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REPORTS INCLUDED

Complaint No.	Allegation
2007-7	Theft
2007-8	Gratuities
2008-2	Improper use of vehicles
2008-3	combined with above
2008-4	Attempted abuse fare adjustment
2008-10	Operating vehicle while intoxicated
2008-16	Theft/vandalism
2009-16	Management retaliation
2009-19	Theft
2009-26	Improper token redemption
2009-31	Suspicious bank transactions by employee
2010-007	Improper travel by MTPD officers
2010-008	Theft
2010-034	Improper Utilization of Grant Funds



December 6, 2010

Re: PARP Request No. 10-0108(2)

This provides a partial response to your request for copies of the entire final report and closing memo for the following investigations: 1) 2007-5; 2) 2007-7; 3) 2007-8; 4) 2007-22; 5) 2008-2; 6) 2008-3; 7) 2008-4; 8) 2008-10; 9) 2008-10; 10) 2008-16; 11) 2009-16; 12) 2009-19; 13) 2009-21; 14) 2009-26; 15) 2009-31; 16) 2010-007; 17) 2010-008; 18) 2010-032; 19) 2010-033; and 20) 2010-034. Your request is being processed pursuant to the Public Access to Records Policy (PARP), which can be viewed on our website at http://www.wmata.com/about_metro/public_rr.cfm. Enclosed is a partial set of the records that you requested. Please note that there is no responsive documents for 2010-33. We have redacted the reports in accordance with PARP exemptions 6.1.1 (safety and security), 6.1.6 (personal privacy), 6.1.7(c) and (e) (law enforcement), and 6.1.4 (confidential commercial information). In addition, we have withheld Report #2010-32 in its entirety under PARP exemptions 6.1.6 and 6.1.7(c). At this time, we are in the process of reviewing Report of Investigation #2007-5, #2007-22, and 2008-16 and will supplement our response at a later date.

If you wish to appeal WMATA's decision, in accordance with WMATA's PARP § 9.1, you may file a written appeal of the action with the Chief of Staff within 30 business days of the date of this denial letter. The appeal panel will inform you of its determination concerning the appeal within 30 business days of receipt of the appeal. Further details about our appeals process can be found on our website.

Future correspondence regarding your request should be directed to my attention and should reference the PARP request number above. You may also contact me at 202-962-2058 or email me at kthom@wmata.com.

Sincerely,

Keysia A. Thom
PARP/Privacy Policy Administrator

Enclosures

**Washington
Metropolitan Area
Transit Authority**

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A District of Columbia,
Maryland and Virginia
Transit Partnership

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2007-7

Date: August 28, 2009

Allegation and Background

An anonymous call was received in April 2007 on the Hotline stating that [REDACTED], a leadman in Plant Maintenance (Plant), was stealing equipment from WMATA for his personal use and for an air conditioning business he conducted on the side. [REDACTED] allegedly stole the equipment by putting it into his truck on Sundays when he worked at [REDACTED], he had since moved to the [REDACTED]. The allegation also stated that [REDACTED] installed a WMATA air conditioning unit in his home and that stolen WMATA equipment was stored in his backyard.

Summary of Investigation

[REDACTED] on Sunday, February 24, 2008, did not reveal any evidence of theft. [REDACTED]

[REDACTED], the Plant superintendent checked personnel records and stated that [REDACTED] was working in the [REDACTED] Yard at least as far back as June 2007.

A query was run in Maximo to identify all parts and materials requisition by [REDACTED] since June 2006. The results were reviewed and discussed with [REDACTED]. Five questionable transactions involving window air conditioning units, thermostats and Freon were identified.

[REDACTED] Sufficient probable cause could not be gathered to justify a search warrant for the residence.

Upon [REDACTED] return from extended leave in April 2009, his requisitioning of parts and materials was closely monitored by [REDACTED]. There were no additional questionable transactions.

On August 18, 2009, [REDACTED] was questioned about the five questionable requisitions. [REDACTED] responses were consistent with the procedures that [REDACTED] described for Plant employees to obtain equipment. According to [REDACTED], all of the requisitions, with the exception of one, were for use on a legitimate work order or to stock the forward supply room or to stock WMATA vehicles used by Plant employees. None of the explanations could be verified or refuted due to existing operating procedures.

For example, three 100 pound cylinders of Freon 11, used for chillers, were charged by [REDACTED] to a work order for the repair of an air conditioner in a kiosk. [REDACTED] related that the Freon was requisitioned and picked up for the use of another work unit as a courtesy. The cylinders were placed in the forward supply room and later picked up by the other work unit that repaired chillers.

The one transaction which [REDACTED] could not explain involved the requisition of eight heat pump window units on May 30, 2007. Seven of the heat pumps were returned to the storeroom on the next day, according to Maximo. [REDACTED] had no recollection of the transaction and questioned whether or not he did it since there was no physical way he could load eight heat pump window units into his WMATA vehicle.

[REDACTED] did admit that he repaired air conditioning units as a sideline. However, he denied using WMATA parts for his sideline business.

Relevant Statutes, Regulations and Other Standards

Criminal theft or embezzlement:

District of Columbia, D.C. Code § 22-3211: a person commits the offense of theft if that person wrongfully obtains or uses the property of another with intent to deprive the other a right to the property or to appropriate the property to his or her own use or the use of a third person. Theft of property valued over \$250 is punishable as felony.

Virginia: Virginia Code § 18.2-111: to establish the crime of embezzlement under this section, the Commonwealth must prove that the accused wrongfully appropriated to his

or her own use or benefit, with the intent to deprive the owner thereof, the property entrusted or delivered to the accused. Embezzlement of amounts above \$200 is punishable as a felony.

Maryland: Maryland Code § 7-204 Theft of property valued at over \$500 is a felony.

OIG Investigative Findings

The investigation was not able to determine the validity of the allegation due to our inability to get more specific information from the anonymous source and the practices of Plant relating the requisitioning and tracking of parts and materials. The requisitioning of parts and materials by aggregation and charging to a randomly selected work order effectively eliminates any possible audit trail and does not allow WMATA to accurately record the cost of completing a specific work order. Nor could we verify [REDACTED] whether theft had occurred without more specific information and because of changing work conditions.

It is recommended that this investigation be closed due to a lack of detailed records. If additional information is received, it can be reopened at that time.

Exhibits

None

[REDACTED]

Special Agent [REDACTED]

[REDACTED]

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Investigation No. 2007-8

Date: October 28, 2008

Allegation

The Office of Inspector General (OIG) received two written, undated, anonymous complaints alleging that [REDACTED] an Account Representative in the Office of Marketing, had accepted gratuities from entities with which WMATA had advertising partnership agreements, in violation of the WMATA Standards of Conduct. One of the complaints came in an envelope postmarked September 5, 2007, and it made reference to an earlier complaint containing "irrefutable evidence" having been provided to the General Managers' Hotline about the same subject matter. (Exhibit 1). We determined that the other complaint was submitted by an employee in WMATA's Office of Marketing, the same office where [REDACTED] works. (Exhibit 2).

Both complaints enclosed the same photocopied page showing two tickets to the February 14, 2007 Lalah Hathaway show at the Warner Theatre and two tickets to the March 1, 2007 performance of Comedy Explosion at the DAR Constitution Hall, along with an image of a stamped envelope addressed to [REDACTED] at WMATA with the return address of "WHUR 96.3." One of the complaints described them as "two very expensive performances provided by Radio Station WHUR." The other complaint alleged that the tickets were worth \$65.50 each.

Also alleged was that [REDACTED] received "very expensive" tickets to the Auto Show's Black Tie Event, VIP box-seats at the MCI/ Center for High School Musical, VIP tickets for attendance to a pre-public performance of Cirque du Soleil, and VIP seats at the Legg Mason Tennis Classic. The value of the tickets was alleged to exceed the limit in the WMATA Standards of Conduct. It was alleged that there were other tickets, and that these were just examples.

In addition, one of the complaints alleged that [REDACTED] served on the Board of Directors for the Lincoln Theater and the Cherry Blossom Festival and provided free advertising to those organizations.

There was also an allegation that advertisements for Cirque de Soleil in the October 20, 2006 Washington Post and the September 29, 2006 Washington City Paper did not

have the "Metro Opens Doors" logo, as they should have in accordance with a Joint Partnership with WMATA for which [REDACTED] was responsible. (Exhibit 3)

Summary of Investigation

The WMATA Joint Partnership Program and [REDACTED] Role

The Joint Partnership Program, started in 2000, was a barter program whereby sponsors of special events got free advertising at Metro facilities in exchange for including Metro's logo in the sponsors' print advertisements and reference to Metro in other advertising for the event and, in some instances, other benefits like discounts for WMATA employees. No money was exchanged, but in some cases WMATA incurred printing costs and costs to post free advertisements in the system and vehicles. The program was supposed to generate more ridership for Metro in connection with the event being advertised. Letters of understanding were supposed to be executed with the sponsor of the event. Formal contracts were not executed because of time constraints for special events.

[REDACTED] was the only employee who solicited and negotiated partnerships for the Joint Partnership Program during the period 2000 to mid-2007.¹ Therefore, [REDACTED] had a role in every joint partnership from that time period. [REDACTED] explained that he determined which entities to approach about partnerships, which he said required him to develop relationships with businesses, organizations, committees, and other potential joint partnership candidates to promote the Joint Partnership Program. He told us that attendance at special events and performances was part of his networking activity necessary to his job. He also said that he monitored placement of WMATA advertisements when he went to events such as the Legg Mason tennis tournament. He indicated that his managers all knew about his attendance at such events and approved. In addition, [REDACTED] explained that he and other WMATA employees under his direction staffed events and received tickets to attend special events in return.

[REDACTED] currently [REDACTED] of Marketing who now manages the Joint Partnership Program, provided a list of the Joint Partnerships developed by [REDACTED] from 2002 to 2007. (Exhibit 4). [REDACTED] provided a chart entitled Cooperative Promotional Efforts FY/05 and 06, listing joint partnerships from that period, which not only includes WHUR in addition to what [REDACTED] provided, but includes some detail about the nature of the partnership agreements. (Exhibit 5-portion). A memorandum he provided dated September 12, 2006, stated that WMATA's Office of Marketing had a joint partnership with Washington Sports to promote transit and other special promotional campaigns at the Verizon Center. (Exhibit 6).

¹ [REDACTED] still works in the Office of Marketing, but he no longer works on the Joint Partnership Program. This report contains sensitive information and is the property of the WMATA Office of Inspector General (OIG). It should not be copied or reproduced without the written consent of the OIG. This report is for OFFICIAL USE ONLY, and its disclosure to unauthorized persons is prohibited.

There are no written guidelines, policies and procedures for the Joint Partnership Program, and none existed while [REDACTED] worked on the program.

[REDACTED] Receipt of Tickets, Other Items and Affiliations

[REDACTED] acknowledged that he got complementary tickets or attended special programs for many of the events mentioned in the complaints, the sponsors of which were parties to partnerships with WMATA: the Washington International Horse Show, Cirque du Soleil, the Washington Auto Show, and the Legg Mason Tennis Classic. He acknowledged receiving tickets to High School Musical at the MCI/Verizon Center, which is connected with several joint partners, as discussed below. [REDACTED] said that he received tickets for and attended the WNBA All-Star Game, which also had a partnership; he explained that he worked at the game, and that every WMATA employee who worked at the game could attend. He said he received tickets but did not attend the following Joint Partnership Program participant events: Washington Boat Show, Washington Home & Garden Show, Smithsonian Kite Festival, and George Washington University basketball.

[REDACTED] told us that he gave complimentary tickets from joint partnership participants to his neighbors, friends, and other WMATA employees. For example, [REDACTED] a WMATA employee then in the Finance Office, told us he got two free tickets to the Washington Home & Garden Show from [REDACTED]. [REDACTED] said the tickets were worth \$10 each. [REDACTED] indicated that he gave [REDACTED] tickets to the Legg Mason Tennis Tournament, the value of which is discussed below. Another employee in the Office of Marketing, [REDACTED], told us he got tickets to the Black Family Reunion from [REDACTED] which is another partnership participant. [REDACTED] noted that there were times he gave invitations or tickets to events to WMATA executive management. He cited invitations to a Race for the Cure function several years ago that were passed on to former General Manager Dick White, whose wife was on the Board of Directors for the organization. White attended with his wife and children. Race for the Cure was a participant in a joint partnership.

[REDACTED] explained his view that his receipt of tickets and invitations to events was not improper because of a number of factors: (1) he cleared the practice with his managers, who approved; (2) his managers told him he could accept tickets that did not have a face value printed on the ticket; (3) none of the tickets he received were in exchange for his work in connection with a joint partnership; (4) the events were part of networking activity, a part of his job to promote the Joint Partnership Program. [REDACTED] told us that until he was interviewed by OIG for this investigation, he was unaware of the prohibition on receipt of gratuities in excess of \$25 in the Standards of Conduct ¶ 6.02.03.

[REDACTED] denied getting tickets from WHUR, which was a party to two joint partnerships, and he denied attending the shows for which the photocopied tickets were submitted

with the complaints. But a representative of WHUR told OIG that she remembered giving [REDACTED] promotional tickets once or twice a long time ago. The WHUR representative said she would often give tickets to anyone without having a special reason, and that WHUR does not have records that would allow them to determine whether the specific tickets in the complaint attachment were those given by the station to [REDACTED]

The employee who sent one of the complaints described having found the enclosed photocopied page left at the individual's work station. The employee denied knowledge of who made the photocopy or how it was made. The employee said that the same photocopy was on the chairs of other employees as well. No one else from the Office of Marketing whom we interviewed said that they had received the document.

We determined the following information about the some of the specific events or organizations mentioned in the complaints:

1. Cirque du Soleil: [REDACTED] indicated that he received an invitation to a special performance of Cirque du Soleil in October 2006 and attended. WMATA had a joint partnership with Cirque du Soleil that year. [REDACTED] stated that attendance at such a pre-opening performances was good for networking necessary to perform his job. [REDACTED] said that prior to attending this event, he cleared it through his boss, [REDACTED] as he normally did with invitations.

OIG checked the Washington Post newspapers for the period of October 20 through October 27, 2006, the week leading up to the show, the opening day (October 26) and the day after. There were two advertisements for the Cirque du Soleil show, and although they had taglines for other companies, there was none for Metro. (e.g., Exhibit 3). [REDACTED] denied knowledge of any irregularity with Cirque du Soleil advertisements. He noted that if the advertisements are already in place when a partnership agreement is finalized, it is not always possible to get a Metro logo included. In an earlier interview, [REDACTED] said he did not remember if that was the case in the Cirque du Soleil partnership, but in a later interview he said that it was the case.

[REDACTED] said that the Office of Marketing does not have a copy of the 2006 Cirque du Soleil partnership agreement or other documentation establishing the date of it. He provided a routing slip dated October 12, 2006, from [REDACTED] about the joint promotion. (Exhibit 7). [REDACTED] estimated, based upon the event dates, that the agreement was made in the late summer to early fall of 2006. The chart of partnerships [REDACTED] provided summarized the "value provided" by the Cirque du Soleil partnership as follows: "WMATA tag line and logo will be featured on minimum advertising to include radio and tv spots." (Exhibit 5).

2. Legg Mason Tennis Classic: [REDACTED] stated that he attended the August 2007 Legg Mason Tennis Classic using complimentary tickets that he received through WMATA. WMATA had a partnership with the tournament that year. We confirmed with the

sponsor that in 2007, they gave [REDACTED] 16 tickets worth \$900. [REDACTED] said he used only two tickets, worth about \$100 together, to attend a weekday event. He said that [REDACTED] wanted tickets but could not attend, and he told [REDACTED] to use the tickets. He said he gave the other tickets away to friends and other WMATA employees. In other years he gave Legg Mason tickets on to WMATA senior management. [REDACTED] said that his understanding was that since these tickets did not have a "face value," they were not subject to the Standards of Conduct. [REDACTED] also pointed out that the 2007 partnership agreement with Legg Mason provided specifically for the sponsor to provide VIP invitations to WMATA. (Exhibit 8).

3. High School Musical at the MCI/Verizon Center, December 2006: [REDACTED] said the complimentary tickets he used were not related to the Joint Partnership Program. First he said he attended as a personal guest of Abe Pollin, owner of Washington Sports and Entertainment, with which there was one or more partnerships. He explained that he had known Pollin's son [REDACTED] for several years, and they are friends. Later he said that he got standing-room tickets from a former supervisor, [REDACTED], who had gone to work for the Verizon Center. There was a WMATA promotion of the Washington Mystics Basketball team and partnerships with the Washington Wizards, Washington Capitals, and Sister to Sister, all of which had Pollin-family connections. A September 2006 memorandum which [REDACTED] provided stated: "Please note that the Sister to Sister promotion is spearheaded by Abe Pollin's wife, Irene Policy and (son) [REDACTED] Pollin." (Exhibit 6).

4. The Washington Auto Show and Barbeque Battle. [REDACTED] explained that he was invited to the pre-opening 2007 Auto Show Black Tie event as a VIP guest of Allen Tubis, who is on the Board for the Boys and Girls Clubs of Greater Washington. [REDACTED] said his connection with Tubis is through his personal involvement with the Boys and Girls Clubs. He acknowledged that initially he was in contact with the organization through his work on behalf of WMATA, but later got involved as a private citizen. The Auto Show had a joint partnership with WMATA in 2002 to 2007.

The employee who sent one of the complaints and [REDACTED], a former manager in Marketing, both said that [REDACTED] got tickets to the Barbeque Battle, a joint partnership participant from 2002 to 2007. The annual Barbeque Battle benefits the Boys and Girls Clubs, and Tubis is the person to whom potential sponsors are directed. Tubis told us that he had no record of sending free tickets for the Barbeque Battle (worth \$10 each) to anyone at WMATA, but he told us that his records showed he sent [REDACTED] at WMATA four tickets in 2007 for the "Mayor's Rib Cutting Ceremony." [REDACTED] indicated that he and other WMATA employees staffed the event and got free admission in return.

5. Lincoln Theater. [REDACTED] acknowledged that he was on the Board of Directors for the Lincoln Theater for the last seven years and continues to serve. (He is not listed on the theater's website as a Board member.) Initially, he met officials of the theater while working on a WMATA partnership, but he claimed he did not work on any partnership with the theater after becoming a Board member. There was a partnership with the

Lincoln Theater between December 2002 and June 2003, and if [REDACTED] was a Board member for seven years, he would have been a member at that time. [REDACTED] stated that he discussed Board membership with [REDACTED] of the Office of General Counsel who told him that he could do so. [REDACTED] said that he did not have records to substantiate contact with [REDACTED] on the matter and did not recall it. [REDACTED] said that he encouraged [REDACTED] to accept the position after [REDACTED] left the Office of Marketing. [REDACTED] stated that it was common knowledge that [REDACTED] was a member of the Board of Directors for the Lincoln Theater and that [REDACTED] talked about it openly. However, [REDACTED] indicated that he did not know about [REDACTED] membership on any board.

6. Cherry Blossom Festival. [REDACTED] denied being on the Board, but admitted that he sat on numerous planning committees including the Cherry Blossom Festival Committee. He said he represented WMATA's interest on the committees. WMATA did a joint partnership with the Cherry Blossom Festival each year from 2002 to 2007.

* * * *

[REDACTED] first- and second-line supervisors to whom we spoke either claimed they had no knowledge of [REDACTED] getting tickets, thought any tickets received were made generally available to WMATA employees, and/or said that they saw nothing improper about his attending events to which he was invited by participants or potential participants in joint partnerships.

[REDACTED], a supervisor in 2000, said that he told [REDACTED] that any tickets he received should be made available to all WMATA employees. He said he knew that [REDACTED] got tickets to the Kennedy Center, Mystics and Wizards basketball games, Barbeque Battle, Black Family Reunion — all joint partnership participants — but he did not indicate that he knew what [REDACTED] did with the tickets. [REDACTED] stated that [REDACTED] once told him that he sat in the Mystics basketball team box to watch a game.

[REDACTED] the Marketing Director and second-line supervisor for most of the period and first-line supervisor for a period in 2006 and 2007, said that he knew that [REDACTED] attended many events like opening ceremonies or kick-off events in which he represented WMATA, something [REDACTED] said was not improper. [REDACTED] maintained that all tickets received by [REDACTED] were used for employee recognition programs. [REDACTED], who was the supervisor from mid-2006 until [REDACTED] left the program in mid-2007, said that he had no knowledge of [REDACTED] receiving free tickets. [REDACTED] said he heard [REDACTED] say that he was a member of the Cherry Blossom Festival Board, but [REDACTED] said that he did not know about [REDACTED] membership on any board.

Disclosure Under WMATA Standards of Conduct, P/I 7.10/5

[REDACTED] signed a Confidential Statement of Affiliations and Financial Interests (Form 710-3) dated April 10, 2007. (Exhibit 9). He did not report that he was a member of the Board of Directors for the Lincoln Theater or any Cherry Blossom Festival committee affiliation. He explained that he did not think he needed to report these affiliations, since

this was on his own time and did not affect his job function. [REDACTED] denied that the Board membership created an appearance of a conflict of interest, because everything he did was part of his job and/or he relied on advice from his managers or counsel. We found no evidence that [REDACTED] ever submitted a Form 710-2 declaring gratuities received within one calendar year exceeding \$200. Nor did we find any evidence of any written permission from a supervisor for activities otherwise prohibited where WMATA's interest will be served (see Standards of Conduct ¶ 6.02.04).

Relevant Statutes, Regulations and Other Standards

WMATA Standards of Conduct, P/I 7.10/5: §§ 4.08 (definition of "Gratuities"), 6.01 (Conflicts of Interest); 6.01.01 (Outside Employment and Other Activities); 6.02 (Gratuities).

OIG Investigative Findings

[REDACTED] received tickets from organizations involved in the Joint Partnership Program. In some cases he used them personally, and in some cases he gave them to others at his discretion. Notably, he received \$900 worth of tickets for the 2007 Legg Mason Tennis Classic, of which he used \$100 worth and gave away the rest. [REDACTED] also received invitations and attended events sponsored by partnership participants. The Cirque du Soleil pre-opening performance and the black-tie event for the Auto Show were examples. While we could not determine whether the lack of a Metro logo in 2006 newspaper advertisements for the Cirque du Soleil show was in violation of an agreement with WMATA or was an unavoidable omission due to timing, the appearance of a conflict of interest exists.

These tickets and invitations to events were subject to the limitations on the receipt of gratuities in the Standards of Conduct, § 6.02. The fact that a partnership agreement provided for the tickets to be given to WMATA (as in the case of Legg Mason) did not absolve an individual employee from complying with the gratuities rules. General Counsel's Office advised that an employee subject to the gratuities bar cannot accept tickets or invitations on the basis that they have no "face value," contrary to [REDACTED] stated position. According to counsel, the value would be the price of an equivalent ticket sold to the general public, the value the sponsor put on the invitation, or some other reasonable valuation method. But there is a question as to whether even those tickets or invitations worth less than the \$25 exception in ¶ 6.02.03 could be accepted by someone in [REDACTED] position. Paragraph 6.02.05 of the Standards of Conduct prohibits acceptance of any gratuity from a person whose interests may be affected by the performance or non-performance of the employee's official duties under circumstances where the timing and nature of the gratuity would cause a reasonable person to question the employee's impartiality.

OIG was unable to confirm the allegation that [REDACTED] received and/or used the tickets of which we received a copy along with a copy of an envelope from WHUR bearing his name and office address. We cannot prove that the tickets were in fact sent in the envelope simply because they are copied on the same page. There is contradictory information concerning [REDACTED] receipt of any tickets from WHUR radio.

Interviews suggest that some of [REDACTED] supervisors were at least generally aware of his activities and explicitly or tacitly condoned them in order to promote the Joint Partnership Program. The Standards of Conduct ¶ 6.02.04 provides a mechanism for supervisors to give advance written permission, where participation in these types of activities is deemed to be in WMATA's interest, but this was not done with [REDACTED]. Instead, [REDACTED] exercised his own discretion about the use of tickets and invitations to events. While at least one of his supervisors believed that tickets were made generally available to WMATA employees (and some tickets were, according to [REDACTED]), there was no written policy, procedure or rule to this effect or one setting out how tickets and invitations should be handled.

[REDACTED] should have disclosed his affiliations with the Lincoln Theater and committees like the Cherry Blossom Festival Planning Committee on a Confidential Statement of Affiliations and Financial Interests (Form 710-3). Such affiliations with joint partnership participants raise at least a concern about whether there is a conflict of interest or the appearance of a conflict under the Standards of Conduct ¶ 6.01.01. The Office of Marketing management should have considered the particular affiliations and made a determination of whether there was a conflict or appearance of a conflict. Any conflict or appearance of a conflict could have been waived using the procedures set out in the Standards of Conduct ¶ 6.01.09, if in management's judgment the interests of WMATA outweighed the concerns regarding the conflict. The matter could have also been addressed in written policy, procedure or rules applicable to the Joint Partnership Program, but the program had none.

Exhibits

1. Complaint to Inspector General Helen Lew, postmarked September 5, 2007.
2. Complaint from Office of Marketing employee, undated.
3. Advertisements for Cirque du Soleil dated September and October 2006.
4. List of Joint Partnerships, 2002-2007 prepared by [REDACTED]
5. Portion of Chart of Joint Partnerships, FY 2005/06, received from [REDACTED]
6. Memorandum dated September 12, 2006, regarding Washington Sports and other sport franchise events at Verizon Center.
7. Routing slip dated October 12, 2006, regarding Cirque du Soleil joint promotion.
8. Unsigned letter of agreement regarding Legg Mason Tennis Tournament, dated February 22, 2007.
9. Confidential Statement of Affiliations and Financial interest, WMATA Form 710-3, signed by [REDACTED], dated April 24, 2007.

[REDACTED]
[REDACTED] Senior Special Agent

EXHIBIT 1

Ms. Helen Lew
Inspector General
WMATA

Dear Ms. Lew,

Earlier this year, irrefutable evidence was provided to the General Manager's Efficiency Hotline that a WMATA employee, [REDACTED], was accepting gratuities in violation of the Authority's Standards of Conduct. Enclosed is one example of [REDACTED] being provided with complementary tickets to two very expensive performances by Radio Station WHUR. The actual value of the tickets, as confirmed on TicketMaster's Web Site, was far in excess of the amount allowed by the Standards of Coduct.

NOTHING WAS DONE.

And, as I indicated, this is only one example. There have been many more, including some very expensive tickets to the Auto Show's Black Tie Event. All of the entities that [REDACTED] has partnered with should be questioned to see what has been provided.

Not only have there been no consequences for his actions, [REDACTED] has now been promoted to be the [REDACTED] to the Assistant General Manager for [REDACTED]

I would not think that this is the kind of behavior that should be rewarded.

And I'm sure that it is not the type of behavior that would be a benefit to Metro if the press were to get the information.

Please. I implore you to investigate this blatant violation.

WHUR 96.3

529 BRYANT STREET, N.W., WASHINGTON, DC 20059

FIRST CLASS



1/15/04

US



WASHINGTON METROPOLITAN AREA TRANSIT AUTH
600 FIFTH STREET, N.W.
WASHINGTON, D.C. 20001

20001#2693 0003



CH0301E DAR CONSTITUTION HALL
C 0.00 18TH & D STS NW
ORCH
K 123 THUR MAR 1, 2007 8:00PM
TICKETMASTER
26JAN7 ORCH K 123 0.00 26JAN7

782821967308
ticketmaster

CH0301E DAR CONSTITUTION HALL
C 0.00 18TH & D STS NW
ORCH
K 124 THUR MAR 1, 2007 8:00PM
TICKETMASTER
26JAN7 ORCH K 124 0.00 26JAN7

542303797708
ticketmaster

CH0301E THE ORRNER THEATRE
C 0.00 13TH & E STS NW WASH DC
ORCH
K 12X WED FEB 14, 2007 8:00PM
TICKETMASTER
26JAN7 ORCH K 12X 0.00 26JAN7

303707022763
ticketmaster

CH0301E THE ORRNER THEATRE
C 0.00 13TH & E STS NW WASH DC
ORCH
K 12X WED FEB 14, 2007 8:00PM
TICKETMASTER
26JAN7 ORCH K 12X 0.00 26JAN7

183447937451
ticketmaster

EXHIBIT 2

b

This may seem like a small issue; however, in tough budget times, every dollar generated in advertising revenue offsets operating costs. Joint promotion advertising is designed to create positive community relationships and drive ridership to transit accessible venues. One would really need to question the logic behind providing free advertising to venues where transit ridership is assumed at very high levels: The Washington Horse Show; Cirque du Soleil; The Washington Auto Show; Disney On Ice; and other commercial, high profit entities.

The employee, [REDACTED] has been receiving personal benefits from his advertising partners. VIP box-seats at the MCI Center for a High School Musical; VIP tickets for attendance to a pre-public performance of Cirque du Soleil; VIP seats at the Legg-Mason Tennis Classic are just examples. The attached tickets from WHUR represent evidence. These performances come at a value greater than allowed in our standards of conduct. These tickets are valued at \$65.50 each. One must question how many such tickets [REDACTED] has received.

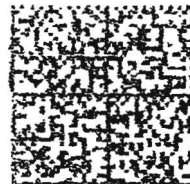
Additionally, [REDACTED] is on the Board of Directors for the Lincoln Theater and the Cherry Blossom Festival. Would this not be considered a conflict of interest since he is providing these venues with free advertising space?

It can very easily be argued that this function provides little for WMATA and much for [REDACTED] and his contacts.

WHUR 96.3

529 BRYANT STREET, N.W., WASHINGTON, DC 20059

FIRST CLASS



Hester

U:

WASHINGTON METROPOLITAN AREA TRANSIT AUTH
600 FIFTH STREET, N.W.
WASHINGTON, D.C. 20001

2000132693 0003



CH0301E DAR CONSTITUTION HALL
C 0.00 18TH & D STS NW
GA
ORCH
X 3X
K 123 THUR MAR 1, 2007 8:00PM
TICKET 239 ORCH
26JAN7 ORCH
K 123 0.00 26JAN7
39533

782821967308



GO TO WWW.TICKETMASTER.COM
NO REFUNDS NO EXCHANGES

ticketmaster

CH0301E DAR CONSTITUTION HALL
C 0.00 18TH & D STS NW
GA
ORCH
X 3X
K 123 THUR MAR 1, 2007 8:00PM
TICKET 239 ORCH
26JAN7 ORCH
K 123 0.00 26JAN7
52977

542303797708



GO TO WWW.TICKETMASTER.COM
NO REFUNDS NO EXCHANGES

ticketmaster

CH0214E THE DARNER THEATRE
C 0.00 13TH & E STS NW WASH DC
GA
ORCH
X 12X
K 123 THUR FEB 14, 2007 8:00PM
TICKET 239 ORCH
26JAN7 ORCH
K 123 0.00 26JAN7
18145

303707022763



GO TO WWW.TICKETMASTER.COM
NO REFUNDS NO EXCHANGES

ticketmaster

CH0214E THE DARNER THEATRE
C 0.00 13TH & E STS NW WASH DC
GA
ORCH
X 12X
K 123 THUR FEB 14, 2007 8:00PM
TICKET 239 ORCH
26JAN7 ORCH
K 123 0.00 26JAN7
20453

183447937451



GO TO WWW.TICKETMASTER.COM
NO REFUNDS NO EXCHANGES

ticketmaster

EXHIBIT 3



"One of the most visually sumptuous
and thematically unified shows ..."

—broadway.com

Corteo

CIRQUE DU SOLEIL

CREATED AND DIRECTED BY DANIELE FINZI PASCA

**9 ADDITIONAL PERFORMANCES
ON SALE SUNDAY AT NOON!**

CIRQUEDUSOLEIL.COM

1 800 678-5440

OPENS OCTOBER 26

UNDER THE GRAND CHAPITEAU AT CITY CENTER
(OLD CONVENTION CENTER) WASHINGTON, DC

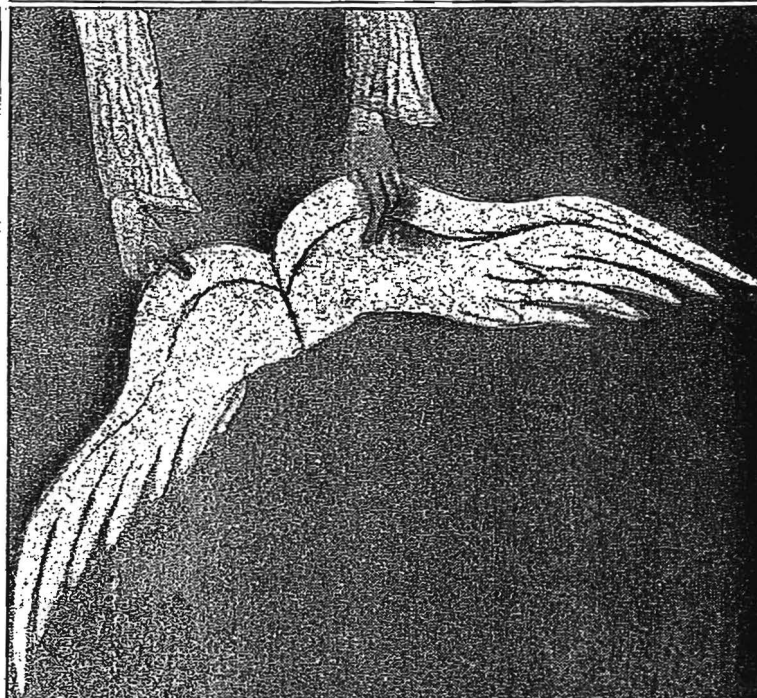
FOR PREFERRED SEATING, ASK FOR THE TAPIS ROUGE VIP EXPERIENCE
GROUP SALES AND : 1 800 450-1480



AIR GROUP SPONSOR
**American
Express**

Gelatin **X** Gelatin

OFFICIAL MEDIA PARTNER
The Washington Times



Corteo

CIRQUE DU SOLEIL

CREATED AND DIRECTED BY DANIELE FINZI PASCA

DON'T MISS OUT!

GET YOUR TICKETS TODAY
CIRQUEDUSOLEIL.COM
1 800 678-5440

OPENS OCTOBER 26

UNDER THE GRAND CHAPITEAU AT CITY CENTER
(OLD CONVENTION CENTER) WASHINGTON, DC
FOR PREFERRED SEATING, ASK FOR THE TAPIS ROUGE™ VIP EXPERIENCE
GROUP SALES AND 1 800 450-1480



American Express

Celebrity X Cruises

The Washington Times

THE WASHINGTON POST WEEKEND/FRIDAY, OCTOBER 20, 2006

EXHIBIT 4

Joint Promotions Chronological Summary

	2002	2003	2004	2005	2006	2007
Washington Boat Show	X	X	X	X	X	X
World of Wheels	X					
Cherry Blossom Festival	X	X	X	X	X	X
Home & Garden Show	X	X	X	X	X	X
Smithsonian Kite Festival	X	X	X	X	X	X
Ringling Brothers Circus	X			X	X	X
Montgomery Youth Works	X	X				
Jordan Brand Basketball	X					
Public Service Recognition Week	X	X				
International Film Festival	X	X				
Friends of the National Zoo	X		X			
DC Black Pride	X					
Girl Scout Sing-a-Long	X					X
DC United Soccer	X	X	X	X		
Alexandria Waterfront Festival	X	X	X	X	X	X
Clarendon Cup	X	X	X			
Race for the Cure	X	X	X	X	X	X
Hershhorn Museum	X					
Rockin' the District	X					
Jackie Kennedy City Celebration	X					
National Archives	X					
Barbecue Battle	X	X	X	X	X	X
WNBA All Star Game	X					
Washington Mystics	X	X			X	X
Cadillac Grand Prix	X					
Elderfest	X					
Smooth Jazz 105.9 Concerts	X	X	X			
Arts on Foot	X	X				
Adams Morgan Festival	X	X				
Kennedy Center Open House	X	X	X	X	X	X
Taste of DC	X	X				
Washington International Horse Show	X	X	X	X	X	X
DC Heritage Tourism Coalition	X					
Marine Corps Marathon	X	X	X	X	X	X
Fright House	X					
AIDS Walk	X					
Artomatic	X					
BB&T Basketball Classic	X	X	X		X	
5K Help the Homeless Walkathon	X					
National Museum of Natural History	X					
Holiday Homecoming WCTC	X	X	X	X		
Auto Show	X	X	X	X	X	X
Lincoln Theatre 80 th Anniversary	X					
Smithsonian Resident Associates		X	X			
VISA American Cup		X				
Stage for All Ages		X				
World Figure Skating Championship		X				
DC Marathon		X				

	02	03	04	05	06	07
Friends of the National Arboretum		X				
Taste of Arlington		X				
City Museum		X				
Hometown Rockville Celebration		X				
Summer Freedom Savings Program		X		X		
Wolf Trap		X	X	X	X	X
Live on Penn		X	X			
African American Expo		X				
Set Yourself Free - FONZ		X				
Spirit of America		X				
DC Open House		X				
Black Family Reunion		X	X	X	X	X
Latin American Film Festival		X	X			
Alexandria Arts Festival		X				
Blues and Dreams		X				
Gay & Lesbian Film Festival		X				
Taste of Bethesda		X				
Hadley's Park Derby Race		X				
GWU Basketball		X	X		X	
American History Museum		X				
Sister to Sister Foundation			X	X	X	X
Film Fest DC			X	X	X	X
Greatest Generation - WCTC			X			
Fete de la Musique DC			X			
Smithsonian IMAX Theater			X			
Washington Performing Arts Society			X	X		X
La Feria De La Familia - Telemundo			X	X	X	X
Smooth Jazz 105.9 - Borders Books			X	X	X	
First Night Alexandria			X	X	X	
Regal Cinemas Gallery Place			X			
Paris on the Potomac				X		
Hoops for the Homeless				X	X	X
ABC-7 Family Care Giver Expo				X	X	
Shakespeare Theatre				X		
National Children's Museum				X	X	
Hip-Hop Theater Festival				X	X	X
Chuck Brown Concert				X		
Silver Spring Swings				X		
Around Town - WETA				X		
Silver Spring Jazz Festival				X	X	X
Suitland Festival				X		
Metro Summer Concert at the Kennedy Ctr				X	X	X
Washington Nationals				X	X	
Duke Ellington Jazz Festival				X	X	X
Metro Melodies				X		
Millions More March				X		
Smooth Jazz 105.9 Holiday CD				X		
Dance Institute of Washington					X	
Capital Classic Basketball Tournament					X	
Disney Live					X	
Smithsonian Latino Festival					X	
WASH-FM 97.1 Fun Things to Do					X	

	02	03	04	05	06	07
National Zoo Panda Birthday Celebration					X	
Legg Mason Tennis Tournament					X	X
Panda Habitat - FONZ					X	
NBC-4 Connected Expo					X	
North America Chinese Volleyball Tournament					X	
Dance DC Festival					X	
WASH-FM 97.1 Holiday Things to Do					X	
Cirque du Soleil					X	
Golden Triangle BID					X	X
ESPN Zone					X	X
Smithsonian Associates - Japan Wow						X
Harlem Globe Trotters						X
Cinco De Mayo Festival						X
Bodies.....The Exhibit						X
Folger Shakespeare Library						X
Capital Pride 2007						X
Hispanic Consumer Expo						X
Walking with Dinosaurs						X
Madam Tussauds Wax Museum						X

EXHIBIT 5

1. The following table shows the number of people who have been convicted of a crime in the past five years, by age group and gender.

(PORTION)

Cooperative Promotional Efforts FY/05 and 06

Joint Partners	WMATA's Advertising	Value Provided by Partners
Washington Performing Arts Society	WMATA offered WPAS 10 Queens, brochure placement, in-station banner exposure and 80 interior rail card. For three-months worth of advertising	WMATA tag line and logo featured on approximately [REDACTED] hard cost media only, not including all additional gross impressions. E.g., WMATA's tag line and logo display in 100,000 WPAS seasonal brochures, and other collateral materials.
Metro Melodies - Lisner Auditorium	WMATA offered the Barber Shop Quarter 500 interior bus cards space. Posting for three-weeks	Approx. value: [REDACTED] WMATA tag line and logo featured on approximately [REDACTED] hard cost media only. Additionally, WMATA's likeness was featured at this event.
Shakespeare Theatre - promote their new theatre	WMATA offered the Shakespeare Theatre 500 interior bus card space and brochure distribution two-months of advertising	Approx. Value: [REDACTED] WMATA tag line and logo featured on hard cost media only, not including all additional gross impressions.

2007-8: Exhibit 5

Received 2/14/08

Hip Hop Festival	<p>WMATA to provide advertising space on interior 500 bus cards only.</p> <p>Three-weeks of posting</p>	<p>Approx. value: [REDACTED]</p> <p>WMATA tag line and logo featured on the DC Arts & Commission web site.</p> <p>WMATA tag line heard on local radio stations.</p>
WHUR Radio Promotion at Metrorail stations	no advertising provided	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line heard on WHUR during the months of April and May. E.g., Take Metro to the several Metrorail stations and meet "Tony Richards".</p>
Clarendon Cup	<p>WMATA offered 500 interior bus card space only.</p> <p>Two-weeks of posting</p>	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line heard on MIX 107 during the month of June.</p> <p>WMATA tag line and logo featured in the Arlington County paper and City Paper.</p> <p>Ridership estimated at 17,500.</p>

Legg Mason Tennis Tournament	WMATA agreed to interior bus and rail cards, and diorama advertising.	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo will be featured in the Washington Post and the Legg Mason web site.</p> <p>Ridership estimated at 120,000 during the seven (7) day event.</p>
Silver Spring Thursday Swing	WMATA agreed to post information re: the events on the web site.	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo will be featured on the Montgomery County Government's web site.</p>
Flexcar - "Low Car Diet"	Event scheduled for August 1 st . Joint promotion with Flexcar and WASH-FM to promote "giving up your keys".	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line will be heard on WASH-FM during the month of August.</p>
Flexcar - Carsharing Promotion	WMATA agreed to posting interior bus/rail cards and dioramas.	Flexcar purchased media advertising from CBS Outdoor.

Black Family Reunion 2006	<p>WMATA agreed to print 500 interior bus cards, 80 rail cards and offer advertising space for (5) dioramas.</p> <p>Posting for three-weeks prior to the event.</p>	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo will be featured in the Washington Post, City Paper, and Blade.</p> <p>WMATA tag line will be heard on</p>
Duke Ellington Jazz Festival 2006	<p>WMATA agreed to provide 500 interior bus/80 rail cards, plus dioramas and printing of 40M brochures.</p> <p>Posting for three-weeks</p>	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo will be featured on 400 :30 television spots</p>
Cirque Du Soleil	<p>WMATA agreed to provide 500 interior bus cards, web site inclusion and a tile banner ad.</p> <p>Cirque Du Soleil will offer WMATA employees special discounts for specified week.</p>	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo will be featured on minimum advertising to include radio and tv spots.</p>

<p>Sister to Sister - Everyone Has A Heart - February 2007</p>	<p>WMATA agreed to print 500 interior bus and 80 rail cards.</p> <p>Three-weeks of posting</p>	<p>Approx. Value: [REDACTED]</p> <p>WMATA tag line and logo featured a guaranteed minimum of 300 television spots that aired on ABC 7.</p>
<p>Boat Show - February 2007</p>	<p>WMATA agreed to print 500 interior bus and 80 rail cards.</p> <p>Posting for three-weeks</p>	<p>Approx. value; [REDACTED]</p> <p>WMATA tag line and logo featured in a minimum of 150 television spots that aired on COMCAST, ABC 7 and NBC 4.</p> <p>WMATA tag line heard on minimum of 200 radio commercials airing on top five radio stations.</p>
<p>Home & Garden Show - March 2007</p>	<p>WMATA agreed to print 500 interior bus and 80 rail cards.</p> <p>Posting for three-weeks</p>	<p>Approx. value: [REDACTED]</p> <p>WMATA tag line and logo featured in a minimum of 150 television spots that aired on COMCAST, ABC 7 and NBC 4.</p>

Make A Wish Foundation - Scavenger Hunt Promotion	No media advertising offered; only farecard provided as trade for scavenger.	Approx. value: [REDACTED] WMATA tag line and logo featured on several radio commercials airing three-weeks prior to the event.
Capital Basketball Classic	WMATA agreed to provide 80 rail card space. Two-weeks of posting	Approx. value: [REDACTED] WMATA tag line and logo featured in a minimum of 200 television spots that aired on ABC 7 and COMCAST.
WHUR In-Station Promotion	no advertising promotion	Approx. value: [REDACTED] WMATA tag line heard on 200 radio commercials plus liners on WHUR.
Zipcar SmarTrip Registration	no advertising offered	Approx. value: [REDACTED] WMATA tag line and logo featured in the Washington Post and City Paper.

National Cherry Blossom Festival	<p>WMATA agreed to 500 interior bus/80 rail card advertising.</p> <p>Posting for two-months</p>	<p>Approx. value: [REDACTED]</p> <p>WMATA tag line and logo featured in the Washington Post, City Paper, and Express.</p> <p>WMATA tag line and logo featured on a guaranteed minimum of 4,000 :30 television spots that aired on COMCAST and ABC 7.</p> <p>Ridership estimated at 800,000</p>
DC Film Festival	<p>WMATA agreed to print 500 interior bus cards only</p> <p>three-weeks of posting</p>	<p>Approx. value: [REDACTED]</p> <p>WMATA tag line and logo featured in the Washington Post, City Paper, and Express.</p> <p>Difficult to measure ridership - city wide promotion.</p>
Ringling Bros. and Barnum & Bailey Circus	<p>WMATA agreed to print 500 interior bus/80 rail cards, and provide adv. space for (5) dioramas.</p> <p>Posting for one month</p>	<p>Approx. value [REDACTED]</p> <p>WMATA tag line and logo featured in the Washington Post, City Paper and Express.</p> <p>Discount tickets offered to ALL WMATA employees.</p>

EXHIBIT 6

B r i e f i n g P a p e r

September 12, 2006



Joint Promotions: Washington Sports and other sport franchise events at the Verizon Center

LOCATION: Jackson Graham - GM's Office

DATE: Tuesday, September 12th

TIME: 11:00 a.m.

CONTACT: [REDACTED] MKTG
[REDACTED] - MKTG ext., [REDACTED]

AUDIENCE: Interim General Manager, Dan Tangherlini

PURPOSE: WMATA's Office of Marketing has an ongoing joint partnership with Washington Sports to promote transit and other special promotional campaigns at the Verizon Center. In addition, WMATA recently promoted the Washington Mystics basketball season that involved trade advertising on Metrobuses and Metrorail.

WMATA's tag line and logo as with most joint partnerships appears on ALL paid advertising, PSA spots, collateral materials and web site inclusions. Many of these partnership arrangements include a discount offer to WMATA employees and Metro customers. For example, "Show your SmarTrip® card, bus transfer and farecard and receive \$10 off". In addition, the partnership with Washington Sports include joint coordination with other advertising entities such as CBS Outdoor.

At date, WMATA's Office of Marketing has an ongoing partnership with the Washington Wizards, BB&T Basketball Classic, Georgetown Basketball, Washington Capitals, Ringling Bros. and Barnum & Bailey Circus, Washington International Horse Show, Capital Basketball Classics, Disney On Ice, Hoops for the Homeless and Sister to Sister - Everyone Has A Heart. Please note that the Sister to Sister - Everyone Has A Heart promotion is spearheaded by Abe Pollin's wife, Irene Pollin and (son) [REDACTED] Pollin. WMATA and it's cooperative partners work closely to ensure Metro's tag line and logo appears in ALL collateral materials such as program guides, tv and radio spots, signage at the Verizon Center, Washington Post or other media outlets.

Washington
Metropolitan Area
Transit Authority
600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

By Metrorail:
Navy Yard-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines

A District of Columbia,
Maryland and Virginia
Transit Partnership

2007 09 14 11:08

Received 2/14/08

MKTG - [REDACTED]
MKTG - [REDACTED]
GOVR - [REDACTED]
PCOM - [REDACTED]
RAIL - [REDACTED]
RAIL - [REDACTED]
RAIL - [REDACTED]

EXHIBIT 7

R O U T I N G S L I P



TO: MKTG - [REDACTED]

MKTG - [REDACTED]

- | | |
|---|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Signature |
| <input type="checkbox"/> As Requested | <input type="checkbox"/> Your Comment |
| <input checked="" type="checkbox"/> Necessary Action | <input checked="" type="checkbox"/> Your Information |
| <input type="checkbox"/> Cirque du Soleil Joint Promotion | |

Remarks:

This is a joint promotion with Cirque du Soleil, which will promote taking transit to the Cirque du Soleil performances beginning October 26, 2006 and continuing through November 26, 2006.

Please arrange posting of 500 interior bus cards for the "Cirque du Soleil" promotion, which should be installed evenly to all bus divisions no later than **October 23, 2006.**

Removal of the bus cards can begin November 1, 2006.

Should you have any questions concerning this matter, please feel free to contact me on extension 1320.

Thanks for your time and attention.

From: [REDACTED]

Date: October 12, 2006

EXHIBIT 8



February 22, 2007

[REDACTED]
Tournament Manager
SFX Media & Events
5335 Wisconsin Avenue, Suite 850
Washington, DC 20015

Dear [REDACTED]

Your request for a cooperative promotion between the Washington Metropolitan Area Transit Authority (WMATA) and the 2006 Legg Mason Tennis Tournament has been reviewed. We are pleased to have the opportunity to work with your organization. It is our understanding that the dates for the Legg Mason Tennis Classic are July 29, 2007 through August 5, 2007.

In support of the cooperative promotion, WMATA will:

1.A

1. Print from approved and supplied films, 500 interior bus cards. 50 cards will be provided to you for distribution to offices and businesses throughout the Metro area. The interior bus cards measure 11" high x 28" wide. The transit advertising value of this is [REDACTED]. Metro will begin posting on July 2, 2007. Metro will remove copy on August 8, 2007.

2. Print from WMATA approved and films supplied by SFX, 80 four-color interior rail cards. The interior rail cards measure 22" high x 21" wide. The transit advertising value is [REDACTED]. Metro will begin posting on July 16, 2007. Metro will remove copy on August 8, 2007. WMATA will offer car cards as part of a buy arrangement with CBS Outdoor.

3. Include the Legg Mason Tennis Classic information on WMATA's web site, www.metroopensdoors.com beginning three-weeks prior to the promotion. Please provide information for web site four weeks before the event. To coordinate with our web site designer, please contact Michael Killian in the Office of Marketing on [REDACTED]. The transit advertising value of this is [REDACTED].

4. Provide banner space for the Legg Mason Tennis Classic in the Metrorail stations nearest the tournament event location (Van Ness station). These banners will be placed on the mezzanines of the above mentioned stations. The banners should have wording similar to "Use this station for the XXX Legg Mason Tennis Tournament." The banners should measure 30" high x 80" wide. They must be supported with a rod at the bottom and weights. Please provide in-station banners no later than July 9, 2007.

As to the bus cards and rail cards, tile banner ad and brochure layout, Metro must approve the copy and design for the banners before production. The transit advertising value of this is [REDACTED].

5. Provide advertising space for up to seven(7) two-sheet displays. Metro will agree to install and post 7 two-sheets for the Legg Mason Tennis Classic promotion. SFX will

produce the two-sheet displays. Metro will approve copy and layout before posting. The transit advertising value is [REDACTED] Contingent on sponsor handling production and printing costs. Specs for the two-sheets: 46"high x 60"wide. Created on coroplast material. WMATA will offer seven(7) two sheets as part of its media arrangement with CBS Outdoor. Posting will begin no later than July 2, 2007.

6. Print and distribute 40,000 four-color "Legg Mason Tennis Classic" brochures that have the design and copy approved by Metro. SFX will provide film. The brochures must fold to measure 8.5" high x 3.5" wide. 20M brochures will be used for Metro system wide distribution. Metro will provide SFX with 20M brochures for in-house marketing. Brochures will be coordinated with WMATA's Distribution Manager for pick up by SFX at 900 Franklin Street, N.E., Washington, DC 20017. The transit advertising value of this media is [REDACTED]

7. Offer SFX a rotating tile banner ad on WMATA's web site beginning July 2, 2007 and continuing through August 8, 2007. The tile banner ad measures 140 pixels wide x 240 pixels high. To coordinate these efforts, please send art to [REDACTED] no later than June 25, 2007. The transit advertising value is [REDACTED]

8. Supply the Washington Post Express with promotional text provided by SFX to promote taking Metrobus or Metrorail to the Legg Mason Tennis Tournaments. Please send WMATA's Angela Gates with text and artwork to support these efforts no later than June 25, 2007. Angela Gates can be reached on [REDACTED]. The transit advertising value is [REDACTED]

9. Provide advertising space for up to ten Queen displays. Metro will agreed to install and post ten Queen displays for SFX Media & Events. SFX will produce the Queen displays. Metro will approve copy and layout before posting. The bus Queens must measure 30" high x 88" wide and produced on pressure sensitive vinyl. Output resolution 300 dpi, mechanical scaled 1/8" to 1". The transit advertising value is [REDACTED]. Metro will remove copy for the Legg Mason promotion on August 8, 2007.

10. Post, at no expense, the interior bus and rail cards, Queens, tile banner ad, two-sheets, brochures and web site inclusion and in-station banners. If all deadlines are met, the posting of all items will begin as outlined in this letter of understanding.

Please note: Metro will not print artwork delivered late.

A total value of [REDACTED]

In return, SFX and the Legg Mason Tennis Classic will:

1b

1. Supply Metro with full color separations that are right side reading, emulsion side down, 133 line screen, negative film for the bus and rail cards, and brochures. The copy and layout must be approved by Metro before producing the film. The initial artwork for the bus cards, rail cards and in-station banners must be received no later than April 11, 2007. Final film for the bus and rail cards, and brochures must be received by April 23, 2007.

2. Include in the copy, at the top of the interior bus cards and rail cards, Queens, two-sheet posters, tile banner ad and front cover of the brochures "Take Metrobus or Metrorail to ..." with the appropriate Legg Mason Tennis Classic tag line.

- SFX must include in all web site copy along with the Metro Open Doors logo, the Metro tag.
- The nearest Metro stations, Van Ness and taking the S2 and S4 bus lines from the Silver Spring station must be included in the copy along with the Metro Open Doors logo.
- The phrase "Metro-operated parking lots are free on weekends and most federal holidays. At times when fees are charged, SmarTrip® cards with full parking fees are the only accepted form of payment for parking (except metered parking)," must be included in the layout of the interior bus and rail cards, and two-sheet displays.
- A maximum of six sponsor logos will be permitted in the copy in addition to the Metro and Legg Mason Tennis Classic logo.
- No alcoholic beverage logos or tobacco logos will be permitted. Please keep all copy at least one inch from the edges of the bus and rail cards, and possibly two-sheets.

3. Promote Metro as the way to get to the Legg Mason Tennis Tournaments in all advertising (e.g., event program, public service announcement copy, press releases and TV promos), public service advertising and in all press releases. It is important that the tag line "Take Metro to..." be used in all advertising as well as the new Metro Opens Door logo.

4. Supply Metro with a media plan three-weeks prior to the tournament. Please send report to [REDACTED] at WMATA - Office of Marketing, 600 5th Street, N.W. Washington, DC 20001.

5. Provide Metro with two 30" high x 80" wide in-station banners including grommets and 14" Multi-purpose ties no later than July 2, 2007. Please note: The banners must be supported with a rod at the bottom and weights.

6. Provide Metro with seven (7) two-sheets and ten(10) Queen displays that have had the design and copy approved by Metro. The design and copy must be submitted for approval no later than April 11, 2007. The two-sheets and Queens for the Legg Mason Tennis Classic promotion should be delivered no later than June 25, 2007 to guarantee posting by July 2, 2007. The two-sheets and Queens should be delivered to J. Perez & Associates, 9248 Hampton Overlook, Capitol Heights, Maryland 20743. Please notify Ron Rydstrom at [REDACTED] in Metro's Office of Marketing prior to delivery.

7. Include the Metro System Map in the Legg Mason Tennis Tournament's brochure layout. Please coordinate the use of the Metro System Map by contacting Carmen Turner on [REDACTED], or email directly at [REDACTED].

8. Provide WMATA with VIP Invitations to the Legg Mason Tennis Tournaments during the week of July 28 through August 6th.

WMATA is pleased to provide the Legg Mason Tennis Tournament with this very substantial cooperative promotional package. We hope that through the use of this cooperative joint promotion, the Legg Mason Tennis Tournaments can increase attendance and, at the same time, WMATA can increase its ridership.

Sincerely,



Marketing/Advertising Promotion
Office of Strategic Marketing and
Communications

Partner's Signature

By Metrorail:
Foley Square—Red Line
Military Place—Chinatown—
Red, Green and
Yellow Lines
By Metrobus:
Routes D6, P6, 80, X2

A District of Columbia,
Maryland and Virginia
Transit Partnership

EXHIBIT 9

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - FORM 710-3
Confidential Statement of Affiliations and Financial Interests

PART I - BACKGROUND INFORMATION

NAME

DEPT/OFFICE

EMPLOYEE I.D. NUMBER

POSITION

ANNUAL SALARY RATE

I (am ☐ (am not ☐) involved in the selection, award, or administration of contracts.**PART II - ACTIVITIES AND INTERESTS****NON-WMATA EMPLOYMENT AND OTHER ACTIVITIES**

1. Do you have any non-WMATA employment?
2. Is a member of your household employed by a party who has an actual or prospective business relationship with WMATA?
3. Are you or a member of your household engaged in any other activities which would interfere, conflict or be incompatible with the performance of your WMATA duties or with the purposes for which WMATA was created, or which could give the appearance of such a conflict?

YES ☒ NO ☐YES ☐ NO ☒YES ☐ NO ☒**FINANCIAL INTEREST**

4. Do you or a member of your household or a business associate or an organization which employs or is about to employ any of the above have a financial interest in any entity which is a party to an actual or prospective financial transaction with WMATA?
5. If the answer is yes, does your interest exceed the three percent (3%) threshold contained in Section 6.01.02 of the Policy Instruction?

YES ☐ NO ☒YES ☐ NO ☒**REAL PROPERTY**

6. Do you or a member of your household have any real property interests located within the WMATA Transit Zone other than an interest in the primary residence which you occupy?

YES ☐ NO ☒**WMATA CONTRACT SELECTION, AWARD OR ADMINISTRATION**

7. Do you or a member of your household or a business associate or an organization which employs or is about to employ any of the above have a financial or other interest in a contract, subcontract or a prospective prime contractor, subcontractor or supplier to the prime contractor?

YES ☐ NO ☒

If you answered "yes" to any questions above, you must explain, as indicated, in Part III, below.
 If you answered "no" to all the questions, please go directly to the certification in Part IV.

PART III - REPORTABLE EMPLOYMENT, AFFILIATIONS, REAL ESTATE OR FINANCIAL INTERESTS

Describe any reportable non-WMATA employment or other activities specifying the employer and position or the voluntary activity. (Use attachment to fully describe, if necessary.)

Owner and operator Landscaping Business.

- continued -

Detach, sign and return to supervisor

WMATA FORM 710-3 - Confidential Statement of Affiliations and Financial Interests - Page 2

List all reportable financial interests in parties with an actual or prospective financial transaction with WMATA and whether the interest exceeds three percent (3%). (Use attachment, if necessary)

Name of Party

Is Interest in Excess of 3%?

List all interests in real property located within the WMATA Transit Zone (including street address) other than an interest in the primary residence and all interest(s) in any contract, subcontract or prospective prime contractors, subcontractor, or supplier to a prime contractor, specifying the name of the entity, your financial interest in the entity, and the number of the WMATA contract. (Use attachment, if necessary.)

PART IV - CERTIFICATION

I certify that all statements I have made on this form 710-3 are true, complete, and correct to the best of my knowledge.

SIGNATURE

DATE

PART V - REVIEWING OFFICIAL

I have reviewed the above statement in light of the requirements of the Standards of Conduct and of the present and prospective duties of the individual to ensure that both actual and apparent conflicts of interest are avoided.

- ☐ No employment, affiliations or financial interests are reported.
- ☐ The employment, affiliations or financial interests disclosed do not present a real, apparent or potential conflict.
- ☐ A disclosure indicates real, apparent or potential conflict which has been resolved (attach separate explanation).
- ☐ A disclosure indicates real, apparent or potential conflict which must be reviewed by General Counsel.
- ☐ I recommend that a Waiver be granted as authorized by Section 6.01.09 (attach separate justification).

SIGNATURE of REVIEWING OFFICIAL

DATE

Print or Type Name and Title

PART VI - GENERAL COUNSEL (OR DESIGNEE) REVIEW

To be completed only if Part III above has been completed.

I have examined this statement and any attachments: ☐ I concur with the reviewing official's evaluation.

☐ I do not concur and I recommend the following action (use attachment, if necessary).

SIGNATURE

DATE

- end -

Detach, sign & return to supervisor

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2008-2, 2008-3

Date: August 13, 2008

Allegations

On January 30, 2008, an anonymous caller reported to the OIG Hotline that Detectives [REDACTED] of the Metro Transit Police Department (MTPD) are both taking police cruisers home every night in violation of MTPD policy. The caller indicated that Det. [REDACTED] lives in [REDACTED] and takes the police cruiser there. When asked why he did not take the complaint to the MTPD Internal Affairs Office, the caller responded, "I could not trust IAD to investigate this."

Summary of Investigation

On February 26, 2008, Acting Chief of Police [REDACTED] was informed of the allegations. [REDACTED] assigned Captain [REDACTED] as the MTPD liaison to the OIG in reference to this investigation. On April 24, 2008, OIG provided an Interim Report of Investigation to MTPD advising of the findings as of that date and requesting that MTPD extend the deadline for investigations of officers, pursuant to Article 12 of its FOP contract. MTPD declined to do so. This report incorporates by reference the Interim Report and summarizes and supplements it to the extent necessary.

MTPD General Order 250 specifies that take-home vehicles may only be used for the performance of official duties or when otherwise approved by an official. (Exhibit 1). Detectives take home vehicles only if they have duties that require them to drive somewhere early the next day or if they are assigned to the evening shift, at which time they are on-call for emergencies.

The Criminal Investigation Division (CID) has a pool of about seven vehicles that are shared by 12 detectives. While they are not assigned to a particular vehicle permanently, they generally use the same vehicle as much as possible. According to MTPD officials, the detectives who are partners share one vehicle at any one time. They coordinate when they are on-call. However, there is no prohibition against two partners having take-home vehicles at the same time, if other requirements for use are met. Captain [REDACTED] after being interviewed by the OIG about this matter, issued a new

order on March 3, 2008, to CID officers requiring them to [REDACTED] for their MTPD vehicles, which they had not been doing previously. According to [REDACTED] and Det. [REDACTED] detectives in CID now [REDACTED]. We reviewed a sample of these forms filled out by Det. [REDACTED] in March 2008, one of which is attached as a sample (Exhibit 2). [REDACTED]

According to the current CID management, more detailed information on use of take-home vehicles is not captured on this form or elsewhere by MTPD-CID.

Before March 3, 2008, mileage records maintained by the Office of Bus Maintenance for purpose of preventive maintenance were the only available evidence that could be used to provide an indication of vehicle usage. These records gave no indications of excessive miles driven as would be shown if the vehicle were taken to Det. [REDACTED] residence in [REDACTED] on a consistent basis. Similarly, a review of the mileage data on the [REDACTED] for March 3, 2008 through March 14, 2008 for vehicle #16608 completed and signed by Det. [REDACTED] revealed an average vehicle mileage of 116 miles a day for twelve days of vehicle usage. Again, there was no indication of excessive mileage indicative of having driven the vehicle to [REDACTED]. However, none of this documentation breaks out use of take-home vehicles, and therefore it is insufficient to determine whether and when the detectives took their MTPD vehicles home.

Det. [REDACTED] and Det. [REDACTED] were interviewed separately by the OIG. They use vehicles from the pool assigned to CID. Both indicated that they are familiar with MTP General Order 250 entitled "Take-Home Vehicles," as the governing policy in MTPD. Det. [REDACTED] acknowledged that his home address is in [REDACTED], but he said that he never took an MTPD take-home vehicle there. He said that if he has a need for a take-home vehicle to conduct official business early the next day, he takes it to a separate residence he maintains in [REDACTED] Virginia. In that event, he would leave his personal vehicle overnight in a safe location, such as MTPD District 2 or the JGB Building. Normally, in the morning he drives his personal vehicle to where his CID vehicle is stored and leaves his personal vehicle in a safe location. At the end of the working day, he parks his MTPD vehicle at a designated location and takes his personal vehicle home.

Det. [REDACTED] said he only uses MTPD vehicles for official business, including when he is on call. Det. [REDACTED] indicated that his understanding is that MTPD work rules prohibit an officer from taking a vehicle home to a place outside the WMATA geographical area (which we understand to mean the WMATA Transit Zone), but he acknowledged that only General Order 250 exists to regulate use of take-home vehicles by MTPD.

On May 20 and 21, 2008, MTPD issued memoranda entitled "Departmental Take Home Vehicles." MTPD # 08-52 & 52A (Exhibit 3). The memoranda recite that MTPD will be guided by WMATA Policy Instruction (P/I) 1.9/6, which concerns procedures for use of non-revenue vehicles including take-home vehicles (section 6.8). As applicable to MTPD officers like the

detectives here who do not have permanent take-home vehicles, the MTPD memoranda state as follows:

MTPD General Order 250, Take-Home Vehicles, Section III, A, 4 states, "when requested to respond to a call for services from off-duty status, members will complete a Transit Police Daily Vehicle Inspection and Activity Report (MPT 804) or the WMATA Vehicle Utilization Record [Attachment 1 or 2 to P/I 1.9/6], and submitted [sic] to an official upon request." Until such time as General Order 250 is amended, members utilizing a take-home vehicle will complete a Transit Police Daily Vehicle Inspection and Activity Report [REDACTED] documenting all use of the vehicle.

It is not clear whether the last sentence quoted above ("all use of the vehicle") is intended to expand the documentation requirement in General Order 250, which by its terms is more limited (only when responding to a call while off-duty). CID officials told us that their officers are not documenting all use of take-home vehicles on the [REDACTED] or otherwise.

Relevant Statutes, Regulations and Other Standards

P/I 1.9/6 entitled "Management and Utilization of WMATA Non-Revenue Vehicles." Paragraph 6.8.1 requires that staff with either permanent or temporary take-home car privileges maintain a log of activity to document the need for and use of a take-home vehicle. The P/I contains model logs for this purpose, one of which is for temporary take-home uses such as are involved here. Attachment 2 for temporary take-home uses calls for the following information: date, start time, stop time, odometer reading, destination, purpose and take-home approval. (Exhibit 4).

MTPD General Order 250, Take Home Vehicles, dated March 13, 2006 (Exhibit 1).

MTPD Memoranda #08-52 and 52A, dated May 20 and 21, 2008 (Exhibit 3).

OIG Investigative Findings

MTPD management failed to ensure that documentation on the use of take-home vehicles in CID was completed. As a result, we cannot conclusively determine when and how often Det. [REDACTED] and Det. [REDACTED] took their MTPD vehicles home or whether such use was for official use only and with official approval, as required by General Order 250. We were also unable to determine conclusively whether both Detectives [REDACTED] had take-home vehicles at the same time, as alleged. However, there is no prohibition on their doing so if both needed a take-home car for official duties.

The available documentation on mileage and gas usage does not support the allegation that Det. [REDACTED] took an MTPD vehicle to [REDACTED]. There is no explicit prohibition

to our knowledge on his doing so, since that is his official residence. However, it would be logically inconsistent with the requirement of General Order 250 that take-home vehicles be used only for official duties for a vehicle to be taken as far as [REDACTED]. But without more explicit guidance on the matter and with no residency requirement for MTPD members, officers do not know where the geographical limitation on take-home vehicle use would be, and the potential for abuse exists.

MTPD's policies, procedures and practice on documenting take-home vehicle use by personnel like these detectives who have temporary use of take-home vehicles do not comply with WMATA's P/I 1.9/6, at least for CID. (We do not know whether the same is true for those MTPD officials with permanent take-home vehicles or those officers outside of CID with temporary privileges, as that was not the focus of this investigation.) The P/I, which applies to MTPD (as MTPD acknowledged in the May 2008 memoranda), requires that documentation equivalent to Attachment 2 to the P/I (Exhibit 4 to this report) must be prepared. The [REDACTED] (Exhibit 2) is not used by CID for documentation of off-duty vehicle usage and does not contain all the information required by the P/I. (Compare Exhibit 2 to Exhibit 4 to this report.)

In addition, General Order 250 as written does not comply with the P/I 1.9/6 documentation requirement. The General Order only requires documentation on the [REDACTED] of situations when an officer is "requested to respond to a call for service from an off-duty status." There would likely be situations where use of a take-home vehicle does fit within that criterion.

Exhibits

1. MTP General Order 250 "Take-Home Vehicles", March 13, 2006
2. [REDACTED] (known as [REDACTED])
3. MTPD Memoranda #08-52 and 52A
4. P/I 1.9/6, Attachment 2.

[REDACTED]
[REDACTED]
Senior Special Agent
Date: August 13, 2008

[REDACTED]
[REDACTED]
Date: August 13, 2008

GENERAL ORDER

Metro Transit Police

Subject: Take-Home Vehicles	Number: 250
	Effective: March 13, 2006

I. Purpose

This Order establishes guidelines pertaining to the utilization of Departmental take-home vehicles.

II. Policy

Members utilizing take-home vehicles will comply with the directives contained herein and with all General Orders and Departmental policies governing the operation of MTP vehicles. The utilization of take-home vehicles provides the opportunity to glean the maximum effectiveness from members assigned to certain specialized functions within the Department. Benefits derived from such employment include an increased police visibility and access within the Transit Zone, leading to enhanced response capabilities.

III. Procedures and Responsibilities

A. Members

1. When operating a take-home vehicle, members approached by the general public seeking non-MTP police service will contact the Communications Division and request that the local police agency be notified. Members will further ensure that any police action initiated is in full compliance with directives as outlined in General Order 105. Members providing service not of a police nature (i.e. motorist assistance) will ensure the prior notification of the CD.
2. Members operating take-home vehicles in an official capacity will carry their issued service weapon, badge and credentials and will monitor the MTP radio.
3. Members operating take-home vehicles will ensure that all components necessary to ensure safe and effective patrol

operation are functional and/or present within the vehicle. Members are responsible for the appearance of their take-home vehicles.

4. When requested to respond to a call for service from an off-duty status, members will complete a Transit Police Daily Vehicle Inspection and Activity Report (MTP 804) or the WMATA Vehicle Utilization Record, and submitted to an official upon request.
5. Off-duty members initiating a response to a call for service will notify the Communications Division, identifying him/herself as an off-duty unit. The CD will identify the member as off-duty and will secure the approval of an official prior to allowing the member to respond.
6. Should an MTP take-home vehicle become disabled, the operating member will notify an official and be governed by instructions received. Generally, every attempt will be made to have the vehicle towed by a WMATA crane to a WMATA facility. When a WMATA crane is unable to respond within a reasonable period of time, officials may approve private towing to a WMATA facility or the member's residence, pending subsequent towing by a WMATA crane.
7. When off-duty and parking a take-home vehicle at their residence or leaving the vehicle unattended for longer than one hour, members will ensure the removal and safe storage of all weapons and portable radios. Unattended take-home vehicles will be locked at all times. When the vehicle is parked in an off-duty status the vehicle will be secured with a steering

EXHIBIT 1

wheel locking device.

8. When members assigned take-home vehicles are placed on leave or plan to depart the Washington Metropolitan area for a period exceeding five (5) calendar days, they will advise their supervisor who, at the supervisor's discretion, will make provisions for the temporary storage or reassignment of the vehicle.
9. Members are responsible to have their assigned take home vehicle serviced at the required intervals and to have the vehicle inspected by the DC Inspection Centers as required. If the member fails to have the vehicle inspected on time and a late fee is assessed, the member may be responsible for the fee(s).
10. Members will be financially responsible for any traffic violations assessed to the vehicle while in their care. (i.e. speed cameras, red light cameras, parking)

B. Supervisors

1. Supervisors will conduct periodic inspections of all take-home vehicles to ensure compliance with directives concerning the upkeep and furnishing of same.
2. District Commanders are responsible for establishing individual policies reference appropriate check-on/check-off procedures.
3. District Commanders will establish individual procedures reference the assignment of members whose take-home vehicles are unavailable for service.

C. Limitations

1. Members will not operate take-home vehicles except in the performance of official duties or when otherwise approved by an official.
2. Members are reminded that take-home vehicles are issued, absent an emergency situation, for their exclusive use.
3. Members will not operate a take-home vehicle after they have consumed alcohol or medication having the potential to impair driving skills.
4. Members will not transport alcoholic beverages in take-home vehicles unless

it has been seized as evidence or contraband.

5. When operating take-home vehicles, members will not be attired in a manner that may bring discredit upon the Department. Footwear that may impede safe vehicle operation is prohibited.
6. Members will not alter take-home vehicles without the prior approval of the appropriate District Commander.
7. Members will not operate take-home vehicles while their police powers have been suspended or revoked, or while on disability leave, extended sick leave, limited duty or LWOP.
8. Take-home vehicles will not be parked at a location where the off-duty member receives compensation for same and will not be used in any manner connected with outside employment.
9. Off-duty members will not utilize take-home vehicles in connection with political activities.


Polly L. Hanson
Chief

M E M O R A N D U M

SUBJECT: Departmental Take Home Vehicles

DATE: May 20, 2008

FROM: MTPD - Chief Michael Taborn

TO: MTPD - Members
(MTPD # 08-52)

The Metro Transit Police Department is guided by WMATA's Policy/Instruction 1.9/6, Management and Utilization of WMATA Non-Revenue Vehicles, dated June 13, 2005. Section 6.8.4.3 of this Policy states who is authorized take-home use of WMATA non-revenue vehicles, more specifically, "Metro Transit Police Department with Command and/or K-9 responsibility". The Department will adhere to this policy. MTPD General Order 250, Take-Home Vehicles, Section III, A, 4 states, "When requested to respond to a call for service from an off-duty status, members will complete a [REDACTED] or the WMATA Vehicle Utilization Record, and submitted to an official upon request." Until such time that General Order 250 is amended, members utilizing a take-home vehicle will complete a Transit Police Daily Vehicle Inspection and Activity Report [REDACTED] documenting all use of the vehicle.

Listed below are those who are authorized the take-home use of vehicles assigned to the Metro Transit Police Department:

Command

Chief Michael Taborn

Deputy Chief [REDACTED]

Deputy [REDACTED]

Deputy [REDACTED]

Captain [REDACTED]

Criminal Investigation Division

Captain [REDACTED]

Sergeant [REDACTED]

Joint Terrorism Task Force

Captain [REDACTED]

K-9

Sergeant [REDACTED]

Sergeant [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Officer [REDACTED]

Certain circumstances may provide other personnel the temporary use of take-home vehicles. This will be determined by their respective Bureau Commander.

**LAW ENFORCEMENT SENSITIVE
NOT FOR GENERAL RELEASE**

M E M O R A N D U M

SUBJECT: Departmental Take Home Vehicles [REDACTED]

DATE: May 21, 2008

FROM: MTPD - Chief Michael Taborn

TO: MTPD - Members
(MTPD # 08-52A)

This memorandum is an addendum to MTPD Numbered Memorandum 08-52.

The Metro Transit Police Department is guided by WMATA's Policy/Instruction 1.9/6, Management and Utilization of WMATA Non-Revenue Vehicles, dated June 13, 2005. Section 6.8.4.3 of this Policy states who is authorized take-home use of WMATA non-revenue vehicles, more specifically, "Metro Transit Police Department with Command and/or K-9 responsibility". The Department will adhere to this policy. MTPD General Order 250, Take-Home Vehicles, Section III, A, 4 states, "*When requested to respond to a call for service from an off-duty status, members will complete a [REDACTED] or the WMATA Vehicle Utilization Record, and submitted to an official upon request.*" Until such time that General Order 250 is amended, members utilizing a take-home vehicle will complete a [REDACTED] documenting all use of the vehicle.

Listed below are additional personnel who are authorized the take-home use of vehicles assigned to the Metro Transit Police Department.

Command

Captain [REDACTED]

Captain [REDACTED]

Washington
Metropolitan Area
Transit Authority

Certain circumstances may provide other personnel the temporary use of take-home vehicles. This will be determined by their respective Bureau Commander.

**LAW ENFORCEMENT SENSITIVE
NOT FOR GENERAL RELEASE**

EXHIBIT 4

Attachment 2



Vehicle Authorization & Utilization Record

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

T.D. No.		License No.	Date	Begin Mileage	Return Mileage
Driver's Name		Employee No.		Weekend/Overnight Use <input type="checkbox"/> Yes <input type="checkbox"/> No Expires (date) _____	
Driver's Name		Employee No.		Telephone No.	Vehicle Control Officer/Dispatcher
		Employee No.		Telephone No.	Vehicle Control Officer/Dispatcher
		Employee No.			Vehicle Control Officer/Dispatcher

[illegible]

068-00-1311 06/05

We have withheld 2 MTPD forms because they contain internal personnel rules and procedures (PARP exemption 6.1.2).

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Preliminary Investigation

Complaint 2008-04

Date: April 30, 2008

Allegation and Background

A complaint letter was received from [REDACTED] indicating he had mailed approximately 40 fare cards totaling \$35.00 in a fare adjustment envelope to Metro. Complainant wanted to consolidate the various low dollar fare cards to one card. Complainant further related that he received a response from Metro indicating that only 4 cards totaling \$2.25 had been received.

Summary of Investigation

Complainant was contacted to ascertain if all the facts were stated in his letter. Complainant indicated that his letter was complete and had no new facts to add. Reporting Agent contacted [REDACTED], Metro to assist in visiting the Revenue facility in Alexandria, VA. [REDACTED] directed reporting agent to [REDACTED] Fare Media services. [REDACTED] was contacted and a site visit date was agreed.

On April 28, 2008, reporting agent and [REDACTED] visited the revenue facility in Alexandria, VA. Agents met with [REDACTED] who provided an overview and a tour of the facility. Reporting agent asked [REDACTED] about a specific Metrorail Fare Adjustment Request Passenger Receipt number 199275. This is the receipt number that the complainant provided in his letter to the OIG. [REDACTED] did a check of her system and discovered the scanned copy of the form submitted by the complainant. The form revealed that the complainant annotated 23 enclosed cards. The number 23 had a line through it indicating only 4 cards were present when received at the facility. The number 23 appeared to be written by the same person who annotated the return address. The return address indicates the name and address of the complainant. During the walk through of the Fare Media Services section, [REDACTED] stated there are four people assigned to handle the fare adjustment process. She explained the whole process while agents observed the task being performed by employees.

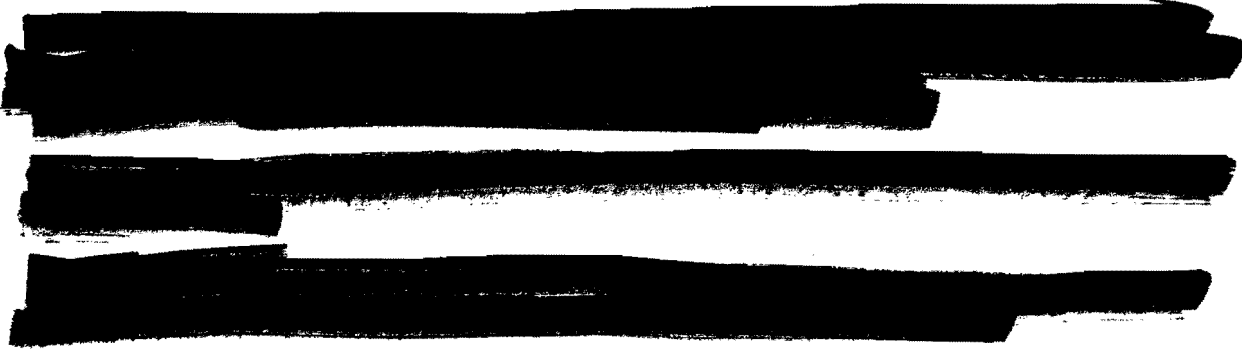
[REDACTED]

Relevant Statutes, Regulations and Other Standards

Virginia Code 38.2-113 – Theft

OIG Investigative Findings

OIG found the complainant to be inaccurate in the stated amount of farecards he forwarded to Metro for an adjustment. In the letter submitted by the complainant, it stated “approximately forty fare cards”. The fare adjustment envelope submitted by complainant indicated a total of 23 farecards. There appears to be a miscount by the complainant and a discrepancy of 17 farecards.



WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2008-04
(Fare Adjustment Request)

Date: September 15, 2009

Allegation and Background

A complaint letter was received from [REDACTED] indicating he had mailed approximately 40 fare cards totaling \$35.00 in a fare adjustment envelope to WMATA. Complainant wanted to consolidate the various low dollar fare cards to one card. Complainant further related that he received a response from WMATA indicating that only 4 cards totaling \$2.25 had been received.

Summary of Investigation

Efforts and findings of the preliminary investigation were previously reported in the Report of Preliminary Investigation dated April 30, 2008.

On March 6th and April 1, 2009, additional efforts were made to clarify the process for managing requests for fare adjustments or consolidations. [REDACTED] reiterated that the process begins when the request is received and scan into their system. If there were questions concerning what was received, they can always refer to the scanned information.

There appeared to be discrepancies in the amount claimed by [REDACTED] the complainant. His adjustment request indicated that he submitted 27 fare cards but his complaint letter to WMATA OIG claimed approximately 40 fare cards. WMATA scanned records indicate that only four fare cards were received at the time of scanning. Though the number 27 was written on the request, WMATA personnel crossed out and changed the 27 to a 4 indicating only four were received and scanned. There was no indication that the original envelope was damaged or otherwise tampered with.

Relevant Statutes, Regulations and Other Standards

Virginia Code § 18.2-111: Embezzlement deemed larceny-

If any person wrongfully and fraudulently use, dispose of, conceal or embezzle any money, bill, note, check, order, draft, bond, receipt, bill of lading or any other personal property, tangible or intangible, which he shall have received for another or for his employer, principal or bailor, or by virtue of his office, trust, or employment, or which shall have been entrusted or delivered to him by another or by any court, corporation or company, he shall be guilty of embezzlement. Proof of embezzlement shall be sufficient to sustain the charge of larceny

OIG Investigative Findings

Notwithstanding the physical deficiencies identified in the preliminary report of the work area, no additional information to support the allegation was found.

The investigation should be closed pending the receipt of new information.

Exhibits

None

[REDACTED]
[REDACTED]
[REDACTED]
Special Agent
[REDACTED]
[REDACTED]
[REDACTED]

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2008-10

Date: December 10, 2008

Allegation and Background

A confidential source made a complaint against Deputy Chief [REDACTED] Metropolitan Transit Police Department (MTPD) on March 28, 2008. The complaint alleged that [REDACTED] was operating a MTPD vehicle while drunk and had an accident in Arlington County, Virginia during the November – December 2007 timeframe. The source stated that accident was not reported through the official channels. The source further stated that the MTPD vehicle was towed to Bladensburg Division for repair.

Summary of Investigation

OIG determined that [REDACTED] mainly utilized four MTPD vehicles. The source indicated that there was a roughness on the hood being caused by body work subsequent to the accident. OIG examined these cars, and based on this information, was able to narrow the focus to one MTPD vehicle, 17667, a 2005 Ford Crown Victory, DC registration, CC-7189. OIG determined that this vehicle was involved in an accident on December 13, 2006.

A check with the service vehicle body shop at Carmen Turner Facility proved negative for body work on MTPD vehicle 17667. [REDACTED] SAFE was asked to query her system for an accident report involving MTPD vehicle 17667, with negative results. OIG had MTPD vehicle 17667 examined by the repair shop at Carmen Turner Facility for accident damage and evidence of repairs. The inspection report dated April 23, 2008 revealed that there was no evidence of any major repairs; however, it disclosed that there was minor damage to the car, including to the rear bumper and trunk. (Exhibit 1).

The Virginia Department of Motor Vehicles supplied a copy of a crash report prepared by a Virginia State Police trooper for the December 2006 accident. The report revealed that [REDACTED] was the driver of MTPD vehicle 17667 (vehicle 3 in

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the report) which was involved in a three-car collision on Interstate 66 westbound on December 13, 2006 (Exhibit 2). The [REDACTED] vehicle was the lead car, and was hit from the rear by another car which had been hit from the rear by a third car. The report stated that the [REDACTED] vehicle sustained "rear bumper damage" with an estimated repair cost of \$500.

On November 14, 2008, [REDACTED] was interviewed. [REDACTED] initially denied involvement in any accident in 2006. OIG then showed [REDACTED] a copy of the official accident report, and he stated he did have a recollection of the accident. [REDACTED] informed the OIG that he inspected the vehicle and did not see any damage. [REDACTED] stated that he reported the accident via radio to MTPD and also notified his immediate supervisor, then-Deputy Chief [REDACTED]. OIG asked [REDACTED] about the \$500 estimated damage listed in the police report. He indicated he never saw the police report and was unaware of the police estimation of damage.

OIG obtained a copy of taped MTPD communication traffic for December 13, 2006, the accident date. The tape revealed that [REDACTED] reported from the scene that he had been rear-ended and that the driver of one of the other vehicles was complaining of injury. The MTPD dispatcher summoned medical assistance.

[REDACTED] stated by email that he did not file any accident reports within WMATA. He explained: "There was no damage, no injury, no loss, no liability, and as best as I can tell no contact. I concluded at the scene that there was no accident."

On November 17 and 24, 2008, OIG called retired [REDACTED] at his residence in [REDACTED] to confirm being notified of an accident involving [REDACTED] in 2006. On both attempts to reach [REDACTED] a message was left to contact the OIG, and as of the date of this report, no call has been received from [REDACTED].

OIG could not find any record of an accident involving [REDACTED] occurring in 2007 in Arlington County, Virginia.

Relevant Statutes, Regulations and Other Standards

MPTD General Order 306 (part IV. E.) sets forth Department accident reporting procedures. Among other things, it requires that "the operator of a vehicle that is involved in an accident or damaged" must file several reports including an event report, detailed statement, and RMIS-WMATA Motor Vehicle Accident Report.

OIG Investigative Findings

OIG did not find evidence to substantiate the allegation. However, we determined that [REDACTED] was involved in an accident earlier with an MTPD vehicle.

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While [REDACTED] orally reported the accident, he did not file any of the written reports required by General Order 306. His explanation that there was no accident, no damage and no injury is inconsistent with the police crash report, his contemporaneous oral account, and the results of the vehicle inspection.

Exhibits

1. Report entitled "Damage Inspection on Vehicle 17667," dated April 23, 2008.
2. Virginia Police Crash Report dated December 14, 2006.

[REDACTED]
[REDACTED]
Special Agent [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

SUBJECT: Damage Inspection on Vehicle 17667

DATE: April 23, 2008

FROM: SVMT - [REDACTED]

THRU: SVMT - [REDACTED]

TO: OIG - [REDACTED]

Inspection findings of vehicle # 17667
2005 Ford Crown Victoria
Color Code LK - Blue
VIN# 2FAFP71W15X108949
LICENSE # CC-7189 registered in DC

Factual Findings and interpretations

- 1) The whole entire surface of the vehicle is cover with some sort of overspray.
 - This is NOT consistent with a small spot repair but rather seems more consistent to being fallout from some larger painting operation. IF painting a small area the area would be taped and a small adjoining area covered by this tape would be devoid of overspray.
- 2) There is minor damage on the rear bumper cover and it is misaligned.
 - At this area there is no evidence of any repairs being performed.
- 3) The trunk floor panel around the spare tire well has two small dents.
 - These two areas are interesting in that they are at opposite corners of the trunk pan but they show no sign of repair with the possible exception that some paint of some sort appears to partially cover the area. This paint appears to be blue.
- 4) The trunk is misaligned with the right side quarter panel.
 - No evidence of repair is present.
- 5) The right side tail lamp is misaligned with trunk lid.
 - No evidence of repair is present.
- 6) A body mount on the left side center is damaged.
 - Damage appears to be a bent bolt. This damage is consistent with the vehicle striking some object sticking up from the road AND appears from its directional cues to have occurred while the vehicle was moving rearward.
- 7) The header panel paint shows a little dirt as if repainted.
 - It is very unlikely, but not impossible, to have dirt like that in OEM paint from the factory. While not 100% conclusive it appears that the Header Panel has been repainted.
- 8) The left side quarter panel has some damage around the wheel well.
 - No evidence of repair is present.
- 9) There are dings and scrapes all around the vehicle.
 - No evidence of repair is present.

Based on our inspection there is NO evidence of any major repairs. There is solid but circumstantial evidence of touch up type repairs being performed to the header panel.

16-22
AJS

Page 1 of 2 Pages

☐ Supplemental Report

Police Crash Report

☐ DMV Copy

☐ Agency Copy

FD-302 (Rev. 9-9)

State	MM	DD	Year	Day of Week	Year of Report	County of Crash	Official DMV use
VA	12	13	2006	WED.	1959	FAIRFAX	070030883
City of			Landmark at scene			OPS Lat.	
City of			Railroad crossing ID no. (if within 150 ft.)			OPS Long.	
Location of Crash (route/street)			Mile marker number			Local case number	
I-66 WESTBOUND			0 6 1 9 0				
At intersection with or			Location of crash (route/street)			Number of Vehicle	
1 E/Miles <input type="checkbox"/> Post <input type="checkbox"/> of			249			3	
Vehicle No. 1			Vehicle No. 2 (if pedestrian)				
Driver (last, first, middle)			Driver (last, first, middle)			Year of exp.	
[REDACTED]			[REDACTED]			[REDACTED]	
State			Zip			State	
[REDACTED]			[REDACTED]			[REDACTED]	
Date			Date			Gender	
[REDACTED]			[REDACTED]			[REDACTED]	
Vehicle (last, first, middle) of Commercial motor carrier			Vehicle owner's name (last, first, middle) of Commercial motor carrier			Vehicle as driver	
Address (street and no.)			Address (street and no.)				
City			City			State	
State			Zip			Zip	
VA type			VA type			VA type	
2 2001			2004			2004	
DODGE			DAKOTA			INF	
Vehicle plate number			Vehicle plate number			Vehicle plate number	
YHN-7456			[REDACTED]			[REDACTED]	
VIN			VIN			VIN	
1B7HC2AN715231H6			[REDACTED]			[REDACTED]	
U.S. DOT no. or VA no.			U.S. DOT no. or VA no.			U.S. DOT no. or VA no.	
[REDACTED]			[REDACTED]			[REDACTED]	
Name of insurance company (not agent)			Name of insurance company (not agent)			Name of insurance company (not agent)	
USAA			NATIONWIDE			[REDACTED]	
Crash Diagram			Crash Diagram			Crash Diagram	
[Diagram: Vehicle 1 strikes Vehicle 2, which strikes Vehicle 3. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66.			[Diagram: Vehicle 1 strikes Vehicle 2, which strikes Vehicle 3. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66.			[Diagram: Vehicle 1 strikes Vehicle 2, which strikes Vehicle 3. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66. Vehicle 1 is in the left lane, Vehicle 2 is in the middle lane, and Vehicle 3 is in the right lane. All vehicles are moving westbound on I-66.	
RED X LANE			RED X LANE			RED X LANE	
I-66 WESTBOUND			I-66 WESTBOUND			I-66 WESTBOUND	
Indicate north by arrow			Indicate north by arrow			Indicate north by arrow	
Damage to property			Damage to property			Damage to property	
[REDACTED]			[REDACTED]			[REDACTED]	
Crash Description			Crash Description			Crash Description	
VEHICLE'S 2 AND 3 WERE STOPPED FOR TRAFFIC AHEAD. VEHICLE 1 STRUCK VEHICLE 2, CAUSING VEHICLE 2 TO STRIKE VEHICLE 3. BLOCK# 50 VEHICLE 1 FRONT BUMPER DAMAGE. BLOCK# 51 VEHICLE 2 FRONT AND REAR END DAMAGE.			VEHICLE'S 2 AND 3 WERE STOPPED FOR TRAFFIC AHEAD. VEHICLE 1 STRUCK VEHICLE 2, CAUSING VEHICLE 2 TO STRIKE VEHICLE 3. BLOCK# 50 VEHICLE 1 FRONT BUMPER DAMAGE. BLOCK# 51 VEHICLE 2 FRONT AND REAR END DAMAGE.			VEHICLE'S 2 AND 3 WERE STOPPED FOR TRAFFIC AHEAD. VEHICLE 1 STRUCK VEHICLE 2, CAUSING VEHICLE 2 TO STRIKE VEHICLE 3. BLOCK# 50 VEHICLE 1 FRONT BUMPER DAMAGE. BLOCK# 51 VEHICLE 2 FRONT AND REAR END DAMAGE.	
Offenses charged driver			Offenses charged driver			Offenses charged driver	
NONE			NONE			NONE	
Names of injured (if deceased give date of death)			Names of injured (if deceased give date of death)			Names of injured (if deceased give date of death)	
[REDACTED]			[REDACTED]			[REDACTED]	
Investigating officer			Investigating officer			Investigating officer	
TRP. BROWN K.J.			TRP. BROWN K.J.			TRP. BROWN K.J.	
Subordinate no.			Subordinate no.			Subordinate no.	
6675			6675			6675	
Agency/department name and code no.			Agency/department name and code no.			Agency/department name and code no.	
VA STATE POLICE			VA STATE POLICE			VA STATE POLICE	
Reviewing Officer			Reviewing Officer			Reviewing Officer	
DJZ			DJZ			DJZ	
Report file date			Report file date			Report file date	
12 14 2006			12 14 2006			12 14 2006	

Page 2 of 2 Pages ☐ Sub. Ad Report **Police Crash Report** ☐ DMV Copy ☐ Agency Copy ☐ FIC00P (Rev. 08)

Case No.		12	14	2006	WED	1959	County of Crash		FAIRFAX	Official DMV use		070030884	
City of		Landmark at scene				GPS Lat.							
Location of Crash (route/street)		Railroad crossing (ID no. (if within 150 ft.))				GPS long.		Mile number/quarter		Local case no.			
1-66 WESTBOUND								06190					
City intersection with or		Miles		Feet		of		Location of crash (route/street)		Number of Veh.			
								495		3			
Driver's name (last, first, middle)		Driver fled scene		Yes, dr. exp.		Driver's name (last, first, middle)		Driver fled scene		Yes, dr. exp.			
Address (street and no.)		City		State		Zip		City		State		Zip	
City		State		Zip		City		State		Zip		City	
City		State		Zip		City		State		Zip		City	
Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier		Vehicle make (year, make, model) or Commercial motor carrier	
WMATA		WMATA		WMATA		WMATA		WMATA		WMATA		WMATA	
Address (street and no.)		Address (street and no.)		Address (street and no.)		Address (street and no.)		Address (street and no.)		Address (street and no.)		Address (street and no.)	
600 5TH ST NW		600 5TH ST NW		600 5TH ST NW		600 5TH ST NW		600 5TH ST NW		600 5TH ST NW		600 5TH ST NW	
City		City		City		City		City		City		City	
WASHINGTON		WASHINGTON		WASHINGTON		WASHINGTON		WASHINGTON		WASHINGTON		WASHINGTON	
State		State		State		State		State		State		State	
DC		DC		DC		DC		DC		DC		DC	
Zip		Zip		Zip		Zip		Zip		Zip		Zip	
20001		20001		20001		20001		20001		20001		20001	
Vehicle plate number		Vehicle plate number		Vehicle plate number		Vehicle plate number		Vehicle plate number		Vehicle plate number		Vehicle plate number	
CC7189		CC7189		CC7189		CC7189		CC7189		CC7189		CC7189	
VIN		VIN		VIN		VIN		VIN		VIN		VIN	
2FAPE7TW15X108949		2FAPE7TW15X108949		2FAPE7TW15X108949		2FAPE7TW15X108949		2FAPE7TW15X108949		2FAPE7TW15X108949		2FAPE7TW15X108949	
U.S. DOT no. or VA no.		U.S. DOT no. or VA no.		U.S. DOT no. or VA no.		U.S. DOT no. or VA no.		U.S. DOT no. or VA no.		U.S. DOT no. or VA no.		U.S. DOT no. or VA no.	
Placed no. and class of plate		Placed no. and class of plate		Placed no. and class of plate		Placed no. and class of plate		Placed no. and class of plate		Placed no. and class of plate		Placed no. and class of plate	
No. of motor		No. of motor		No. of motor		No. of motor		No. of motor		No. of motor		No. of motor	
Y/N		Y/N		Y/N		Y/N		Y/N		Y/N		Y/N	
Name of insurance company (not agent)		Name of insurance company (not agent)		Name of insurance company (not agent)		Name of insurance company (not agent)		Name of insurance company (not agent)		Name of insurance company (not agent)		Name of insurance company (not agent)	
SELF-INSURANCE		SELF-INSURANCE		SELF-INSURANCE		SELF-INSURANCE		SELF-INSURANCE		SELF-INSURANCE		SELF-INSURANCE	
Crash Diagram		Crash Diagram		Crash Diagram		Crash Diagram		Crash Diagram		Crash Diagram		Crash Diagram	
SEE PAGE 1.		SEE PAGE 1.		SEE PAGE 1.		SEE PAGE 1.		SEE PAGE 1.		SEE PAGE 1.		SEE PAGE 1.	
Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.		Crash Description: SEE PAGE 1. BLOCK 50 VEHICLE 3 REAR BUMPER DAMAGE.	
Offenses charged driver: NONE		Offenses charged driver: NONE		Offenses charged driver: NONE		Offenses charged driver: NONE		Offenses charged driver: NONE		Offenses charged driver: NONE		Offenses charged driver: NONE	
Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)		Names of injured (if deceased give date of death)	
12		13		14		15		16		17		18	
X												X	
Investigation officer		Investigation officer		Investigation officer		Investigation officer		Investigation officer		Investigation officer		Investigation officer	
TRP. BROWN K.J.		TRP. BROWN K.J.		TRP. BROWN K.J.		TRP. BROWN K.J.		TRP. BROWN K.J.		TRP. BROWN K.J.		TRP. BROWN K.J.	
6675		6675		6675		6675		6675		6675		6675	
VA STATE POLICE		VA STATE POLICE		VA STATE POLICE		VA STATE POLICE		VA STATE POLICE		VA STATE POLICE		VA STATE POLICE	
DJE		DJE		DJE		DJE		DJE		DJE		DJE	
12		14		2006		12		14		2006		12	

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No.2009-16

June 29, 2009

Allegation and Background

On November 5, 2008, the [REDACTED], Office of Engineering Support Services (CENS) reported that persons unknown had vandalized back-up circuit breakers by removing copper components for possible sale to salvage yards. The removal of the copper components made the breakers unusable.

Summary of Investigation

The investigation was worked jointly with the Metro Transit Police Department (MTPD). The investigation revealed that from approximately October 28 until November 20, 2008, three rail stations had the copper components removed from back-up circuit breakers at a cost of at least \$10,000 per breaker. The thefts occurred at the Naylor Road and Suitland stations on the Green Line in October and the Morgan Blvd. station on the Blue Line in November. None of the storage areas were under electronic surveillance.

[REDACTED]

The thefts seemed to have stopped with the downturn in the economy and the resulting drop in the price paid for scrap copper.

Relevant Statutes, Regulations and Other Standards

Criminal theft or embezzlement:

District of Columbia, D.C. Code § 22-3211: a person commits the offense of theft if that person wrongfully obtains or uses the property of another with intent to deprive the other a right to the property or to appropriate the property to his or her own use or the use of a third person. Theft of property valued over \$250 is punishable as felony.

Virginia: Virginia Code § 18.2-111: to establish the crime of embezzlement under this section, the Commonwealth must prove that the accused wrongfully appropriated to his or her own use or benefit, with the intent to deprive the owner thereof, the property entrusted or delivered to the accused. Embezzlement of amounts above \$200 is punishable as a felony.

Maryland: Maryland Code § 7-204 Theft of property valued at over \$500 is a felony.

OIG Investigative Findings

Consideration should be given to storing the circuit breakers in a more secure environment when the economy rebounds. The loss of the back-up circuit breakers is not only a financial loss but could cause a work stoppage since they are manufactured specifically for WMATA and not easily replaceable.

OIG could not develop evidence of who committed the vandalism and the theft of the copper components.

[REDACTED]

The investigation should be closed pending the receipt of any additional information.

Exhibits

None

[REDACTED]

Special Agent [REDACTED]

[REDACTED]

[REDACTED]

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2009-21
(Retaliation complaint)

Date: April 8, 2009

Allegation and Background

The Office of Inspector General (OIG) initiated this investigation as a result of a complaint from [REDACTED] alleging retaliation by managers at the [REDACTED] Bus Division for his report on November 5, 2008, to the OIG about the improper use of a WMATA computer to access pornographic material and unsafe practices occurring at the [REDACTED] facility. The subject of his complaint relating to the inappropriate material was [REDACTED], a Lead Mechanic at the [REDACTED] Division bus maintenance facility. [REDACTED] also alleged that mechanic mentees were allowed to work unsupervised, which was unsafe and caused him to be denied pay as a mentor. (Exhibit 1).

In a subsequent letter to the OIG dated December 29, 2008 (Exhibit 2), [REDACTED] alleged that he was treated unfairly prior to his complaint in November to the OIG and that the unfair treatment escalated after his complaint and was in retaliation for his complaint.

Summary of Investigation

[REDACTED] is a [REDACTED]-year WMATA employee assigned as a Mechanic to the [REDACTED] Bus Division at the time of the original complaint and the retaliation complaint. He worked at that location from [REDACTED] to [REDACTED] when he went back to his previous job site at [REDACTED] Bus Division. He was overseen by [REDACTED], a Lead Mechanic, who also served as the acting supervisor when the regular supervisor, [REDACTED], was absent. [REDACTED] is the Superintendent of that bus division.

OIG referred the allegation about pornography to [REDACTED] for follow-up attention. However, OIG did not disclose [REDACTED] identity to management. [REDACTED] disclosed his own identity to [REDACTED] as he thought [REDACTED] would find out anyway. [REDACTED] responded that he had counseled [REDACTED]. The allegation about the unsafe use of mechanic mentees was referred by OIG to the Office of Safety, which found it to have no merit. (Exhibit 3). [REDACTED] indicated that [REDACTED]

was not denied mentor pay, but was on sick leave for a period when he was supposed to serve as a mentor.

In an interview, [REDACTED] explained that his relationship with his managers has been troubled since he was assigned to work at the [REDACTED] facility in [REDACTED]. He said he made numerous requests for developmental opportunities; most were denied or interfered with. Those requests began upon his arrival at the [REDACTED] facility from the [REDACTED] in [REDACTED] before he made his complaint to the OIG about [REDACTED]. It was also evident that [REDACTED] was very persistent and often voiced his disagreements with management.

[REDACTED] provided the OIG with copies of an Investigation Report (Exhibit 4) and an informal employee appraisal memorandum (Exhibit 5), both by [REDACTED] and dated December 10, 2008.

[REDACTED]. A response from [REDACTED] is attached to this report. In the employee appraisal memorandum, [REDACTED]

[REDACTED] personnel folder was reviewed. In addition to the two items mentioned above, the file disclosed an incident in 2006 (while he was at [REDACTED]). There was a grievance filed by [REDACTED] and it resulted in a reduction in penalty. He also filed a grievance in connection with a report charging him with "Failure to report to brake class". That grievance also resulted in the reduction in penalty. Another persistent issue for management was attendance. The file showed numerous communications between [REDACTED] and management regarding his absences. (See also Exhibit 5, "Work Habits.") As of March 2009, [REDACTED] had no sick leave hours remaining.

In an evaluation by [REDACTED], an evening shift supervisor at [REDACTED], covering [REDACTED] through [REDACTED] [REDACTED] was rated below expectations for "Failure to report for training", and "Failure to follow reporting procedures while out on compensation" from February 13, 2009 with a total of six occurrences.

Personnel folders for other employees at [REDACTED] Division were reviewed to determine if actions taken against [REDACTED] were unique or consistent with treatment of other employees who have committed similar acts during that time period. The review disclosed the following violations for which

[REDACTED]

These incidents were recorded between July 2008 and January 2009.

In January 2009, [REDACTED] resolved a grievance filed by [REDACTED] claiming he was not called in for overtime work as per labor rules. Instead, employees with less seniority were allowed to work overtime on Inauguration Day. His claim was reviewed by [REDACTED] and determined to have merit. [REDACTED] was paid overtime as a settlement, even though he had not reported for work on that day.

[REDACTED] indicated that he had contacted [REDACTED] of Office of Civil Rights (CIVR). [REDACTED] advised that CIVR is not investigating this matter.

Relevant Statutes, Regulations and Other Standards

Policy/Instruction 13.4/0 (OIG), sec. 5.04; and Policy/Instruction 7.32/0, sec. 2.1 (Retaliation Prohibited).

OIG Investigative Findings

[REDACTED] and his managers had ongoing disagreements predating his complaint to the OIG in November 2008 about [REDACTED]. No significant changes were noted in their interactions before and after his report to the OIG. Management continued to document inappropriate behaviors. Management's concerns about [REDACTED] attendance record appear to be justified, as he has no sick leave after working at WMATA for [REDACTED] years. Managers' evaluations of [REDACTED] grievances do not appear to be unreasonable. In fact, two of [REDACTED] grievances, one before and one after the report to OIG, were resolved in his favor. Another, in January 2009, resulted in eight hours of overtime payment to [REDACTED]. While management may have judged [REDACTED] to be less than an ideal employee, he did not appear to be targeted in retaliation for his complaint to OIG. Other employees at [REDACTED] Division were also reprimanded for similar behaviors.

In view of the information provided by [REDACTED] and our internal investigation, the OIG is unable to conclude that [REDACTED] was subject to retaliation for his report to OIG.

Exhibits

1. [REDACTED] Letter to OIG dated November 5, 2008
2. [REDACTED] Letter to OIG dated December 29, 2008
3. Memorandum from Safety Officer re OIG Complaint
4. Investigation Report dated December 10, 2008
5. Employee Performance Memorandum dated December 10, 2008

[REDACTED]
Special Agent
[REDACTED]
[REDACTED]

We have withheld 7 pages because they consist of personal information regarding the employee who filed the complaint (PARP exemption 6.1.6).

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2009-19
(Coin Thefts at Treasury)

Date: September 9, 2009

Allegation and Background

Complainant [REDACTED] alleged that during 1998 to 2003 [REDACTED] and [REDACTED], both WMATA employees working in Revenue stole at least \$20,000 in coins. Additionally [REDACTED] alleged that [REDACTED] told her that officers who escorted them into the vault would turn away while he pocketed money that should have been placed in the vault. The theft involved money collected from the meters.

Summary of Investigation

An investigation was initiated by MTPD to substantiate the allegation with OIG providing supplemental investigative support.

OIG requested assistance from the [REDACTED]
[REDACTED]

Efforts were made to obtain additional information from the complainant; however, repeated calls to the complainant, [REDACTED], were not returned.

Relevant Statutes, Regulations and Other Standards

Virginia Code § 18.2-111: Embezzlement deemed larceny-

If any person wrongfully and fraudulently use, dispose of, conceal or embezzle any money, bill, note, check, order, draft, bond, receipt, bill of lading or any other personal property, tangible or intangible, which he shall have received for another or for his employer, principal or bailor, or by virtue of his office, trust, or

employment, or which shall have been entrusted or delivered to him by another or by any court, corporation or company, he shall be guilty of embezzlement. Proof of embezzlement shall be sufficient to sustain the charge of larceny

OIG Investigative Findings

Due to the lack of cooperation from the complainant, no additional leads can be developed. MTPD's investigation [REDACTED]

In addition, Treasury has not provided any documentation to substantiate the loss.

It is recommended that the investigation be closed pending additional information.

[REDACTED]
[REDACTED]
[REDACTED]
Special Agent
[REDACTED]
[REDACTED]
A [REDACTED]
9/29/09

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2009-26
(Treasury- Token Redemption)

Date: September 10, 2009

Allegation and Background

[REDACTED] Customer Service [REDACTED], advised that [REDACTED], a customer, claimed to have submitted 70 bus token to exchange for fare cards at Metro Center station in early October 2008. The tokens were given to the station manager, [REDACTED] but [REDACTED] never received the fare cards. Customer Service conducted an inquiry with [REDACTED] and she recalled taking a large quantity of tokens and putting them in an envelope. The items were placed in a revenue bag for collection by Treasury. She gave the customer a receipt number, which he retained. The tokens were never received at the Fare Adjustment office at Treasury in Alexandria and they have no record of his receipt number. [REDACTED], Supervisor in Fare Media Services, had also contacted the customer.

Summary of Investigation

An investigation was initiated to determine the current location of the tokens.

The inquiry conducted by Customer Service and Treasury did not result in the recovery of the tokens.

[REDACTED]

Customers normally have the option of mailing items directly to Treasury; however, given the weight and the possible damage to the envelope during normal mail processing, this transaction was conducted internally.

Relevant Statutes, Regulations and Other Standards

District of Columbia Criminal Code: Title 22 Subtitle I Ch. 32 Subchapter IV-
§ 22-3231(Trafficking in stolen property)

OIG Investigative Findings

Due to the current internal control and collection process at the station kiosks, we were unable to determine possible suspects as the revenue bag was left unsecured and accessible to the different shifts over a number of days until a pick up is made.

[REDACTED]
[REDACTED]
Special Agent
[REDACTED]

9/29/09

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation (Preliminary)

Complaint No. 2009-31
(SAR Bank Reports)

Date: 07/24/2009

Allegation and Background

OIG was alerted by Metro Transit Police Department detectives that WMATA employee [REDACTED] may be involved in unlawful activities due to suspicious bank transactions. [REDACTED] Bank had filed several Suspicious Activity Reports (SAR) that showed [REDACTED] depositing over \$58,000 in cash during a six-month period.

Summary of Investigation

A preliminary investigation was initiated to determine if the cash deposits were the result of misconduct while [REDACTED] was employed by WMATA.

[REDACTED] is employed by WMATA as an [REDACTED]. He was hired on [REDACTED]. According to [REDACTED] records, [REDACTED] is mostly involved with inspections of equipments during preventive maintenance.

A [REDACTED] revealed that [REDACTED] also has a side business, [REDACTED]. The address for this business was his residence. To determine if [REDACTED] leveraged WMATA supplies and equipment to support his business, a check of storeroom transactions was conducted. The review did not show [REDACTED] removing any parts or equipment from storage as part of his work.

Additional inquiries uncovered other suspicious bank transactions involving cash. All suspicious cash transactions to March 2009 totaled in excess of \$206,000.

Relevant Statutes, Regulations and Other Standards

Structuring transactions to evade reporting requirement prohibited (31 USC 5324)

OIG Investigative Findings

As a result of finding no WMATA connections to the bank transactions, the information was forwarded to U.S. [REDACTED] for further attention.

Recommend closing OIG's preliminary investigation pending any request from [REDACTED] for assistance (see attached email).

[REDACTED]
Special Agent

Date: 07/24/2009

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation

Complaint No. 2010-007

Date: December 4, 2009

Allegation and Background

On September 15, 2009, an allegation was received via the OIG Hotline that the Metropolitan Transit Police Department (MTPD) officers are traveling out of the country for recruitment purposes. Also, employees are allowed to select training classes out of the area when the same classes are available locally. These practices cause a waste of WMATA funds.

Summary of Investigation

[REDACTED] obtained Travel Authorization and Advance forms (Exhibit 1) 2010-007-MTPDTravel Documentation submitted to and approved by, Chief of Staff (CHOS) Shiva Pant for each MTPD officer who traveled within the last six months, as well as a spreadsheet that includes a breakdown including: "Paid By", "Mandatory Training or Certification" and "Destination" for each officer. The CHOS must approve all WMATA travel. A review of these forms and spreadsheet indicates that one trip was taken out of the country. This trip was paid for by another government agency. A majority of the out-of-area travel by MTPD officers was paid for by other organizations.

IG Investigative Findings

The Travel Authorization and Advance forms and spreadsheet do not support the allegation of waste and abuse by MTPD as it relates to travel funds. It is recommended that this matter be closed.

[REDACTED]

[REDACTED]

Attachment: Exhibit 1

NAME	TRAVEL DATES	PAID BY	MANDATORY TRAINING OR CERTIFICATION	DESTINATION
APRIL 2009				
[REDACTED]	4-2 April 2009	Authority	Elev/Esc Safety Certification	Ocean City, MD
[REDACTED]	22-26 April 2009	APTA – Cost of Seminar		Tampa, FL
MAY 2009				
[REDACTED]	22-26 May 2009	Authority		Moline, IL
JUNE 2009				
[REDACTED]	14-19 June 2009	Authority – Registration TSA – Travel and Hotel	Annual Training Requirement	Palm Springs, CA
[REDACTED]	15-19 June 2009	TSA – Course, Air Fare and Hotel	Bomb Squad Executive Management Course	Huntsville, AL
[REDACTED]	14-19 June 2009	Authority – Conference TSA – Travel and Hotel	Annual Training Requirement	Palm Springs, CA
[REDACTED]	14-19 June 2009	Authority – Conference TSA – Travel and Hotel	Annual Training Requirement	Palm Springs, CA
[REDACTED]	14-19 June 2009	Authority – Conference TSA – Travel and Hotel	Annual Training Requirement	Palm Springs, CA
[REDACTED]	13-18 June 2009	Authority	APTA Rail Conference	Chicago, IL
JULY 2009				
[REDACTED]	13-16 July 2009	FBI-TSA – Airfare, Hotel and Food	Transit Safety and Security Roundtable	Portland, OR
[REDACTED]	13-16 July 2009	TSA – Airfare, Hotel and Food	Transit Safety and Security Roundtable	Portland, OR
[REDACTED]	27-30 July 2009	TSA	Recertification Requirements – National Explosive Detection Canine Team Program	Orlando, FL
[REDACTED]	13-16 July 2009	TSA – Airfare, Hotel and Food	Transit Safety and Security Roundtable	Portland, OR
[REDACTED]	12-17 July 2009	Authority	Conference of Police Chaplains, Annual Training	Knoxville, TN
Taborn, Michael A.	13-16 July 2009	TSA – Airfare, Hotel and Food	Transit Safety and Security Roundtable	Portland, OR

AUGUST 2009				
[REDACTED]	3-6 August 2009	Authority	Recertification Training – RAD Certification Training	Monrovia, MD
[REDACTED]	26 August 2009	No cost associated	MTA Police w/Mock Accreditation Assessment	Baltimore, MD
[REDACTED]	9-15 August 2009	Authority	SWAT Supervision and Command Training Course – Refresher Training	Las Vegas, NV
[REDACTED]	23-27 August 2009	NCHRP (National Cooperative Highway Research Program)	TSA Panel – Surface Transportation Security Research Meeting	Irvine, CA
[REDACTED]	15-22 August 2009	U.S. Department of State, Bureau of Diplomatic Security, Office of Anti-Terrorism Assistant	Training Consultation to the Government of India	Delhi, India
[REDACTED]	2-8 August 2009 thru 8 October 2009	TSA	Canine Program	San Antonio, TX
[REDACTED]	23-27 August 2009	NCHRP (National Cooperative Highway Research Program)	TSA Panel – Surface Transportation Security Research Meeting	Irvine, CA
[REDACTED]	3-6 August 2009	Authority	Recertification Training – RAD Certification Training	Monrovia, MD
SEPTEMBER 2009				
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	23-25 September 2009	Police - City of Pittsburgh	Group of 20 Summit	Pittsburgh, PA
[REDACTED]	28-29 September 2009	Authority	Property/Evidence Room Technician Class	Ewing, NJ

[REDACTED]	20-24 September 2009	Authority	APTA Security Risk Management Work Group Annual State Safety Oversight Program Meeting	Tempe, AZ
[REDACTED]	17-20 September 2009	Authority	CRLEAA – (Chesapeake Region Law Enforcement Accreditation Alliance) General Membership Program Meeting	Dover, DE
[REDACTED]	9-10 September 2009	Authority	Leadership Challenge XIX – Job Requirement	Sykesville, MD
[REDACTED]	28 September thru 1 October 2009	FBI	JTTF National Conference	Orlando, FL
[REDACTED]	28-29 September 2009	Authority	Certification	Ewing, NJ
OCTOBER 2009				
[REDACTED]	3-4 October 2009	FBI	APTA Annual Conference	Orlando, FL
[REDACTED]	29 October 2009	Authority	Training Course	Annapolis, MD
[REDACTED]	2-6 October 2009	Authority	International Association of Chiefs of Police Annual Conference	Denver, CO

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Preliminary Investigation

Complaint No. 2010-008

Date: December 22, 2009

Allegation and Background

Information was received from a confidential source that management in the Office of Elevator / Escalator Maintenance (ELES) was investigating [REDACTED], an ELES time clerk, for theft of oil used in escalator transmission cases.

Summary of Investigation

[REDACTED] ELES, was contacted. [REDACTED] stated that during a review of Maximo requisitions, it was noted that [REDACTED] had requisitioned some one quart containers of escalator oil. This was highly unusual since [REDACTED] had never requisitioned anything from Maximo in the past and it was not part of his assigned duties. [REDACTED] was questioned about the requisition and claimed that he requisitioned the oil in case it was needed in the future. No action was taken since the oil was located in [REDACTED] office.

Relevant Statutes, Regulations and Other Standards

Criminal Theft or Embezzlement

Maryland: Maryland Code § 7-204 Theft of property valued at over \$500 is a felony.

OIG Investigative Findings

Although [REDACTED] motivation for requisitioning the oil is highly suspect, a theft did not occur since the oil never left WMATA facilities.

It is recommended that the preliminary investigation be closed as unfounded.

Exhibits

None

[REDACTED]

Special Agent [REDACTED]

[REDACTED]

[REDACTED]

WMATA OFFICE OF INSPECTOR GENERAL

OFFICE OF INVESTIGATIONS

Report of Investigation (Preliminary)

Complaint No.: 2010-034

(Improper Utilization of Grant Funds and
Falsification of Grant Application by MTPD)

Date: May 5, 2010

Allegation and Background

On February 26, 2010, the Office of Inspector General (OIG) received a complaint from [REDACTED] Detective, Metro Transit Police Department (MTPD), which [REDACTED] said was made on behalf of the Metro Transit Police Labor Committee, Inc. (Labor Committee). [REDACTED] alleged that MTPD is improperly utilizing funds from the *FY2009 American Recovery and Reinvestment Act (ARRA) Transit Security Grant Program (TSGP)*. On July 31, 2009, the MTPD was awarded \$9,560,064.00 through the TSGP, under Federal Emergency Management Agency (FEMA) Grant Number 2009-RA-R1-0102, to fund an Anti-Terrorism Unit (ATT) and related equipment. The time period of the grant is 36 months.

[REDACTED] further alleged that [REDACTED] Deputy Chief, MTPD, falsified the TSGP application documents submitted to the U.S. Department of Homeland Security (DHS) by inaccurately certifying that MTPD had the appropriate staffing level in order to utilize the TSGP funds in accordance with the terms of the TSGP.

According to [REDACTED], one condition of the TSGP was that the agency must already have the required officers for the ATT hired and in place on the day they are awarded the funds. [REDACTED] said that was not the case with MTPD. [REDACTED] also alleged that MTPD is utilizing funds improperly from the TSGP to pay overtime to officers who are working to perform the duties of the [REDACTED] since those officers were transferred to normal patrol to allow other patrol officers, who applied and were selected, to be moved into the ATT funded by the TSGP. Finally, [REDACTED] alleged that the grant was for only one year, and would be exhausted before MTPD was able to hire 20 new officers.

The TSGP, which is part of the ARRA, was created specifically to focus on public transit system security and allow recipient agencies to provide visible, unpredictable deterrence through the funding of Operational Packages for canine teams, mobile explosives detection screening teams, and Anti-Terrorism Teams, both due to their

effectiveness in reducing risk to transit systems and their potential for job creation. In addition, funding will be provided for certain capital projects.¹

Summary of Investigation

██████████ MTPD's Homeland Security ██████████ said MTPD is authorized to utilize funds from the TSGP to pay officers working overtime to fill positions which became vacant because those officers were re-assigned to the ATT, until these vacant positions are filled with new officers. Up to ten percent of the grant each year may be spent on allowable costs, which include overtime. ██████████ said MTPD initially incurs all grant related costs and then, on a quarterly basis, submits a request to DHS for reimbursement.

██████████ Deputy Chief, MTPD, stated that 20 officers have been selected for and transferred to the ATT. ██████████ also said that some MTPD officers have worked on overtime to cover the dayshift of the Revenue Protection Unit, but that overtime costs for these officers were paid from the normal operating budget, and MTPD will not seek reimbursement from the TSGP for these overtime details.

The TSGP application, dated June 17, 2009, submitted by MTPD (Exhibit 1) indicated the following:

- 1) In Section II, MTPD clearly stated that 20 current officers would be transferred from patrol to the ATT, which will be funded by the TSGP, and some of the TSGP funds would be utilized to temporarily pay overtime to officers to backfill the positions left vacant by the transfer of 20 officers to the ATT. The application states, in pertinent part:

Let MTPD establish five four-member Anti-Terrorism Teams when the FY09 ARRA TSGP funds are awarded, and during the next 10 months, allow additional TSGP funds to reimburse WMATA the cost of backfilling with overtime the 20 vacancies in the Patrol Bureau, which will not be filled until 20 new recruits successfully complete the police academies and the Field Training Program. When a Patrol Bureau vacancy is filled with a new permanent officer, then stop overtime reimbursement for one

¹ <http://www.fema.gov/government/grant/arra>

² Prior to her employment with MTPD, ██████████ was a transit security subject matter expert within the Mass Transit and Passenger Rail Security Office at the Transportation Security Administration, which is the agency that administers the *American Recovery and Reinvestment Act Transit Security Grant Program* on behalf of the U.S. Department of Homeland Security. ██████████ was one of the individuals who drafted the grant funding formula and permissible uses.

³ TSGP defines allowable costs as: a) Operating Uses of Funds, b) Equipment Acquisition; and c) Management and Administration. Overtime expense falls within this category.

officer. Do this until all 20 positions are filled;

While the 20 recruits are undergoing academy and field training, FY09 ARRA TSGP funds will be used to cover the overtime of existing MTPD officers who on overtime backfill the Patrol Bureau's 20 temporary vacancies.

It takes 10 months to train and put into place a new Metro Transit Police Officer, because all MTPD officers must meet the training standards of three jurisdictions: Commonwealth of Virginia, State of Maryland, and the District of Columbia. Therefore, WMATA requests permission to use FY09 ARRA TSGP PAC funds to reimburse WMATA for up to ten months of overtime backfill needed because of the transfer of 20 veteran officers out of the Patrol Bureau to the Anti-Terrorism Teams.

- 2) ~~Carol Kissal~~, Deputy General Manager for Administration & Chief Financial Officer, was listed as the agency's authorized representative, and she certified that all information in the grant application was true and correct.
- 3) [REDACTED] signed the DHS – TSGP Level of Authorized Sworn Personnel Dedicated to Transit Certification Form, on behalf of Michael Taborn, Chief, MTPD (Exhibit 2). [REDACTED] signature simply certified that MTPD employed at least 100 authorized police officers dedicated to transit security as of January 1, 2009, which was a requirement to participate in the TSGP.

The FEMA award notification letter, dated July 31, 2009, advised WMATA that it approved the TSGP application and awarded WMATA \$9,560,064.00. ~~Kissal~~ accepted the grant on October 19, 2009 (Exhibit 3). The grant is for three years, from August 1, 2009 to July 31, 2012 (Exhibit 3, p.1).

A review of the Fiscal Year 2009 ARRA TSGP Guidance and Application Kit (published May 2009), indicates one of the eligible uses for the funds is:

Public Sector Overtime and backfill costs. Payment of overtime expenses will be for work performed by award or sub-award employees of public agencies in excess of the established work week (usually 40 hours). Further, overtime payments and backfill costs associated with sending personnel to training are allowable, provided that it is DHS approved training.

These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable.⁴

⁴ http://www.tsa.gov/assets/pdf/fy09_arra_tsgp_guidance.pdf

The *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53; 6 U.S.C. 1135),⁵ section 1406 (2)(G) identifies among the eligible uses for the TSGP funds:

Operational costs, including reimbursement of State, local, and tribal governments for costs for personnel assigned to full-time or part-time security or counterterrorism duties related to public transportation, provided that this expense totals no more than 10 percent of the total grant funds received by a public transportation agency in any 1 year.

Since no more than 10 percent of the grant can be used for operational costs, including overtime, in any one year, MTPD can spend up to \$954,006 for operational costs in any one year and a total of \$2,868,019 over the three-year life of the grant.

Reports submitted by MTPD to FEMA to date reflect that there is a total of \$1,026,964.78 for which MTPD is seeking reimbursement with grant funds, most of it (about \$940,000) in the most recent reporting period from January 1 to March 31, 2010. (Exhibits 4, 5 and 6). These reports, provided by [REDACTED] of MTPD, do not require MTPD to break out separately what has been spent for operational costs or for overtime. But according to [REDACTED], FEMA would object if the amounts appeared to be out of line in relation to MTPD's grant application.

[REDACTED] also said MTPD keeps records of its overtime by having officers who work overtime input codes for how it is charged. There is a specific code for the TSGP grant. For the time period of October 1, 2009 to March 31, 2010, MTPD has used \$624,274.83 for all overtime charged to the grant. All of this, according to [REDACTED], relates to overtime to backfill the duties of patrol officers re-assigned to ATT team.

On April 20, 2010, OIG re-interviewed [REDACTED] to review the above information. [REDACTED] acknowledged that he never read the TSGP application or the grant itself. [REDACTED] said he did not know that: a) MTPD was not required to have all 20 officers in place before being awarded the grant; b) that nonetheless, MTPD did have the officers on board; c) MTPD stated its intention to transfer patrol officers into the ATT; and d) that MTPD could utilize grant funds for the cost of backfilling with overtime the vacant patrol positions until replacement patrol officers were hired and trained, and had stated its intention to do so in its application. When informed that the grant was for a period of three years and not one year as he had alleged, [REDACTED] responded, "I was misinformed." [REDACTED] also said he did not know that MTPD could utilize up to 10% of the grant per year for operational costs, which includes overtime/backfill costs.

When [REDACTED] was informed by OIG that [REDACTED] had not signed the grant application as he had alleged, but only signed the *Level of Authorized Sworn Personnel Dedicated to*

⁵ Public Law 110-53; 6 U.S.C. §1135

Transit Certification Form, [REDACTED] denied he ever made the allegation to OIG. According to [REDACTED], the OIG must have been confused.

When asked if he had any other information of misconduct with regard to the grant, [REDACTED] alleged that MTPD officials originally directed officers who worked an overtime detail to utilize the designated code for the TSGP when they entered their time into the PeopleSoft system, no matter what overtime detail they had worked. [REDACTED] said MTPD Detective [REDACTED] and he met with [REDACTED] and Lieutenant [REDACTED] during the last week of February 2010, as part of the Step 3 union grievance procedure, to discuss the [REDACTED]. [REDACTED] said that during the meeting, he questioned [REDACTED] about this procedure and was unable to get a clear response from him about this. [REDACTED] added that immediately after this issue was brought to [REDACTED] attention, officers were directed to stop using the TSGP overtime code and use the normal overtime code (280108). [REDACTED] advised that he had documentation that would confirm this allegation and would provide OIG with copies of the documents. On April 22, 2010, OIG contacted [REDACTED] via email and requested copies of the documentation [REDACTED] alleged were in his possession. On April 27, 2010, [REDACTED] contacted OIG and said he would not provide the documents to OIG because he was notified that he was now under investigation for providing information to someone outside of MTPD in an unrelated matter.

[REDACTED] confirmed he did meet with [REDACTED] and [REDACTED] last February as part of a Step 3 grievance process related [REDACTED]. During the meeting, [REDACTED] explained to [REDACTED] the essentials of the TSGP and assured [REDACTED] that MTPD was in compliance with the terms of the grant. [REDACTED] stated [REDACTED] did not report to him that some MTPD officers were instructed to utilize the TSGP overtime code improperly.

Relevant Statutes, Regulations, and Other Standards

- 1) *Implementing Recommendations of the 9/11 Commission Act of 2007, (Public Law 110-53)* which is the enabling legislation to provide funding for the TSGP. Consistent with sections 1406 and 1513 of the Act, funds may be used for planning, organizational activities, equipment acquisition, training, management and administrative activities, and other costs the Secretary deems appropriate to support the objectives of the program.
- 2) 31 U.S.C. §3729 (a)(2) – It is a federal crime for any person who knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government.
- 3) 18 U.S.C. §1001 (a)(2) - Whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully makes any materially false, fictitious, or fraudulent statement or representation is guilty of a federal crime.

- 4) 18 U.S.C. §1343 – It is a federal crime to obtain money or property by means of false pretenses, representations, or promises, by transmitting or causing to be transmitted by means of wire, any writings for the purpose of executing such scheme.

OIG Investigative Findings

The allegations that MTPD included false or misleading information on the TSGP application and that MTPD is utilizing the TSGP funds improperly to pay overtime are without merit. MTPD appears to be in compliance with the authorized use(s) of the TSGP funds. MTPD set forth in its grant application its intention to do exactly what it is now doing: transferring 20 officers from patrol into the ATT, hiring new officers to backfill the vacated patrol positions, and using grant funds to pay for the cost of the backfilled positions, with overtime, until the positions are filled. The DHS official cognizant of the grant approved MTPD's application as written.

This preliminary investigation should be closed with no further action taken.


Exhibits

- 1) Copy of TSGP application submitted by MTPD (First six pages)
- 2) Copy of *Level of Authorized Sworn Personnel Dedicated to Transit Certification Form* signed by [REDACTED]
- 3) DHS, Federal Emergency Management Agency award notification letter
- 4) DHS Recipient Report for quarter ending Sept. 30, 2009
- 5) DHS Recipient Report for quarter ending Dec. 31, 2009
- 6) FEMA PARS Report for quarter ending March 31, 2010

[REDACTED]
Special Agent

[REDACTED]

APPLICATION FOR

1. TYPE OF SUBMISSION Application Non-Construction		2. DATE SUBMITTED 06/17/2009	APPLICATION IDENTIFIER
		3. DATE RECEIVED BY STATE	STATE APPLICATION IDENTIFIER
		4. DATE RECEIVED BY FEDERAL AGENCY	FEDERAL IDENTIFIER
5. APPLICANT INFORMATION			
Legal Name Washington Metropolitan Area Transit Authority		Organizational Unit Metro Transit Police Dept.	
Address (city, state, and zip code) 600 5th Street, N.W. Washington, District of Columbia 20001-2610		Name and telephone number of the person to be contacted on matters involving this application  (202) 962-	
6. EMPLOYER IDENTIFICATION NUMBER (BIN) 52-0847040		7. TYPE OF APPLICANT Nonprofit Organization	
8. TYPE OF APPLICATION New		9. NAME OF FEDERAL AGENCY FEMA, Grant Programs Directorate	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE Number: 97.113 CFDA Title: ARRA Rail and Transit Security Grant Program		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT FY 2009 American Recovery and Reinvestment Act Transit Security Grant Program - Operational Packages	
12. AREAS AFFECTED BY PROJECT State of Maryland: Counties of Montgomery and Prince Georges			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICT(S) OF	
Start Date: 09/01/2009	Ending Date: 08/31/2012	a. Applicant DC00	b. Project DC00
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$9,560,064	Program is not covered by E.O. 12372	
b. Applicant	\$0		
c. State	\$0		
d. Local	\$0		
e. Other	\$0		
f. Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
g. Total	\$9,560,064	N	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.			
a. Typed Name of Authorized Representative Carol Kissal	b. Title Asst. General Manager/Chief Financial Officer	c. Telephone number (202) 962-1200	
d. Signature of Authorized Representative		e. Date Signed	

Previous Editions Not Usable

Standard Form 424 (Rev 4-88)
Prescribed by OMB Circular A-102

WMATA Anti-Terrorism Teams OPAC

OMB Approval No. 1121-0188

Purpose. The Budget Detail Worksheet is provided as a guide to assist applicants in the preparation of the budget and budget narrative, when required. You may submit the budget information using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project.

Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
20 Officers	\$85,000 per officer* per year for 3 years	\$5,100,000
20 Backfill Officers** for 10 months	# work hours in 10 months (1,733 hrs) times average hourly OT rate (\$50.53) plus OT-Fringes (18%) times 20 officers	\$2,066,616

Total Personnel: \$7,166,616

*The U.S. Department of Labor's regionally adjusted fixed price per officer for the Washington, D.C. area is \$85,000, but the average Metro Transit Police Officer's salary and fringe benefits in late Fall 2009 is expected to total \$94,168 (\$9,000 higher). To cover this annual shortfall, WMATA is prepared to transfer approximately \$200,000 each year from its planned Patrol Bureau operating budget to the Anti-Terrorism Team budget. Sufficient funds will remain in the Patrol Bureau's annual personnel budget to fund the salaries of 20 rookie officers who will be hired to fill the vacancies created when 20 veteran officers transfer to the Anti-Terrorism Teams. [Note: It takes 10 months for a police recruit to become a sworn Transit Police Officer eligible to fill one of the 20 vacancies in the Patrol Bureau. This training and orientation period is longer than the national average because Metro Transit Officers are required to learn and prove their abilities to enforce the laws of three jurisdictions (State of Maryland, District of Columbia, Commonwealth of Virginia). They also must acquire safety and security knowledge and experience that is unique to transit policing, e.g. safety practices and evacuation methods in/from underwater tunnels, aerial right-of-ways, and multi-modal transportation centers.]

** MTPD's authorized sworn strength level is too low to enable any officers to be transferred out of the Patrol Bureau to form new Anti-Terrorism Teams unless/until Patrol Bureau positions are temporarily (then, permanently) backfilled. At least two funding scenarios can make this possible:

1. Let MTPD establish five four-member Anti-Terrorism Teams when the FY09 ARRA TSGP funds are awarded, and during the next 10 months, allow additional TSGP funds to reimburse WMATA the cost of backfilling with overtime the 20 vacancies in the Patrol Bureau, which will not be filled until 20 new recruits successfully complete the police academies and the Field Training Program. When a Patrol Bureau vacancy is filled with a new permanent officer, then stop overtime reimbursement for one officer. Do this until all 20 positions are filled ; or,
2. Let MTPD establish five four-member Anti-Terrorism Teams 10 months after the FY09 ARRA TSGP funds are awarded, which will give time for 20 police recruits to complete the Field Training Program. The FY09 ARRA TSGP funds will be used only to pay the salaries of the 20 officers who will form the Anti-Terrorism teams, but reimbursement of those salaries will not begin until WMATA pays – with WMATA funds – the salary of the police recruit who will eventually fill the veteran police officer's schedule in the Patrol Bureau. As is proposed in option 1, MTPD will cover the cost differential between a veteran officer's salary and fringe benefits (\$94,168) and the maximum benefit allowed to Washington, D.C. agencies (\$85,000). The advantage of Option 2 is that it is less expensive to implement, because there are no overtime costs. The notable disadvantage is that the five Anti-Terrorism Teams will not be formed at once, and not until 20 recruits complete the field Training Program will all Anti-Terrorism Teams be in place.

G. Other Costs. List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
Training	\$1,000 per year for 3 years for 20 officers	\$ 60,000
Equipment and Support	5 Anti-Terrorism Teams at \$411,000 per team	\$2,055,000
M&A	3% of Total Costs	\$ 278,448

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	\$7,166,616	_____
G. Other	\$2,393,448	_____
* TOTAL PROJECT COSTS	\$9,560,064	_____
Federal Request:	\$9,560,064	

**WMATA Anti-Terrorism Teams OPAC
Budget Detail Worksheet**

FY09 ARRA TSGP funding will enable the Metro Transit Police Department to create, train and equip five four-member Anti-Terrorism Teams (ATT). This worksheet presents Personnel Budget plans in detail, but non-personnel budgets —set at \$1,000 per officer per year for training and \$411,000 per ATT for equipment — are naturally evolving. For instance, MTPD is researching and evaluating training opportunities for ATT members. Our review includes course descriptions, providers and training facilities and locations. It is too early to allocate training dollars to the travel budget for non-local courses or to the contract/consultant budget for local instruction. Police officials and ATT charter members will identify the equipment required to accomplish ATT goals when the ATT units form, and over time as members acquire special knowledge and skills. Purchases will comply with AEL and safety requirements in the Guidance and Application Kit.

A. Personnel.

<u>Name/Position</u>	<u>Computation</u>		<u>Cost</u>
20 veteran Metro Transit Police Officers will transfer to form Anti-Terrorism Teams (ATT) <i>(Reimbursement for these officers' salaries will start after the officers transfer to ATT, likely in Nov 2009)</i>	<u>Months</u>	<u>Officer's Monthly Salary</u>	<u># Officers</u>
Officers' Salaries (Nov 09 - Sep 10)	11	\$ 5,347.33	20
			<u>Salary Cost</u>
Officers' Salaries (Oct 10 – Sep 11)			\$1,176,413
Includes an estimated 4% increase in Oct. 2010	12	\$ 5,561.23	20
			\$ 1,334,695
Officers' Salaries (Oct 11 – Sep 12)			
Includes an estimated 4% increase in Oct. 2011	11	\$5,783.68	20
			<u>\$ 1,272,410</u>
			\$3,783,518
Overtime Backfill: 20 vacancies occur in the Patrol Bureaus when 20 officers transfer from Patrol to form 5 Anti-Terrorism Teams Cost to backfill 20 vacant patrol officer positions for 10 months, until rookie officers fill vacancies.	<u>1 Officer - 10 Months</u>	<u># Officers</u>	<u>OT Cost</u>
Average officer OT Hourly Rate (\$50.53) times hours worked by 1 officer in 10 months (1,733)=	\$87,568	20	\$1,751,370
TOTAL			<u>\$5,534,887</u>

When WMATA receives the FY09 ARRA TSGP award letter, the MTPD will formally announce the 20 new ATT opportunities to all sworn MTPD officers. After transfer requests from ATT candidates are evaluated, the 20 chosen veterans will be transferred from the Patrol Bureau to one of five new four-member Anti-Terrorism Teams. (Nov. 2009). Allowable payroll reimbursements will not be requested until Nov. 2009 payroll records are available (3rd week of Dec. 2009). The transfer of 20 Transit Police Officers from the Patrol Bureau to the ATT will create an immediate need to use backfill overtime to keep Patrol sections adequately staffed. Backfill overtime will last until (a) MTPD tests and interviews thousands of applicants to find the

20 that meet or exceed MTPD's rigorous recruit standards; and (b) 20 recruits complete the 10-month combined police academy/field training-orientation (FTO) program. Thus, when a rookie completes FTO, one Patrol Bureau vacancy is filled, and backfill overtime ends for one position.

B. Fringe Benefits

FRINGE RATES	Non-Overtime	Overtime
Social Security	6.20%	6.20%
Medicare	1.45%	1.45%
Health Insurance	15.14%	0%
Life Insurance	0.64%	0%
Retirement	17.78%	0%
Workmen's Comp	0.00%	0%
Unemployment	0.05%	0.05%
	41.28%	7.7%

	<u>Computation</u>		<u>Cost</u>
	<u>Personnel</u> <i>(copied from above)</i>	<u>Fringe</u> <u>Rate</u>	<u>Fringes</u>
Personnel Total Non-Overtime Hours	\$3,783,518	41.26%	\$1,561,079
Personnel Total Overtime Hours	\$1,751,370	7.7%	<u>\$ 134,855</u>
TOTAL	\$1,695,935		\$1,695,935

TOTAL **\$1,695,935**

Total Personnel & Fringe Benefits **\$7,230,822**

C. Travel

\$ TBD

Some training dollars may fund travel to workshops and seminars in regional and out-of-state sites, such as military and FBI training facilities.

D. Equipment & Support \$411,000 per ATT times (5) ATT's **\$2,055,000**

E. Supplies

F. Consultants/Contracts Training \$1,000 per year per Officer **\$60,000**
3 years for 20 officers

G. Other Costs. M&A 2.3% of Total Costs **\$ 214,184**

Continued on next page

Procurement Specialist - A part-time specification/requisition writer/delivery expeditor to aide in the procurement of more than \$2M in specialized anti-terrorism equipment.

	hrs / day	days / week	weeks / year	hrs / year	Hourly Rate	
Year-1	4	4	50	800	\$ 40.00	\$ 32,000
Year-2	4	4	50	800	\$ 41.60	\$ 33,280
Year-3	4	4	50	800	\$ 43.26	\$ 34,611
						<u>\$ 99,891</u>

Report Writer - A part-time contractor to assist in post-award requirements and compliance with reporting /data collection requirements to include data calls.

	hrs / day	days / week	weeks / year	hrs / year	Hourly Rate	
Year-1	4	4	50	800	\$ 40.00	\$ 32,000
Year-2	4	4	50	800	\$ 41.60	\$ 33,280
Year-3	4	4	50	800	\$ 43.26	\$ 34,611
						<u>\$ 99,891</u>

Office Supplies for grants administration **\$ 14,460**

Other Costs TOTAL \$ 214,242

H. Indirect Costs \$0

Budget Summary

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	<u>\$5,534,887</u>	<u>\$0</u>
B. Fringe Benefits	<u>\$1,695,935</u>	<u>\$0</u>
C. Travel	<u>\$ 0</u>	<u>\$0</u>
D. Equipment	<u>\$2,055,000</u>	<u>\$0</u>
E. Supplies	<u>\$ 0</u>	<u>\$0</u>
F. Consultants/Contracts	<u>\$ 60,000</u>	<u>\$0</u>
G. Other	<u>\$ 214,242</u>	<u>\$0</u>
Total Direct Costs	<u>\$9,560,064</u>	<u>\$0</u>
H. Indirect Costs	<u>\$0</u>	<u>\$0</u>
I. Total Grantee Contribution		<u>\$0</u>
* TOTAL PROJECT COSTS	<u>\$9,560,064</u>	
Federal Request	<u>\$9,560,064</u>	

LEVEL OF AUTHORIZED SWORN PERSONNEL DEDICATED TO TRANSIT CERTIFICATION

Transit police forces or law enforcement providers must certify they employ at least 100 authorized positions dedicated to transit security as of January 1, 2009, and provide this certification with their application.

I, Michael A. Taborn as Chief of Police of the Metro Transit Police Department, Washington Metropolitan Area Transit Authority, certify that WMATA employs at least 400 authorized positions dedicated to transit security as of January 1, 2009



Michael A. Taborn
Chief of Police

6/15/9
Date



Department of Homeland Security, FEMA
Grant Programs Directorate

July 31, 2009

Washington, D.C. 20531

Ms. Carol Kissal
Washington Metropolitan Area Transit Authority
600 5th Street, N.W.
Washington, DC 20001-2610

Dear Ms. Kissal:

I am pleased to inform you that the Grant Programs Directorate has approved the application for funding under the American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement (ARRA TSGLP-Law) in the amount of \$9,560,064 for Washington Metropolitan Area Transit Authority. As part of the Department of Homeland Security's (DHS) Infrastructure Protection Activities (IPA), the ARRA TSGLP-Law is an important component of a coordinated, national effort to strengthen the security of America's critical infrastructure.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Tarek Khedr, Program Manager at (202) 786-9844;
- Financial and Payment Questions, Grants Management Division (GMD) at (866) 927-5646, or send an email to ask-GMD@dhs.gov.

Congratulations, and we look forward to working with you.

Sincerely,

W. Ross Ashley, III
Assistant Administrator, Grant Programs Directorate

Enclosures



Department of Homeland Security FEMA
Grant Programs Directorate

Grant

PAGE 1 OF 4

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)		4. AWARD NUMBER: 2009-RA-R1-0102	
Washington Metropolitan Area Transit Authority 600 5th Street, N.W. Washington, DC 20001-2610		5. PROJECT PERIOD: FROM 08/01/2009 TO 07/31/2012 BUDGET PERIOD: FROM 08/01/2009 TO 07/31/2012	
6. AWARD DATE 07/31/2009		7. ACTION	
1A. GRANTEE IRS/VENDOR NO. 520847040		8. SUPPLEMENT NUMBER Initial 00	
9. PREVIOUS AWARD AMOUNT \$ 0		10. AMOUNT OF THIS AWARD \$ 9,560,064	
3. PROJECT TITLE American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement		11. TOTAL AWARD \$ 9,560,064	

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under Section 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53), 6 U.S.C. 1135 & 1163; appropriated by American Recovery and Reinvestment Act of 2009, P.L. 111-5

15. METHOD OF PAYMENT

PARS

AGENCY APPROVAL	GRANTEE ACCEPTANCE
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16. TYPED NAME AND TITLE OF APPROVING DHS OFFICIAL

W. Ross Ashley, III
Assistant Administrator, Grant Programs Directorate

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Carol Kissel
Asst. General Manager/Chief Financial Officer

17. SIGNATURE OF APPROVING DHS OFFICIAL

[Redacted Signature]

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

[Redacted Signature]

19A. DATE

10/19/09

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	REG.	SUB.	POMS	AMOUNT
1	R	RA	10	00	00		9560064

21. RA109V4009



Department of Homeland Security
FEMA
Grant Programs Directorate

AWARD CONTINUATION
SHEET
Grant

PAGE 2 OF 4

PROJECT NUMBER 2009-RA-R1-0102

AWARD DATE 07/31/2009

SPECIAL CONDITIONS

1. The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:
 - A. Administrative Requirements
 1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
 2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
 - B. Cost Principles
 1. 2 CFR Part 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)
 2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
 3. 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
 4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations
 - C. Audit Requirements
 1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
2. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.
3. All other grant policy terms and conditions contained in applicable Department of Homeland Security (DHS) Grant Policy Statements apply unless they conflict or are superseded by the following terms and conditions implementing the American Recovery and Reinvestment Act of 2009 (ARRA) requirements below. Recipients are responsible for contacting their grant managers for any needed clarifications. Sub-awards include sub-grants and sub-contracts issued for this award.

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Department of Homeland Security
FEMA
Grant Programs Directorate

AWARD CONTINUATION
SHEET
Grant

PAGE 3 OF 4

PROJECT NUMBER 2009-RA-R1-0102

AWARD DATE 07/31/2009

SPECIAL CONDITIONS

4. Recipients of Federal awards from funds authorized under Division A of the ARRA must comply with all requirements specified in Division A, including reporting requirements outlined in Section 1512 of the Act. For purposes of reporting, recipients of ARRA funds from DHS must report on sub-recipient activities as specified below. Not later than 10 days after the end of each calendar quarter, starting with the quarter ending June 30, 2009 and reporting by July 10, 2009, the recipient must submit a report to DHS that will be posted to Recovery.gov, containing the following information:
- a. The total amount of ARRA funds under this award;
 - b. The amount of ARRA funds received under this award that were obligated and expended to projects or activities;
 - c. The amount of unobligated award balances;
 - d. A detailed list of all projects or activities for which ARRA funds under this award were obligated and expended, including
 - a. The name of the project or activity;
 - b. A description of the project or activity;
 - c. An evaluation of the completion status of the project or activity;
 - d. An estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - e. For infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and the name of the person to contact at the agency if there are concerns with the infrastructure investment.
 - e. Detailed information on any subcontracts or sub-grants awarded by the grant recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282). For any sub-award equal to or larger than \$25,000, the following information:
 - The name of the entity receiving the sub-award;
 - The amount of the sub-award;
 - The transaction type;
 - The North American Industry Classification System code or Catalog of
 - Federal Domestic Assistance (CFDA) number;
 - Program source;
 - An award title descriptive of the purpose of each funding action;
 - The location of the entity receiving the award;
 - The primary location of performance under the award, including the city, State, congressional district, and country; and
 - A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity.
 - f. All sub-awards less than \$25,000 or to individuals may be reported in the aggregate, as prescribed by DHS.
 - g. Recipients must account for each ARRA award and sub-award separately. Recipients will draw down funds on an ARRA award by ARRA award basis. Pooling or commingling of ARRA award funds with other funds for drawdown or other purposes is not permitted.
 - h. Recipients must account for each ARRA award by referencing the assigned CFDA number for each award.
- The definition of terms and data elements, as well as specific instructions for reporting including required formats, will be provided in subsequent guidance issued by DHS.
5. Recipients may not use any funds obligated under this award for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States unless DHS waives the application of this provision. (ARRA Sec. 1605)

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Department of Homeland Security
FEMA
Grant Programs Directorate

AWARD CONTINUATION
SHEET
Grant

PAGE 4 OF 4

PROJECT NUMBER 2009-RA-R1-0102

AWARD DATE

07/31/2009

SPECIAL CONDITIONS

6. Subject to further clarification issued by the Office of Management and Budget and notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this award shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. (ARRA Sec. 1606)
7. Each recipient or sub-recipient awarded funds made available under the ARRA shall promptly refer to the DHS Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-recipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. (ARRA Sec. 1553) The DHS Office of Inspector General can be reached at <http://www.oig.DHS.gov/fraud/hotline/>
8. Recipients must require that first tier sub-recipients begin planning activities, including obtaining a DUNS number (or updating the existing DUNS record), and registering with the Central Contractor Registration (CCR) no later than the first time ARRA data requirements are due.
9. Recipients agree to separately identify the expenditures for each grant award funded under ARRA on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This identification on the SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and amount such that separate accountability and disclosure is provided for ARRA funds by Federal award number consistent with the recipient reports required by ARRA Section 1512(c).
10. Recipients agree to separately identify to each sub-recipient, and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of ARRA funds.
11. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2009 ARRA TSGP guidance and application kit.
12. The recipient will have immediate access to 50% of ARRA TSGP funds. The recipient agrees not to obligate, expend or drawdown the remaining ARRA TSGP funds until a budget has been approved by the Grants Management Division and an official notice has been issued removing this special condition.

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Department of Homeland Security
FEMA
Grant Programs Directorate

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER

2009-RA-R1-0102

PAGE 1 OF 1

This project is supported under Section 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53), 6 U.S.C. 1135 & 1163; appropriated by American Recovery and Reinvestment Act of 2009, P.L. 111-5

1. STAFF CONTACT (Name & telephone number)

[REDACTED]

2. PROJECT DIRECTOR (Name, address & telephone number)

[REDACTED]
Public Safety Business Manager
600 5th Street, N.W.
Washington, DC 20001-2610
(202) 962-[REDACTED]

3a. TITLE OF THE PROGRAM

ARRA TSGP-Law

3b. FOMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement

5. NAME & ADDRESS OF GRANTEE

Washington Metropolitan Area Transit Authority
600 5th Street, N.W.
Washington, DC 20001-2610

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 08/01/2009 TO: 07/31/2012

8. BUDGET PERIOD

FROM: 08/01/2009 TO: 07/31/2012

9. AMOUNT OF AWARD

\$ 9,560,064

10. DATE OF AWARD

07/31/2009

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

Through this accord, the Washington Metropolitan Area Transit Authority will use grant funding in the amount of \$9,560,064 from the American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement for costs related to Operational Packages (O-Packs) that enhance the Nation's transit infrastructure to prevent, protect, respond to, and recover from threats or acts of terrorism.



Department of Homeland Security, FEMA

Grant Programs Directorate

Washington, D.C. 20531

Memorandum To: Official Grant File

From: [REDACTED], GPD NEPA Liaison

Subject: Categorical Exclusion for Washington Metropolitan Area Transit Authority

The recipient shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

Prime Recipient

Reporting Information

Award Type	Award Number	Final Report?
Grant	2009-RA-R1-0102	N

Award Recipient Information

Recipient DUNS Number	Recipient Account Number	Recipient Congressional District
048855423		00

Award Information

Funding Agency Code	Awarding Agency Code	Award Date
7022	7022	07/31/2009
Amount of Award	CFDA Number	
\$9,560,064.00	97.113	
Program Source (TAS)	Sub Account Number for Program Source (TAS)	
70-0563		
Total Number of Sub Awards to Individuals	Total Amount of Sub Awards to Individuals	
0.00	\$0.00	
Total Number of Payments to Vendors less than \$25,000/award	Total Amount of Payments to Vendors less than \$25,000/award	
0.00	\$0.00	
Total Number of Sub Awards less than \$25,000/award	Total Amount of Sub Awards less than \$25,000/award	
0.00	\$0.00	
Award Description		

Need Help Finding Award Information?

Browse the Full Listings by using the drop-down lists.

Agency Drop-Down List: 0500 - Government Accountability Office
 Program Source (TAS) Drop-Down List: 70-0563 - Department of Homeland Security - Federal Emergency Management Agency-State and Local Programs, Recovery Act

Know the code and want to check the name?
 Search by Code

Enter Agency Code: 7022

Agency Name: #N/A

Enter Program Source (TAS) Code: 70-0563
 Program Source (TAS) Name: Department of Homeland Security - Federal Emergency Management Agency-State and Local Programs, Recovery Act

Know the name and want to find the code?
 Search by Name

Enter Agency Name: Federal Emergency Management Agency

Agency Code: 7022

Enter Program Source (TAS) Name: Government Accountability Office-Salaries and Expenses, Recovery Act
 Program Source (TAS) Code: 05-0108

The WMATA Anti-Terrorism Teams OPAck project will create 20 MTPD sworn police officer positions in order to form five permanent four-member dedicated Anti-Terrorism Teams. An existing MTPD NEDCT-certified Explosives Detection Canine team (one handler and dog) will be partnered regularly with each team, effecting five-member teams. The Anti-Terrorism Team will be established by transferring 20 veteran officers from patrol duties to the specialized teams. In the interim, the grant will fund the 10 months of associated backfill and overtime for other patrol officers to maintain current levels of coverage, while 20 new patrol officers are hired to replace those transferred to the Anti-Terrorism Teams. The Anti-Terrorism Teams will conduct inspections and will perform regular Targeted Train Inspection (TTI), station sweeps, bus operator and passenger welfare checks and enhance a level of high uniform visibility at key locations. The capabilities of this program will be increased through specific training and coordination of efforts that provides the members with the tools to enhance the detection and of WMD's and potential terrorists. The award will fund the purchase of support equipment such as portable detection equipment (explosives, radiation, chemical, bio), surveillance equipment, ATT vehicles, clothing for conducting long-term surveillance in cold weather, and other allowable equipment.

Number of characters entered: 1414

Project Information

Project Name or Project Program Title	Project Status	Total Federal Amount ARRA Funds Received/Involved
American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement	Not Started	\$0.00

Number of Jobs	Description of Jobs Created
0.00	No jobs yet created due to the project not having started. Number of characters entered: 58

Quarterly Activities/Project Description
The Board of Directors voted in favor of accepting the grant, authorized creation of 20 Metro Transit Police Officer positions, and authorized modification of contracts to purchase grant funded equipment. Number of characters entered: 204

Activity Code (NAICS or NTEE-NRC)	
1 485111	2 922120
3	4

Need Help Finding an Activity, State, or Country Code?

Browse the Full Listing by using the drop-down list.	
Activity Code Drop-Down List:	485111 - Mixed Mode Transit Systems
State Drop-Down List:	AK - Alaska

5		8	
7		8	
9		10	
Total Federal Amount of ARRA Expenditure		Total Federal ARRA Infrastructure Expenditure	
\$0.00		\$0.00	
Infrastructure Contact Email		Infrastructure Contact Phone	
N/A		N/A	
Infrastructure Contact Street Address 1		Infrastructure Contact Street Address 2	
N/A		N/A	
Infrastructure City		Infrastructure State	
N/A			
Infrastructure Purpose and Rationale			
<p>There are no infrastructure components for this project.</p> <p>Number of characters entered: 56</p>			

Primary Place of Performance		
Street Address 1	Street Address 2	City
600 Fifth Street NW		Washington
State	ZIP Code	Congressional District
DC	200012693	00
Country		
US		

Country Drop-Down List:	US - United States
Know the code and want to check the name? Search by Code	
Enter Activity Code:	485111
Activity Name:	Mixed Mode Transit Systems
Enter State Code:	CA
State Name:	California
Enter Country Code:	US
Country Name:	United States
Know the name and want to find the code? Search by Name	
Enter Activity Name:	Other Vegetable (except Potato) and Melon Farming
Activity Code:	111219
Enter State Name:	California
State Code:	CA
Enter Country Name:	United States
Country Code:	US

Recipient Highly Compensated Officers

Prima Recipient Indication of Reporting Applicability		Officer Name	Officer Compensation
No	1		
	2		
	3		
	4		
	5		

Recipient Report: Grant or Loan
Version: 1.3
Prime Recipient
Reporting Information

Award Type	Award Number	Final Report
Grant	2009-RA-R1-0102	N

Award Recipient Information

Recipient OUNS Number	Recipient Account Number	Recipient Congressional District
048855423		98

Award Information

Funding Agency Code	Awarding Agency Code	Award Date
7022	7022	07/31/2009
Amount of Award	CFDA Number	
\$9,560,064.00	97.113	
Program Source (TAS)	Sub Account Number for Program Source (TAS)	
70-0563		
Total Number of Sub Awards to Individuals	Total Amount of Sub Awards to Individuals	
0.00	\$0.00	
Total Number of Payments to Vendors less than \$25,000/award	Total Amount of Payments to Vendors less than \$25,000/award	
0.00	\$0.00	
Total Number of Sub Awards less than \$25,000/award	Total Amount of Sub Awards less than \$25,000/award	
0.00	\$0.00	
Award Description		

Need Help Finding Award Information?

Browse the Full Listings by using the drop-down lists.

Agency Drop-Down List:	0500 - Government Accountability Office
Program Source (TAS) Drop-Down List:	70-0000 Department of Homeland Security and Local Programs, Recovery Act
Know the code and want to check the name?	
Search by Code	
Enter Agency Code:	7022
Agency Name:	#N/A
Enter Program Source (TAS) Code:	70-0563
Program Source (TAS) Name:	Department of Homeland Security Federal Emergency Management Agency-State and Local Programs, Recovery Act
Know the name and want to find the code?	
Search by Name	
Enter Agency Name:	Federal Emergency Management Agency
Agency Code:	7022
Enter Program Source (TAS) Name:	Government Accountability Office-Salaries and Expenses, Recovery Act
Program Source (TAS) Code:	05-0108

American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement

Number of characters entered: 94

Project Information

Project Name or Project Program Title	Project Status	Total Federal Amount ARRA Funds Received/Invoiced
American Recovery and Reinvestment Act Rail and Transit Security Grant Program-Law Enforcement	Not Started	\$0.00
Number of Jobs	Description of Jobs Created	
20.00	20 positions were created under the new Anti-terrorism teams. These sworn police officers perform specialized duties related to counter-terrorism.	
Number of characters entered: 148		

Quarterly Activities/Project Description:

The Metro Transit Police Department conducted interviews and testing for the positions, hired the officers into the specialized unit, began operations, and began the process of procuring equipment.

Number of characters entered: 197

Activity Code (NAICS or NTEE/NPO)

1 485111	2 922120
3	4

Need Help Finding an Activity, State, or Country Code?

Browse the Full Listing by using the drop-down list.

Activity Code Drop-Down List: 485111 - Mixed Mode Transit Systems

State Drop-Down List: AK - Alaska

5	6
7	8
9	10
Total Federal Amount of ARRA Expenditure	Total Federal ARRA Infrastructure Expenditure
\$86,459.00	\$0.00
Infrastructure Contact Email	Infrastructure Contact Phone
LFarbstein@wmata.com	(202) 962-1482
Infrastructure Contact Street Address 1	Infrastructure Contact Street Address 2
N/A	N/A
Infrastructure City	Infrastructure State
N/A	
Infrastructure Purpose and Rationale	
There are no infrastructure components for this project.	
Number of characters entered: 56	

Primary Place of Performance		
Street Address 1	Street Address 2	City
600 Fifth Street NW		Washington
State	ZIP Code	Congressional District
DC	200012693	98
Country		
US		

Country Drop-Down List:	US - United States
Know the code and want to check the name? Search by Code	
Enter Activity Code:	485111
Activity Name:	Mixed Mode Transit Systems
Enter State Code:	CA
State Name:	California
Enter Country Code:	US
Country Name:	United States
Know the name and want to find the code? Search by Name	
Enter Activity Name:	Other Vegetable (except Potato) and Melon Farming
Activity Code:	111219
Enter State Name:	California
State Code:	CA
Enter Country Name:	United States
Country Code:	US

Recipient Highly Compensated Officers			
Prime Recipient Indication of Reporting Applicability		Officer Name	Officer Compensation
No	1		
	2		
	3		
	4		
	5		



Federal Emergency Management Agency Payment And Reporting System (PARS)

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FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element To Which Report Is Submitted U.S. Department of Homeland Security, Federal Emergency Management Agency		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment) <p align="center">2009RAR10102</p>		Page 1 of 1																									
3. Recipient Organization (Name and complete address including Zip code) <p align="center">WASHINGTON METRO AREA TRANSIT AUTH. OFFICE OF THE TREASURER 500 FIFTH ST., NW WASHINGTON, DC 20001</p>																													
4a. DUNS Number 048655423	4b. EIN 520647040	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment) 	6. Report Type <input checked="" type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual																									
8. Project/Grant Period From: (Month, Day, Year) <p align="center">08/01/2009</p>		To: (Month, Day, Year) <p align="center">07/31/2012</p>		9. Reporting Period End Date (Month, Day, Year) <p align="center">03/31/2010</p>																									
10. Transactions																													
					Cumulative																								
(Use lines a-c for single or multiple grant reporting) Federal Cash (To report multiple grants, also use FFR Attachment):																													
a. Cash Receipts					0.00																								
b. Cash Disbursements					0.00																								
c. Cash on Hand (line a minus b)					0.00																								
(Use lines d-o for single grant reporting) Federal Expenditures and Unobligated Balances:																													
d. Total Federal funds authorized					9560094.00																								
e. Federal share of expenditures					1028994.76																								
f. Federal share of unliquidated obligations					0.00																								
g. Total Federal share (sum of lines e and f)					1028994.76																								
h. Unobligated balance of Federal funds (line d minus g)					8530999.22																								
Recipient Share:																													
i. Total recipient share required					0.00																								
j. Recipient share of expenditures					0.00																								
k. Remaining recipient share to be provided (line i minus j)					0.00																								
Program Income:																													
l. Total Federal program income earned					0.00																								
m. Program income expended in accordance with the deduction alternative					0.00																								
n. Program income expended in accordance with the addition alternative					0.00																								
o. Unexpended program income (line l minus line m or line n)					0.00																								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">11. Indirect Expense</th> <th style="width:10%;">a. Type</th> <th style="width:10%;">b. Rate</th> <th style="width:10%;">c. Period From</th> <th style="width:10%;">Period To</th> <th style="width:10%;">d. Base</th> <th style="width:10%;">e. Amount Charged</th> <th style="width:10%;">f. Federal Share</th> </tr> <tr> <td></td> <td></td> <td align="center">0.00</td> <td></td> <td></td> <td align="center">0.00</td> <td align="center">0.00</td> <td align="center">0.00</td> </tr> <tr> <td colspan="6" style="text-align: right;">g. Totals:</td> <td align="center">0.00</td> <td align="center">0.00</td> </tr> </table>						11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share			0.00			0.00	0.00	0.00	g. Totals:						0.00	0.00
11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share																						
		0.00			0.00	0.00	0.00																						
g. Totals:						0.00	0.00																						
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>																													
13. Certification: By signing this report, I certify that it is true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)																													
a. Typed or Printed Name and Title of Authorized Certifying Official <div style="border: 1px solid black; padding: 2px;">Carol Kiesel, Deputy General Manager Administration/Chief Financial Officer</div>					c. Telephone (Area code, number and extension) <div style="border: 1px solid black; padding: 2px;">202-962-1200</div>																								

		d. Email address ckissal@wmata.com
b. Signature of Authorized Certifying Official		e. Date Report Submitted (Month, Day, Year) 05/03/2010
		14. Agency use only: Standard Form 423 OMB Approval Number: 0348-0061 Expiration Date: 10/31/2011
<p>Paperwork Burden Statement</p> <p>According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0061), Washington, DC 20503.</p>		

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