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Description of document: Reports of Investigation for Three (3) Office of Personnel Management (OPM) Inspector General (OIG) investigations, 2009-2011

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Source of document: Attention: FOIA Request
U.S. Office of Personnel Management
FOIA Requester Service Center
1900 E Street, N.W.
Room 5415
Washington, D.C. 20415-7900
Fax: 202-606-1719
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Office of the
Inspector General

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

March 13, 2017

FOIA Request # 2017-03881

This is in response to your Freedom of Information Act (FOIA) request of February 25, 2017, in which you asked for the “final report or closing report or closing memo, referral letter, etc. associated with” three specific Office of Personnel Management (OPM) Office of the Inspector General (OIG) investigations.

The attached documents are responsive to your request. They are reports of investigations associated with OPM OIG investigations I 2009 00859, I 2010 00228, and I 2011 00002. Please note that certain information has been redacted to avoid the disclosure of information protected by the deliberative process and attorney work-product privileges, 5 U.S.C. § 552(b)(5); to avoid the unwarranted invasion of personal privacy, 5 U.S.C. §§ 552(b)(6), (b)(7)(C); and to prevent the disclosure of guidelines for law enforcement prosecutions, 5 U.S.C. § 552(b)(7)(E).

For any further assistance or to discuss any aspect of your request, you may contact the undersigned at 202-606-2030, as well as the OPM FOIA Public Liaison at 202-606-1153. Additionally, you may contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Facsimile: 202-741-5769

If you are not satisfied with the response to this request, you may administratively appeal by writing to:

Robin M. Richardson
FOIA Appeals Officer
Office of the Inspector General
1900 E Street, NW

Room 6400
Washington, DC 20415

Please include a copy of your initial request, a copy of this letter, and a statement explaining why you disagree with our decision. You should write "Freedom of Information Act Appeal" on the front of the envelope and on the first page of the appeal letter. Your appeal must be postmarked within 90 days of the date of this response.

Regards,

A handwritten signature in black ink, appearing to read "K. T. Miller", written in a cursive style.

Kevin T. Miller
Attorney-Advisor

Enclosure



OFFICE OF PERSONNEL MANAGEMENT
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

REPORT OF INVESTIGATION

February 6, 2015

CASE NAME: (b) (6), (b) (7)(C)

CASE NUMBER: I 2009 00859

CASE AGENT: (b) (6), (b) (7)(C)

INTRODUCTION

The following information relates to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)), a former U.S. Office of Personnel Management (OPM), Federal Investigative Services (FIS), contract background investigator with U.S. Investigations Services (USIS). (b) (6), (b) (7)(C) falsified work on background investigations of federal employees and contractors on numerous Reports of Investigation (ROI), between January 1, 2008 and July 21, 2008.

The ROIs submitted by (b) (6), (b) (7)(C) were utilized and relied upon by the agencies requesting the background investigations to determine whether the subjects were suitable for positions having access to classified information, for positions impacting National Security, or for receiving or retaining security clearances.

PROGRAM OVERVIEW

The responsibility of the OPM, Office of the Inspector General (OIG) is to prevent, detect, and investigate fraud, waste and abuse within programs operated and administered by OPM, including FIS background investigations.

FIS, formerly known as the Center for Federal Investigative Services or the Federal Investigative Services Division, through its workforce of approximately 9,608 investigators (both Federal employees and contractors), is responsible for conducting background investigations for numerous federal agencies and their contractors, on individuals either employed by or seeking employment with those agencies or contractors. In the 2013 fiscal year, FIS processed approximately 2.3 million investigations.

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CLASSIFICATION:

FOR OFFICIAL USE ONLY

In conducting background investigations, the investigators conduct interviews of individuals who have information about the person who is the subject of the review. In addition, the investigators seek out, obtain, and review documentary evidence, such as employment records, to verify and corroborate information provided by either the subject of the background investigation or by persons interviewed during the investigation. After conducting interviews and obtaining documentary evidence, the investigators prepare a ROI containing the results of the interviews and document reviews, and electronically submit the material to OPM in Washington, DC. OPM then provides a copy of the investigative file to the requesting agency, which uses the information to determine an individual's eligibility/suitability for employment or a security clearance.

BASIS OF INVESTIGATION

In or about April 2009, the OPM/OIG received a referral from FIS, Integrity Assurance (IA), relating to allegations that (b) (6), (b) (7)(C), a Contract Investigator assigned to a USIS field office in (b) (6), (b) (7)(C), falsified a number of background investigations and records checks. Subsequent to receipt of this information, a complaint was initiated and the investigation was assigned to the reporting Special Agent (b) (6), (b) (7)(C).

STATUTES VIOLATED

Title 18 U.S.C. §1001 Making a False Statement

CASE SUMMARY

On or about April 29, 2009, the OPM/OIG received notification from FIS I/A that FIS/IA was re-investigating the cases assigned to (b) (6), (b) (7)(C), due to allegations that (b) (6), (b) (7)(C) falsified source interviews and records checks on numerous ROIs while conducting background investigations. (b) (6), (b) (7)(C), Executive Program Director, FIS/IA, advised that substantial information relating to the falsification of reports had been obtained and as a result, FIS/IA initiated a *Falsification Recovery Project*.

On August 9, 2012, FIS/IA provided the OIG with their Executive Summary report which compiled all the statistical data and analysis and concluded there were approximately (b) (6), (b) (7)(C) confirmed falsifications uncovered by their recovery project. During the months of April and May 2013, the reporting agent coordinated with FIS/IA to thoroughly review the Executive Summary report and all known source and records falsifications. In May 2013, the reporting agent and FIS/IA jointly conducted multiple field interviews of sources and record checks in the (b) (6), (b) (7)(C) area.

Subsequently, upon further investigative review and discussion with (b) (6), (b) (7)(C), Branch

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Chief, IA, OPM/FIS and (b) (6), (b) (7)(C), it was confirmed that the majority of confirmed falsified sources and record check reports were either near or already exceeded the 5 year statute of limitations for criminal prosecution. Therefore, (b) (5), both offices mutually agreed to pursue administrative remedies in lieu of criminal prosecution.

CONCLUSION/DISPOSITION

On or about November 20, 2013, (b) (6), (b) (7)(C) provided our office with a notification and written confirmation that a memorandum of an administrative Contract Offset action was processed against USIS in the amount of \$133,889.58.

On March 26, 2014, (b) (6), (b) (7)(C), Senior Advisor to the Assistant Inspector General for Investigations, OPM/OIG, submitted an Action Referral Memorandum to Recommend Debarment of (b) (6), (b) (7)(C) to Patricia W. Broome, Director, Contracting Policy, Facilities, Security, and Contracting, OPM.

On (b) (6), (b) (7)(C), 2014, a Notice of Proposed Debarment was sent to (b) (6), (b) (7)(C) by OPM Suspension and Debarment Official Dean S. Hunter, Director, Facilities, Security, and Contracting, OPM.

SUBJECT OF INVESTIGATION

Name: (b) (6), (b) (7)(C)

DOB: [REDACTED]

SSN: [REDACTED]

FBI#: [REDACTED]

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

Signed: _____

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

Assistant Special Agent in Charge
Special Investigations



Signed: _____

Michelle B. Schmitz
Assistant Inspector General for Investigations

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**OFFICE OF PERSONNEL MANAGEMENT
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

REPORT OF INVESTIGATION

February 5, 2015

CASE NAME: (b) (6), (b) (7)(C)

CASE NUMBER: I 2010 00228

CASE AGENT: (b) (6), (b) (7)(C)

INTRODUCTION

The following information relates to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)), a former U.S. Office of Personnel Management (OPM), Federal Investigative Services (FIS), contract background investigator with KeyPoint Government Solutions (KeyPoint) (formerly Kroll Government Services) and CACI. (b) (6), (b) (7)(C) falsified work on background investigations of federal employees and contractors on numerous Reports of Investigation (ROI), between May 1, 2009 and November 18, 2009.

The ROIs submitted by (b) (6), (b) (7)(C) were utilized and relied upon by the agencies requesting the background investigations to determine whether the subjects were suitable for positions having access to classified information, for positions impacting National Security, or for receiving or retaining security clearances.

PROGRAM OVERVIEW

The responsibility of the OPM, Office of the Inspector General (OIG) is to prevent, detect, and investigate fraud, waste and abuse within programs operated and administered by OPM, including FIS background investigations.

FIS, formerly known as the Center for Federal Investigative Services or the Federal Investigative Services Division, through its workforce of approximately 9,608 investigators (both Federal employees and contractors), is responsible for conducting background investigations for numerous federal agencies and their contractors, on individuals either employed by or seeking employment with those agencies or contractors. In the 2013 fiscal year, FIS processed approximately 2.3 million investigations.

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In conducting background investigations, the investigators conduct interviews of individuals who have information about the person who is the subject of the review. In addition, the investigators seek out, obtain, and review documentary evidence, such as employment records, to verify and corroborate information provided by either the subject of the background investigation or by persons interviewed during the investigation. After conducting interviews and obtaining documentary evidence, the investigators prepare a ROI containing the results of the interviews and document reviews, and electronically submit the material to OPM in Washington, DC. OPM then provides a copy of the investigative file to the requesting agency, which uses the information to determine an individual's eligibility/suitability for employment or a security clearance.

BASIS OF INVESTIGATION

In or about December 2009, the OPM/OIG received a referral from FIS, Integrity Assurance (IA), relating to allegations that (b) (6), (b) (7)(C), a Contract Investigator assigned to KeyPoint and CACI field offices in (b) (6), (b) (7)(C), falsified a number of background investigations and records checks. Subsequent to receipt of this information, a complaint was initiated and the investigation was assigned to the reporting Special Agent (b) (6), (b) (7)(C).

STATUTES VIOLATED

Title 18 U.S.C. §1001 Making a False Statement

CASE SUMMARY

On or about December 17, 2009, the OPM/OIG received notification that from FIS/IA that FIS/IA was re-investigating (b) (6), (b) (7)(C)'s assigned cases, due to allegations that (b) (6), (b) (7)(C) falsified source interviews and records checks on numerous ROIs while conducting background investigations. In March 2013, (b) (6), (b) (7)(C), Executive Program Director, FIS/IA, notified our office that as a result of their completion of the *Falsification Recovery Project* a FIS Executive Summary report was completed and approximately thirty confirmed falsifications were identified in the report.

The reporting agent, from February through March 2013, coordinated with FIS/IA and reviewed all known source and records falsifications, as well as conducted multiple source interviews related to records check verifications. The outcome of the investigative review and field interviews of sources and record checks confirmed there were a total of (b) (6), (b) (7)(C) confirmed falsifications. Of the total falsifications, (b) (6), (b) (7)(C) were records checks and only (b) (6), (b) (7)(C) were source interviews.

In October 2013, the reporting agent conducted an intake briefing with prosecuting Assistant

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U.S. Attorneys at the U.S. Attorney's Office, District of Columbia, (USAO-DC), Fraud and Public Corruption Division. On or about December 5, 2013, the USAO-DC decided to decline criminal prosecution due to (b) (5)

CONCLUSION/DISPOSITION

On or about December 16, 2013, (b) (6), (b) (7)(C) provided our office with a notification and written confirmation that a memorandum of an administrative Contract Offset action was processed against KeyPoint and CACI in the amount of \$170,131.64.

On April 21, 2014, (b) (6), (b) (7)(C), Senior Advisor to the Assistant Inspector General for Investigations, OPM/OIG, submitted an Action Referral Memorandum to Recommend Debarment of (b) (6), (b) (7)(C) to Patricia W. Broome, Director, Contracting Policy, Facilities, Security, and Contracting, OPM.

On (b) (6), (b) (7)(C), 2014, a Notice of Proposed Debarment was sent to (b) (6), (b) (7)(C) by OPM Suspension and Debarment Official Dean S. Hunter, Director, Facilities, Security, and Contracting, OPM.

SUBJECT OF INVESTIGATION

Name: (b) (6), (b) (7)(C)

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)

FBI#: (b) (6), (b) (7)(C)

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

Signed: _____

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

Assistant Special Agent in Charge
Special Investigations

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Michelle B. Schmitz
Assistant Inspector General for Investigations

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**OFFICE OF PERSONNEL MANAGEMENT
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

REPORT OF INVESTIGATION

February 4, 2015

CASE NAME: (b) (6), (b) (7)(C)

CASE NUMBER: I 2011 00002

CASE AGENT: (b) (6), (b) (7)(C)

INTRODUCTION

The following information relates to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)), a former U.S. Office of Personnel Management (OPM), Federal Investigative Services (FIS), contract background investigator with KeyPoint Government Solutions (KeyPoint) (formerly Kroll Government Services). (b) (6), (b) (7)(C) falsified work on background investigations of federal employees and contractors on numerous Reports of Investigation (ROI), between February 1, 2010 and September 2010.

The ROIs submitted by (b) (6), (b) (7)(C) were utilized and relied upon by the agencies requesting the background investigations to determine whether the subjects were suitable for positions having access to classified information, for positions impacting National Security, or for receiving or retaining security clearances.

PROGRAM OVERVIEW

The responsibility of the OPM, Office of the Inspector General (OIG) is to prevent, detect, and investigate fraud, waste and abuse within programs operated and administered by OPM, including FIS background investigations.

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BASIS OF INVESTIGATION

In or about October 2010, the OPM/OIG received a referral from FIS, Integrity Assurance (IA), relating to allegations that (b) (6), (b) (7)(C), a Contract Investigator assigned to a KeyPoint field office in northeastern (b) (6), (b) (7)(C), falsified a number of background investigations and records checks. Subsequent to receipt of this information, a complaint was initiated and the investigation was assigned to the reporting Special Agent (b) (6), (b) (7)(C).

STATUTES VIOLATED

Title 18 U.S.C. §1001 Making a False Statement

CASE SUMMARY

On or about October 5, 2010, the OPM/OIG received notification that FIS/IA was re-investigating (b) (6), (b) (7)(C)'s assigned cases, due to allegations that he falsified source interviews and records checks on numerous ROIs while conducting background investigations. In November 2011, (b) (6), (b) (7)(C), Executive Program Director, FIS/IA, notified our office that substantial information relating to the falsification of reports was obtained as a result of their completion of the *Falsification Recovery Project*.

The reporting agent, from March through May 2013, coordinated with FIS/IA and reviewed all suspected source and records falsifications, and also conducted multiple source interviews. The outcome of the investigative review and field interviews of sources and record checks confirmed approximately (b) (6) total falsifications were identified in the *Falsification Recovery Project*. Of the (b) (6) total falsifications, 2 sources were now deceased; and 5 were record check items the OIG was either unable to locate and/or identify the sources that allegedly provided the information. The verifiable number of falsifications committed by (b) (6), (b) (7)(C) did not meet or exceed the current threshold for criminal prosecution ((b) (5), (b) (7)(E)) established by the District of Columbia U.S. Attorney's Office, Fraud & Public Corruption Division. Therefore,

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the OIG and FIS/IA mutually agreed to pursue administrative remedies in lieu of criminal prosecution.

CONCLUSION/DISPOSITION

On or about October 9, 2013, (b) (6), (b) (7)(C) provided our office with a notification and written confirmation that a memorandum of an administrative Contract Offset action was processed against KeyPoint in the amount of \$89,320.76.

On March 6, 2014, (b) (6), (b) (7)(C), Senior Advisor to the Assistant Inspector General for Investigations, OPM/OIG, submitted an Action Referral Memorandum to Recommend Debarment of (b) (6), (b) (7)(C) to Patricia W. Broome, Director, Contracting Policy, Facilities, Security, and Contracting, OPM.

On (b) (6), (b) (7)(C), 2014, a Notice of Proposed Debarment was sent to (b) (6), (b) (7)(C) by OPM Suspension and Debarment Official Dean S. Hunter, Director, Facilities, Security, and Contracting, OPM.

SUBJECT OF INVESTIGATION

Name: (b) (6), (b) (7)(C)

DOB: [REDACTED]

SSN: [REDACTED]

FBI#: [REDACTED]

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

Signed: _____

Nathaniel M. Smith
Assistant Special Agent in Charge
Special Investigations



Signed: _____

Michelle B. Schmitz
Assistant Inspector General for Investigations

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