so, Mr. [REDACTED] was able to justify several absences as being part of his official duties and was credited with an additional 54.5 hours of duty time. The remaining 105.5 hours remain unaccounted for after the interviews.

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b7C - IG Subject;
3rd party

(U//~~FOUO~~) Most notable among the remaining discrepancies were mid-day absences around noon time. In the slightly more than one year of Mr. [REDACTED] timesheets that we reviewed there were 65 mid-day absences in excess of 40 minutes that could not be accounted for.

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b7C - IG Subject

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(U//~~FOUO~~) Mr. [REDACTED] admitted that there are approximately 70 hours that he cannot account for and for which "I cannot produce substantiation for the hours billed." He also conceded that he had "been trained to round time submission to the nearest half-hour." He stated that error may have resulted in up to an additional 38 hours of mischarges. I pointed out to Mr. [REDACTED] that the formula for calculations used for this investigation credits him for any and all work done in excess of the time he billed; however, there were very few instances where Mr. [REDACTED] claimed less time than he billed.

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b7C - IG Subject

(U//~~FOUO~~) Mr. [REDACTED] testified that he gave extra, uncompensated service to the government by his evening and weekend service to his ODNI customer. However, there was no evidence to support that contention and, on the contrary, extensive documentary evidence of his mischarges, particularly for lunchtime breaks. He closed by stating, "to the extent that this [rebuttal] is found to be an unacceptable margin for undocumented time, I have to accept this personal responsibility and I reiterate to you my willingness to make the necessary reimbursements."

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b7C - IG Subject

(U//~~FOUO~~) **Finding:** Mr. [REDACTED] has 105.5 hours mischarges during the period of 3 October 2011 through 24 October 2012. Throughout the large majority of this report period Mr. [REDACTED] had a billing rate of \$198.56 per hour. Therefore, the total amount of mischarging is at least \$20,948.08.

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b7C - IG Subject

[REDACTED]

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Senior Investigator

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

13 March 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2012-0065—[REDACTED]

(U//~~FOUO~~) [REDACTED] was identified [REDACTED] at the TECH Building in [REDACTED] is an Adams Communication & Engineering Technology (ACET) employee and is working as a sub-contractor to TASC on ODNI Contract [REDACTED]. [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the contract. Preliminary comparison between the turnstile data and [REDACTED] submitted timecards show that from 3 October 2011 through 24 October 2012, [REDACTED] billing the government for approximately 495.75 hours during which he was not present at his worksite.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [REDACTED] was interviewed on 27 February 2013, in which the days in question were discussed. [REDACTED] was able to rectify 85 hours in question. The remaining 410.75 hours were still unaccounted for after the interviews. [REDACTED] admitted that the mid-day gaps that were unaccounted for during the normal lunch time were times that he went to lunch outside the building and charged the contract for that time. [REDACTED] also admitted to charging the contract on several occasions when he took off for entire days and billed 9.0 hours to the contract. In addition, [REDACTED] admitted to the notations on the spreadsheet which included leaving the office and charging the contract for activities such as "meeting the FIOS guy," "meeting the HVAC guy," "leaving early because parents are arriving," and several occasions to pick up his son, [REDACTED], for various reasons including to coach sports, doctor's appointments and lack of childcare. On 8 March 2013, [REDACTED] provided Investigator [REDACTED] with an explanation for an additional 4.50 hours.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] has 406.25 hours of unaccounted for time during the period of 3 October 2011 through 24 October 2012. [REDACTED] has a billing rate of \$141.73 per hour. The total amount of mischarging is \$57,577.81.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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(b)(7)(C)

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

13 March 2013
INVM-2013-0065-001

MEMORANDUM FOR: [REDACTED]
Chief, CIA/DS [REDACTED]

(b)(3)

[REDACTED]
ODNI/MSD/CONTRACTS

CC: [REDACTED]
CHIEF, ODNI/MSD/SECURITY

SUBJECT: (U) INV-2012-0065

1. (U//~~FOUO~~) The Inspector General of the Intelligence Community (IC IG) recently completed a contract labor mischarging investigation involving ODNI contractor affiliate [REDACTED] is an Adams Communication & Engineering Technology (ACET) employee and is working as a sub-contract TASC employee, working on ODNI contract number [REDACTED]. Our contact person for TASC is Mr. [REDACTED]. b3
b6
b7C - IG Subject;
3rd party
2. (U//~~FOUO~~) Our investigation substantiated contract labor mischarging. [REDACTED] admitted to submitting false and inaccurate labor hours from 3 October 2011 through 24 October 2012 for a total of 406.25 hours. [REDACTED] has a billing rate of \$141.73 per hour. The estimated total amount of mischarging is \$57,577.81. b3
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b7C - IG Subject
3. (U//~~FOUO~~) The IC IG has already notified TASC regarding our findings in this case. Please contact Mr. [REDACTED] at [REDACTED] and advise our office within 30 days regarding the proposed settlement. b3
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b7C - 3rd party
4. (U//~~FOUO~~) If you require additional information, or have any questions, please contact Investigator [REDACTED].

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[REDACTED]

Assistant Inspector General for Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

5 MAR 13

(U//~~FOUO~~) MEMO FOR: AIG [REDACTED]

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(U//~~FOUO~~) FROM: INV [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: 2012-0066-[REDACTED]

(U//~~FOUO~~) [REDACTED]
the IC IG identified people who were billing ODNI contracts f [REDACTED]
[REDACTED]

b7E - IG Tech

(U//~~FOUO~~) [REDACTED] was identified as someone with 468.75
discrepant hours. [REDACTED]
[REDACTED] 1 603 hours of non-related work on the unclassified
network. This totaled to 1,071.75 hours of discrepant time.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After [REDACTED], several phone and
email attempts were made to contact both Ms. [REDACTED] and her company's
program manager. Neither parties has returned phone calls or emails.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) Due to the lack of communication, data was accepted and a letter
to contracts and the prime contractor, TASC, has been sent.

Investigator [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2012-0067 Case-Closing Memorandum

The file for case number INV-2012-0067 contains an incorrectly dated case-closing memorandum that additionally erroneously cites to ODNI Instruction 10.34, *Office of the Inspector General of the Intelligence Community*. This Memorandum For The Record corrects the issue date of that document from February 14, 2013 to March 23, 2015 and negates the reference to ODNI Instruction 10.34.

No further action is required.



27 MAY 2016

Date

Assistant Inspector General,
Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
Washington, DC 20511

REPORT OF INVESTIGATION

February 7, 2013

CASE NUMBER: (U//~~FOUO~~) 2012-0067

SUBJECT: (U//~~FOUO~~) [REDACTED] (AIN: [REDACTED])

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b7C - IG Subject

BACKGROUND:

(U//~~FOUO~~) On 19 December 2012 the IC IG opened an investigation on [REDACTED] a TASC, Inc. contractor assigned to work in the Office of the Director of National Intelligence (ODNI). A review [REDACTED] from 17 January through 24 October 2012 revealed [REDACTED] billed for more hours than he was present at his worksite, for total absence of 463.25 hours.

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b7C - IG Subject
b7E - IG Tech

AUTHORITY:

(U//~~FOUO~~) IC IG conducted this investigation pursuant to 50 U.S.C. § 3033, *Inspector General of the Intelligence Community*, effective 7 October 2010; ODNI Instruction 10.34, *Office of the Inspector General of the Intelligence Community*, dated 22 September 2013; and *Quality Standards for Investigations*, dated 15 November 2011, set forth by the Council of the Inspectors General on Integrity and Efficiency.

APPLICABLE LAW:

(U//~~FOUO~~) 18 U.S.C. §1001, *False Statements*

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(U//~~FOUO~~) 18 U.S.C. §3729, *False Claims*

ISSUE PRESENTED:

(U//~~FOUO~~) Whether [REDACTED] mischarged labor costs from 17 January through 24 October 2012 in violation of law.

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b7C - IG Subject

ANALYSIS:

(U//~~FOUO~~) [REDACTED] was interviewed on 16 January 2013 and reported that he worked two to three hours per day from home due to workspace constraints at the Tech Building. He further explained in an email that he was never provided a dedicated desk at the government location and often had to change workstations throughout the day; and the computer equipment provided to him at Tech was not able to support the type of webinars in which he participated, or manipulate the data in his files. As a result, he used his personal computer at home to support the unclassified work that he did.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] stated that he attended meetings and conferences throughout the Washington metro area and provided dates and documentation for the ones that he could recall. This information reduced the discrepant hours from 463.25 to 224.

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b7C - IG Subject

(U//~~FOUO~~) The current and former functional leads for the SETA Cloud Computing Project were interviewed on 30 January and 1 February 2013, and expressed shock at the amount of hours that [REDACTED] claimed to work at home. They reported that [REDACTED] never requested to work from home, or mentioned working from home, except on two occasions. Although [REDACTED] was always available when needed, and would be trusted to work from home, his responsibilities did not, under any circumstances, require two to three hours of unclassified research per day.

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b7C - IG Subject

(U//~~FOUO~~) On 4 February 2013 the contracting officer's technical representative (COTR) was interviewed, and was surprised to learn that [REDACTED] was working from home since he was assigned to a classified project that required working in as SCIF. The COTR requires written requests and approvals for anyone wishing to work at home; at no time did she or any other government lead receive or grant such a request for [REDACTED]

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b7C - IG Subject

CONCLUSION:

(U//~~FOUO~~) Between 17 January and 24 October 2012, [REDACTED] charged the ODNI under the FUSION Contract for 224 hours he did not work. The evidence

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b7C - IG Subject

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used to substantiate this claim includes badge record data, email correspondence, contract time cards, weekly activity reports, interviews, and [REDACTED] own statements regarding working from home.

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b7C - IG Subject

SUBSTANTIATED ALLEGATION:

(U//~~FOUO~~) Between 17 January and 24 October 2012 [REDACTED] charged the ODNI for 224 hours he did not work in violation of law.

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b7C - IG Subject

APPROVED BY:

[REDACTED]

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Assistant Inspector General
for Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

16 July 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

[REDACTED] 2012

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(U//~~FOUO~~) FROM: Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT: INV 2013-0001 [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED], AIN [REDACTED], was identified in [REDACTED] at the Tech Building in [REDACTED]

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b7C - IG Subject
b7e - IG Tech

(b)(3)

[REDACTED] was a Celerity (whose name recently changed to [REDACTED] employee, which was a sub to the prime contractor, TASC, on ODNI Contract [REDACTED]. [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full hours for which he billed the contract. [REDACTED]

[REDACTED] show that from 17 April 2012 through 29 January 2013, [REDACTED] billed the government for approximately 184.25 hours which he was not present at his worksite.

(U//~~FOUO~~) [REDACTED] interviewed on 15 July 2013, in which the days in question were discussed. [REDACTED] was unable to account for 184.25 missing hours. He explained that he sometimes worked from home but did not tell anyone. [REDACTED] was not authorized to work from home.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] has 184.25 unaccounted hours for period from 17 April 2012 through 29 January 2013. [REDACTED] has a billing rate of \$96.93 per hour. The total amount of mischarging is \$17,859.35.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

9 May 2013

(U//~~FOUO~~) MEMO FOR:

AIGI

[Redacted] 2013

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(U//~~FOUO~~) FROM:

INV

[Redacted]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT:

2013-0002

[Redacted]

(U//~~FOUO~~) On 2 January 2013, the IC IG opened an investigation on [Redacted] regarding inaccurate time card submissions. The preliminary investigation found 301 questionable hours from 27 March 2012 through 25 February 2013.

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b7C - IG Subject

(U//~~FOUO~~) On 8 May 2013, INV [Redacted] interviewed [Redacted]. He explained that the discrepant hours were all related to working from home/offsite, as allowed by government and contractor management, until 19 March 2013, when the Contracting Officer advised that contractors were not permitted to work offsite. [Redacted] explained that some of their work could not be conducted at the government or contractor facility, because the computer program was not available at either location. After [Redacted] returned to his office following the interview, he forwarded an email from his government manager, [Redacted], which cleared stated he could work from home. INV [Redacted] also spoke with [Redacted] following the interview with [Redacted], and [Redacted] corroborated [Redacted] statements.

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b7C - IG Subject,
Witness

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(U//~~FOUO~~) I recommend that this case be closed without further action by this office.

[Redacted]
INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511-013

19 June 2013

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]
(U//~~FOUO~~) FROM: Investigator [REDACTED] b3
(U//~~FOUO~~) SUBJECT: INV 2013-0003 [REDACTED] b6
b7C - IG Subject

(U//~~FOUO~~) A [REDACTED] revealed that TASC employee, [REDACTED], was not present at her assigned worksite for the full period for which she billed ODNI contract 2006-1236415-000. [REDACTED] at [REDACTED] assigned workplace, Tech Building, and [REDACTED] found that from 9 April 2013 through 25 February 2012, [REDACTED] billed the government for approximately 180 hours during which she was not present at her worksite.

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b7C - IG Subject
b7E - IG TECH

(U//~~FOUO~~) The IC IG interviewed [REDACTED] on 27 March 2013 and allowed 20 hours for possible offsite work, which decreased the 180 discrepant hours to 160 hours. [REDACTED] admitted that she did not accurately record her time charged to the contract. [REDACTED] also admitted to spending significant time on the internet conducting personal business, including soliciting others to join her private business. The IC IG conservatively estimates that [REDACTED] spent at least two hours per day conducting private business on the internet.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] worked approximately 168 days during the time period reviewed, which equates to an additional 336 hours not worked and charged to the contract. [REDACTED] approximate personal internet usage and her inaccurately recorded 160 hours equate to 496 discrepant hours; her hourly charge to the government is \$104.05, which is a total loss of \$51,608 to the government.

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b7C - IG Subject

(U//~~FOUO~~) Recommendation: The IC IG recommends that TASC, in coordination with ODNI contracts, determine the exact loss to the ODNI, and take appropriate corrective action.

INVESTIGATOR [REDACTED] (b)(3)
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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

20 June 2013
INVM-2013-0005-001

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2013-0005 [REDACTED]

(U//~~FOUO~~) IC IG Investigations Division identified [REDACTED] (AIN
in a [REDACTED]

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b7C - IG Subject
b7E - IG Tech

b3

[REDACTED] is a TASC employee on ODNI
Contract [REDACTED] revealed that [REDACTED] was not present
at his assigned worksite for the full period for which he billed the contract. A
[REDACTED] and [REDACTED]
show that from 3 October 2011 through 25 February 2013, [REDACTED] billed the
government for approximately 342.55 hours during which he was not present at
his worksite.

(U//~~FOUO~~) On 29 March 2013, IC IG investigators interviewed [REDACTED]
regarding his questionable hours. [REDACTED] was unable to explain any of the
hours in question. He said he attends meetings at other locations but he does
not keep records or a calendar of the meetings he attends. The IC IG
investigators requested that he review his records and provide any
documentation that could explain the questionable hours.

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b7C - IG Subject

(U//~~FOUO~~) The IC IG investigation also found that [REDACTED] spent a
significant amount of time each day conducting personal business on the
internet; [REDACTED]. The majority of
this time appeared to be related to his Boy Scouts volunteer work.

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b7C - IG Subject
b7E - IG Tech

(b)(3)

[REDACTED] explained that while his contract prohibited personal internet
use, he took the [REDACTED] training each year, and believed he complied with
rules. He said he believed his internet use was reasonable because he
got his work done, and was efficient at his job, doing the work of two to
three people.

(U//~~FOUO~~) On 17 April 2013, [REDACTED] met again with an IC IG
investigator, and provided additional documentation regarding meetings
he attended away from his normal work location. The IC IG reviewed

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b7C - IG Subject

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each document provided, and credited the time explained in the documentation, which decreased [REDACTED] inaccurate hours to 291.05.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] charged the contract 291 hours which he did not work on ODNI matters from 3 October 2011 through 25 February 2013. [REDACTED] current billing rate is \$136.39 per hour, which equates to approximately \$39,689.49. This estimate does not include [REDACTED] inaccurate charges for spending significant time each day conducting personal business on the internet, which should be considered when determining the total loss to the government.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

11 2013

19 APRIL 2013

(U//~~FOUO~~) MEMO FOR:

AIG/

[Redacted]

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(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM:

Investigator

[Redacted]

(U//~~FOUO~~) SUBJECT:

INV 2013-0006-

[Redacted]

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b7C - IG Subject

(U//~~FOUO~~)

[Redacted], AIN

was identified

[Redacted]

at the

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b7C - IG Subject
b7E - IG Tech

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Tech Building in [Redacted] is a Maveric LLC employee and is working as a sub-contractor to MOD2 who is a sub-contractor to TASC on ODNI Contract [Redacted]. [Redacted] revealed that [Redacted] was not present at his assigned worksite for the full period for which he billed the contract.

[Redacted] and [Redacted] show that from 17 April 2012 through 17 September 2012, [Redacted] billing the government for approximately 207.50 hours during which he was not present at his worksite.

(U//~~FOUO~~) [Redacted] was interviewed on 14 March 2013, in which the days in question were discussed. [Redacted] was able to rectify 38.75 hours in question. The remaining 168.75 hours were still unaccounted for after the interviews. [Redacted] did not provide any explanation for mid-day gaps that were unaccounted for and remained steadfast in his position that there were in fact meetings that could be driven to and had within a 12 minute time span. [Redacted] explained further that he would be approached as he was leaving and remain in the parking lot for 13 minutes, however did not provide documentation or reference of any such meetings. [Redacted] also offered the explanation that his time discrepancies were because of meetings at other IC buildings.

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b7C - IG Subject
b7E - IG Tech

[Redacted]

(U//~~FOUO~~) On 8 APRIL 2013, [Redacted] was interviewed for a second time regarding his improper use of the internet on a government

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b7C - IG Subject

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computer. During that interview, [REDACTED] admitted to sending sexually explicit e-mails to his wife while using a government computer and billing the government contract for that time.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] has 168.75 hours of unaccounted for time during the period of 17 APRIL 2012 through 17 SEPT 2012. [REDACTED] has a billing rate of \$145.00 per hour. The total amount of mischarging is \$24,468.75.

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b7C - IG Subject

(U//~~FOUO~~) Finding: This matter is also being referred to Security as a CounterIntelligence concern due to his activity on the internet related to his position as a Cyber Security representative.

INVESTIGATOR [REDACTED]

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

[REDACTED]

(b)(3)
(b)(6)
(b)(7)(C)

13 MAY 2013

(U//~~FOUO~~) MEMO FOR:

(U//~~FOUO~~) FROM:

Investigator [REDACTED]

(U//~~FOUO~~) SUBJECT:

INV 2013-0007-[REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) This office identified [REDACTED]

at the Tech Building in

[REDACTED] is a GENERAL DYNAMICS employee working as a contractor on ODNI Contract [REDACTED]

[REDACTED] was not working for the full period for which she billed the contract.

[REDACTED] shows that from 3 OCT 2011 through 24 OCT 2012, [REDACTED] billed the government for approximately 272.75 hours during which she was working.

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b7C - IG Subject
b7E - IG Tech

(b)(3)

(U//~~FOUO~~) [REDACTED]

[REDACTED], the IC IG found that [REDACTED] spent nearly the entire day on AIN shopping, watching YouTube videos, and chatting on personal emails. For a one year period there are:

[REDACTED]

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b7C - IG Subject
b7E - IG Tech

This data represents activity not related to the work for which she charged the government, and does not account for the time that she left work early and improperly billed the contract. When this office interviewed [REDACTED] on 9 May 2013, she described her role on the Capitol Area Network (CAPNET) team as hectic, busy, and always tasked.

(U//~~FOUO~~) [REDACTED] Program Manager for [REDACTED], was interviewed on 25 APR 2013. [REDACTED] explained that [REDACTED] worked on CAPNET under the PYRAMID contract from May 2011 to February 2013, most currently working on the iS2 contract, still within CAPNET. One person is expected to be on-call each week for four hours. If, during an on-call week, that employee works over four hours, they may bill the contract accordingly.

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b7C - IG Subject;
Witness

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(U//~~FOUO~~) [REDACTED] was interviewed on 9 MAY 2013, and the days in question were discussed. [REDACTED] explained the scheduling and on-call practices of the contract much differently than [REDACTED]. [REDACTED] stated that no team member of CAPNET had a set schedule. Rather, as long as someone was at the Tech building to answer the support line, it did not matter when each team member came or left work.

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b7C - IG Subject

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(U//~~FOUO~~) Regarding [REDACTED] billing for on-call weeks, she stated that each team member billed eight hours to the contract when on-call. She also stated that on-call hours were billed under a different billing code. She said that team members were no longer allowed to bill for their on-call weeks and were not allowed over time any longer. [REDACTED] shows that [REDACTED] billed eight hours every two weeks not under a separate billing code, but as overtime.

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b7E - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [REDACTED] said that they were given blackberries and pagers for the entirety of the time they served the contract. According to her, CAPNET team members were only on-call every two weeks, which did not matter since she received phone calls on her personal cell phone from all of the staff members at all hours of the night regardless of who was on call. When asked to specify who called her and when, she only offered, "some Hill customers have my personal cell phone where they contact me as well as an agency issued blackberry." She did not offer specific times or dates when this occurred.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] indicated that although there is a tracking database for support calls, no one utilized the database in practice. She also stated that there is no way to provide any documentation that she was working with any Hill staff member when she was unaccounted for at work.

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b7C - IG Subject

(U//~~FOUO~~) During the interview, [REDACTED] admitted that she left work early, and shopped on the computer every day at multiple sites. While [REDACTED] admitted that she had these habits, she denied knowing these were unallowed practices. Furthermore, she insisted that she worked from home via her cell phone every pay period.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] said in a written statement: "During Oct 2011 to Oct 2012, I did not go to shopping websites, YouTube, pinterst, facebook, and twitter...I was not aware that I was not able to actually checkout and purchase things at work...I left work early but given the nature of my job even after I leave work I still make phone calls to Hill customers and pages I have to follow up on." Throughout the interview, [REDACTED] repeatedly stated that she "understood where [the investigator] was coming from" and wanted the investigators to know she "didn't do this with any malice." She also stated, "It's upsetting because I know I did it...and it's not who I am." The investigation found that 272.75 hours were still unaccounted for after the interview.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] has 272.75 hours of unaccounted for time during the period of 11 OCT 2011 through 24 OCT 2012. [REDACTED] has a billing rate of \$102.83 per hour. The total estimated amount of mischarging is \$28,046.88.

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b7C - IG Subject

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INVESTIGATOR

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UNCLASSIFIED//~~FOUO~~

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

8 March 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: INV [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: 2013--0008-[REDACTED]

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(U//~~FOUO~~) On 21 February 2013, the IC IG opened an investigation on [REDACTED] due to nine hundred sixteen discrepant hours [REDACTED]. Correspondence between INV [REDACTED] and Lead Program Manager for SAIC, [REDACTED], show that [REDACTED] was allowed to work from home through the COTR, [REDACTED].

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b7C - IG Subject;
Witness
b7E - IG Tech

(U//~~FOUO~~) In reviewing the contract on which [REDACTED] was under, the IC IG found that working from home is not permissible. Furthermore, the Contracts Office maintains that the interpretation of the contract in no way allows or accounts for employees working from home. As such, no modifications were made to the contract to allow for [REDACTED] absences.

(U//~~FOUO~~) However, it was clear that [REDACTED] went above and beyond his scope of work to fulfill not only his goals, but the mission of CHCO. The following findings lay out the case for closure:

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b7C - IG Subject

(U//~~FOUO~~) The COTR for CHCO, [REDACTED], not only allowed [REDACTED] to work from home, but frequently praised him for "doing what he has to" in order to achieve outcomes and objectives in terms of the CHCO mission. His government lead, [REDACTED], gave [REDACTED] express permission to work from home. The Chief of Staff, [REDACTED] also gave [REDACTED] permission to work from home. In one email obtained by the IC IG, [REDACTED] told [REDACTED] that she and [REDACTED] were checking with the contract to make certain he could work from home and was sure it was not a problem. Understandably, because of the number of government personnel that allowed his working from home, [REDACTED] was under the impression he was not doing anything wrong or out of scope.

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b7C - IG Subject;
Witness

(U//~~FOUO~~) Each person interviewed stated that everyone on the contract including government personnel was aware of [REDACTED] working from home

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b7C - IG Subject

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and did not have a problem with it. Specifically, those who worked directly with him stated that they spoke with him frequently while at home about work.

(U//~~FOUO~~) [REDACTED] was awarded a Letter of Appreciation for his work on the contract. He was given numerous compliments from his supervisors during the course of the investigation. Furthermore, every person interviewed in the investigation praised [REDACTED] work ethic, and his ability to produce quality deliverables in a hectic environment.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED]

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[REDACTED]
INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

10 July 2013

(U//~~FOUO~~) MEMO FOR: AI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2013-0010 [REDACTED]

(U//~~FOUO~~) [REDACTED], was identified in [REDACTED] at the Bethesda Facility in [REDACTED]. [REDACTED] is a Tasc employee (sub to General Dynamics) on ODNI Contract [REDACTED]. [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the contract. [REDACTED] show that from 15 Feb 2012 through 14 June 2012, [REDACTED] billed the government for approximately 200 hours during which he was not present at his worksite.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [REDACTED] was interviewed on 4 March 2013, in which the days in question were discussed. [REDACTED] admitted that he charged hours which he did not work. He said he charged the government for time in which he attended job fairs, interviewed for other jobs, and took extended lunch breaks. [REDACTED] accounted for some discrepant hours for offsite meetings, which decreased his discrepant hours to 140. [REDACTED] admitted that he mischarged his hours since 2009; however, prior to 15 Feb 2012, he worked at a building without turnstiles. [REDACTED] charged an average of approximately 8.24 hours per week; 8.24 hours from 01 January 2009 through 14 June 12 equates to 1,771.6 hours.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] charged an average of approximately 8.24 hours per week from 01 January 2009 through 14 June 12, which equates to 1,771.6 hours. [REDACTED] has billing rate of \$116.45 per hour, which equates to \$206,302.

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b7C - IG Subject

INVESTIGATOR [REDACTED]

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Office of the Inspector General of the Intelligence Community
Investigations Division
WASHINGTON, DC 20511

28 March 2013
INVM-2013-0012-001

MEMORANDUM FOR: Hon. Dave Buckley, Inspector General
Central Intelligence Agency

SUBJECT: (U) INV 2013-0012 and INV 2013-0013
(Corrected IV #s)

(U//~~FOUO~~) The IC IG Investigations Division has conducted overtime reviews of ODNI employees as part of ongoing proactive investigative activities. During an initial probe, two CIA employees were misidentified as ODNI employees. The CIA employees are [redacted] (AIN: [redacted] and [redacted] (AIN: [redacted]

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b7C - IG Subject

(U//~~FOUO~~) [redacted] possible timecard mischarging. However, once we became aware of their CIA affiliation, we discontinued any further investigative action. The initial discrepant hours without any mitigation were 186.5 hours from July 2012 through December 2102 for Mr. [redacted] and 46.0 hours for Ms. [redacted]

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) We will forward copies of our initial analysis of [redacted] to your office separately via classified email.

b7E - IG Tech

(U//~~FOUO~~) Please direct any questions regarding this memorandum or related actions to [redacted] at [redacted].

[redacted signature block]

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Assistant Inspector General for Investigations

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Office of the Inspector General of the Intelligence Community
Investigations Division
WASHINGTON, DC 20511

28 March 2013
INVM-2013-0012-001

MEMORANDUM FOR: Hon. Dave Buckley, Inspector General
Central Intelligence Agency

SUBJECT: (U) INV 2013-0012 and INV 2013-0013
(Corrected IV #s)

(U//~~FOUO~~) The IC IG Investigations Division has conducted overtime reviews of ODNI employees as part of ongoing proactive investigative activities. During an initial probe, two CIA employees were misidentified as ODNI employees. The CIA employees are [redacted] (AIN: [redacted] and [redacted] (AIN: [redacted]

b3
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b7C - IG Subject

(U//~~FOUO~~) [redacted] possible timecard mischarging. However, once we became aware of their CIA affiliation, we discontinued any further investigative action. The initial discrepant hours without any mitigation were 186.5 hours from July 2012 through December 2102 for Mr. [redacted] and 46.0 hours for Ms. [redacted]

b3
b6
b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) We will forward copies of our initial analysis of the [redacted] to your office separately via classified email.

b7E - IG Tech

(U//~~FOUO~~) Please direct any questions regarding this memorandum or related actions to [redacted] at [redacted].

(b)(3)
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[redacted signature]

Assistant Inspector General for Investigations

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Office of the Inspector General of the Intelligence Community
Investigations Division
WASHINGTON, DC 20511

26 DEC 13

(U//~~FOUO~~) MEMORANDUM FOR RECORD [Corrected Copy]*

(U//~~FOUO~~) SUBJECT: 2013-0014- [REDACTED] AIN [REDACTED]
NCTC/DI/AQSEQ [REDACTED]

(b)(3)

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b7C - IG Subject

(U//~~FOUO~~) This investigative file is closed. The Investigations Division discovered sufficient evidence to find that [REDACTED] entered false and inaccurate timekeeping information into the [REDACTED] database. [REDACTED] However, the minimal financial return anticipated by the agency does not merit further expenditure of ICIG resources or man-hours.

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b7C - IG Subject

(U//~~FOUO~~) This case is referred to the employee's management for disposition.



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(b)(7)(C)

Assistant Inspector General
For Investigations

* Effective 13 January 2015, this document supersedes and replaces "Memorandum For Record" regarding case 2013-0014 with same subject and date.

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

26 DEC 13

(U//~~FOUO~~) MEMO FOR RECORD

(U//~~FOUO~~) SUBJECT: 2013-0014-1 [REDACTED] AIN: [REDACTED]
NCTC/DI/AQSEO

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b7C - IG Subject

(U//~~FOUO~~) This investigative file is closed. The Investigations Division has sufficient evidence to find that [REDACTED] entered false and inaccurate timekeeping information into the [REDACTED] database. However, due to the extensive delay in obtaining an initial legal sufficiency review and the unnecessarily detailed comments from the IC IG counsel, many of which were administrative or otherwise non-legal in nature, the completion of this investigation has been delayed beyond the point of fairness to the employee, who should expect swift resolution of the matter. Combined with the minimal financial return anticipated by the agency, this case does not merit further expenditure of resources or man-hours.

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b7C - IG Subject

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(U//~~FOUO~~) This case is referred to the employee's management for disposition.

[REDACTED]

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Assistant Inspector General
For Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20515

(U//~~FOUO~~) MEMO FOR:

AIGI

[REDACTED]

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(b)(7)(C)

21 JUN 13

(U//~~FOUO~~) FROM:

Investigator

[REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT:

INV 2013-0015—

[REDACTED]

(b)(3)

(U//~~FOUO~~) [REDACTED] at the TECH Building in [REDACTED], the Investigations Division identified [REDACTED], AIN - [REDACTED] and [REDACTED] during this review period, as having an excessive discrepancy between hours billed and hours present at the principal place of performance. [REDACTED] was an SAIC employee on ODNI Contract [REDACTED] and -020. Preliminary comparison between the turnstile data and [REDACTED] submitted timecards shows that from 4 JAN 12 through 31 OCT 12, [REDACTED] billed the government for approximately 130.25 hours during which he was not present at his worksite.

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b7C - IG Subject
b7E - IG Tech

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(U//~~FOUO~~) Investigators [REDACTED] and [REDACTED] interviewed [REDACTED] on 21 JUN 13, during which the days in question were discussed. [REDACTED] admitted that he took breaks and lunches during the day and occasionally left early without amending his timecard. [REDACTED] could not account for three full day absences and noted that he'd offered to SAIC to take personal leave to make up for those days.

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] further admitted that he had used agency unclassified IT systems to support two outside activities: a volunteer position with Concerned Veterans of America, and a paid position as an adjunct professor at Trinity DC University where he taught international relations and other courses. [REDACTED] did not recall submitting a Form 879 Outside Activities Request. A records search failed to identify any Form 879s submitted by [REDACTED] as required by AR 10-15.

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b7C - IG Subject

(U//~~FOUO~~) Findings:

[REDACTED] has 130.25 hours of unaccounted for time during the period of 4 JAN 12 through 31 OCT 12. [REDACTED] has an average billing rate of \$161.22 per hour. The estimated amount of mischarging is \$20,998.

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b7C - IG Subject

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██████ Violated AR 10-15 *Outside Activities*, by failing to submit an outside activities request for each instance of employment or group activity in which he was participating during his employment at ODNI.

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b7C - IG Subject

████████████████████
Investigator

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

23 MAY 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED] 2013
(U//~~FOUO~~) FROM: INV [REDACTED]
(U//~~FOUO~~) SUBJECT: 2013-0016-[REDACTED]-Suspected T&A Fraud

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b7C - IG Subject

(U//~~FOUO~~) On 2 MAR 13, the IC IG opened an investigation on [REDACTED] as a result of [REDACTED] a potential 166.75 hours charged for time where [REDACTED] was not present at the TECH facility.

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b7C - IG Subject
b7E - IG Tech

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(U//~~FOUO~~) On 23 APR 13, Investigator [REDACTED] referred the matter to [REDACTED] for internal review. [REDACTED] responded on 8 May 13, indicating that they had conducted a thorough review and provided an assessment that the hours were properly billed to the contract.

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(U//~~FOUO~~) Investigator [REDACTED] interviewed [REDACTED], Chief, Data Security and Integration Group, who was the government lead for [REDACTED] for the majority of the period in question. On 20 MAY 13, [REDACTED] informed Investigator Clark that [REDACTED] was instrumental to her transition into her current position. According to [REDACTED] [REDACTED] frequently accompanied her to meetings throughout the Washington Metro Area, and that it was not unusual to schedule meetings with start times at 0700 or 1700.

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b7C - IG Subject;
Witness

(U//~~FOUO~~) [REDACTED] told [REDACTED] to claim mileage for use of his personal vehicle, but stated that he never did. According to [REDACTED] [REDACTED] also did several projects at home after hours without being asked to do so by any government official. [REDACTED] stated that she did not address this issue because, in her opinion, the working conditions at TECH are so poor that the contractors have difficulty working there on complex engineering projects.

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b7C - IG Subject;
Witness

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(U//~~FOUO~~) Investigator [REDACTED] was able to identify 19.5 hours in mid-day gaps that were clearly not long enough to have travelled to another location and conduct meaningful work, and therefore are more than likely lunch breaks.

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(U//~~FOUO~~) Because of the likelihood that further investigation would produce negligible results, Investigator [redacted] decided not to [redacted]

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b7C - IG Subject
b7E - IG Tech

[redacted] review of the 19.5 hours noted above.

(U//~~FOUO~~) Recommend this case be closed with no further action by this office with a referral to the appropriate Information System Security Officer to review the assertion by [redacted] that [redacted] was producing software at home for use on ODNI systems.

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b7C - IG Subject;
Witness

[redacted]

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INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

1 April 2013
INVM-2013-0024-001

(U//~~FOUO~~) MEMO FOR: AIG [REDACTED]

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2013-0024-[REDACTED]

(U//~~FOUO~~) On February 28, 2013, the IC IG received a complaint from [REDACTED] stated that he had received a complaint from [REDACTED] that a [REDACTED] was not working her allotted hours. He requested the help of the IC IG. After initial review, it was found that [REDACTED] had discrepant hours.

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b7C - IG Subject;
Witness

(U//~~FOUO~~) [REDACTED] was interviewed on 11 MAR 2013. He explained that while he felt that [REDACTED] was well-intentioned, her discrepant hours were not surprising. He provided context: [REDACTED]

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b7C - IG Subject;
Witness

[REDACTED] at ODNI. In the beginning of the year, a permanent position became available to which she applied. She was subsequently turned down for the permanent position and remains in an acting role. She was turned down based on her inability to provide insight as to why she was the strongest candidate, exuded an entitled air without justification, and clearly had not prepared for the interviewing process. [REDACTED] felt that due to the rejection, as well as the reasons for the rejection, her discrepant hours were not unexpected.

(U//~~FOUO~~) [REDACTED] Analysis showed that [REDACTED] frequently arrives late, leaves early, takes several coffee and "walking" breaks throughout the day lasting between fifteen and forty-five minutes, as well as spending extensive periods on [REDACTED] chatting with coworkers regarding non-work related matters. (b)(3)

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) On 12 MAR 2013, the [REDACTED] who originally complained were interviewed. They stated that [REDACTED] at an open desk

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b7C - IG Subject;
Witness

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space in the NCTC. [REDACTED] was required to work nine and half (9.5) hour shifts, as were they. However, they noticed that for "a while now" [REDACTED] was coming to work later than they were and leaving earlier than they were. [REDACTED] would routinely tell them she was leaving early, on some occasions via [REDACTED] asking after, "Am I bad?" and saying, "Don't judge me!" The [REDACTED] (b)(3) stated they told [REDACTED] to stop shorting her hours on two occasions. She continued to leave early and come in late, saying she would make it up. On the last occasion the [REDACTED], [REDACTED] confronted them as she was leaving early and asked if they were "going to tell anybody."

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b7C - IG Subject;
Witness

(U//~~FOUO~~) [REDACTED] was interviewed on 22 MAR 2013. [REDACTED] was able to rectify 24 hours in question. There was a remaining one hundred ninety-five point eight five hours (195.85h). [REDACTED] admitted that she routinely leaves between one and two hours early, admitting that it was a pattern for her. [REDACTED] felt a lot of her "lax" behavior was due to resentment she felt for being paid less than everyone in her office, and being passed over for a permanent position within the NCTC. One complainant in the matter, a colleague of [REDACTED] however, stated that he noticed the lack of timekeeping well before [REDACTED] was passed over for the permanent position. She also offered that she was "just following [her] coworkers."

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b7C - IG Subject

(U//~~FOUO~~) In a written statement, [REDACTED] wrote: "I take complete responsibility for my actions and I thoroughly apologize. I am glad this was brought to my attention and will never allow this to happen again. I never intended for this to happen. This all occurred changing and adapting from shift work (12.5 hour) shifts to 9.5 hour shifts based on an AWS schedule changing jobs as an operations officer to an intelligence account manager."

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b7C - IG Subject

(U//~~FOUO~~) [REDACTED] also signed a statement saying: "I, [REDACTED] knowingly falsified my timecards to reflect hours worked that I did not. Between December 5, 2011 and March 5, 2013 I inaccurately recorded one hundred ninety-five point eight five hours as time worked when I was not working."

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b7C - IG Subject

(U//~~FOUO~~) Throughout the interview, [REDACTED] was concerned with losing her clearance or her job, as well as comparing herself to other investigations. She seemed disinterested in proving that she had not falsified timecards.

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b7C - IG Subject

(U//~~FOUO~~) On 26 MAR 2013, [REDACTED] was interviewed for a second time at her request. [REDACTED] stated that she restated that she was "definitely not 100% innocent" and that her career is "[her] life," offering that it was "irresponsibility" on her part that lead to the discrepant hours. She offered to pay back the money or have leave taken from her pay. During the second interview, discrepant time was lowered by fifty-four point four hours.

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b7C - IG Subject

(U//~~FOUO~~) Finding: [REDACTED] has one hundred forty-one point four five hours (141.45h) of falsified timecards and pay between 5 DEC 2011 and 5 MAR 2013.

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b7C - IG Subject

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[REDACTED] is a GS-12 step 2. The total amount of falsified time equals five thousand [REDACTED] three dollars and sixty-five cents (\$5,233.65).

Investiga

[REDACTED]

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b7C - IG Subject

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

26 November 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2013-0025 [REDACTED]

(b)(3)
(b)(6)
(b)(7)(C)

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b7C - IG Subject

(U//~~FOUO~~) On 19 March 2013 the IC IG opened an investigation on [REDACTED] due to 1,352.78 discrepant hours [REDACTED]. On 19 June 2013, the IC IG [REDACTED] reducing the number of discrepant hours to 622.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) On 22 November 2013, the IC IG interviewed [REDACTED] who stated that most of the work he did required work at non-governmental facilities. Furthermore, he stated that before guidance on the place of performance for contractors—namely that contractors were required to work from government facilities—[REDACTED] maintained a VPN token and worked from outside of government facilities with the approval and encouragement of his Government Lead. On 25 November 2013, the IC IG conducted a telephonic interview with [REDACTED], the government lead for [REDACTED] stated that the majority of [REDACTED] work required him to be away from government facilities and that he encouraged [REDACTED] to work on weekends and at night. [REDACTED] stated that when the guidance regarding place of performance was put out, his mission was made substantially more difficult by [REDACTED] inability to work around the Washington Metro Area.

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b7C - IG Subject;
Witness

(U//~~FOUO~~) [REDACTED] had six hundred twenty two discrepant hours. He was therefore absent from government facilities twelve percent of the time. [REDACTED] government lead has stated that he felt [REDACTED] worked well over the amount of time he billed and that he would be comfortable stating that more than twelve percent of [REDACTED] work hours were outside of government facilities.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

28 AUG 2013
INVM-2013-0026-002

MEMORANDUM FOR: Mark Ewing
Chief Management Officer

SUBJECT: (U) INV-2013-0026

- 1. (U//~~FOUO~~) The Inspector General of the Intelligence Community (IC IG) Investigations Division recently completed a contract labor mischarging case involving the following ODNI contractor employee:

NAME: [REDACTED]
 SSN: [REDACTED]
 AIN: [REDACTED]
 ICEmail: [REDACTED]
 Prime Contractor: TASC
 Sub-Contractor: LGS
 Contract Number: [REDACTED] (b)(3)
 Contractor Contact: [REDACTED] (b)(3)

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b7C - IG Subject

- 2. (U//~~FOUO~~) Our investigation substantiated contract labor mischarging. [REDACTED] submitted false and inaccurate labor hours from 1 OCT 2011 through 8 MAR 2013 for a total of approximately 292.69 hours. [REDACTED] has a billing rate of \$152.72 per hour. The estimated total amount of mischarging is approximately \$44,699.62.

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b7C - IG Subject

- 3. (U//~~FOUO~~) The IC IG has already notified LGS regarding our findings in this case. ODNI Contracts Group should contact [REDACTED], and advise [REDACTED] our office within 30 days regarding the proposed settlement.

(b)(3)

- 4. (U//~~FOUO~~) If ODNI Contracts Group requires additional information, or has any questions, they can contact Investigator [REDACTED]

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[REDACTED]

Assistant Inspector General for Investigations

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

31 July 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM: INV [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: 2013-0027 [REDACTED]

(U//~~FOUO~~) On 21 March 2013, the IC IG opened an investigation on [REDACTED] due to six hundred thirty eight discrepant hours [REDACTED] over the course of two and half years. On 20 June 2013, the IC IG [REDACTED] reducing the number of discrepant hours to thirty.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[REDACTED]

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INVESTIGATOR

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WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0028 Case-Closing Memorandum

The file for case number INV-2013-0028 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 19 June 2012 to 19 June 2013.

No further action is required.



(b)(3)
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(b)(7)(C)

20 May 2016

Date

Assistant Inspector General,
Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
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WASHINGTON, DC 20511

19 JUN 12

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2013-0028-[REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) After review of the preliminary inquiry, further investigation was unable to establish that [REDACTED] did not perform the work billed against the FUSION contract. [REDACTED] worked at multiple places of performance during the review period and was frequently in attendance at meetings at facilities [REDACTED]

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b7C - IG Subject
b7E - IG Tech

[REDACTED] reduced the preliminary hours from 530 to 140 hours. I recommend that this case be closed without further action.

[REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
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WASHINGTON, DC 20511

9 JULY 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(b)(3)
(b)(6)
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(U//~~FOUO~~) FROM: Investigator [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT: INV 2013-0029-[REDACTED]

(U//~~FOUO~~) [REDACTED] AIN [REDACTED] was identified in [REDACTED] at the LX Building in [REDACTED].

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b7C - IG Subject
b7E - IG Tech

(b)(3)

[REDACTED] is the owner of Obduro Corp LLC and is a subcontractor to HPTI on ODNI Contract 2010-1152431-000. [REDACTED] revealed that [REDACTED] was not present at his assigned worksite for the full period for which he billed the contract.

[REDACTED] and [REDACTED] show that from 3 OCT 2011 through 29 MAR 2013, [REDACTED] billed the government for approximately 1,164.41 hours during which he was not present at his worksite.

(U//~~FOUO~~) [REDACTED] was interviewed on 26 JUN 2013 during which the days in question were discussed. [REDACTED] was not able to reconcile the hours in question. [REDACTED] and the investigators also discussed [REDACTED] computer usage involving what appears to be the scheduling of casual sex encounters on a well known free sex web site while charging the government. Initially [REDACTED] insisted that someone at the ODNI was hacking his computer to use it for these sexual encounter websites, offering that he has experienced "MySpace identity theft." Despite repeated and intentionally false statements from [REDACTED] he eventually admitted that he spent the greater portion of the interview misleading or lying to the investigators. [REDACTED] confessed that he visited casual sex encounter websites and emailed potential partners throughout his entire tenure at ODNI. He stated that he used the websites and emails as an outlet. The 1,164.41 discrepant hours were still unaccounted for after the interview. Investigators from the IC IG asked that [REDACTED] return for a second interview. During the time period between interviews, the investigators asked that [REDACTED] to gather any documents or other evidence to mitigate discrepant hours.

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b7C - IG Subject

(U//~~FOUO~~) On 26 JUN 2013, [REDACTED], Government Lead for [REDACTED] stated that at most, [REDACTED] works from corporate headquarters four hours per

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b7C - IG Subject;
Witness

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b7C - IG Subject;
Witness

week. [redacted] also stated that the team meets on Friday mornings at a diner. After accounting for those hours, [redacted] was still discrepant by 739 hours.

(U//~~FOUO~~) On 9 JUL 2013, [redacted] was interviewed for a second time. [redacted] confessed that due to undocumented medical reasons, he often left early or arrived late to work. [redacted] admitted that he worked from home without direct approval and out of scope of the contract while working fewer hours than he billed. He said that time keeping was not a priority for him during the time period in question and explained that he did not have leave to take in the case of medical issues, because he is the owner of the company. In a written statement, [redacted] said, "I sincerely apologize for all discrepant hours charged...there were days I simply was exhausted and in such pain that I either left early or came in late...I agree with investigator [redacted] calculations and I truly did not realize it added up to that amount."

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b7C - IG Subject

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(U//~~FOUO~~) On 6 August 2013, the IC IG received additional information that indicated [redacted] was not present at his work station for the amount of time he charged during the months of April through July. Further analysis showed that the data was inaccurate and [redacted] discrepant hours for the second time period were not significant enough to warrant an extension of the investigation.

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b7C - IG Subject

(U//~~FOUO~~) After the final interview on 9 July 2013, [redacted] recanted his statement. On 22 August 2013, [redacted] wrote a second statement. [redacted] restates that, because of his lack of a station at his workplace, his hours would be discrepant. However, in this statement, he contends that because his charged hours were approved by the prime contractor, and subsequently the government, any discrepant hours are the fault of the government's, not time and attendance fraud.

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b7C - IG Subject

(U//~~FOUO~~) [redacted] used USG systems to market himself on casual sex encounter websites, make arrangements to engage in casual sex during business hours, and seek out sexual partners for his wife. The IC IG maintains in evidence [redacted] s); and [redacted] confession that he engaged in the conduct during his entire tenure at ODNI.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) [redacted] has 739 hours of unaccounted for time during the period of 03 OCT 2011 through 29 MAR 2013. He has a billing rate of \$179.04 per hour. The total approximate amount of mischarging is \$132,310.56.

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b7C - IG Subject

(U//~~FOUO~~) Additionally, [redacted] repeatedly lied to the Intelligence Community Inspector General's office throughout the investigation. His subsequent recantations regarding his admissions were not credible and appeared to have been coached by a third person. As a result, he has likely violated 18 USC §1001.

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b7C - IG Subject

INVESTIGATOR [redacted]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0030 Case-Closing Memorandum

The file for case number INV-2013-0030 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 18 June 2012 to 18 June 2013.

No further action is required.

(b)(3)
(b)(6)
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20 MAY 2016

Date

Assistant Inspector General,
Investigations

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

18 JUN 12

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2013-0030-[REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) After further review of the preliminary inquiry, further investigation was unable to establish that [REDACTED] did not perform the work billed against the FUSION contract. [REDACTED] was authorized to work at home by [REDACTED], COTR, ODNI/SRA for at least 40 hours. [REDACTED] worked in multiple locations, including approximately 20% of his time at [REDACTED] facilities without consistent badge access data. I recommend that this case be closed without further action.

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b7C - IG Subject;
Witness

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[REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
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WASHINGTON, DC 20511

11 APR 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED] 2013
(U//~~FOUO~~) FROM: INV [REDACTED]
(U//~~FOUO~~) SUBJECT: 2013-0031-[REDACTED]-Suspected T&A Fraud

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b7C - IG Subject

(U//~~FOUO~~) On 8 APR 13, the IC IG opened an investigation on [REDACTED] as a result of a [REDACTED] a potential 475 hours charged for time where [REDACTED] was not present at the LX2 facility.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) On 10 APR 13, INV [REDACTED] [REDACTED] Preliminary information from SCITOR indicated that employees on the SRA contract frequently work at SCITOR facilities in Chantilly and Reston.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) On 11 APR 13, the COTR for this contract, [REDACTED] confirmed that [REDACTED] was authorized to work in other facilities. INV [REDACTED] contacted [REDACTED] informed her of the general nature of the allegation, and requested calendars or other materials that she may have in her possession which would tend to show an authorized purpose for the absences from LX2. [REDACTED] to INV [REDACTED] to her [REDACTED] Calendar. INV [REDACTED] reviewed the calendar and was able to account for approximately 264 hours of time where [REDACTED] was scheduled to be present at NRO, NGA, or Chantilly facilities, leaving 10.5 hours unaccounted for over an 18 month period. [REDACTED]

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b7C - IG Subject;
Witness
b7E - IG Tech

(U//~~FOUO~~) Recommend this case be closed with no further action.

[REDACTED]

(b)(3)
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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

23 April 2013

(U//~~FOUO~~) MEMO FOR: AIGI [redacted]

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM: INV [redacted]

b3
b6
b7C - IG Subject

(U//~~FOUO~~) SUBJECT: 2013-0035 [redacted]

(U//~~FOUO~~) On 4 April 2013, the IC IG opened an investigation on [redacted] due to five hundred seven discrepant hours [redacted] over the course of six months. On 23 April 2013, the IC IG [redacted] reducing the number of discrepant hours to fifteen.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[redacted]

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(b)(6)
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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

EXECUTIVE SUMMARY

INV 2013-0041

13 SEP 13

1. PURPOSE AND AUTHORITY: Investigate allegations that [redacted] was submitting false timecards in violation of 18 USC § 1001. This investigation was conducted under the authority of the National Security Act of 1947, as amended, Section 103H

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b7C - IG Subject

2. SUBJECT:

Name: [redacted]
Work Address: [redacted] LX2, [redacted] (b)(3)
Work Phone #: [redacted]

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b7C - IG Subject

3. DATE AND BACKGROUND OF COMPLAINT.

a. [redacted] and [redacted] rds shows that from 3 OCT 11 until 15 MAR 13, [redacted] billed the government for 501 hours during which she was not present at her worksite.

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b7C - IG Subject
b7E - IG Tech

4. FINDINGS.

The Allegation that The allegation that [redacted], contract employee of KPMG, was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC § 1001 is unsubstantiated.

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b7C - IG Subject

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REPORT OF INVESTIGATION

INV 2013-0041

12 SEP 13

1. PURPOSE AND AUTHORITY: Investigate allegations that [redacted] was fraudulently billing a government contract in violation of 18 USC § 1001. This investigation was conducted under the authority of the National Security Act of 1947, as amended, Section 103H

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b6
b7C - IG Subject

2. SUBJECT.

Name: [redacted]
Work Address: [redacted], LX2, [redacted] (b)(3)
Work Phone #: [redacted]

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3. DATE AND BACKGROUND OF COMPLAINT.

a. [redacted] was not present at her assigned worksite for the full period for which she billed the government. [redacted] submitted time cards shows that from 3 OCT 11 until 15 MAR 13, [redacted] billed the government for 501 hours during which she was not present at her worksite.

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b. On 15 MAY 13, the IC IG opened an investigation on [redacted] a KPMG contractor employee assigned to the ODNI Chief Financial Officer, Financial Management Division (CFO/FMD), [redacted] approximately 501 hours charged for time where [redacted] was not present at the LX2 facility. During initial investigative records checks, INV [redacted] also discovered [redacted] that [redacted] may be using agency IT systems to solicit sales of Girl Scout cookies in the work place.

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4. ANALYSIS OF ALLEGATIONS:

a. Allegation: That [redacted] contract employee of KPMG, was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC 1001.

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b. Standard: "...[W]hoever...knowingly and willfully makes any materially false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or both."

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c. Evidence:

(1) Preliminary analysis identifying 501 discrepant hours [Exhibit D-1]

(2) [redacted] online activities of [redacted] and identifying several specific references to work absences during periods for which she was billing the government contract. In addition, [redacted] appeared to be using agency IT systems to support sales of Girl Scout Cookies. [Exhibit D-2]

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(3) On 10 Jun 13, [redacted] COTR, ODNI/CFO/FMD, provided information about his knowledge of [redacted] daily activities. [redacted] stated that 90% of [redacted] work was unclassified, but was not aware of any other authorized work locations. He said that if [redacted] worked from home it was only on exceptional occasions and that there was no reason she should be billing for weekends and holidays. [redacted] referred INV [redacted] to [redacted] as someone who would have more direct knowledge of [redacted] duties and responsibilities. [Exhibit A-1]

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(4) On 14 JUN 13, [redacted] provided information about [redacted] work habits telephonically. [redacted] was very defensive regarding [redacted] and asserted that she trusted [redacted] implicitly. [redacted] stated that if [redacted] "says she is working, then she is working". [redacted] stated that [redacted] would know more about [redacted] activities. [redacted] did not recall anyone authorizing [redacted] to work at home. [redacted] was hostile and combative once INV [redacted] identified himself. INV [redacted] declined to interview [redacted] in person. [Exhibit A-2]

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(5) On 17 JUL 13, [redacted] General Counsel, KPMG sent an email to the IC IG stating KPMG's position that "Principal Place of Performance" as stated in the contract does not mean "exclusive" place of performance. [redacted] further asserted that [redacted] project management responsibilities required access to KPMG systems which were not available at LX2, but could be accessed through a Virtual Private Network using a KPMG laptop, or from KPMG systems at the local contractor facility. [Exhibit D-3]

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(6) On 17 JUL 13, [redacted] provided KPMG access information for the KPMG facility in Mclean, VA. Using this information, INV [redacted] prepared a [redacted] 29 hours credited for periods where [redacted] was present at the KPMG facility. [Exhibit D-4]

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(7) ON 28 AUG 13, [redacted] Director, ODNI/CFO/FMD provided information to the IC IG about contractor management in FMD. [redacted] was aware that [redacted] frequently attended off-site meetings and that she had project management responsibilities that required her to access KPMG systems that were unavailable at LX2. [redacted] also noted that there were certain audit and accounting applications that [redacted] needed to use that were not available on agency networks, but were accessible on the KPMG

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network. [redacted] further stated that due to the unclassified nature of her work, [redacted] would not necessarily need to access VPN or agency unclassified systems to do her job. [redacted] stated that he requires contractors to seek permission of the COTR prior to working at off-site locations and that [redacted] should have a record of that. [redacted] was uncertain whether any government employee had authorized [redacted] to work at home but that she should have to seek permission from the COTR to bill for weekends or evenings where she was working at home. [redacted] noted that [redacted] sits near [redacted] and that [redacted] should have a clear understanding of her daily activities. [redacted] expressed a very high opinion [redacted] and stated that she is a "top 10% performer" and that he has no suspicions about her conduct. [redacted] voiced his concern that ODNI actually couldn't provide enough seats at LX for the contractors, stating that he only had 12 seats for 25 authorized contractors. [redacted] said that contractors were encouraged to work at other sites if the classification of the work allowed it. [Exhibit A-3]

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(8) On 29 AUG 13, during a second interview, [redacted] stated that [redacted] had never relayed any expectation that [redacted] would receive and approve requests from contractors to work at off-site locations. [redacted] does not receive invoices that provide enough level of detail to know when or where the work is performed, but only sees the number of hours billed. [redacted] stated his opinion that "Principle Place of Performance" does not mean "exclusive place of performance". [redacted] stated that it is possible that [redacted] receives taskings while on leave or TDY. [redacted] stated that nothing in the contract prohibited KPMG employees from performing work at other locations. [Exhibit A-4]

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(9) On 5 SEP 13, KPMG provided internal network audit data that showed six months of activity where [redacted] was accessing the KPMG VPN from her KPMG laptop. KPMG only retains data for six months, but the data establishes a pattern demonstrating that [redacted] accesses the VPN on an almost daily basis between 1700 and 2200 hours. [Exhibit D-5]

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(10) On 11 SEP 13, [redacted] was advised of her rights and provided information to the IC IG about her timekeeping activities. [redacted] admitted that she leaves early on some days to make her carpool ride, but asserted that she is working from the carpool and home on a nearly daily basis, via email and VPN. [redacted] stated that there was not a specific authorization to work at home, but that it was part of the culture. According to [redacted] it was expected that KPMG employees be available at any hour, especially management. [redacted] has a KPMG issued smart-phone and VPN capable laptop which allows her to access KPMG email and systems remotely when she is at home or carpooling. [redacted] noted that her project management responsibilities require her to access systems and prepare reports which must be done on KPMG systems. Because her work is unclassified, [redacted] is able to make herself available to ODNI and KPMG management when she is away from the LX compound. [redacted] had been counseled by KPMG to not discuss Girl Scout cookie sales on agency IT systems. According to [redacted]

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people know that she is a Girl Scout troop leader, and they come to her when they know it is Girl Scout cookie season, but she does not solicit orders from coworkers. [Exhibit A-5]

(11) On 11 SEP 13, [REDACTED] Associate General Counsel provide a partial collection of messages from [REDACTED] KPMG email account. The timestamps on the messages tend to show that [REDACTED] is regularly engaged with ODNI and KPMG management before and after her normal work schedule hours including during the hours of her commute, and between 1700-2200. [D-6]

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d. Discussion.

(1) By admission, [REDACTED] is not present at the LX compound or otherwise engaged in official business for the full period of time for which she is billing the contract. She occasionally takes lunch or leaves the compound to run errands. No government employee recalls a specific authorization to work at home.

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(2) Though [REDACTED] did not have a specific authorization to work at home, it is notable that the COTR and [REDACTED] do not seem to be coordinated in the amount of oversight expected from the COTR. [REDACTED] explicitly stated his opinion that the contract does not require KPMG employees to perform the work at LX2. [REDACTED] does not keep logs of the time she spends working away from the office, but believes that the time she bills is for time she worked. All government employees interviewed confirmed that [REDACTED] is a top performer and responsive to all tasking. Additionally, the COTR and the [REDACTED] confirmed that she has project management duties that require her to access systems that are not available at LX, but are available on the KPMG network. Though KPMG could not provide audit information that covered the entire period of this review, what information KPMG did provide tends to show a pattern that corroborates [REDACTED] statement that she works from home on a nearly daily basis. In addition, the email traffic provided by KPMG shows that [REDACTED] is responsive to ODNI requirements outside of her normal work schedule.

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(3) Raw data analysis during the preliminary inquiry indicated a potential 501 hours of fraudulently billed hours to this contract. Though [REDACTED] was not present during those hours, it is unlikely that she intentionally submitted false hours. The documentary evidence acquired during the course of this investigation tends to show that she was engaged in official business outside of her normal work schedule. Additionally, it appears that the government acquiesced in the conduct by allowing contractors to work offsite without verifying when or where the work was performed.

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e. Conclusion. The allegation that [REDACTED] contract employee of KPMG, was making false statements by knowingly and willfully entering false information on timekeeping documents for submission to a government contractor in violation of 18 USC § 1001 is unsubstantiated.

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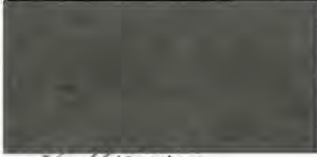
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5. RECOMMENDATION.

Recommend this case be closed without further action by this office.



Investigator

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Approved:



Assistant Inspector General
For Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

September 20, 2013

(U//~~FOUO~~) MEMO FOR:

AI



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(U//~~FOUO~~) FROM:

Investigator



(U//~~FOUO~~) SUBJECT:

INV 2013-0044—()—
Alleged USERRA Violation)

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Background. (U//~~FOUO~~) It was alleged that Mr. [redacted] Chief, Liaison Engagement Office, NCTC, violated the Uniform Services Employment and Reemployment Rights Act (USERRA) in his treatment of [redacted] a subordinate. Allegedly, Mr. [redacted] harassed and took adverse personnel actions against Mr. [redacted] in reprisal for Mr. [redacted] serving as a member of the District of Columbia National Guard.

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(U//~~FOUO~~) Specifically, it is alleged that Mr. [redacted] resented Mr. [redacted] December 1, 2012 - January 25, 2013 National Guard activation. Allegedly, Mr. [redacted] demonstrated his displeasure with Mr. [redacted] military commitment by: (1) Preventing Mr. [redacted] from accepting rotational assignments out of the work center; (2) Treating Mr. [redacted] differently than other work center employees; and, (3) Downgrading Mr. [redacted] most recent performance appraisal.

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Applicable Standard. (U) AR 20-6 Employment and Reemployment of Members of the Uniformed Services, April 22, 2008, paragraph 6g...

The Agency may not retaliate against an employee because the employee has taken action to enforce a protection afforded under USERRA... or exercised a right provided for by USERRA.

(U//~~FOUO~~) During this investigation Mr. [redacted] Mr. [redacted] and three witnesses provided sworn statements. A discussion of the three

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actions taken by Mr. [REDACTED] that allegedly violated USERRA follows:

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Allegation 1: (U//~~FOUO~~) Mr. [REDACTED] prevented Mr. [REDACTED] from accepting assignments out of the work center. Mr. [REDACTED] testified that in December 2012 he was accepted for a rotational assignment to a position with the National Intelligence Council (NIC). Mr. [REDACTED] said that Mr. [REDACTED] blockaded him getting from the assignment by refusing to release him for the assignment unless a replacement was identified. Mr. [REDACTED] stated that Mr. [REDACTED] refusal to release him for the assignment was unnecessary and punishment for Mr. [REDACTED] December 2012 to January 2013 National Guard activation.

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(U//~~FOUO~~) Two witnesses were involved in recruiting Mr. [REDACTED] for the NIC assignment. Both testified that they were disappointed with Mr. [REDACTED] during the recruiting process. One witness characterized Mr. [REDACTED] reaction to the recruiting process as "we don't want him, but you can't have him." The other witness quoted Mr. [REDACTED] as stating, Mr. [REDACTED] "left me in a lurch by volunteering for Guard duty."

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(U//~~FOUO~~) Mr. [REDACTED] testified that he could not afford to let Mr. [REDACTED] accept the rotational assignment due to manning considerations. He said the assignment was non-reimbursable, and therefore he would lose Mr. [REDACTED] billet with little chance of getting a replacement. Mr. [REDACTED] added that he was aware that Mr. [REDACTED] was "disgruntled for a long period of time; [however,] he's value added to the office." Mr. [REDACTED] admitted that he was frustrated by the timing of Mr. [REDACTED] activation. "It came at a very inopportune time; the Director was traveling throughout Africa." Since Africa is Mr. [REDACTED] specialty, his absence created additional work and overtime for the rest of the small staff.

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(U//~~FOUO~~) Mr. [REDACTED] stated that as a Navy Reserve officer since 2006 he is sensitive to and supportive of USERRA requirements. Mr. [REDACTED] said that he had no reservations or resentment towards Mr. [REDACTED] for serving in the National Guard.

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(U//~~FOUO~~) Testimony by the third witness, [REDACTED] Mr. [REDACTED] supervisor, concurred with Mr. [REDACTED] testimony about releasing Mr. [REDACTED] Mr. [REDACTED] said the office couldn't afford to lose Mr. [REDACTED] unless there was a replacement. Mr. [REDACTED] added he became so annoyed at efforts to recruit Mr. [REDACTED] that he had a heated discussion with a NIM Africa recruiter.

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Allegation 2: (U//~~FOUO~~) Mr. [redacted] treated Mr. [redacted] differently than other work center employees. Mr. [redacted] stated that Mr. [redacted] meets one-on-one with other office members, but he brings in a witness whenever he meets with him. Furthermore, Mr. [redacted] stated that Mr. [redacted] rarely speaks to him; rather Mr. [redacted] prefers to communicate with him through email. Also, Mr. [redacted] requires Mr. [redacted] to place him (Mr. [redacted]) on the 'cc' line of outgoing emails.

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(U//~~FOUO~~) Mr. [redacted] did not deny that he treats Mr. [redacted] differently; however, Mr. [redacted] explains that it is out of necessity. Mr. [redacted] stated that "he has made baseless allegations against me... [and because of that] I have to have a third party present" whenever they are discussing work-related matters. Mr. [redacted] also said he prefers to communicate with Mr. [redacted] in writing to ensure there is a clear record of what was said. As for asking to be 'cc'd' on emails, Mr. [redacted] said "for transparency and situational awareness that is something I encourage every single employee to do."

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(U//~~FOUO~~) Mr. [redacted] testimony supported Mr. [redacted] as to why Mr. [redacted] was treated differently. Mr. [redacted] stated that he advised Mr. [redacted] to have witnesses present whenever dealing with Mr. [redacted]. Mr. [redacted] explained that Mr. [redacted] had made false discrimination charges against Mr. [redacted] adding Mr. [redacted] "dragged Mr. [redacted] through the mud."

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Allegation 3: (U//~~FOUO~~) Mr. [redacted] downgraded Mr. [redacted] most recent performance appraisal. Mr. [redacted] stated that while he was satisfied with the overall performance rating he received, he objected to the narrative portion that he perceived to convey a negative portrayal of his duty performance.

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(U//~~FOUO~~) Mr. [redacted] stated Mr. [redacted] overall performance simply did not merit an excellent rating. Mr. [redacted] characterized Mr. [redacted] as a good worker but "his work was sloppy at times." Mr. [redacted] said he downgraded the 'excellent' rating Mr. [redacted] received from his rater, Mr. [redacted] to a 'satisfactory' because it was a more appropriate rating based on Mr. [redacted] work performance.

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(U//~~FOUO~~) Mr. [redacted] added that the performance appraisal became a moot issue because it never became a formal performance rating. It was converted to a memo for record when Human Resources determined that the approximately 40 days Mr. [redacted] was mobilized

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during December 2012 and January 2013 were erroneously included as days of supervision. Once the mobilization dates were removed there was not enough days of supervision to justify an appraisal.

Discussion. (U//~~FOUO~~) It is clear that Mr. [REDACTED] was frustrated by the timing of Mr. [REDACTED] December 2012 activation, and Mr. [REDACTED] was frustrated at his inability to get out of the work center. However, the management actions alleged to violate USERRA policy seem highly likely to have occurred regardless of Mr. [REDACTED] activation as a National Guardsman.

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(U//~~FOUO~~) The Liaison Engagement Office had a limited staff and it is reasonable that management would refuse to give up someone of Mr. [REDACTED] skills without a replacement. Mr. [REDACTED] admitted that he felt compelled to have a witness present when meeting with Mr. [REDACTED] and include 'cc' addressees when corresponding with Mr. [REDACTED] due to "baseless allegations" made by Mr. [REDACTED]. While those actions equate to treating Mr. [REDACTED] different than other employees, but it appears to be a justified management action under the circumstances.

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(U//~~FOUO~~) Mr. [REDACTED] justified the downgrading of Mr. [REDACTED] performance appraisal to an overall satisfactory rating and the wording of the narrative as appropriate based on what he observed. Nevertheless, the entire performance appraisal was cancelled and converted to a memo for record due to an insufficient number of days of supervision. Therefore, there is no adverse impact on Mr. [REDACTED].

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Finding: (U//~~FOUO~~) The preponderance of evidence does not support the allegation that Mr. [REDACTED] violated USERRA guidance as defined in AR 20-6, Employment and Reemployment of Members of the Uniformed Services, April 22, 2008. The allegation is unsubstantiated.

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[REDACTED]
Senior Investigator

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MEMORANDUM FOR THE DIRECTOR, OFFICE OF THE JUDGE ADVOCATE GENERAL
INVESTIGATIVE DIVISION
WASHINGTON, DC 20311

2013

6 JUN 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]
(U//~~FOUO~~) FROM: Investigator [REDACTED]
(U//~~FOUO~~) SUBJECT: INV 2013-0046-[REDACTED]

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(U//~~FOUO~~) During a [REDACTED] data at the LX Compound in [REDACTED], the Investigations Division identified [REDACTED] AIN - [REDACTED] NCTC Directorate of Terrorist Identities (DTI), as [REDACTED] was an SAIC employee on ODNI Contract [REDACTED] and [REDACTED]'s [REDACTED] shows that from 3 OCT 11 to 12 OCT 12, [REDACTED] billed the government for approximately 510 hours during which she was not present at her worksite.

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(U//~~FOUO~~) Investigators [REDACTED] and [REDACTED] interviewed [REDACTED] on 21 MAY 13, during which the days in question were discussed. [REDACTED] provided a written, sworn statement in which she admitted that the hours she entered on her time sheet did not match the hours she was present at work. [REDACTED] said that she was distracted by a family issue and intended to make up the time missed. [REDACTED] was unable to explain the absences but stated that some of the weekend days may have been due to projected work that she entered on the timecard but ultimately did not work.

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(U//~~FOUO~~) On 21 MAY 13, Investigator [REDACTED] interviewed [REDACTED], government team lead for the data processing team where [REDACTED] works. [REDACTED] stated that [REDACTED] has been a high-performer since the contract turnover in OCT 12, but that there was a period starting in AUG 12 where [REDACTED] was concerned about [REDACTED] performance and timekeeping. According to [REDACTED], SAIC Program Managers [REDACTED] and [REDACTED] were aware of [REDACTED] concerns regarding [REDACTED] timekeeping.

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(U//~~FOUO~~) On 22 MAY 13, Investigator [REDACTED] questioned [REDACTED], who did not recall any prior notice regarding [REDACTED] concerns about [REDACTED] performance or timekeeping. [REDACTED] also stated that [REDACTED] is no [REDACTED]

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longer on the contract. [REDACTED] said that [REDACTED] may have attended training for her new position in OCT 10, but could not specify the dates and stated that he could not explain absences from the workplace occurring on an almost daily basis.

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(U//~~FOUO~~) Though [REDACTED] an excessive use of unclassified networks, according to [REDACTED] 40-50% of [REDACTED] time would have been spent conducting unclassified database searches.

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(U//~~FOUO~~) Findings:

[REDACTED] has 510 hours of unaccounted for time during the period of 3 OCT 11 through 12 OCT 12, which, by admission, were billed despite [REDACTED] absence from the workplace. [REDACTED] has a billing rate of 110.87 per hour. The estimated amount of mischarging is \$56,543.

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Investigator [REDACTED]

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

16 July 2013

(U//~~FOUO~~) MEMO FOR:

AIGI

[Redacted]

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(U//~~FOUO~~) FROM:

INV

[Redacted]

(U//~~FOUO~~) SUBJECT:

2013-0051 ([Redacted])

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(U//~~FOUO~~) On 2 July 2013, the IC IG opened an investigation on [Redacted], a MITRE employee working on ODNI contract number 2009-0917826-004 and supporting National Counterterrorism Center. This investigation was opened due to a potential 1,232.41 discrepant hours in [Redacted] over the course of 18 months, from 3 October 2011 through 23 March 2013.

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(U//~~FOUO~~) The IC IG [Redacted] received from [Redacted] contracting company which reduced the number of discrepant hours to 22.92. Travel time was then factored into the equation when Mr. [Redacted] traveled between TECH and MITRE. The flat amount of travel time that was credited per incident was .25 hours. There were 207 instances where Mr. [Redacted] traveled between the buildings giving him a total of 51.75 hours of travel time. The final total of Mr. [Redacted] time evaluation was 28.83 hours over his expected time presence.

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(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[Redacted]

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INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

06 December 2013

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED] 2013
(U//~~FOUO~~) FROM: INV [REDACTED]
(U//~~FOUO~~) SUBJECT: 2013-0052 ([REDACTED])

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(U//~~FOUO~~) On 03 July 2013, the IC IG opened an investigation on [REDACTED] after [REDACTED] and The Mitre Corporation in McLean, VA. On 02 December 2013, it was confirmed [REDACTED] works on a Completions type contract and therefore is not required to work a set number of hours per week.

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b7C - IG Subject
b7E - IG TECH

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[REDACTED]

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INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: (U//~~FOUO~~) INV-2013-0057 (NRO Crimes Reporting Cases)

(U//~~FOUO~~) This Memorandum For The Record establishes that the IC IG Hotline referred to the NRO Deputy Assistant Inspector General for Investigations, and then closed the subject case on 15 July 2013.

(U) No further action is required.



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23 MAY 2014

Date

Assistant Inspector General,
Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0058, and INV-2013-0059 Case-Closing Memorandum

(U) The file for case numbers INV-2013-0058 and INV-2013-0059 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 15 July 2013 to February 24, 2015.

(U) No further action is required.

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Date

12 Jan 16

Assistant Inspector General,
Investigations

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15 July 13

(U//~~FOUO~~) MEMO FOR: AIGI

(U//~~FOUO~~) FROM: INV

(U//~~FOUO~~) SUBJECT: 2013-0058 and 0059 (NRO Crimes Reporting Cases)

(U//~~FOUO~~) The IC IG Hotline referred the subject cases to the NRO Deputy Assistant Inspector General for Investigations on 15 July 2013.

(U//~~FOUO~~) No further action is required by this office.

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0058, and INV-2013-0059 Case-Closing
Memorandum

(U) The file for case numbers INV-2013-0058 and INV-2013-0059 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 15 July 2013 to February 24, 2015.

(U) No further action is required.

(b)(3)
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Assistant Inspector General,
Investigations

12 Jan 16

Date

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

15 July 13

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

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(b)(7)(C)

(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2013-0058 and 0059 (NRO Crimes Reporting Cases)

(U//~~FOUO~~) The IC IG Hotline referred the subject cases to the NRO Deputy Assistant Inspector General for Investigations on 15 July 2013.

(U//~~FOUO~~) No further action is required by this office.

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[REDACTED]
INVESTIGATOR

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

REPORT OF INVESTIGATION

INV-2013-0060

DATE: 15 July 2013

EXECUTIVE SUMMARY

(U//~~FOUO~~) NAME AND POSITION OF SUBJECT:

[REDACTED]

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(U//~~FOUO~~) AUTHORITIES: 50 USC § 403-3h et seq.

(U//~~FOUO~~) BACKGROUND: On 24 June 2013 the outgoing [REDACTED] informed the Intelligence Community Inspector General by email of her concern that [REDACTED] [REDACTED] may have violated federal criminal law by failing to timely report a case of suspected child abuse in late 2009 and early 2010 as required by 42 USC § 13031 when he served [REDACTED]. On 25 June 2013 the Office of the Intelligence Community Inspector General obtained a final copy of [REDACTED] most recent Statement for Record to the Senate Select Committee on Intelligence. This document included, among other things, allegations that [REDACTED] inappropriately closed an ethics investigation in 2010 and the process for selecting and hiring him was improper.

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Complainant,
Witness

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Witness

(U//~~FOUO~~) SUBSTANTIATED ALLEGATIONS: None.

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(U//~~FOUO~~) ALLEGATIONS NOT SUBSTANTIATED:

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(U//~~FOUO~~) The allegation that [REDACTED] failed to comply with 42 USC § 13031 by not timely reporting a 2009 admission of child abuse by a former National Reconnaissance Office contractor employee is not substantiated. There is no evidence to support a criminal or administrative failure to report.

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b7C - IG Subject

(U//~~FOUO~~) The allegation that [REDACTED] failed to properly conduct or supervise the conducting of an investigation into a possible ethics violation by a Central Intelligence Agency senior official assigned to National Reconnaissance Office is not substantiated.

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(U//~~FOUO~~) The allegation that [REDACTED] hiring action to be the National Reconnaissance Office Inspector General was improper is not substantiated.

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I. (U//~~FOUO~~) PURPOSE AND AUTHORITY:

A. (U//~~FOUO~~) The IC IG Investigations Division investigated an allegation made by the [redacted] that a former NRO employee and OIG official engaged in professional misconduct or potentially criminal conduct while assigned to the position of [redacted]

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Complainant,
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The investigation also examined the propriety of the [redacted]

B. (U//~~FOUO~~) The National Security Act of 1947, Section 103H authorizes the Intelligence Community Inspector General (IC IG) to investigate matters within the programs and activities under the authority of the Director of National Intelligence (DNI). The NRO is an Intelligence Community (IC) agency funded by the National Intelligence Program. Additionally, the [redacted] referred this matter to the IC IG because [redacted] had a conflict of interest in relation to the allegations. More significantly, the criminal allegation [redacted] involves a strict liability statute that could equally apply to [redacted] other members of the NRO OIG.

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Complainant,
Witness

II. (U//~~FOUO~~) COMPLAINANT:

Name: [redacted]
Work Address: [redacted]
Work Phone: [redacted]

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Complainant,
Witness

III. (U//~~FOUO~~) SUBJECT:

Name: [redacted]
Work Address: [redacted]
Work Phone: [redacted]

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IV. (U//~~FOUO~~) DATE AND BACKGROUND OF COMPLAINT:

A. (U//~~FOUO~~) On 24 June 2013 the [redacted] informed the IC IG by email of her concern that [redacted]

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Complainant,
Witness

1 [redacted] was also considered a potential subject throughout the investigation because of the strict liability nature of the criminal allegation [redacted] of [redacted]

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Complainant,
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2 [redacted]

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[REDACTED], may have violated federal criminal law by failing to timely report a case of suspected child abuse as required by 42 USC § 13031 when he was the NRO [REDACTED]

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Complainant,
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B. (U//~~FOUO~~) On 25 June 2013 the Office of the IC IG obtained a final copy of [REDACTED] Statement for Record (SFR) to the Senate Select Committee on Intelligence (SSCI). The SFR included, among other things, allegations that [REDACTED] inappropriately closed an ethics investigation in 2010 and the process for selecting and hiring [REDACTED] was improper.

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Complainant,
Witness

C. (U//~~FOUO~~) This investigation examined records of the NRO OIG and Office of Security and Counterintelligence (OS&CI). The IC IG Investigations Division interviewed all personnel with knowledge that was material and relevant to [REDACTED] allegations. In support of this investigation, the NRO OGC issued a preservation and production notice to NRO offices for records relevant to the allegations.

V. (U//~~FOUO~~) ALLEGATIONS:

A. (U//~~FOUO~~) The IC IG Investigations Division investigated the following allegations:

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1. That [REDACTED] failed to comply with 42 USC § 13031 by not timely reporting a 2009 admission of child abuse by a former NRO contractor employee.
2. That [REDACTED] failed to properly conduct or supervise the conduct of an investigation into a possible ethics violation by a CIA senior official assigned to NRO.
3. That [REDACTED] hiring action to be the NRO [REDACTED] was improper.

B. (U//~~FOUO~~) The investigation of the allegations was subject to the following supervision:

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1. The IC IG Investigations Division criminally investigated Allegation 1 under the general supervision of the US Attorney's Office for the Eastern District of Virginia (EDVA) and the FBI Washington Field Office from 27 June to 15 July, 2013. The supervising EDVA attorney issued a declination to prosecute Allegation 1 on 15 July 2013.
2. The IC IG Investigations Division criminally investigated allegation 1 and administratively investigated Allegations 2 and 3 under the direct supervision of the IC IG AIGI.
3. In an email dated 26 June 2013 the IC IG recused himself from any involvement into the investigation of all allegations against [REDACTED]. From that point until the completion of the investigation the Deputy IC IG exercised general supervision over Allegations 2 and 3.

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VI. (U//~~FOUO~~) ANALYSIS OF ALLEGATIONS:

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A. (U//~~FOUO~~) Allegation 1: That [REDACTED] failed to comply with 42 USC § 13031 by not timely reporting a 2009 admission of child abuse by a former NRO contractor employee.

1. Evidence used in analysis of Allegation 1.

a. Documentary Evidence.

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Complainant,
Witness

(1) Email from [REDACTED] to IC IG alleging [REDACTED] may have violated a federal criminal statute, dated 24 June 2013.

(2) NRO OIG email correspondence related to NRO OS&CI Security Investigation Subject - NRO Contractor Employee dated from 7 December 2009 to 10 February 2010.

(3) NRO Instruction 80.3, Obligations to Report Evidence of Possible Violations of Federal Criminal Law and Illegal Intelligence Activities, dated August 2009.

(4) NRO OIG Case File - Subject: NRO Contractor Employee

(5) NRO OS&CI Case File - Subject: NRO Contractor Employee

b. Testimonial Evidence.

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b7C - IG Subject;
Complainant,
Witness

(1) Interview of [REDACTED], NRO IG Investigator, 26 June 2013

(2) Interview of [REDACTED] NRO IG Investigator, 26 June 2013

(3) Interview of [REDACTED] NRO AIGI, 26 June 2013

(4) Interview of [REDACTED] Former NRO [REDACTED] 26 June 2013; 11 July 2013

(5) Interview of [REDACTED] NRO IG Investigator, 26 June 2013

(6) Interview of [REDACTED] NRO IG, 11 July 2013

(7) Interview of [REDACTED], NRO IG Investigator, 26 June 2013

(8) Interview of [REDACTED], NRO IG Investigator, 26 June 2013

(9) Interview of [REDACTED], NRO IG Investigator, 26 June 2013

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2. Discussion:

a. To substantiate this allegation, the evidence presented above as applied to the rules that follow must show probable cause that [REDACTED] failed to comply with 42 USC § 13031 by not timely reporting a 2009 admission of child abuse by a former NRO contractor employee.

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b. The following law or policy is applicable to Allegation 1:

(1) 28 USC § 535. Investigations of crimes involving Government officers and employees; limitations.

(2) 42 USC § 13031. Child abuse reporting.

(3) 18 USC § 2258. Failure to report child abuse.³

(4) 28 CFR § 81.2. Submission of reports; designation of agencies to receive reports of child abuse.

c. The following facts are undisputed. On 7 December 2009 [REDACTED] acquired information that gave reason to suspect a child had suffered several incidents of child abuse at the hands of an NRO contractor employee. The NRO Contractor employee had disclosed the physical child abuse (non-sexual) directed towards his infant son to NRO security officials on 18 November 2009. The abuse occurred from August 2008 to February 2009 when the child was less than a year old. It was not until 10 February 2010, 68 days later, [REDACTED] directed [REDACTED] to report the matter to a local child protection agency in California.

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d. The framework for reporting child abuse incidents disclosed to NRO security officials was highly regulated within NRO. The NRO OS&CI and Office of General Counsel (OGC) had jointly established a strict reporting regime in 2009 that only allowed the NRO OIG to acquire admissions of child abuse after the NRO OS&CI and OGC exhausted their lengthy processes for vetting admissions of criminal activity made during security interviews. Before this reporting regime was established, the NRO OIG could not officially acquire admissions of child abuse.⁴

(1) At the time of the alleged incident the admission of child abuse by the NRO contractor employee was subject to a lengthy security vetting process. In this case the

³This statute criminalizes a breach of the duty to report under 42 USC § 13031 and does not require a knowing or willful violation.

⁴The appropriateness and legal sufficiency of this reporting regime imposed by the NRO OGC is the subject of a related IC IG investigation into NRO crimes reporting processes. The restrictions placed upon the NRO OIG by other NRO offices will be examined in more detail in that investigation.

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OS&CI possessed the information 27 days before referring it to the NRO OGC. NRO legal officials regarded the child abuse as "bad parenting" and summarily dismissed it with no further action.

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(2) [redacted] notionally received the information on 10 December 2009, but it was not until 16 December 2009 that he received the narrative of the referral that included the admission and relevant information. However, it was not until 22 January 2010 that [redacted] received the referral from NRO OS&CI in the proper form and at an unclassified level that would allow him to release the information to a state or local entity. This means [redacted] office spent 19 days performing its own vetting and verification process before releasing the information. This is significantly shorter than the alleged delay of 68 days.

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e. The legal standard for child abuse reporting is that a person defined as a *covered professional* engaged in a related *professional capacity or activity* on Federal land or in a Federal facility shall *as soon as possible* make a report of the suspected abuse to the appropriate agency [Emphasis added]. There is no dispute that [redacted] was on Federal land and in a Federal facility during the period he allegedly failed to comply with 42 USC § 13031. The issue as to whether [redacted] violated Federal criminal law in this instance therefore turns on whether he was a covered professional, was engaged in professional capacity or activity, and made a report as soon as possible.

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(1) Covered Professional. Of the several classes of covered professionals the most relevant to an OIG investigator is the one referred to as "law enforcement personnel" in 42 USC § 13031. At the time of the activity when [redacted] allegedly committed a crime the NRO OIG was characterized as an administrative IG. The NRO OIG later acquired the status of Designated Federal Entity (DFE) IG as defined in the 1978 IG Act. The distinction is that an administrative IG derives authority to exist and function from the agency head while the DFE IG derives the same from a statute, independent of the agency head.

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(a) A DFE IG investigator is statutorily authorized to investigate criminal activity and can reasonably be considered law enforcement personnel for purposes of child abuse reporting under 42 USC § 13031.⁵ Alternatively, it is not clear that an investigator in an administrative IG office who investigates crimes can be considered law enforcement personnel.

(b) The NRO OIG was an administrative OIG during the period of the allegation. However, there was a NRO policy that gave the NRO OIG responsibility for criminal matters related to the programs and activities of the NRO. This agency designation likely qualified [redacted] as law enforcement personnel for purposes of child abuse reporting under 42 USC § 13031.

⁵ While many non-IC Agency DFE OIGs do possess law enforcement powers, NRO DFE IG investigators do not possess law enforcement powers and are therefore not considered Federal law enforcement officers.

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b7C - IG Subject

(2) Engaged in professional capacity or activity. [REDACTED] was serving as the NRO during the alleged incident and processing the information in the course and scope of his duties that qualified him as law enforcement personnel. He was without doubt engaged in a professional capacity or activity related to his covered personnel status.

(3) Made a report as soon as possible. The Federal statute requiring child abuse reporting does not establish a standard for reporting as soon as possible. The EDVA opined that taking actions on an admission of criminal activity typically requires some degree of due diligence to determine the credibility of the admission.

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b7C - IG Subject;
Complainant,
Witness

(a) [REDACTED] stated in her interview that the reporting requirement is no more than 24 four hours. This position is inexplicable because there is no indication that the NRO OIG reported any admission of child abuse in less than 24 hours after it acquired the information during [REDACTED] for the past eight years. Moreover, she did not know the Federal reporting requirement existed until recently and she had not read the statute or taken any steps to have it implemented as NRO policy at the time of this investigation.

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b7C - IG Subject

(b) It is more reasonable to conclude that how much time is required is situation dependent. Factors such as risk of immediate harm and type of abuse are relevant in determining whether compliance with agency reporting requirements was reasonable under the circumstances. In this instance the NRO contractor employee credibly disclosed the abuse had ended and that he had taken remedial steps to avoid its recurrence. When coupled with the onerous crimes reporting vetting process imposed on the NRO OIG, [REDACTED] did make the report as soon as possible by submitting it 19 days after he was officially cleared to release the information.

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b7C - IG Subject

(4) Immunity. If one could argue that delays created by other NRO offices did not relieve [REDACTED] of his duty to report as soon as possible and that the period in the alleged case was too lengthy, the statute that created the duty to report would allow for immunity from criminal liability for good faith reporting.

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(a) The OIG file in the alleged case reveals that [REDACTED] aggressively took steps to ensure that his office reported the admission of child abuse to an appropriate state or local entity. More telling in regard to [REDACTED] good faith is his established history and record of advocacy to ensure timely reporting in all matters related to the disclosure of child abuse during his entire period of employment at NRO OIG.

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b7C - IG Subject;
Complainant,
Witness

(b) As the [REDACTED] [REDACTED] was best positioned to establish a more aggressive and timely reporting regime. It appears however that with the exception of attending one planning meeting in 2009, she was disengaged on the issue of crimes reports involving child abuse.

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(5) Knowledge. In addition to the defense of immunity for good faith reporting, NRO, specifically the NRO General Counsel and [REDACTED] NRO OIG supervisors, failed

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Complainant,
Witness

to satisfy its statutory duty to periodically train [redacted] of his responsibility to report. Of more concern, the NRO OIG leadership, namely [redacted] was never aware of the existence of a Federal child abuse reporting requirement applicable to investigators such as [redacted]⁶

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3. Conclusion: The allegation that [redacted] failed to comply with 42 USC § 13031 by not timely reporting a 2009 admission of child abuse by a former NRO contractor employee is not substantiated. There is no evidence to support a criminal or administrative failure to report.

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B. (U//~~FOUO~~) Allegation 2: That [redacted] failed to properly conduct or supervise the conduct of an investigation into a possible ethics violation by a CIA senior official assigned to NRO.

1. Evidence used in analysis of Allegation 2.

a. Documentary Evidence.

(1) NRO OIG Report of Investigation 2010-096, 21 December 2010

(2) NRO OIG Report of Investigation 2013-095, 5 July 2013

b. Testimonial Evidence.

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b7C - IG Subject;
Complainant,
Witnesses

(1) Interview of [redacted] NRO IG Investigator, 2 July 2013

(2) Interview of [redacted] NRO IG Investigator, 10 July 2013

(3) Interview of [redacted] former NRO/GED Director, 10 JUL 2013

(4) Interview of [redacted] former NRO [redacted] 11 July 2013

(5) Interview of [redacted] NRO IG, 11 July 2013

2. Discussion:

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a. That [redacted] failed to properly conduct or supervise the conduct of an investigation into a possible ethics violation by a CIA senior official assigned to NRO.

b. The following policies were applicable to allegation 2:

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Complainant,
Witness

⁶ [redacted] unawareness of the law likely explains why she relies on a strict liability statute that is equally applicable to her failure to report the matter she alleges [redacted] failed to report. As his supervisor at the time of the alleged violation, by naming [redacted] a subject she makes herself a potential subject.

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(1) Counsel of Inspectors General on Integrity and Efficiency (CIGIE), Quality Standards for Investigations, 15 November 2011, provide guidelines for the conduct of IG investigations and state in part that "reasonable steps are taken to ensure that pertinent issues are sufficiently resolved and to ensure that all appropriate criminal, civil, contractual, or administrative remedies are considered"; evidence must be gathered in an unbiased and independent manner; and that evidence must be collected in such a way to ensure that all known or obviously relevant material is obtained.

(2) NRO Inspector General Investigative Procedures Manual, 7 April 2009 states that the assigned investigator and AIGI make case closing decisions in consultation with the IG Counsel. Cases are considered closed when appropriate legal or administrative action has been taken or when allegations have been found to be without merit or disproved.

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Witness,
Investigator

c. On 22 July 2010, the NRO IG initiated a preliminary inquiry into an ethics violation by CIA Employee [REDACTED] former Director, Ground Enterprise Directorate (GED), related to her recusal from matters involving Northrop Grumman and Scitor. A confidential source was developed during a routine inspection of GED by the NRO IG. The confidential source asserted that [REDACTED] was participating in matters involving Northrop Grumman and Scitor in violation of the conditions of her recusal based on [REDACTED] husband's relationship with the two companies. Investigator [REDACTED] was assigned as lead investigator in the case. On 7 September 2010, the NRO IG opened an investigation and [REDACTED] obtained additional lead information regarding [REDACTED] involvement in contract decision-making. [REDACTED] notified NRO OIG management of his investigative efforts to that date, and his plan to interview the Contracting Officer [REDACTED] and Program Manager [REDACTED], who potentially had information related to [REDACTED] activities and involvement in particular matters that would have violated the terms of her recusal.

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Witness,
Investigator

(1) On 10 September 2010, [REDACTED] interviewed [REDACTED], who provided an opinion that [REDACTED] was making programmatic decisions which would impact the Northrop Grumman and Scitor contracts and information that [REDACTED] had signed decision briefings that affected both contracts. Several witnesses offered opinions that [REDACTED] could not make broad programmatic decisions without affecting the financial interests of Scitor or Northrop Grumman. [REDACTED] had not obtained documentary evidence that corroborated these views as of 30 November 2010.

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Witness,
Investigator

(2) Prior to [REDACTED] completing his planned investigative activities, he believed that on or about 30 November 2010, [REDACTED] met informally with [REDACTED] during an NRO "All-hands" where [REDACTED] informed [REDACTED] of her status as the subject of an on-going investigation. After the conversation supposedly occurred, [REDACTED] approached [REDACTED] to close the investigation based on [REDACTED] statements.

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b7C - IG Subject;
Witness,
Investigator

(3) In the opinion of [REDACTED], the lead investigator on the 2012 investigation, had [REDACTED] been allowed to continue with his investigative plan, [REDACTED] would have

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obtained information to substantiate one regulatory conflict of interest violation in 2010.

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Witness,
Investigator

(4) [REDACTED] stated in a 2 July 2013 interview that he believed he still had a viable case when he closed the investigation. [REDACTED] acknowledged that the closing was approved by [REDACTED] who was then the Deputy AIGI.

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Witness,
Investigator

d. By mid-November 2010, [REDACTED] interviewed several witnesses who had suspicions about [REDACTED] involvement with matters related to Northrop Grumman, but the NRO/GED counsel, [REDACTED] opined in a 29 November 2010 interview with [REDACTED] that there was no actual conflict of interest with regard to [REDACTED] involvement in Northrop Grumman matters. [REDACTED] and [REDACTED] related to IC IG investigators that there was a disagreement between NRO OGC and CIA OGC as to whether a regulatory violation existed with regard to Northrop Grumman. [REDACTED] who [REDACTED] claimed advised her on her participation in Northrop Grumman matters, had likely advised [REDACTED] that she may continue to serve in the manner she did with regard to Northrop Grumman.

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b7C - IG Subject;
Witness,
Investigator

(1) [REDACTED] stated that at the time of [REDACTED] involvement in the investigation, he had not acquired any direct, documentary evidence that corroborated allegations that [REDACTED] had engaged in activities that would be considered a conflict of interest with regard to either Northrop Grumman or Scitor. [REDACTED] acknowledged that during the investigation, the focus was on potential criminal violations with regard to Scitor, and at that point it appeared that witnesses primarily had knowledge of [REDACTED] involvement with Northrop Grumman matters.

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b7C - IG Subject;
Witness,
Investigator

(2) The NRO case file and closing memo suggest that [REDACTED] had a conversation with [REDACTED] regarding the alleged conflicts of interest on or about 30 November 2010. Significantly, there is no witness statement that a meeting between [REDACTED] and [REDACTED] occurred, and the contents of that alleged conversation were entered into the case file based on the second-hand knowledge of [REDACTED] as related to him by [REDACTED]. Neither [REDACTED] nor [REDACTED] recall an informal discussion where [REDACTED] was put on notice that she was the subject of an investigation.

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b7C - IG Witness

(3) [REDACTED] stated that in his experience as an investigator at NRO OIG, it was not unusual for management to review cases and make a determination to cease investigative efforts when the primary offense could be resolved through administrative measures and properly referred to management officials for action.

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b7C - IG Subject;
Complainant,
Witness,
Investigator

e. This allegation primarily revolves around a discretionary authority possessed by the AIGI to determine the best application of investigative resources. While the CIGIE standards and NRO manual call for an investigation to resolve allegations, those standards also allow for assignment of investigative priorities by IG management. Contrary to the allegations made by [REDACTED] on 25 June 2013, the investigator assigned to the case had not obtained credible evidence suggesting that [REDACTED] was involved in criminal or administrative ethics violations. It was not unreasonable for [REDACTED] to advise that the investigation be closed. The

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investigation was closed in accordance with NRO IG processes with the D/AIGI recommending the closing, the AIGI approving it, and the NRO OIG attorney providing no legal objection to the closing.

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b7C - IG Subject;
Witness,
Investigator

(1) [REDACTED] did not offer disagreement with [REDACTED] about the decision to close the investigation, and [REDACTED] made it clear to IC IG investigators that he was not directed to close the investigation.

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b7C - IG Subject;
Complainant,
Witness,
Investigator

(2) NRO investigators had not obtained evidence during four months of inquiry to substantiate a criminal allegation. Though [REDACTED] alleged that [REDACTED] closed the investigation while the OIG was in possession of credible evidence of a criminal conflict of interest on the part of [REDACTED] there is no basis in fact for this position. Moreover, the allegation was made with the benefit of hindsight and without consultation with [REDACTED]. The NRO OIG case file shows that the NRO OIG did not possess evidence of any violation until nearly two years after the original investigation was closed. Such evidence was discovered only after a much more broadly scoped special review of GED was authorized by the IG.

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b7C - IG Subject;
Complainant,
Witness,
Investigator

(3) Notably, the complainant, [REDACTED] did not know any details of the 2010 [REDACTED] investigation that were the factual basis for her allegation on 25 June 2013. [REDACTED] did note during her 11 July 2013 interview that she trusted [REDACTED] judgment in all investigative matters therefore undermining her allegations against him.

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b7C - IG Subject;
Complainant,
Witness,
Investigator

(4) The testimonial evidence of [REDACTED] shows that the [REDACTED] left these matters to the discretion of the [REDACTED] and that there were no prior instances where that judgment was called into question. In the absence of actual misconduct on the part of [REDACTED] which this investigation did not discover, and given the adherence to NRO OIG procedures in closing the [REDACTED] investigation, there is no basis to show that [REDACTED] abused his discretion or did anything else improper in this case.

3. Conclusion: The allegation that [REDACTED] failed to properly conduct or supervise the conducting of an investigation into a possible ethics violation by a CIA senior official assigned to NRO is not substantiated.

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b7C - IG Subject

C. (U//~~FOUO~~) Allegation 3: That [REDACTED] hiring action to be the [REDACTED] was improper.

1. Evidence used in analysis of Allegation 3.

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b7C - IG
Complainant,
Witness

a. Documentary Evidence.

(1) Statement for Record by [REDACTED] dated 25 June 2013

(2) DNRO Letter to the Senate Select Committee on Intelligence, dated 26 June 2013

(3) Senate Select Committee on Intelligence Letter to the DNRO, dated 2 July 2013

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b7C - IG
Complainant,
Witness,

- (4) Letter from [REDACTED], NRO General Counsel, to DNRO, dated 3 July 2012
- (5) Emails between [REDACTED] and the NRO Director, dated 24 June 2013 and 25 June 2013.
- (6) Emails between [REDACTED] and [REDACTED] dated 4 February 2013 and 3 February 2013.

b. Testimonial Evidence.

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b7C - IG
Witness,

- (1) Interview of DNRO Sapp, 1 July 2013
- (2) Interview of PDDNRO [REDACTED], 1 July 2013
- (3) Interview of HR/NRO [REDACTED], 27 July 2013

2. Discussion:

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b7C - IG Subject

- a. Allegation: That [REDACTED] hiring action to be the NRO [REDACTED] was improper.
- b. The following law or policy is applicable to allegation 3:

- (1) Title 5 App., Inspector General Act of 1978.
- (2) Memorandum of Agreement between the Central Intelligence Agency and the National Reconnaissance Office on Personnel Support Relationship, dated August 2012.

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b7C - IG Subject
Complainant,
Witness,

c. On 25 June 2013 [REDACTED] propounded in a SFR to the SSCI that the circumstances surrounding the [REDACTED] raised "serious concerns on several fronts" to include the NRO Director's failure to consult with [REDACTED], and a lack of independent evaluation in the [REDACTED] process.

d. The Inspector General Act of 1978 §8G(c) explicitly states that each Inspector General shall be appointed by the head of the DFE in accordance with applicable laws and regulations governing appointments within the designated Federal entity. For the NRO IG, the applicable law and regulation governing appointments are Section 2.4 of the 21 September 2010 Memorandum of Agreement between the Secretary of Defense and the Director of National Intelligence which states "formal agreements either bi-lateral or multi-lateral among NRO, CIA, and/or other DoD components will be used to address staffing and delegations of authority."

- (1) Paragraph one of the August 2012 Memorandum of Agreement between the Central Intelligence Agency and the National Reconnaissance Office on Personnel Support Relationship provides CIA and NRO respective responsibilities and documents the

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alignment of positions providing CIA support to the NRO. This MOA provides in pertinent part: "In accordance with Section 8G of the Inspector General Act of 1978, as amended, 5 USC App. 3, '...the Inspector General shall be appointed by the head of the designated Federal entity...'"

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b7C - IG
Witness,

(2) NRO General Counsel, [REDACTED], wrote in a memorandum for the NRO Director, dated 3 July 2013, "There are no NRO policies or procedures that require the DNRO to compete the IG vacancy" and "The DNRO has the authority to appoint the NRO IG under the Inspector General Act of 1978, as amended, and did so in accordance with the Act."

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b7C - IG Subject
Complainant,
Witness,

(3) [REDACTED] erroneously asserted that the NRO Director did not consult with [REDACTED] regarding [REDACTED] appointment. Despite not needing to consult with [REDACTED] in appointing [REDACTED] The NRO Director did review [REDACTED] superlative performance reviews of [REDACTED] from [REDACTED]. The NRO Director cited [REDACTED] outstanding reviews of [REDACTED] as part of her reason for his [REDACTED] in her 26 June 2013 letter to the SSCI.

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b7C - IG Subject
Complainant,
Witness,

e. [REDACTED] concerns with the hiring and selection of [REDACTED] to be the [REDACTED] are without effect. Also, as there are no restrictions regarding limited term appointments of an [REDACTED] there is no basis to review that concern. Finally, the NRO Director was not required to consult with [REDACTED] regarding [REDACTED]

3. Conclusion: The allegation that [REDACTED] was improper is not substantiated.

VII. (U//~~FOUO~~) CONCLUSIONS:

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b7C - IG Subject

A. (U//~~FOUO~~) The allegation that [REDACTED] committed a crime for a failure to report child abuse while serving as the NRO [REDACTED] was neither substantiated nor credible.

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b7C - IG Subject

B. (U//~~FOUO~~) The allegation that [REDACTED] failed to properly conduct or supervise the conduct of an investigation into a possible ethics violation by a CIA senior official while serving as the NRO [REDACTED] was neither substantiated nor accurate.

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b7C - IG Subject

C. (U//~~FOUO~~) The allegation that [REDACTED] was improper was neither substantiated nor based in fact, law, or policy.

VII. (U//~~FOUO~~) RECOMMENDATIONS:

A. (U//~~FOUO~~) The NRO Director should implement 42 USC § 13031 through an NRO policy and train the appropriate covered personnel in NRO, such as IG investigators and behavioral health care providers.

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B. (U//~~FOUO~~) To ensure that intra-agency disagreement over the release of criminal information no longer prevents the timely reporting of admissions of criminal conduct, particularly in cases dealing with child abuse, the NRO Director should consider a thorough review of the responsibility for reporting Federal and state crimes amongst the relevant NRO offices. Such a review should result in clear guidance to and authority for the responsible offices.

SUBMITTED FOR APPROVAL:



Investigator



Investigator

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APPROVED:



Assistant Inspector General for Investigations

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SUPPLEMENT TO REPORT OF INVESTIGATION

INV-2013-0060

DATE: 26 July 2013

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b7C - IG Subject

I. (U//~~FOUO~~) NAME AND POSITION OF SUBJECT: [REDACTED] ([REDACTED])

II. (U//~~FOUO~~) AUTHORITIES: 50 USC § 403-3h et seq.

III. (U//~~FOUO~~) BACKGROUND: See Report of Investigation for INV-2013-0060 dated 15 July 2013.

IV. (U//~~FOUO~~) REPORTING TIMELINE REGARDING ALLEGATION 1:

A. NRO Office of Security & Counter Intelligence and Office of General Counsel.

1. November 27, 2009: The NRO Office of General Counsel (OGC) received information disclosed during a July 2009 polygraph examination from the Office of Security & Counter Intelligence (OS&CI) concerning suspected child abuse by an NRO contractor employee.

2. November 30, 2009: OS&CI produced a formal internal crimes report referral for OGC and external crimes report referral for the Department of Justice.

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b7C - IG
Witness

3. December 1, 2009: OS&CI's Special Actions Staff (SAS) notified [REDACTED], Chief of the OS&CI Personal Security Division, that OGC received the crimes report referral and the General Counsel, [REDACTED] declined to take any action on the matter.

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b7C - IG
Witness

4. December 2, 2009: After OGC declined to take action [REDACTED] SAS subordinates asked her for guidance on how to refer the suspected child abuse to appropriate state and local authorities. [REDACTED] then sought advice from OGC attorney [REDACTED]. [REDACTED] told [REDACTED] that NRO internal policies made OGC responsible for referring the matter to the NRO Office of the Inspector General (OIG). [REDACTED] told [REDACTED] that in this instance she should discuss referring the matter to state and local authorities directly with OIG. However, he went on to state that in all other instances OS&CI should not refer child pornography or non-NRO program information to OIG because OGC would exclusively receive any referrals related to these matters.

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b7C - IG
Witness

5. December 4, 2009: After further discussion with [REDACTED], [REDACTED] directed an SAS subordinate to refer the matter to OIG.

B. NRO Office of Security and Counter Intelligence and Office of Inspector Counsel.

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b7C - IG
Subject;
Witness

1. December 7, 2009: [REDACTED] of SAS sent a notification email to [REDACTED] referencing the OGC referral document, but did not attach it. She

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b7C - IG
Subject;
Witness

informed [redacted] that a Special Issue Polygraph (SIP) was planned. He stated that he would withhold notification to local authorities until the SIP was complete.

2. December 7, 2009: [redacted] advised [redacted] to delay the referral to state and local law enforcement pending the SIP.

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b7C - IG
Subject;
Witness

3. December 10, 2009: [redacted] informed [redacted] that OS&CI were not going to conduct an SIP in this matter.

4. December 16, 2009: [redacted] requested and received a copy of the November 30, 2009 OGC referral document from [redacted].

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b7C - IG
Subject;
Witness

5. January 11, 2010: [redacted] informed [redacted] that he was traveling to the OIG field office in Los Angeles on January 13 and would discuss the matter with the [redacted].

6. January 22, 2010: [redacted] informed [redacted] that the OIG would not open an investigation in the suspected child abuse referred by her office because it was outside of OIG jurisdiction. In the same communication, [redacted] copied [redacted] and directed him to brief child protective services.

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b7C - IG
Subject;
Witness

7. February 10, 2010: [redacted] made an entry in the OIG case management system of a telephone briefing to child protective services regarding the NRO contractor employee's admission of child abuse. On that same day [redacted] referred the matter to [redacted], Los Angeles County Department of Children and Family Services.

IV. (U//~~FOUO~~) ADDITIONAL TESTIMONIAL EVIDENCE REGARDING ALLEGATION 1:

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b7C - IG
Subject;
Witness

A. [redacted] testified on [redacted] 2013 that the OIG was unable to independently refer information such as child abuse to external agencies within the framework of NRO policy at that time. [redacted] made clear that such actions were prohibited by [redacted]. [redacted] understanding of his reporting authority was that he could not unilaterally ignore [redacted] restrictions. The restrictions that existed in 2009 limited OIG to receiving referrals of fraud, waste, and abuse within NRO programs and activities. [redacted] stated that any suspected child abuse information the OIG received was through an informal "back channel" process, but he could not act on the information until a formal referral was made by OS&CI or OGC to OIG.

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b7C - IG
Subject;
Complainant,
Witness

B. On [redacted] 2013 the [redacted], [redacted] ([redacted]) testified that [redacted] was "very passionate about the issue of reporting child abuse." Furthermore, [redacted] stated, [redacted] frequently argued with OGC over the reporting process and the NRO IG's inadequate access to OS&CI child abuse information. [redacted] called [redacted] a "champion" of changing the policy regarding OIG's role in child abuse reporting. She maintained that he was "very much in the forefront of this fight." On several occasions throughout the interview [redacted] praised [redacted] for his role in the child abuse reporting policy making process.

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IV. (U//~~FOUO~~) ADDITIONAL DOCUMENTARY AND TESTIMONIAL EVIDENCE REGARDING ALLEGATION 2:

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b7C - IG
Subject;
Witness

In an email dated 29 November 2010 from OIG Investigator [REDACTED] ([REDACTED]) to NRO attorney [REDACTED] [REDACTED] recommended that a senior official misconduct investigation of [REDACTED] be closed. [REDACTED] testified that sometime after November 30, 2010 [REDACTED] directed him to close the case, which he eventually closed on December 20, 2010. According to an email from [REDACTED] to [REDACTED] on December 15, 2010, [REDACTED] spoke with [REDACTED] on 30 November 2010. Given [REDACTED] apparent intent to close this case one day before [REDACTED] allegedly spoke to [REDACTED] it is unclear why [REDACTED] is now testifying that he would have continued his case had [REDACTED] not told him to close it.

APPROVED:

[REDACTED]

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Assistant Inspector General for Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

*Aug
2013*

2 August 2013

(U//~~FOUO~~) MEMO FOR:

A [REDACTED]

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(U//~~FOUO~~) FROM:

INV [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT:

2013-0062 [REDACTED]

(U//~~FOUO~~) On 30 July 2013, the IC IG opened an investigation on [REDACTED], due to 400 discrepant hours in [REDACTED] data over the course of one year. On 2 August 2013, the IC IG received [REDACTED] data reducing the number of discrepant hours to zero.

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b7C - IG Subject
b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

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[REDACTED]
INVESTIGATOR

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

17 October 2013

(U//~~FOUO~~) MEMO FOR:

AIGI

[Redacted]

(b)(3)
(b)(6)
(b)(7)(C)

(U//~~FOUO~~) FROM:

INV

[Redacted]

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b7C - IG Subject

(U//~~FOUO~~) SUBJECT:

2013-0066

[Redacted]

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b7C - IG Subject

(U//~~FOUO~~) On 25 September 2013, the IC IG opened an investigation on [Redacted], due to 126 discrepant hours in [Redacted] data over the course of fourteen months. On 17 October 2013, the IC IG received [Redacted] data reducing the number of discrepant hours to one.

b7E - IG Tech

(U//~~FOUO~~) After further review of the preliminary inquiry, I recommend that this case be closed without further action by this office.

[Redacted]

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INVESTIGATOR

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INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: INV-2013-0069

This Memorandum For The Record establishes that case number INV-2013-0069 was erroneously issued for the matter already the subject of INV-2013-0027.

No further action is required.



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20 MAY 2014

Date

Assistant Inspector General,
Investigations

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WASHINGTON, DC 20511

6 March 2014

(U//~~FOUO~~) MEMO FOR: AIGI [REDACTED]

(b)(3)
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(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2013-0071 [REDACTED]

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b7C - IG Subject

(U//~~FOUO~~) Following a preliminary inquiry which found 124 discrepant hours from 1 June 2012 through 30 July 2013, the IC IG Investigations Division opened an investigation regarding [REDACTED] on 20 November 2013. After reviewing additional evidence this office found that the initial analysis included time charged to vacation, holiday, and overhead, which negated all discrepant hours.

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b7C - IG Subject

(U//~~FOUO~~) I recommend that this office discontinue this matter without further action.

[REDACTED]

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WASHINGTON, DC 20511

6 March 2014

(U//~~FOUO~~) MEMO FOR: AIG [REDACTED]

(b)(3)
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(U//~~FOUO~~) FROM: INV [REDACTED]

(U//~~FOUO~~) SUBJECT: 2014-0074 [REDACTED]

(b)(3)

(U//~~FOUO~~) Upon discovering 1,278 discrepant hours charged from 1 June 2012 through 31 July 2013 in a preliminary inquiry, the IC IG Investigations Division opened an investigation regarding [REDACTED] on 20 November 2013. After reviewing additional evidence, this office learned that [REDACTED] charged her hours to approximately six contracts and worked at multiple locations (corporate and government) which negated all discrepant hours.

(U//~~FOUO~~) I recommend that this case be discontinued without further action.

[REDACTED]

(b)(3)
(b)(6)
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INVESTIGATOR

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