



governmentattic.org

"Rummaging in the government's attic"

Description of document: Final Report for Several Environmental Protection Agency (EPA) Inspector General (OIG) Closed Investigations 2017-2019

Requested date: 18-November-2021

Release date: 02-June-2023

Posted date: 26-June-2023

Source of document: National FOIA Office
U.S. Environmental Protection Agency
Inspector General
1200 Pennsylvania Avenue NW (2310A)
Washington, DC 20460

The governmentattic.org web site ("the site") is a First Amendment free speech web site and is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

June 2, 2023

Re: Freedom of Information Act Request (EPA-2022-001048) – Final Disposition Letter

This letter responds to your Freedom of Information Act request to the Environmental Protection Agency Office of Inspector General dated November 18, 2021, seeking disclosure of “the Memorandum of Activity, the Final Report, the Report of Investigation, or any similar closing document or closing memo associated with each of the following EPA OIG closed investigations:

OI-SE-2015-CFR-0013
OI-CH-2019-ADM-0108
OI-CH-2018-ADM-0132
OI-CH-2017-ADM-0068
OI-CH-2019-ADM-0003
OI-CH-2018-ADM-0073
OI-CH-2017-ADM-0074
OI-CH-2018-ADM-0001
OI-PH-2019-ADM-0008
OI-PH-2016-ADM-0093
OI-PH-2016-ADM-0109
OI-AT-2018-ADM-0122
OI-AT-2016-ADM-0067
OI-WI-2017-ADM-0017
OI-BO-2015-ADM-0058
OI-BO-2017-ADM-0005
OI-CI-2016-ADM-0039
OI-RTP-2017-ADM-0131
OI-RTP-2016-ADM-0070
OI-RTP-2013-ADM-0103
OI-RTP-2018-OTH-0002.”

Documents responsive to your request are available for download via FOIAonline by searching for your request tracking number at <https://foiaonline.gov>. Some redactions of information have been made to the documents pursuant to the FOIA, 5 U.S.C. § 552, Subsections (b)(2), (b)(5), (b)(6), (b)(7)(C), and

(b)(7)(E). EPA OIG has considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Exemption 2 exempts from disclosure records related solely to the internal personnel rules and practices of an agency.

Exemption 5 exempts from disclosure inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. This exemption generally allows agencies to exempt those documents that are privileged in the context of civil discovery. EPA OIG is invoking the deliberative process privilege of Exemption 5 to protect information that falls within that privilege's domain. Documents related to conversations between an attorney and their client have been withheld as attorney-client privileged.

Exemption 6 exempts from disclosure any information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(C) provides protection for personal information in law enforcement records the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. The names of individuals and any information which may identify them have been withheld pursuant to both Exemptions 6 and 7(C).

Exemption 7(E) allows agencies to protect from disclosure all law enforcement information that would disclose techniques and procedures for law enforcement investigations or prosecutions or which would disclose guidelines for law enforcement investigation or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may appeal this decision by email at oig_foia@epa.gov, or by mail to the Counsel to the Inspector General, Office of Counsel, Office of Inspector General, 1200 Pennsylvania Avenue NW, Mail Code 2491T, Washington, D.C. 20460, or through FOIAonline if you are an account holder. The OIG will not consider appeals received after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal."

Additionally, you may seek dispute resolution services from either the EPA FOIA Public Liaison (hq.foia@epa.gov; 202-566-1667) or the Office of Government Information Services (OGIS). OGIS serves as a bridge between FOIA requesters and agencies and can be reached by email at ogis@nara.gov, by phone at 1-877-684-6448, or by fax at (202) 741-5769.

If you have any questions concerning this matter, you may contact me at (202) 566-1512 or oig_foia@epa.gov.

Sincerely,

**SCOTT
LEVINE**

Digitally signed by
SCOTT LEVINE
Date: 2023.06.02
08:56:23 -04'00'

Scott Levine
Associate Counsel & OIG FOIA Officer

Enclosures via FOIAonline



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109**

DATE: MAY 1, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-BO-2017-ADM-0005

CROSS REFERENCE #: HOTLINE 2017-0009

TITLE: (b) (6), (b) (7)(C) GS-13. (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	BOSTON, MA	N/A

VIOLATIONS:

Title 18 U.S.C. § 1001	False Statements
5 CFR § 2635.702	Use of Public Office for Private Gain

ALLEGATIONS:

The Boston Field Office, Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), Boston, MA initiated an investigation based upon EPA Hotline 2017-0009; alleging (b) (6), (b) (7)(C) is represented his secondary employment status with (b) (6), (b) (7)(C) on his U.S. Office of Government Ethics Form 450, "Confidential Financial Disclosure Report," (OGE450). Additional information contained in Hotline 2017-0009, detailed (b) (6), (b) (7)(C) utilized student interns from (b) (6), (b) (7)(C) to assist him with his official EPA duties outside of an established Memorandum of Understanding (MOU) or an Impartiality Determination waiver (502 waiver) under the Code of Federal Regulations (CFR).

FINDINGS:

OI developed sufficient evidence to support the allegation that (b) (6), (b) (7)(C) did not fully disclose his secondary employment status with (b) (6), (b) (7)(C) to the EPA, as required, on his OGE450 for calendar year (CY) 2011 and 2012. The investigation also developed sufficient evidence to support the allegation that (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official EPA duties outside of an established MOU or 502 waiver from June 2016 to August 2016.

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

DISPOSITION:

This investigation was declined for criminal prosecution by the United States Attorney's Office, District of Massachusetts for possible violations of 18 U.S.C. § 1001, False Statements and 5 CFR § 2635.702, Use of Public Office for Private Gain.

On 01/02/18, [REDACTED] was notified of the Agency decision to (b) (2) [REDACTED] [REDACTED] retired on [REDACTED] 2018. As such, this matter will be closed at this time.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

August 17, 2017

MEMORANDUM

SUBJECT: (b) (6), (b) (7)(C) GS-13, (b) (6), (b) (7)(C)
Case No. OI-BO-2017-ADM-0005

FROM: Patrick Sullivan *Patrick Sullivan*
Assistant Inspector General
Office of Investigations

TO: (b) (6), (b) (7)(C)
EPA Region 1

RESTRICTED INFORMATION

Attached is a copy of our report of investigation on the above-captioned subject. The United States Environmental Protection Agency (EPA) Office of Inspector General (OIG), Office of Investigations (OI) initiated this investigation based on an allegation (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) EPA Boston, MA misrepresented his secondary employment status with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) on his U.S. Office of Government Ethics Form 450 (OGE450). It was also alleged in conjunction with his employment with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) utilized student interns to assist him with his official EPA duties outside of an established Memorandum of Understanding (MOU) or an Impartiality Determination waiver (502 waiver) under 5 Code of Federal Regulations (CFR) § 2635.502 (c) and (d).

This investigation developed sufficient evidence to support the allegation (b) (6), (b) (7)(C) did not fully disclose his secondary employment status with (b) (6), (b) (7)(C) to the EPA on all of his OGE450 submissions when required to do so. The investigation also developed sufficient evidence which disclosed (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official EPA duties beginning in June 2016, outside an established MOU or 502 waiver.

This matter was referred to the United States Attorney's Office, District of Massachusetts for possible violations of 18 U.S.C. § 1001, False Statements and 5 CFR § 2635.702, Use of Public Office for Public Gain, however, criminal prosecution was declined. This

matter is now being referred to your office for any administrative action deemed to be warranted.

Please advise this office of any arrangements you have made or plan to make regarding any administrative action regarding [REDACTED]. Additionally, your attention is directed to the EPA Conduct and Discipline Manual, EPA Order 3120.1, which prescribes policies for administering disciplinary action within the Agency. The manual contains a list of offenses with suggested penalties, although the list of offenses is not intended to be all-inclusive. For offenses not listed, penalties may be imposed consistent with penalties contained in the manual for offenses of comparable gravity.

The information in the Conduct and Discipline Manual is provided to assist you in determining what action, if any, is warranted; however, it does not constitute a "charge" against [REDACTED]. It is the responsibility of the action official alone to evaluate the information contained in the report and to decide whether action under any part of the Conduct and Discipline Manual is appropriate.

In order that we may satisfy our reporting requirement to Congress and the Administrator, please advise this office within 30 days of the administrative action taken or proposed by you in this matter. This report is "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. Portions of it may be used by appropriate officials for administrative action.

A copy of this transmittal and the report are being sent to [REDACTED] Deputy Regional Administrator, EPA, Region 1. It is highly recommended you confer with the Office of General Counsel and the Office of Human Resources to ensure any action proposed is appropriate and equitable, and for any necessary guidance about personnel regulations.

Should you have any questions, particularly regarding the investigative report, you are encouraged to contact me at [REDACTED].

Attachment



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109
REFERRAL REPORT OF INVESTIGATION**

(b) (6), (b) (7)(C) GS-13, **(b) (6), (b) (7)(C)**
(b) (6), (b) (7)(C)

TABLE OF CONTENTS

Narrative	Section A
Entities and Individuals	Section B
Prosecutive Status	Section C
Exhibits	

Distribution:

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

U.S. Environmental Protection Agency
5 Post Office Square, Floor 1
Boston, MA 02109
With Attachments

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

Deputy Regional Administrator
U.S. Environmental Protection Agency
5 Post Office Square, Floor 1
Boston, MA 02109

Informational Purposes Only – No Attachments

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

Associate General Counsel
Office of General Counsel
With Attachments

Submitted by:

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

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

Special Agent
Office of Investigations

Approved by:

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

Special Agent in Charge
Office of Investigations

Reviewed by:

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

Assistant Inspector General
Office of Investigations

Contents of this report and/or its exhibits may contain personally identifiable information (PII), to include sensitive PII (SPII) protected by the Privacy Act and is subject to the EPA Policy on PII and SPII. As such, please follow the agency's policy on PII and SPII, to include ensuring that this report and exhibits are properly safeguarded.

OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CASE NO.: OI-BO-2017-ADM-0005 **DATE OPENED:** October 19, 2016
CASE TITLE: (b) (6), (b) (7)(C) GS- **CASE AGENT(s):** (b) (6), (b) (7)(C)
 13. (b) (6), (b) (7)(C)
 (b) (6), (b) (7)(C)
CASE CATEGORY: Employee Integrity **OFFICE:** Boston Field Office
JOINT AGENCIES: None **JURISDICTION:** District of Massachusetts

SECTION A - NARRATIVE

Introduction

This investigation was initiated on October 19, 2016, by the U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), based upon EPA Hotline 2017-0009, alleging (b) (6), (b) (7)(C) EPA, Boston, MA misrepresented his secondary employment status with (b) (6), (b) (7)(C) on his U.S. Office of Government Ethics Form 450, "Confidential Financial Disclosure Report," (OGE450). Additional information contained in Hotline 2017-0009, detailed (b) (6), (b) (7)(C) utilized student interns from (b) (6), (b) (7)(C) to assist him with his official EPA duties beginning in June 2016, outside of an established Memorandum of Understanding (MOU) or an Impartiality Determination waiver (502 waiver) under the Code of Federal Regulations (CFR), at 5 CFR § 2635.502(c) and (d). (Exhibit 1)

The OIG OI determined there were two criminal and/or administrative allegations which required investigation. The two allegations investigated by OI were whether:

1. (b) (6), (b) (7)(C) misrepresented his secondary employment status with (b) (6), (b) (7)(C) on his OGE450.
2. (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official EPA duties outside of an established MOU or 502 waiver.

Possible violations:

Title 18 U.S.C. § 1001	False Statements
5 CFR § 2635.702	Use of Public Office for Private Gain
5 CFR § 2635, subpart E	Impartiality in Performing Official Duties
5 CFR § 6401.103	Prior approval for outside employment
EPA Order 3120.1(12)	Use of official authority or information for private gain
EPA Order 3120.1(14)	Engaging in private business activities which result in or create the appearance of a conflict of interest
EPA Order 3120.1(27)	Forging or falsifying official Government records or documents

Synopsis

This investigation developed sufficient evidence to support the allegation (b) (6), (b) (7)(C) did not fully disclose his secondary employment status with (b) (6), (b) (7)(C) to the EPA, as required, on his OGE450 for calendar years (CY) 2011 and 2012. The investigation also developed sufficient evidence to support the allegation (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official EPA duties outside of an established MOU or 502 waiver from June 2016 to August 2016.

On November 23, 2016, this investigation was declined for criminal prosecution by the United States Attorney's Office, District of Massachusetts for possible violations of 18 U.S.C. § 1001, False Statements and 5 CFR § 2635.702, Use of Public Office for Private Gain.

Details

Investigation Disclosed Allegations Supported

Allegation 1: (b) (6), (b) (7)(C) misrepresented his secondary employment status with (b) (6), (b) (7)(C) to the EPA on his OGE450.

Allegation 1 Findings: This investigation revealed evidence supporting the conclusion (b) (6), (b) (7)(C) did not disclose, as required, his secondary employment with (b) (6), (b) (7)(C) on his OGE450 submissions for CY2011 and 2012, but had reported it in the OGE450s he submitted for the following three years.

Allegation 1 Investigative Results: On October 26, 2016, OI reviewed (b) (6), (b) (7)(C) OGE450 for calendar year (CY) 2011 thru 2015. The review disclosed (b) (6), (b) (7)(C) reported his secondary employment with (b) (6), (b) (7)(C) on his CY 2013, 2014 and 2015 OGE450 forms, but not on his CY 2011 and 2012 OGE forms. (Exhibit 2)

An internet search using search parameter, (b) (6), (b) (7)(C) in Google, revealed a link ([\(https://\(b\) \(6\), \(b\) \(7\)\(C\)\)](https://(b) (6), (b) (7)(C)) which appeared to be associated with (b) (6), (b) (7)(C) and showed (b) (6), (b) (7)(C) going back to 2007. OI also discovered a LinkedIn page associated with ([\(https://www.linkedin.com/in/\(b\) \(6\), \(b\) \(7\)\(C\)\)](https://www.linkedin.com/in/(b) (6), (b) (7)(C))), which indicated he had been a (b) (6), (b) (7)(C) since 2007. (Exhibit 2)

On October 28, 2016, OI spoke to (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) employment with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) confirmed (b) (6), (b) (7)(C) had been (b) (6), (b) (7)(C) examined a list of (b) (6), (b) (7)(C)

3)

On November 15, 2016, OI received confirmation from (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Human Resource Systems (HR), (b) (6), (b) (7)(C), of (b) (6), (b) (7)(C) employment history with (b) (6), (b) (7)(C) confirmed (b) (6), (b) (7)(C) was employed as (b) (6), (b) (7)(C)

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

Continuing on the same date, OI spoke with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). Attorney-Advisor(s), Office of Regional Counsel (ORC), EPA, Boston, MA, regarding the status of (b) (6), (b) (7)(C) employment with (b) (6), (b) (7)(C). Referencing the aforementioned facts, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) believed

(b) (6), (b) (7)(C), (b) (5)

On December 6, 2016, OI interviewed (b) (6), (b) (7)(C) who stated he has been employed at (b) (6), (b) (7)(C) for approximately 8 to 10 years. He had been employed as (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated he is currently (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) which began in September 2016. (b) (6), (b) (7)(C) stated his current appointment with (b) (6), (b) (7)(C) compensates him (b) (6), (b) (7)(C) current appointment is for (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). When asked, (b) (6), (b) (7)(C) stated he had listed his outside employment on all of his OGE450s while employed at (b) (6), (b) (7)(C). However, OI's review of (b) (6), (b) (7)(C) CY 2011 - 2015 OGE450s found he had not disclosed his employment at (b) (6), (b) (7)(C) to the EPA until his CY 2013 submission. (b) (6), (b) (7)(C) then stated he didn't know disclosure was required if he was not being paid and this was an oversight on his part. (b) (6), (b) (7)(C) confirmed he is required to fill out an OGE450 every year. (b) (6), (b) (7)(C) was provided with a copy of his most current OGE450 for review and asked to read the reporting instructions of Part III regarding outside positions, which states in part to report, "[a]ll positions outside the U.S. Government held at any time during the reporting period, whether or not you were compensated and whether or not you currently hold that position." When asked again about disclosing outside employment on his OGE450s, (b) (6), (b) (7)(C) then stated he started to list his position with (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) because of questions regarding a cooperative agreement between (b) (6), (b) (7)(C) and the EPA. Agent's Note: At the time of the interview, (b) (6), (b) (7)(C) had not yet submitted his CY 2016 OGE450.

In addition, (b) (6), (b) (7)(C) had not sought prior approval from the regional Deputy Ethics Official's before engaging in his (b) (6), (b) (7)(C) position, as required by EPA supplemental ethics regulations. (Exhibit 6)

Allegation 2: (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official EPA duties outside an established MOU or 502 waiver.

Allegation 2 Findings: This investigation revealed evidence supporting the conclusion (b) (6), (b) (7)(C) utilized (b) (6), (b) (7)(C) students in the performance of his official duties beginning in June 2016 without an established MOU or 502 waiver. (b) (6), (b) (7)(C) was included in emails during the process of establishing a MOU. It was not until August 4, 2016 (b) (6), (b) (7)(C) received an email indicating the MOU had been signed and was therefore in effect.

Allegation 2 Investigative Results: During his interview, (b) (6), (b) (7)(C) confirmed he had utilized (b) (6), (b) (7)(C) student volunteers to assist him with his official EPA duties at (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated the use of student interns was permitted under the cooperative agreement between EPA and (b) (6), (b) (7)(C). In conjunction with the cooperative agreement, a 502 waiver, dated June 28, 2012, permitted (b) (6), (b) (7)(C) to utilize the student interns. It should be noted the 502 waiver expired when the cooperative agreement closed on January 31, 2016. (Exhibit 5) According to (b) (6), (b) (7)(C) the students would assist him (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) conducting on-site reviews. The students participated in this program for credits towards their (b) (6), (b) (7)(C) coursework, which was funded by the cooperative agreement. (b) (6), (b) (7)(C) stated he believed

the cooperative agreement with (b) (6), (b) (7)(C) expired sometime in 2015, and he ceased using (b) (6), (b) (7)(C) interns. (b) (6), (b) (7)(C) told OI he began using interns to assist him again in 2016. When asked why he began using interns in 2016 while believing the agreement had expired in 2015, (b) (6), (b) (7)(C) stated he believed a MOU had been signed between the EPA and (b) (6), (b) (7)(C) in July 2016 allowing him to do so. (b) (6), (b) (7)(C) believed EPA management provided him with a copy of the MOU in July 2016 and stated he did not open nor read what he believed to be the signed MOU. (b) (6), (b) (7)(C) was under the impression he was, "Good to go." (Exhibit 6)

According to Hotline complaint 2017-0009, (b) (6), (b) (7)(C) visited the following (b) (6), (b) (7)(C) with student

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

(b) (6), (b) (7)(C) (Exhibit 1) The investigation revealed (b) (6), (b) (7)(C) was utilizing (b) (6), (b) (7)(C) interns beginning in June 2016, earlier than when he stated he believed the MOU to be in effect. It wasn't until August 4, 2016, (b) (6), (b) (7)(C) received an email stating the MOU in question to be signed and in effect. (Exhibit 7)

On December 19, 2016, OI received records from (b) (6), (b) (7)(C) of email correspondence between the EPA and (b) (6), (b) (7)(C) employees concerning the development of an MOU between the two organizations. The email correspondence shows (b) (6), (b) (7)(C) in various threads of conversation(s) participating in the development/finalization of the MOU. (b) (6), (b) (7)(C) was also cc'd on emails pertaining to the MOU's various stages of development. An email, dated August 4, 2016, from (b) (6), (b) (7)(C), Manager, (b) (6), (b) (7)(C), EPA, Boston, MA to (b) (6), (b) (7)(C), Professor, Environmental Studies, (b) (6), (b) (7)(C) with (b) (6), (b) (7)(C) being cc'd, stated the MOU had been signed and is now in effect. (Exhibit 7)

During the November 15, 2016 conversation with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) stated without a 502

(b) (6), (b) (7)(C), (b) (5)

On June 7, 2017, OI interviewed (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) EPA, Boston, MA. (Exhibit 8) The purpose of the interview was to gather further background on (b) (6), (b) (7)(C) use of student interns and (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated he believes the student interns started working with (b) (6), (b) (7)(C) and himself in late June, 2016, either at (b) (6), (b) (7)(C). When asked if he could be more precise, (b) (6), (b) (7)(C) stated it had been so long and he cannot be more specific as to when the interns began. When asked if his recollection was more accurate when he spoke with (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) EPA, Boston, MA, during an interview(s)/communication(s) he had with her in August and September, 2016, (b) (6), (b) (7)(C) replied in the affirmative.

Agent's Note: According to documents provided in Hotline complaint 2017-0009, (b) (6), (b) (7)(C) interview notes and email, indicate student interns (b) (6), (b) (7)(C)

beginning on June 21, 2016 at (b) (6), (b) (7)(C). Additionally, (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) the

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

When asked, (b) (6), (b) (7)(C) explained to OI, the (b) (6), (b) (7)(C) student interns would assist in

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

OI asked if at any time did the student interns, when with (b) (6), (b) (7)(C) and himself, perform anything else but the aforementioned duties, (b) (6), (b) (7)(C) replied in the negative. (b) (6), (b) (7)(C) told OI, the student interns

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

replied in the negative.

On June 20, 2017, OI re-interviewed (b) (6), (b) (7)(C) regarding his use of student interns a (b) (6), (b) (7)(C) (Exhibit 9) (b) (6), (b) (7)(C) stated student interns are supposed to work 100 hours and participate in an evening get-together/seminar to earn credits towards their coursework. The interns' duties include assisting

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

faculty to evaluate the workload. While at these walkthroughs, the interns were there only to observe. (b) (6), (b) (7)(C) stated interns were not always present at a walkthrough because he would have conducted these meetings beginning in March, coinciding with their school year.

When asked, (b) (6), (b) (7)(C) reaffirmed he believed the MOU between the EPA and (b) (6), (b) (7)(C) was signed in July 2016. (b) (6), (b) (7)(C) stated he received an email with the final MOU and assumed it to be in effect. (b) (6), (b) (7)(C) stated he did not read this email when he first received it. It wasn't until (b) (6), (b) (7)(C) opened the July 2016 at a later unknown date, he discovered there were no signatures on the MOU.

OI provided (b) (6), (b) (7)(C) and dates he had visited in 2016. (Exhibit 9) (b) (6), (b) (7)(C) stated he believed the list represented (b) (6), (b) (7)(C) had visited, but the dates were incorrect. (b) (6), (b) (7)(C) believed most of the schools were done in July and August, with some being carried over into September and October.

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

Disposition

This Report of Investigation is being issued to (b) (6), (b) (7)(C) EPA, for administrative remedies or actions deemed appropriate.

SECTION B – ENTITIES AND INDIVIDUALS

Name of Person: (b) (6), (b) (7)(C)
Title & Company: (b) (6), (b) (7)(C)
Role: Subject
Business Address: 5 Post Office Square, Boston, MA 02109
Business Phone: (b) (6), (b) (7)(C)
EPA Employee: Yes

SECTION C – PROSECUTIVE STATUS

On November 23, 2016, OI presented the facts and details of this case to AUSA (b) (6), (b) (7)(C), Section Chief, Major Crimes Unit, United States Attorney’s Office (USAO), District of Massachusetts for prosecutorial consideration. Upon conclusion of the presentation of the investigative findings, AUSA Holik respectfully declined prosecution of 18 U.S.C. § 1001, False Statements and 5 CFR § 2635.702, Use of Public Office for Private Gain.

EXHIBITS

1. Hotline complaint 2017-0009
2. MOA - OGE450 review
3. MOI - (b) (6), (b) (7)(C) - 10-28-16
4. MOA - Information from (b) (6), (b) (7)(C) Director of HR (b) (6), (b) (7)(C)
5. MOI - (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) - 11-16-16
6. MOI - (b) (6), (b) (7)(C) - 12-06-16
7. MOA - Information from (b) (6), (b) (7)(C)
8. MOI - (b) (6), (b) (7)(C) - 06-07-17
9. MOI - (b) (6), (b) (7)(C) - 06-20-17
10. (b) (6), (b) (7)(C) information



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604**

CASE #: OI-CH-2017-ADM-0068

CROSS REFERENCE HOTLINE #: 2017-0140

TITLE: (b) (6), (b) (7)(C), GS-12, (b) (6), (b) (7)(C)

PREPARED BY: (b) (6), (b) (7)(C)

**MEMORANDUM OF ACTIVITY
FINAL SUMMARY REPORT**

COMPLAINT: On February 26, 2017 Special Agent (SA) (b) (6), (b) (7)(C), Office of Investigations (OI), Office of Inspector General (OIG), U.S. Environmental Protection Agency (EPA), Chicago Field Office received an email from Special Agent (b) (6), (b) (7)(C), Hotline Manager, OI, OIG, EPA, DC, referencing OIG Hotline complaint 2017-0140, detailing an allegation of time and attendance fraud involving EPA employee, (b) (6), (b) (7)(C) who is assigned to Region 5, Chicago, IL.

BACKGROUND: Between approximately 2015 to 2019, a review of (b) (6), (b) (7)(C) work hours revealed that she was teleworking full-time while residing in (b) (6), (b) (7)(C) duty station is EPA Region 5, Chicago, IL. Additionally, (b) (6), (b) (7)(C) was claiming Chicago locality pay.

INVESTIGATIVE FINDINGS: Investigative activities consisting of (b) (6), (b) (7)(C), (b) (7)(E) (b) (6), (b) (7)(C), (b) (7)(E) Additionally, Inspector General (IG) subpoenas (b) (6), (b) (7)(C), (b) (7)(E) Continuing a review of (b) (6), (b) (7)(C) SF-50's (b) (6), (b) (7)(C) registered address and she was currently receiving Chicago locality pay. (b) (6), (b) (7)(C) supervisor, (b) (6), (b) (7)(C) was interviewed and stated in summary that (b) (6), (b) (7)(C) had resided (b) (6), (b) (7)(C) originally commuted from (b) (6), (b) (7)(C) to R5 regularly to meet the requirements of the

CASE:
OI-CH-2017-ADM-0068

Date Drafted:
03/19/2018

PREPARED BY:
SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 1 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

telework policy. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) to R5. During this restriction, (b) (6), (b) (7)(C) was given telework appropriate assignments. She requested, (b) (6), (b) (7)(C) reasonable accommodation (RA). The RA was reviewed every six months until (b) (6), (b) (7)(C) was cleared to commute to Chicago (b) (6), (b) (7)(C) in April 2017. As far as (b) (6), (b) (7)(C) knew, the RA was still effective as of the writing of this report and the last update from (b) (6), (b) (7)(C) in the Fall 2018 continued to give her clearance to commute to Chicago; however, (b) (6), (b) (7)(C) it was determined that (b) (6), (b) (7)(C) would be converted to a full-time telework employee and her pay locality pay would be adjusted to reflect her residence in (b) (6), (b) (7)(C). On December 19, 2019, (b) (6), (b) (7)(C) was notified of this change in her locality, which became effective January 20, 2019. During the course of this investigation an IG request to review (b) (6), (b) (7)(C) emails was approved. A review of these emails, confirmed the information obtained during the interview with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was consulted on the EPA telework policy, the use of RA, and locality pay. (b) (6), (b) (7)(C), (b) (5)

Additionally, it should be noted that (b) (6), (b) (7)(C), Office of Counsel, OIG, reviewed the case and stated (b) (5).

RECOMMENDATION: (b) (5)

Since there is no further investigative activity, it is recommended that this investigation be closed.

CASE:
OI-CH-2017-ADM-0068

Date Drafted:
03/19/2018

PREPARED BY:
SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 2 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
1650 ARCH STREET
PHILADELPHIA, PA 19103

CASE #: OI-CH-2018-ADM-0073

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C), GS-12, (b) (6), (b) (7)(C)

INTERVIEWEE: (if applicable):

PREPARED BY: SA (b) (6), (b) (7)(C)

**MEMORANDUM OF ACTIVITY
FINAL SUMMARY REPORT**

COMPLAINT: (b) (6), (b) (7)(C), GS-12, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C)
fraudulently used the EPA Leave Bank when not incapacitated.

BACKGROUND: On March 26, 2018, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), received a hotline referral regarding allegations of time and attendance abuse by (b) (6), (b) (7)(C) during the period of December 2017 through January 2018.

INVESTIGATIVE FINDINGS: The evidence provided indicates (b) (6), (b) (7)(C) sick leave requests were reviewed, and subsequently approved by both (b) (6), (b) (7)(C) supervisor, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) EPA Region 5, and an EPA Leave Bank Coordinator. When sought by (b) (6), (b) (7)(C) to provide additional medical evidence, (b) (6), (b) (7)(C) was fully cooperative and provided the necessary information to EPA management. Additionally, the extent of (b) (6), (b) (7)(C) restrictions was well documented by his medical provider.

RECOMMENDATION: There was no evidence to indicate that a crime occurred, so this investigation was not presented to the United States Department of Justice. On September 12, 2018, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C)

CASE:
OI-CH-2018-ADM-0073

INTERVIEWEE:

DATE OF ACTIVITY:
9/13/18

DRAFTED DATE:
10/17/18

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

RESTRICTED INFORMATION
Page 1 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

(b) (2) [REDACTED] (b) (6), (b) (7)(C) as a result of the EPA-OIG investigation. No further investigative activities remain, therefore, it is recommended that this investigation be closed.

CASE:
OI-CH-2018-ADM-0073

INTERVIEWEE:

DATE OF ACTIVITY:
9/13/18

DRAFTED DATE:
10/17/18

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

RESTRICTED INFORMATION
Page 2 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604**

CASE #: OI-CH-2018-ADM-0132

CROSS REFERENCE #: N/A

TITLE: (b) (6), (b) (7)(C) GS-15, (b) (6), (b) (7)(C)

PREPARED BY: (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	N/A

ALLEGATION: On July 17, 2018, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), received a hotline referral via SA (b) (6), (b) (7)(C), Hotline Manager EPA, OIG, OI. The referral referenced an email from (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), Region 5 detailing possible time and attendance fraud.

A complaint was opened to determine if anything criminal in nature occurred, and if there is any validity to this report.

CASE:
OI-CH-2018-ADM-0132
DATE OF ACTIVITY:
7/22/19

INTERVIEWEE (if applicable):

DRAFTED DATE:
7/22/19

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

RESTRICTED INFORMATION
Page 1 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

On 09/11/18, after conducting an interview of the complainant and review numerous documents it was determined this complaint would be turned into a case.

BACKGROUND: On July 31, 2018, SA (b) (6), (b) (7)(C) and SA (b) (6), (b) (7)(C), EPA, OIG, OI, conducted an interview of (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C). There was a system of “off the books” record keeping (b) (6), (b) (7)(C) to keep track of any extra hours worked by (b) (6), (b) (7)(C) and then when (b) (6), (b) (7)(C) wanted to “cash in” those hours that (b) (6), (b) (7)(C) could take the time off while (b) (6), (b) (7)(C) hours on (b) (6), (b) (7)(C) timesheets still reflected hours worked. (b) (6), (b) (7)(C) stated this was common occurrence and the accepted practice (b) (6), (b) (7)(C) several examples of old emails that showed (b) (6), (b) (7)(C) interactions with (b) (6), (b) (7)(C) using this off the book system. (b) (6), (b) (7)(C) described email as being the way (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) communicated about using and taking hours from this time bank.

INVESTIGATIVE FINDINGS: SA (b) (6), (b) (7)(C) and SA (b) (6), (b) (7)(C) conducted an interview of case subject, (b) (6), (b) (7)(C). During the course of the interview, (b) (6), (b) (7)(C) admitted to the system of off the records timekeeping. (b) (6), (b) (7)(C) admitted to doing this at the direction of the head of Human Resources Office (HRO) and the Ethics officer, (b) (6), (b) (7)(C) who retired from EPA in (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) believed (b) (6), (b) (7)(C) was working too many hours and wanted (b) (6), (b) (7)(C) compensated. (b) (6), (b) (7)(C) continued by stating that the agency was a different place in 2005 and no mechanisms were in place to address comp time so when directed to do this system by head of the HRO (b) (6), (b) (7)(C) never assumed it to be wrong. (b) (6), (b) (7)(C) believed that this was done at the direction of (b) (6), (b) (7)(C) and that (b) (6), (b) (7)(C) was unaware of this system.

SA (b) (6), (b) (7)(C) did an email review of the following individuals:

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

After pulling all the emails SA (b) (6), (b) (7)(C) conducted an in-depth review of each employees’ emails saved at the EPA. SA (b) (6), (b) (7)(C) used a detailed list of keyword searches provided by the complainant for this system of timekeeping. After several months of reviewing each person’s

CASE:
OI-CH-2018-ADM-0132
DATE OF ACTIVITY:
7/22/19

INTERVIEWEE (if applicable):

DRAFTED DATE:
7/22/19

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

RESTRICTED INFORMATION
Page 2 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

emails, there was not enough supporting evidence that could be recovered to determine the extent or number of hours worked used in this off the record system from 2005 to 2012.

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

[Redacted]

[Redacted]

(b) (6), (b) (7)(C) retired from the EPA in (b) (6), (b) (7)(C).

SA (b) (6), (b) (7)(C) briefed (b) (6), (b) (7)(C), OIG Counsel, on the facts of the case (b) (6), (b) (5), (b) (7)(C)

[Redacted]

RECOMMENDATION: The case was not presented to the United States Attorney's Office for the Eastern District of Michigan. (b) (5), (b) (7)(E)

[Redacted]

Additionally, (b) (6), (b) (7)(C) has retired from (b) (6), (b) (7)(C) position with the EPA, removing administrative action against this subject. Based on the above listed reasons this case is closed.

CASE:
OI-CH-2018-ADM-0132
DATE OF ACTIVITY:
7/22/19

INTERVIEWEE (if applicable):

DRAFTED DATE:
7/22/19

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

RESTRICTED INFORMATION
Page 3 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604**

CASE #: OI-CH-2019-ADM-0003

CROSS REFERENCE #: H/L 2018-0352

TITLE: (b) (6), (b) (7)(C), GS-13, (b) (6), (b) (7)(C)

INTERVIEWEE (if applicable): N/A

PREPARED BY: (b) (6), (b) (7)(C)

**MEMORANDUM OF ACTIVITY
CASE CLOSING REPORT**

ALLEGATION: On August 24, 2018, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), received a hotline referral via (b) (6), (b) (7)(C), Hotline Manager EPA, OIG, OI. The referral referenced an employee, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), who was promoted to a GS-14 position in Washington D.C., but (b) (6), (b) (7)(C) failed to relocate while still receiving a higher locality pay for the Washington D.C. area.

BACKGROUND: In August 2017, (b) (6), (b) (7)(C) accepted a promotion to a GS-14 position. The requirement of this position was that (b) (6), (b) (7)(C) would have to physically relocate from (b) (6), (b) (7)(C) to Washington D.C. and this requirement was made known to (b) (6), (b) (7)(C) several times by (b) (6), (b) (7)(C), HR Specialist. (b) (6), (b) (7)(C) accepted the position and was discovered in January 2018 that he did not relocate to Washington D.C. and was receiving locality for that area. (b) (6), (b) (7)(C) was told to move to Washington D.C. immediately or he would be reduced in pay grade, back to a GS-13, and owe a debt to the EPA for the locality for which he collected while still living in (b) (6), (b) (7)(C).

INVESTIGATIVE FINDINGS: An interview with (b) (6), (b) (7)(C) was conducted. (b) (6), (b) (7)(C) was asked to discuss the announcement and its requirements for the promotion he received. (b) (6), (b) (7)(C) verified that the announcement was listed for Washington D.C. or Raleigh, North Carolina.

CASE:
OI-CH-2019-ADM-0003
DATE OF ACTIVITY:
02/11/18

INTERVIEWEE (if applicable):
DRAFTED DATE:
02/11/18

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

RESTRICTED INFORMATION
Page 1 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

(b) (6), (b) (7)(C) also agreed that (b) (6), (b) (7)(C) made it clear that the position for which he was promoted to, required him to physically relocate to Washington D.C. When further asked if he ever had any intention to move to Washington D.C., (b) (6), (b) (7)(C) stated he did not. SA (b) (6), (b) (7)(C) continued by asking (b) (6), (b) (7)(C) if he ever took a trip to Washington D.C. to look for residency, or if he had any documentation supporting that he ever attempted to relocate, and (b) (6), (b) (7)(C) stated he did not.

During this line of questioning (b) (6), (b) (7)(C) stated to SA (b) (6), (b) (7)(C) that his management was telling him how to respond to (b) (6), (b) (7)(C), and that (b) (6), (b) (7)(C), Director, SES, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), told (b) (6), (b) (7)(C) he would not have to move. SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if he had any documentation to support these claims, in which (b) (6), (b) (7)(C) admitted to recording these conversations and had copies. SA (b) (6), (b) (7)(C) asked for the recordings to be shared, which (b) (6), (b) (7)(C) later provided. (b) (6), (b) (7)(C) stated that he would tell (b) (6), (b) (7)(C) what emails he received from (b) (6), (b) (7)(C) and then (b) (6), (b) (7)(C) would tell him how exactly to reply on the emails.

(b) (6), (b) (7)(C) was asked about who his specific supervisors were and their location. (b) (6), (b) (7)(C) stated up until June 2017, his supervisor was (b) (6), (b) (7)(C) and it has been (b) (6), (b) (7)(C) since that point. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) is a GS-15, and was aware he was still working in (b) (6), (b) (7)(C) after accepting the promotion. (b) (6), (b) (7)(C) continued by stating that on 01/25/18, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) HR Specialist, made notification to him he would lose his GS-14 unless he agreed to relocate immediately to Washington D.C. (b) (6), (b) (7)(C) stated he then protested this action to (b) (6), (b) (7)(C) with documentation including his telework agreement, emails and the job posting, to which (b) (6), (b) (7)(C) replied his case will be reviewed by management. (b) (6), (b) (7)(C) stated that on 04/25/18, he was told to move to Washington D.C. within 30 days or accept a voluntary demotion. (b) (6), (b) (7)(C) accepted the demotion on 05/08/18.

Additionally, (b) (6), (b) (7)(C) was asked about the status of the debt payment he owed the EPA for being paid locality pay of Washington D.C. while living in (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated he filed a debt waiver, but it was declined by the EPA and that he just finished paying off the balance at the beginning of September 2018.

RECOMMENDATION: The matter was presented to the United States Attorney's Office for the Southern District of Ohio, who declined the matter.

Based on the above listed actions and the fact that the EPA has already reduced the subjects pay to a GS-13, and the locality debt has been repaid, this case will be closed.

It should be noted that an additional investigation into the allegations made by (b) (6), (b) (7)(C) against his supervisors, is currently ongoing.

CASE:
OI-CH-2019-ADM-0003
DATE OF ACTIVITY:
02/11/18

INTERVIEWEE (if applicable):

DRAFTED DATE:
02/11/18

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

RESTRICTED INFORMATION
Page 2 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604**

CASE #: OI-CH-2019-ADM-0108

CROSS REFERENCE HOTLINE #: 2019-0355

TITLE: (b) (6), (b) (7)(C), GS-14, (b) (6), (b) (7)(C)

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

**MEMORANDUM OF ACTIVITY
FINAL SUMMARY REPORT**

COMPLAINT: On August 23, 2019, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), Chicago, Illinois, received an electronic mail message (e-mail) from the EPA Hotline (reference complaint No. 2019-0355) via Special Agent in Charge (SAC) (b) (6), (b) (7)(C) (EPA-OIG, OI, CFO) alleging (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), Specialist, altered a signed document for a job announcement (JA) for a position with the EPA. This case is opened to further investigate if the JA was edited with ill intent and sent without (b) (6), (b) (7)(C) approval.

BACKGROUND: In August 2019, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) Region 10, Seattle, Washington, alleged that (b) (6), (b) (7)(C) altered a JA containing (b) (6), (b) (7)(C) signature and sent the JA for publishing with the intention of forging the signed document. (b) (6), (b) (7)(C) reported this to the EPA Hotline alleging this was intentional forgery.

INVESTIGATIVE FINDINGS: Investigative activities consisting of interviews with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), Region 10 (b) (6), (b) (7)(C), failed to provide any evidence that (b) (6), (b) (7)(C) was attempting act with intent to forge any document or commit fraud.

On August 23, 2019, SA (b) (6), (b) (7)(C) contacted complainant (b) (6), (b) (7)(C) regarding the complaint. (b) (6), (b) (7)(C) reiterated the information he had stated in his original complaint. Furthermore, (b) (6), (b) (7)(C) stated SA (b) (6), (b) (7)(C) should speak with (b) (6), (b) (7)(C) because she would have the email with the altered JA from (b) (6), (b) (7)(C). Additionally, (b) (6), (b) (7)(C) forwarded emails exchanged between he, (b) (6), (b) (7)(C), and other (b) (6), (b) (7)(C) involved with the JA.

CASE #: OI-CH-2019-ADM-0108

PREPARED BY: SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 1 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

On August 26, 2019, SA (b) (6), (b) (7)(C), telephonically interviewed (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) in summary stated that (b) (6), (b) (7)(C) had been working with (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C), regarding a JA. (b) (6), (b) (7)(C) had offered (b) (6), (b) (7)(C) the option of using a standard package hiring JR or a non-standard, which required additional review. (b) (6), (b) (7)(C) opted to utilize a standard package for the JA, which was sent to him by (b) (6), (b) (7)(C). While reviewing the JA from (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) wanted to make some edits to the JA. While (b) (6), (b) (7)(C) was away, (b) (6), (b) (7)(C) received additional assistance on the changes to the JA from (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) who offered (b) (6), (b) (7)(C) to make changes to the standard package JA. (b) (6), (b) (7)(C) then requested to make changes to the project management duties section of the JA, which is not allowed under the standard package for a JA.

Upon her return, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that he could not make changes to the standard package but could change the JA to a non-standard JA if he preferred. Additionally, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that he could not make changes to the standard JA. (b) (6), (b) (7)(C) then forwarded the draft JA, which was signed by (b) (6), (b) (7)(C), but not HR, to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) noticed that this draft was not the same as the document signed and sent to HR, (b) (6), (b) (7)(C) by (b) (6), (b) (7)(C), then made notification to (b) (6), (b) (7)(C) of this change. At this point, (b) (6), (b) (7)(C) became upset and frustrated that a document he signed was amended, even though he had been previously notified that the document which he made changes to, could not be changed as part of the standard JA package. (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that the signed document he submitted to HR was reverted back to the original, since it could not be edited. Furthermore, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that the document had not been signed by HR, thus it was still in draft form. (b) (6), (b) (7)(C) provided emails exchanged between all parties, which supported her statement.

Additionally, it should be noted that (b) (6), (b) (7)(C), Attorney, OIG Office of Counsel, reviewed the case and (b) (5).

RECOMMENDATION: Due to the information obtained during this investigation and the OIG Office of Counsel does not perceive any ill intent or criminal activity, it is recommended that this investigation be closed.

CASE #: OI-CH-2019-ADM-0108

PREPARED BY: SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 2 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202

DATE: August 8, 2018 PREPARED BY: (b) (6), (b) (7)(C)
CASE #: OI-CI-2016-ADM-0039 CROSS REFERENCE #:
TITLE: (b) (6), (b) (7)(C), GS-13, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Table with 3 columns: Subject(s), Location, Other Data. All cells contain redacted information (b) (6), (b) (7)(C).

COMPLAINT: This investigation was initiated on February 3, 2016 based upon information provided to (b) (6), (b) (7)(C), former Special Agent (SA), Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Cincinnati Post of Duty, from EPA Region 7 management expressing concerns about the possible misuse of a government issued travel charge card, hereinafter known as travel card, in the possession of (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), EPA Region 7, (b) (6), (b) (7)(C).

BACKGROUND: In April 2010, (b) (6), (b) (7)(C) EPA Region 7, questioned (b) (6), (b) (7)(C) about several cash withdrawal transactions identified on the statement for (b) (6), (b) (7)(C) travel card. (b) (6), (b) (7)(C)

It was determined that these transactions, on (b) (6), (b) (7)(C) EPA travel card, were authorized by regulation for official travel related to (b) (6), (b) (7)(C) activities. In 2016, review of (b) (6), (b) (7)(C) travel card transactions performed by (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), EPA Region 7, again indicated an excessive number of cash withdrawals. (b) (6), (b) (7)(C) was questioned regarding these withdrawals and after being unable to provide management with specific requested documentation, the matter was referred to the EPA/OIG.

INVESTIGATIVE FINDINGS: SA (b) (6), (b) (7)(C) reviewed (b) (6), (b) (7)(C) travel in associated with work hours reported in People Plus. During that review, SA (b) (6), (b) (7)(C) identified a few discrepancies during which (b) (6), (b) (7)(C) reported he was at work while he was actually at a medical appointment with the (b) (6), (b) (7)(C). Further inquiry with the (b) (6), (b) (7)(C) in addition to time card corrections performed by (b) (6), (b) (7)(C) addressed this issue. SA (b) (6), (b) (7)(C) conducted a review of (b) (6), (b) (7)(C) travel transactions and found that between January 2010 and November 2015, (b) (6), (b) (7)(C) had performed 269 cash withdrawals totaling \$50,198.61. (b) (6), (b) (7)(C) was subsequently interviewed and disclosed that in addition to his official (b) (6), (b) (7)(C) travel he also noted an excessive number of cash withdrawals but could not explain them. (b) (6), (b) (7)(C) advised he suffered from (b) (6), (b) (7)(C). According to (b) (6), (b) (7)(C), the (b) (6), (b) (7)(C) stated it was possible (b) (6), (b) (7)(C) could have performed the cash withdrawals but been unaware of doing so as a result of the (b) (6), (b) (7)(C).

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

(b) (6), (b) (7)(C) provided a written statement to this affect, admitting to having misused his travel card but being unable to explain. (b) (6), (b) (7)(C), (b) (7)(E), (b) (2)

RECOMMENDATION: No further investigative activity is warranted and as such, it is recommended this case be closed.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

1200 PENNSYLVANIA AVE., NW
WASHINGTON, DC 20460

DATE: JANUARY 30, 2017

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-HQ-2017-ADM-0131

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C), GRANTEE, (b) (6), (b) (7)(C) EPA

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	EPA	

ALLEGATIONS: On July 19, 2017, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Washington Field Office, was referred EPA OIG Hotline complaint 2017-0331. Allegedly, (b) (6), (b) (7)(C), Grantee, (b) (6), (b) (7)(C), EPA West, Washington DC; had a counterfeit badge (that she presumably created) seized by EPA guards who then turned the badge over to the Securities Management Division (SMD)

INVESTIGATIVE FINDINGS: On May 30, 2017, (b) (6), (b) (7)(C) was issued a memo terminating her position with (b) (6), (b) (7)(C). On August 23, 2017, this matter was referred to the Department of Justice for potential criminal prosecution and was declined the same day. On January 19, 2018, the Office of Investigations contacted the EPA Suspension and Debarment office to determine if debarment actions should be taken against (b) (6), (b) (7)(C). On January 26, 2018, the Suspension and Debarment office determined that the misconduct by (b) (6), (b) (7)(C)(b) (5), (b) (7)(E)

DISPOSITION: Since all appropriate actions have been considered and/or taken regarding this matter, this case is being closed with no further action.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
1650 ARCH ST
PHILADELPHIA, PA 19103

DATE: February 10, 2019

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-PH-2016-ADM-0093

CROSS REFERENCE #: Hotline 2016-0260

TITLE: (b) (6), (b) (7)(C) GS-13, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	Philadelphia, PA	N/A

POTENTIAL VIOLATION:

18 USC § 1001 – False Statements

ALLEGATION:

This investigation was initiated on July 6, 2016, following allegations that (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (EPA), GS-13, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Philadelphia, Pennsylvania, conducted personal business activities during his federal worktime.

INVESTIGATIVE FINDINGS:

After a thorough review of all documents associated with this investigation, multiple interviews conducted, and other investigative techniques utilized, there was no evidence to substantiate allegations that (b) (6), (b) (7)(C) conducted personal business, other than de minimis use of email, during government worktime.

DISPOSITION: Not supported; Closed

There was no evidence to indicate that a crime occurred, so this investigation was not presented to the United States Department of Justice. As no indications of fraudulent activities were discovered, this investigation is closed.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

DATE: January 30, 2019

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-PH-2016-ADM-0109

CROSS REFERENCE #: N/A

TITLE: (b) (6), (b) (7)(C), GS-13, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	Philadelphia, PA	N/A

ALLEGATIONS:

On May 24, 2016, the Office of Inspector General (OIG), United States Environmental Protection Agency (EPA), received an allegation that (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), EPA, Philadelphia, PA, operated a private business while using his EPA email address on EPA time.

FINDINGS:

The Office of Investigation (OI) interviewed (b) (6), (b) (7)(C), who stated that he did not conduct a business, but rather subletted (b) (6), (b) (7)(C) properties located in (b) (6), (b) (7)(C) for approximately six to eight years. (b) (6), (b) (7)(C) admitted to using his EPA.gov email to conduct his (b) (6), (b) (7)(C); and, considered his use of the EPA.gov email to be “low volume,” and intermittent. (b) (6), (b) (7)(C) admitted to sending emails from work.

OI reviewed records and interviewed witnesses, which, collectively, contradicted (b) (6), (b) (7)(C) statements. Investigation revealed that (b) (6), (b) (7)(C) subletted multiple (b) (6), (b) (7)(C) properties in (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) without authorization and without disclosing it to EPA management. (b) (6), (b) (7)(C) used his EPA.gov email address to conduct this business while on official EPA time. (b) (6), (b) (7)(C) answered questions falsely a total of 16 times on OGE Form 450 - Confidential Financial Disclosure Reports. From 2013 through 2016, (b) (6), (b) (7)(C) charged (b) (6), (b) (7)(C) tenants a total of (b) (6), (b) (7)(C). During the same time, (b) (6), (b) (7)(C) could have received (b) (6), (b) (7)(C) with full occupancy. (b) (6), (b) (7)(C) destroyed evidence by deleting his EPA.gov emails after he received initial contact from OI. These emails would have likely proven that (b) (6), (b) (7)(C) conducted this business since at least 2003. (b) (6), (b) (7)(C) stated that “he did not conduct a business,” despite emailing tenants at least 33 times, stating that operated “a business.” The allegation was supported.

DISPOSITION: Supported. Closed.

On (b) (6), (b) (7)(C), [REDACTED] retired while under investigation.

On December 13, 2018, the United States Attorney's Office (USAO), Eastern District of Pennsylvania, Philadelphia, PA, declined prosecution of this investigation based upon (b) (5), (b) (7)(E)

[REDACTED]

Based upon the aforementioned, there are no further investigative steps and this investigation is recommended for closure.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
1650 ARCH ST
PHILADELPHIA, PA 19103

DATE: May 6, 2019

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-PH-2019-ADM-0008

CROSS REFERENCE #: COMP-2018-129

TITLE: Office of Chief Financial Officer (OCFO), Washington, DC et al.

CASE CLOSING REPORT

Subject(s)	Location	Other Data
OCFO	Washington, DC	N/A

VIOLATIONS:

- 18 U.S.C. 287 – False Claims
- 18 U.S.C. 1001 – False Statements

ALLEGATION:

On September 12, 2018, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), received a hotline referral regarding allegations that (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), witnessed member(s) of the Office of Chief Financial Officer (OCFO), Washington D.C., admit to intentionally providing false information on the Fiscal Year (FY) 2016 and FY 2017 EPA financial statements.

FINDINGS:

After a thorough review of all documents associated with this investigation and multiple interviews conducted, there was no evidence to substantiate allegations of fraud, waste or abuse by members of the OCFO. (b) (6), (b) (7)(C) OCFO was interviewed and adamantly denied providing false information on the FY 2016 and FY 2017 EPA financial statements. (b) (6), (b) (7)(C) explained the disparity in the financial numbers between 2016 and 2017 were as a result of OCFO changing its business processes. (b) (6), (b) (7)(C) stated the 2017 business process resulted in more accurate figures than in 2016 and at no time did she or another member of OCFO attempt to misrepresent or conceal the amounts represented in the captioned financial statements. (b) (6), (b) (7)(C) further advised she informed (b) (6), (b) (7)(C) in February 2018, that the amounts had changed as a result of the newly instituted remediation practices.

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

DISPOSITION:

Based on the information detailed above, the allegation was not supported. There was no evidence to indicate that a crime occurred, so this investigation was not presented to the United States Department of Justice. As no indications of fraudulent activities were discovered, OI will be closing this matter at this time.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

109 TW Alexander Drive
Research Triangle Park, NC

DATE: January 29, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-RTP-2013-ADM-0103

CROSS REFERENCE #:

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

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) NC	

NARRATIVE: On June 13, 2013, (b) (6), (b) (7)(C) reported alleged time card fraud by EPA employee, (b) (6), (b) (7)(C), (b) (6), (b) (7)(C). It was alleged that (b) (6), (b) (7)(C) had been falsifying his time records for an EPA contract to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) position was to oversee the contract employees assigned to (b) (6), (b) (7)(C), following them throughout the facility and inspecting their work to ensure it was thorough and complete. (b) (6), (b) (7)(C) accumulated a substantial amount of compensatory time (comp time) and was paid an unknown amount in overtime related to his work on this contract.

FINDINGS: Several interviews with (b) (6), (b) (7)(C) supervisors confirmed that he often claimed 40-60 hours of overtime per pay period, which was approved by management and paid to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C), (b) (7)(E) were reviewed and analyzed.

Agent's Note: (b) (7)(E)

On April 10, 2014, (b) (6), (b) (7)(C) was interviewed. After repeatedly denying guilt, (b) (6), (b) (7)(C) was shown numerous examples where he claimed overtime hours but he was not at work, or when the contractor was not on campus, or when (b) (6), (b) (7)(C) was not in the area, and sometimes not even in the State. (b) (6), (b) (7)(C) then admitted to falsifying his time cards to claim overtime he did not work. Additionally, he also admitted to falsifying his overtime during the completion of a prior contract at the EPA Human Studies Facility in Chapel Hill, NC.

DISPOSITION: Supported; Closed

On October 23, 2014, EPA (b) (6), (b) (7)(C) removed (b) (6), (b) (7)(C) from his position as (b) (6), (b) (7)(C) for lack of candor during an investigation, inaccurate reporting of time and being absent without leave. His removal from EPA was effective (b) (6), (b) (7)(C), 2014.

On August 2, 2017, the United States Attorney's Office, Middle District of North Carolina (b) (6), (b) (7)(C), (b) (5), (b) (7)(E)

(b) (6), (b) (7)(C) On January 23, 2018, confirmation of payment of \$6,973.43 from (b) (6), (b) (7)(C) was received.

This investigation is Closed.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

109 TW Alexander Drive
Research Triangle Park, NC

DATE: January 25, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-RTP-2018-OTH-002

CROSS REFERENCE #: COMP-2017-86

TITLE: (b) (6), (b) (7)(C), GS-14, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Table with 3 columns: Subject(s), Location, Other Data. Row 1: (b) (6), (b) (7)(C); Research Triangle Park, NC; (b) (6), (b) (7)(C)

NARRATIVE: On August 2, 2017, (b) (6), (b) (7)(C)

reported that (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), RTP, lost an EPA-issued laptop while on international in 2016. (b) (6), (b) (7)(C) initially requested a loaner laptop for International travel (b) (6), (b) (7)(C) in August 2016. The loaner laptop was not returned to the EPA upon (b) (6), (b) (7)(C) return from travel. When (b) (6), (b) (7)(C) requested a second loaner laptop in March 2017, again for international travel, the EPA EZ Tech Service Desk asked where the previous loaner laptop was, to which (b) (6), (b) (7)(C) indicated that it was stolen at the Raleigh-Durham International Airport (RDU) upon (b) (6), (b) (7)(C) return from the previous trip. (b) (6), (b) (7)(C) did not disclose the theft when it occurred and did not file a police report.

(b) (6), (b) (7)(C) does not have a security clearance. (b) (6), (b) (7)(C), (b) (7)(E)

FINDINGS: On August 8, 2017, (b) (6), (b) (7)(C), FMSD RTP, provided information regarding the missing laptop. Documents provided by (b) (6), (b) (7)(C) included an EPA Damaged or Stolen Property report which was undated but listed the incident as occurring on August 26, 2016, and a RDU Enforcement Department report dated March 8, 2017 (It was confirmed that the RDU police entered the laptop into NCIC on March 11, 2017). Both reports indicated that on August 26, 2016, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) traveling back (b) (6), (b) (7)(C) to RDU. (b) (6), (b) (7)(C) stated that after receiving all of their checked luggage they were in the passenger area awaiting (b) (6), (b) (7)(C) to pick them up. (b) (6), (b) (7)(C) set the laptop bag on a bench while (b) (6), (b) (7)(C) looked for (b) (6), (b) (7)(C). When (b) (6), (b) (7)(C) started to pick up their luggage to take it to the car, (b) (6), (b) (7)(C) discovered the laptop bag was missing. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) met with an airline agent and possibly airport security and they provided phone numbers for (b) (6), (b) (7)(C) to file a report, however, (b) (6), (b) (7)(C) did not file a report with the RDU police until March 2017.

The EPA-RTP EZ Tech Service Desk indicated that the laptop loaned to (b) (6), (b) (7)(C) did not have (b) (7)(E) on it, because for approximately 2 years the EPA did not have the service (b) (7)(E) is a tracking tool which the agency often utilizes to try to locate missing EPA laptops).

On November 14, 2017, (b) (6), (b) (7)(C) was interviewed and verified that (b) (6), (b) (7)(C) had taken the security training regarding traveling with EPA laptops and was aware of the policies surrounding loaner laptop computers. (b) (6), (b) (7)(C) took (b) (6), (b) (7)(C) trips to (b) (6), (b) (7)(C). The first trip was a personal one from (b) (6), (b) (7)(C) 2016. During this trip, (b) (6), (b) (7)(C) requested a loaner laptop from the EPA so (b) (6), (b) (7)(C) could access emails and communicate with colleagues regarding (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) second trip was to (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C) 2017 on an (b) (6), (b) (7)(C). The trip was funded by the EPA and (b) (6), (b) (7)(C) stayed in housing provided by (b) (6), (b) (7)(C). During this trip the EPA provided (b) (6), (b) (7)(C) with a smart phone to communicate with colleagues, therefore (b) (6), (b) (7)(C) did not need a laptop for this trip.

During the personal trip to (b) (6), (b) (7)(C) in 2016, when (b) (6), (b) (7)(C) was issued a loaner laptop by the EPA, the laptop was likely stolen at the RDU airport while (b) (6), (b) (7)(C) was waiting for (b) (6), (b) (7)(C) to pick (b) (6), (b) (7)(C) up. (b) (6), (b) (7)(C) tried to report the missing laptop to RDU police, but the office was closed at that time. (b) (6), (b) (7)(C) went back to the RDU airport the next day and reported the laptop missing, however (b) (6), (b) (7)(C) did not receive any paperwork or a police report. The RDU police did not check the security cameras as far as (b) (6), (b) (7)(C) recalled. (b) (6), (b) (7)(C) called the RDU Police several more times to see if they had recovered the laptop. (b) (6), (b) (7)(C) did not notify (b) (6), (b) (7)(C) supervisor or the IT department that the laptop was missing. Sometime later (possibly 3 months), (b) (6), (b) (7)(C) reported to the EPA (possibly by telephone) that the laptop was stolen. (b) (6), (b) (7)(C) did not report it immediately because (b) (6), (b) (7)(C) was hoping RDU police would recover it.

In regards to another issue, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was a mentor to (b) (6), (b) (7)(C) RTP, NC. In August 2017, while (b) (6), (b) (7)(C) was completing on-board processing paperwork to the EPA, (b) (6), (b) (7)(C) requested access to areas to which (b) (6), (b) (7)(C) did not need access. It was (b) (6), (b) (7)(C) opinion that (b) (6), (b) (7)(C) requested access to all areas on the EPA RTP campus because (b) (6), (b) (7)(C) did not understand there were areas (b) (6), (b) (7)(C) did not, or could not, have access to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) about the request and (b) (6), (b) (7)(C) understood that (b) (6), (b) (7)(C) did not need access to the (b) (6), (b) (7)(C), and could not have access to the parking decks or fitness room.

DISPOSITION: Unsupported; Closed

On November 27, 2017, (b) (6), (b) (7)(C) immediate supervisor, (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) was aware that (b) (6), (b) (7)(C) lost an EPA laptop last year while traveling to (b) (6), (b) (7)(C) and that (b) (6), (b) (7)(C) failed to report the loss immediately. (b) (6), (b) (7)(C) spoke with (b) (6), (b) (7)(C) about the importance of immediate notification, but did not formally discipline (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) did not approve (b) (6), (b) (7)(C) taking the laptop on a personal trip to (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) employees can request the laptops without supervisory approval (b) (6), (b) (7)(C), (b) (5)

On January 23, 2018, EPA RTP LER advised they saw no reason to take any further action regarding this matter. Since there is no evidence indicating that (b) (6), (b) (7)(C) stole or intentionally lost the laptop, this investigation is Closed.

RESTRICTED INFORMATION

Page 3

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
1200 SIXTH AVENUE, SUITE 1920
SEATTLE, WA 98101

DATE: November 7, 2019

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-SE-2015-CFR-0013

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C) (et. al.)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
David McGraw	Fairbanks, Alaska	Former YRITWC Finance Director

VIOLATION(S):

18 U.S.C. § 666: Theft

18 U.S.C. § 1957: Money Laundering

26 U.S.C. § 7206: Making and Subscribing a False Tax Return

ALLEGATION: On November 24, 2014, this office initiated an investigation based on information received from (b) (6), (b) (7)(C)

It was alleged that McGraw used YRITWC's money to pay off personal credit cards, purchase a home, aircraft, aircraft maintenance and fly on multiple trips both domestic and internationally without council or Executive Board approval.

FINDINGS: Interviews of current and former YRITWC employees, along with reviews of documentation associated with the allegation were conducted. The investigation supported that McGraw misappropriated approximately \$150,000 of federal funds.

DISPOSITION: On March 21, 2018, McGraw was indicted in the United States District Court for the District of Alaska for violating three counts of § 666, one count of § 1957 and three counts of § 7206. According to the prosecuting attorney, there was insufficient evidence to prove (b) (6), (b) (7)(C) was involved with the aforementioned criminal activity.

On June 19, 2018, McGraw was suspended from participation in future federal contracts and assistance activities.

On October 2, 2018, McGraw accepted a plea agreement in the United States District Court for the District of Alaska, wherein he agreed to plead guilty to one count of violating § 666 and one count of violating § 7206.

On March 1, 2019, McGraw was sentenced to 18 months imprisonment with two years supervised release, ordered to pay a \$200 special assessment, and ordered to pay \$40,604 in restitution.

On September 13, 2019, McGraw and his company – DKM Enterprises - were debarred for eight years.

All criminal and administrative remedies have been addressed and no further investigative activity is warranted. This case is closed.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
61 FORSYTH STREET, S.W., ROOM 12T20
ATLANTA, GA 30303**

DATE: May 25, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-WI-2017-ADM-0017

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C) GS-13, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	

VIOLATION(S):

Investigation of Alleged Misconduct of EPA Employee for Other Non-EPA Criminal Violations Committed Off Duty

ALLEGATION:

On October 25, 2016, Special Agent (b) (6), (b) (7)(C), EPA Office of Inspector General (OIG), Office of Investigations, Winchester, Tennessee, received EPA Hotline Complaint 2017-0015, reporting that (b) (6), (b) (7)(C) GS-13, (b) (6), (b) (7)(C), was arrested and charged on October 18, 2016, with rape, incest, and sexual battery by an authority figure. The arrest comes after (b) (6), (b) (7)(C) was indicted by a (b) (6), (b) (7)(C) grand jury in September 2016. The charges are a result of a 2003 case in which new evidence has been developed. (b) (6), (b) (7)(C) was arraigned and a bond was set at \$100,000.00. EPA OIG is working with the assigned detectives of the (b) (6), (b) (7)(C) Police Department, (b) (6), (b) (7)(C) and providing additional information and support when needed. A Bar Notice for all EPA offices and other facilities nationwide was issued on October 26, 2016, prohibiting (b) (6), (b) (7)(C) from access to any EPA assets.

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

FINDING:

On August 14, 2017, SA (b) (6), (b) (7)(C) spoke with (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), who provided a status update for (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) reported that (b) (6), (b) (7)(C) has been placed on indefinite suspension by the Environmental Protection Agency (Agency) and all access privileges had been revoked until a final decision was made by the court. (b) (6), (b) (7)(C) remained an employee of the Agency until a judgement had been reached.

On April 30, 2018, SA (b) (6), (b) (7)(C) telephonically spoke with Detective (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) regarding the criminal case against (b) (6), (b) (7)(C). Det. (b) (6), (b) (7)(C) stated due the statute of limitations, the case against (b) (6), (b) (7)(C) had been dismissed. Too much time had lapse between the commission of the crime and the actual filing of charges.

On April 30, 2018, SA (b) (6), (b) (7)(C) received information from (b) (6), (b) (7)(C), regarding the case against (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) reported information from the (b) (6), (b) (7)(C) Court Records System showed the charges against (b) (6), (b) (7)(C) had been dismissed (Attached). Case agent verified the information though Detective (b) (6), (b) (7)(C).

On May 7, 2018, SA (b) (6), (b) (7)(C) received information from (b) (6), (b) (7)(C) regarding the criminal case against (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) provided a court order that dismissed the charges against (b) (6), (b) (7)(C), and an email from (b) (6), (b) (7)(C) that reiterated the court order.

Attached:

1. (b) (6), (b) (7)(C) Online Court Records System, April 27, 2018



2. (b) (6), (b) (7)(C) Criminal Court Order, May 3, 2018



3. Email from (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C), May 4, 2018



Summary:

This investigation stemmed from an indictment by (b) (6), (b) (7)(C) Grand Jury reporting that (b) (6), (b) (7)(C) was charged with, rape, incest, and sexual battery by an authority figure. Based on investigative steps, and interviews conducted, the evidence gathered is sufficient to support and substantiate the allegation. Due to the amount of time that lapsed between the commission of the crime and the actual filing of charges, the case was dismissed by the court. Therefore, no additional steps or leads are required and this case will be closed.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

DATE: JULY 18, 2018

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-AT-2016-ADM-0067

CROSS REFERENCE #:

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

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	

VIOLATION(S): 18 U.S. Code §1001 (False Statements)

ALLEGATION: The OIG OI determined that there were three allegations that required investigation. The three allegations investigated by OI included:

1. Whether EPA Region (b) (6), (b) (7)(C) employee (b) (6), (b) (7)(C) falsely represented (b) (6), (b) (7)(C) official time and attendance records.
2. Whether (b) (6), (b) (7)(C) disregarded orders from (b) (6), (b) (7)(C) supervisor to amend (b) (6), (b) (7)(C) recorded time.
3. Whether (b) (6), (b) (7)(C) misused EPA Leave Bank hours to take a personal vacation.

FINDINGS: Evidence was obtained which disclosed that EPA Region (b) (6), (b) (7)(C) employee (b) (6), (b) (7)(C) falsely represented (b) (6), (b) (7)(C) time and attendance records. EPA-OIG's review of (b) (6), (b) (7)(C) time and attendance revealed numerous instances where the hours (b) (6), (b) (7)(C) claimed on (b) (6), (b) (7)(C) timesheet exceeded the hours that the Daily Flexible Schedule (DFS) log identified that (b) (6), (b) (7)(C) was present at work. Specifically, EPA-OIG noted 70 dates where the regular hours shown on (b) (6), (b) (7)(C) timesheet exceeded the hours that the DFS log identified that (b) (6), (b) (7)(C) was present at work. EPA-OIG identified 16 dates between January 2014 and August 2016, where (b) (6), (b) (7)(C) timesheet showed 8 regular hours worked, but entries for (b) (6), (b) (7)(C) on the DFS log were not identified for the corresponding dates. EPA-OIG identified 111 dates where the evidence supports that (b) (6), (b) (7)(C) did not include a 30-minute unpaid lunch break into (b) (6), (b) (7)(C) schedule. EPA-OIG also noted instances where it appeared that (b) (6), (b) (7)(C) DFS log entries were altered. EPA-OIG interviewed (b) (6), (b) (7)(C) regarding the alterations to (b) (6), (b) (7)(C) entries on the DFS log. (b) (6), (b) (7)(C) initially told EPA-OIG that (b) (6), (b) (7)(C) has never changed (b) (6), (b) (7)(C) DFS log entries to falsely claim time. However, after the OIG provided overwhelming evidence regarding the alterations, (b) (6), (b) (7)(C) admitted that (b) (6), (b) (7)(C) has altered the Daily Flexible Schedule log so that it appeared that (b) (6), (b) (7)(C) had worked more hours than (b) (6), (b) (7)(C) had actually worked. During the investigation, EPA-OIG learned that (b) (6), (b) (7)(C) has had other time and attendance incidents dating back to 2012. EPA-OIG found that these incidents were handled through informal corrective actions (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

(b) (6), (b) (7)(C) . EPA-OIG also found that (b) (6), (b) (7)(C) has had to forfeit pay related to at least four separate timecard debt cases.

This investigation revealed that (b) (6), (b) (7)(C) disregarded numerous orders from (b) (6), (b) (7)(C) supervisor to amend (b) (6), (b) (7)(C) time and attendance records. This investigation obtained evidence which showed that between May 2015 and November 2015, (b) (6), (b) (7)(C) supervisor sent eight (8) emails to (b) (6), (b) (7)(C) which directed (b) (6), (b) (7)(C) to amend (b) (6), (b) (7)(C) timesheet(s). The records reviewed indicated that (b) (6), (b) (7)(C) did not amend (b) (6), (b) (7)(C) time on numerous occasions after being directed to make the changes.

This investigation also revealed that (b) (6), (b) (7)(C) misused Leave Bank hours to take a personal vacation. (b) (6), (b) (7)(C) applied for and was granted EPA Leave Bank hours in 2016. The email to (b) (6), (b) (7)(C) concerning the Leave Bank award stated, "as a Leave Bank recipient, the employee is only authorized to use Leave Bank hours during the dates provided above and for the purpose provided on the medical certification." EPA records indicated that (b) (6), (b) (7)(C) requested to use a total of twenty-four (24) Leave Bank hours for the dates of (b) (6), (b) (7)(C) 2016 through (b) (6), (b) (7)(C) 2016, and again on (b) (6), (b) (7)(C) 2016. On (b) (6), (b) (7)(C) 2016, (b) (6), (b) (7)(C) supervisor sent an email to (b) (6), (b) (7)(C) which noted that it was follow-up to a telephonic discussion between the supervisor and (b) (6), (b) (7)(C) in which (b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C) was on vacation (b) (6), (b) (7)(C), and was not receiving medical treatment.

DISPOSITION: On June 6, 2016, EPA-OIG presented the facts of this case to the U.S. Attorney's Office, Northern District of Georgia, for possible violations of 18 U.S. Code §1001 (False Statements). After hearing the facts of this investigation, Assistant United States Attorney (b) (6), (b) (7)(C) declined the case (b) (5), (b) (7)(E)

On November 28, 2016, EPA-OIG Special Agent (SA) (b) (6), (b) (7)(C) delivered the report of investigation (ROI) related to this investigation (b) (6), (b) (7)(C) EPA Region (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) EPA Region (b) (6), (b) (7)(C). In December 2016, (b) (6), (b) (7)(C) requested an extension to respond to the report until February 15, 2017. Assistant Inspector General for Investigations Patrick F. Sullivan concurred with (b) (6), (b) (7)(C) extension request on December 16, 2016.

On February 24, 2017, EPA-OIG was advised by (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) met with (b) (6), (b) (7)(C) union representative in December and conveyed the seriousness of the OIG's investigative findings. (b) (6), (b) (7)(C) further advised that (b) (6), (b) (7)(C) met with (b) (6), (b) (7)(C) on January 26, 2017. During this meeting, (b) (6), (b) (7)(C) presented a memorandum which informed (b) (6), (b) (7)(C) first line supervisor that (b) (6), (b) (7)(C) would be submitting retirement paperwork immediately, to be effective as soon as the paperwork was processed by the Office of Personnel Management (OPM). (b) (6), (b) (7)(C), (b) (5)

(b) (6), (b) (7)(C) noted that (b) (6), (b) (7)(C) had been issued a debt letter for excess payments received.

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

EPA-OIG obtained a copy of the debt letter issued to (b) (6), (b) (7)(C). On February 13, 2017, the Interior

Business Center issued a bill for collection to (b) (6), (b) (7)(C) in the amount of \$876.09. Beginning on February 27, 2017, EPA-OIG conducted follow-up with EPA Region [redacted] and the EPA Office of the Chief Financial Officer regarding the issued bill for collection, as the net amount to be repaid by (b) (6), (b) (7)(C) did not correspond the OIG's investigative findings. As a result, EPA Region [redacted] conducted an independent audit of (b) (6), (b) (7)(C)' time and attendance records. On February 9, 2018, Interior Business Center issued a bill for collection to (b) (6), (b) (7)(C) in the amount of \$16,757.86.

On (b) (6), (b) (7)(C) issued a Notice of Proposal for Removal to (b) (6), (b) (7)(C) in response to the OIG's investigative findings. The Notice advised that (b) (6), (b) (7)(C) proposed to remove (b) (6), (b) (7)(C) from Federal service based on the following charges: (1) Inaccurate Reporting of Hours Worked; (2) Failure to Follow Directives; (3) Failure to Follow Leave Procedures; and (4) Inappropriate Use of Leave Bank Program Benefits. However, a final decision on the proposed removal action was not issued.

On June 12, 2018, (b) (6), (b) (7)(C), EPA Region [redacted] advised that (b) (6), (b) (7)(C) had received notification that OPM approved (b) (6), (b) (7)(C) retirement. On June 26, 2018, EPA-OIG received a Notification of Personnel Action (SF-50) for (b) (6), (b) (7)(C), identifying (b) (6), (b) (7)(C) disability retirement was effective as of (b) (6), (b) (7)(C), 2018. The Notification of Personnel Action identified (b) (6), (b) (7)(C) former total salary (b) (6), (b) (7)(C) as \$54,526.00.

RESTRICTED INFORMATION

Page 4

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
109 TW ALEXANDER DRIVE
RESEARCH TRIANGLE PARK, NC 27711**

DATE: April 17, 2019

PREPARED BY: Special Agent (b) (6), (b) (7)(C)

CASE #: OI-AT-2018-ADM-0122

CROSS REFERENCE #

TITLE: (b) (6), (b) (7)(C) GS-15, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	RESEARCH TRIANGLE PARK, NC	

VIOLATION(S): 18 U.S. Code § 1001 (False Statements)

ALLEGATION(S): On June 28, 2018, the U.S. Environmental Protection Agency, Office of Inspector General (EPA-OIG) received allegations from a complainant, (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (OIG Hotline Complaint 2018-0327) concerning (b) (6), (b) (7)(C)

and (b) (6), (b) (7)(C). The complainant alleged the following:

- (b) (6), (b) (7)(C) had multiple personal appointments that she attended during work hours, daily/weekly (b) (6), (b) (7)(C) but (b) (6), (b) (7)(C) did not use annual or sick leave when she attended these appointments.
- (b) (6), (b) (7)(C) was out of the office 65 days in 2013, for which she did not utilize leave.
- (b) (6), (b) (7)(C) will claim to be teleworking, but she does not bring home a laptop.
- (b) (6), (b) (7)(C) has a reasonable accommodation, which allows her to fly first-class for work. However, (b) (6), (b) (7)(C) does not fly first-class for her personal travel.
- In March 2018, (b) (6), (b) (7)(C) traveled to Greensboro, NC, for a (b) (6), (b) (7)(C) meeting at the (b) (6), (b) (7)(C). However, (b) (6), (b) (7)(C)

CASE OI-AT-2018-ADM-0122

PREPARED BY:
SA (b) (6)

RESTRICTED INFORMATION

Page 1 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

(b) (6), (b) (7)(C) checked (b) (6), (b) (7)(C) website, and determined there was a (b) (6), (b) (7)(C) meeting held there in December 2017, but there was no such meeting in March 2018. (b) (6), (b) (7)(C) sorority, (b) (6), (b) (7)(C), held an event during the time (b) (6), (b) (7)(C) was in (b) (6), (b) (7)(C)

- (b) (6), (b) (7)(C) frequently worked on sorority presentations and activities while at the EPA.
- (b) (6), (b) (7)(C) uses EPA time to attend local sorority functions.
- (b) (6), (b) (7)(C) uses her EPA title to solicit funds for scholarships.
- (b) (6), (b) (7)(C) traveled to Washington D.C., and has family there, and did not fully attend the meeting or conference for which she traveled.

FINDINGS: (b) (6), (b) (7)(C) was interviewed concerning the allegations (b) (6), (b) (7)(C) made against (b) (6), (b) (7)(C). From February 2015 through August (b) (6), (b) (7)(C)

The investigation revealed (b) (6), (b) (7)(C) is on a compressed work schedule, and her scheduled work hours are Monday through Thursday from 9:00AM to 6:30PM; 9:00AM to 5:30PM on every first Friday, and she is off work every second Friday. Review of (b) (6), (b) (7)(C) Personal Identity Verification card reports at RTP, and her timesheets from January 1, 2016 through February 22, 2019, revealed (b) (6), (b) (7)(C) reported to work on 147 occasions after 9:30AM, and she did not report leave on her timesheets. The investigation is unable to confirm the time (b) (6), (b) (7)(C) left work the days she arrived to work after her scheduled reporting time.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) were interviewed concerning the allegations made against (b) (6), (b) (7)(C) supervised (b) (6), (b) (7)(C) from February 2005 through January 2018. (b) (6), (b) (7)(C) never observed any irregularities concerning (b) (6), (b) (7)(C) time and attendance, and they never received any complaints from (b) (6), (b) (7)(C) employees concerning (b) (6), (b) (7)(C) time and attendance. (b) (6), (b) (7)(C) said many of the (b) (6), (b) (7)(C) work late hours until 7:00PM or later, and (b) (6), (b) (7)(C) observed (b) (6), (b) (7)(C) in the office at 7:00PM or later.

From 2011 through 2018, (b) (6), (b) (7)(C) worked with (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) was her professional colleague (b) (6), (b) (7)(C). From 2011 through 2018, (b) (6), (b) (7)(C) admitted that (b) (6), (b) (7)(C) arrived to work late thirty minutes after 9:30AM on an average of two to three times per week, and she continued to arrive late to work after 9:30AM. (b) (6), (b) (7)(C) never confronted or counseled (b) (6), (b) (7)(C) for reporting to work late after (b) (6), (b) (7)(C) scheduled reporting time, because she produced her work, and (b) (6), (b) (7)(C) observed that she often works later hours after 6:00PM.

CASE OI-AT-2018-ADM-0122

PREPARED BY:
SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 2 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

Review of (b) (6), (b) (7)(C) emails, her outlook calendar, and her timesheets revealed she sent numerous emails during the days she reported that she teleworked.

(b) (6), (b) (7)(C) have never known (b) (6), (b) (7)(C) to use her EPA title for matters unrelated to her work at the EPA, or attend an organizational event during her work hours that was unrelated to her work at the EPA.

(b) (6), (b) (7)(C) local and national reasonable accommodation file were reviewed. (b) (6), (b) (7)(C)

The investigation revealed (b) (6), (b) (7)(C) received an invitation to attend a (b) (6), (b) (7)(C) Meeting from March 15-16, 2018 at (b) (6), (b) (7)(C). The investigation revealed (b) (6), (b) (7)(C) requested (b) (6), (b) (7)(C) permission to attend the meeting, and (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), the Designated Agency Ethics Official for (b) (6), (b) (7)(C) approved (b) (6), (b) (7)(C) to attend the meeting (b) (6), (b) (7)(C) confirmed with the (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) attended the meeting.

DISPOSITION: There was no sufficient evidence obtained during the investigation that could support the complainant's allegations. Therefore, it is recommended this investigation be closed.

CASE OI-AT-2018-ADM-0122

PREPARED BY:
SA (b) (6)

RESTRICTED INFORMATION

Page 3 of 3

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109**

DATE: OCTOBER 24, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-BO-2015-ADM-0058

CROSS REFERENCE #: N/A

TITLE: (b) (6), (b) (7)(C) GS-13, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	N/A

POTENTIAL VIOLATIONS:

EPA Order 3120.1 (7) - Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful

EPA Order 3120.1(8) - Abusive or offensive language, gestures, or other conduct

ALLEGATION:

The Boston Field Office, Office of Investigations (OI), Office of Inspector General (OIG), Environmental Protection Agency (EPA), Boston, MA, initiated an investigation based upon an email informing OI that an EPA employee at the (b) (6), (b) (7)(C) had found photos of topless women printed to an EPA owned printer.

Review by the Agency indicated that (b) (6), (b) (7)(C)

was the source of the material.

FINDINGS:

OI developed sufficient information to support the allegation (b) (6), (b) (7)(C) had received, viewed and disseminated inappropriate materials to include adult pornography (b) (7) to other EPA employees and individuals outside of the agency while utilizing his EPA-owned email account.

DISPOSITION:

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

A Report of Investigation (ROI) was generated and provided to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). Upon their review of the ROI, EPA management decided to suspend (b) (6), (b) (7) for fourteen (14) days for Misuse of Government Equipment and Lack of Candor.

This matter was subsequently settled through arbitration and (b) (6), grievance was allowed. (b) (6), (b) (7)(C), (b) (5), (b) (2)

(b) (7)

[REDACTED]

No criminal violation(s) were identified, hence this case was not presented to the U.S. Attorney's Office, District of Rhode Island for prosecutorial consideration. This matter will be closed at this time.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

Date: September 18, 2018

Prepared by: Special Agent (b) (6), (b) (7) (C)

Case #: OI-CH-2017-ADM-0074

Cross Reference #:

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

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7) (C)	(b) (6), (b) (7)(C)	

VIOLATION(s): Misuse of EPA computers to view and share pornography

ALLEGATION(s):

On March 3, 2017, Special Agent (SA) (b) (6), (b) (7)(C) [redacted], Office of Inspector General (OIG), U.S. Environmental Protection Agency (EPA), received a complaint from an employee at the EPA office in (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) [redacted], Region 5, EPA was viewing adult pornography (b) (6) at the office during work hours and showing it to other employees at the office.

FINDINGS:

On March 14, 2017, SA (b) (6), (b) (7) conducted an interview of the complainant. The complainant delineated several incidences of (b) (6), (b) (7)(C) showing pornographic images around the office.

On March 15, 2017, SA (b) (6), (b) (7)(C) contacted (b) (6), (b) (7)(C) [redacted] Region 5, EPA. (b) (6), (b) (7)(C) explained (b) (6) was very familiar with the (b) (6), (b) (7)(C) [redacted]. With the assistance of OI, (b) (6), (b) (7)(C) began monitoring the account. On April 5, 2017, (b) (6), (b) (7)(C) explained that there is a separate EPA funded Comcast modem in the office. (b) (6), (b) (7)(C) felt that that modem should also be monitored. (b) (6), (b) (7)(C) began monitoring on that modem, also. On May 4, 2017, OI reviewed all available network activity and was not able to identify any suspicious network activity including pornography.

On May 3, 2017 SA (b) (6), (b) (7)(C) conducted an interview of (b) (6), (b) (7)(C) [redacted], Region 5, EPA. Upon the initial line of questioning involving (b) (6), (b) (7)(C) was reluctant to give any information about the incident and denied (b) (6), (b) (7)(C) ever showed (b) (6), (b) (7)(C) pornographic material at work. After SA (b) (6), (b) (7)(C) provided more (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

details and specifics involving the allegation, specifically stating that (b) (6) was involved, (b) (6) provided more details. (b) (6) stated that on several occasions (b) (6), (b) (7)(C) has shown (b) (6) pictures of women that (b) (6), (b) (7)(C) and from a local bar where waitresses wear bikinis while they work. (b) (6) was then asked more specifically had (b) (6), (b) (7)(C) showed (b) (6) pictures from a “wet T-shirt contest” where women were nude. (b) (6) answered “Yes”, it was from a party that (b) (6), (b) (7)(C) had arranged. (b) (6) was then asked if (b) (6), (b) (7)(C) showed (b) (6) pictures in which (b) (6), (b) (7)(C) was having sex with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) replied “Yes”. In further questioning, (b) (6), (b) (7)(C) expressed (b) (6), (b) (7)(C) fear of (b) (6), (b) (7)(C).

Continuing on May 3, 2017, SA (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C). When asked, (b) (6), (b) (7)(C) described the following incident: (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) had been walking by (b) (6), (b) (7)(C) office when (b) (6), (b) (7)(C) pulled (b) (6), (b) (7)(C) into (b) (6), (b) (7)(C) office and said, “check this out.” (b) (6), (b) (7)(C) then showed (b) (6), (b) (7)(C) pictures of a party that had occurred at (b) (6), (b) (7)(C). The pictures included pictures of a “wet t-shirt contest.” (b) (6), (b) (7)(C) confirmed (b) (6), (b) (7)(C) could see the women’s breast and nipples in the pictures. (b) (6), (b) (7)(C) stated there were a total of about thirty – forty pictures shown to (b) (6), (b) (7)(C) and “a handful” had clearly visible breasts and nipples of women. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was shown the pictures on (b) (6), (b) (7)(C) personal tablet. (b) (6), (b) (7)(C) stated that it did not appear that the tablet had a cellular card, so (b) (6), (b) (7)(C) felt the tablet must have been connected to the EPA funded wireless network.

Also on May 3, 2017, SA (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) Region 5, EPA. (b) (6), (b) (7)(C) related approximately one year ago, (b) (6), (b) (7)(C) informed (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) showed (b) (6), (b) (7)(C) a video of (b) (6), (b) (7)(C) having sex with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was unaware if the video was shown in the office or outside of work and denied ever viewing the video. (b) (6), (b) (7)(C) denied being shown any type of pornography from (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) socializes with (b) (6), (b) (7)(C) outside the office and the two of them have been known to frequent a “bikini bar” in the area. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) heard from various co-workers that (b) (6), (b) (7)(C) recently posted a picture of (b) (6), (b) (7)(C) with a female who was wearing a bikini at the bar on (b) (6), (b) (7)(C) Facebook account. (b) (6), (b) (7)(C) denied viewing the picture of (b) (6), (b) (7)(C) or of owning a Facebook account; however, (b) (6), (b) (7)(C) advised the referenced picture was common (b) (6), (b) (7)(C) knowledge in the office. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was unsure if (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) attended the bikini bar during normal business hours.

Continuing on May 3, 2017, SA (b) (6), (b) (7)(C) met with (b) (6), (b) (7)(C). SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) about the allegation that (b) (6), (b) (7)(C) showed around pictures at work of women in a “wet t-shirt contest.” (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) sometimes goes out to lunch at a “bikini bar”, especially with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated the bar is part of (b) (6), (b) (7)(C). One time, the bar had a “wet t-shirt contest” after hours. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) showed (b) (6), (b) (7)(C) pictures of the “wet t-shirt contest.” SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if the women’s breasts and nipples were visible in the pictures. (b) (6), (b) (7)(C) laughed at the question and said, “Yes or what’s the point?” When asked, (b) (6), (b) (7)(C) stated there were approximately six women in the contest, so (b) (6), (b) (7)(C) felt (b) (6), (b) (7)(C) had about six pictures.

(b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) also showed the “wet t-shirt contest” pictures in the office to another employee, (b) (6), (b) (7)(C) also stated (b) (6), (b) (7)(C) sent the pictures from (b) (6), (b) (7)(C) personal e-mail account to other employees’ personal e-mails accounts. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) would access the pictures on (b) (6), (b) (7)(C) personal device. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) would sometimes access (b) (6), (b) (7)(C) personal e-mail account on (b) (6), (b) (7)(C) work computer, but felt certain (b) (6), (b) (7)(C) never accessed the “wet t-shirt contest” pictures on (b) (6), (b) (7)(C) work computer. When asked, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) could not be sure if (b) (6), (b) (7)(C) had shown the pictures to anyone else in the office.

SA (b) (6), asked, "Other than (b) (6) is there anyone else you showed pornography to?" (b) (6), stated (b) (6) did not show pornography to (b) (6), (b) (7)(C) stated (b) (6) did show (b) (6) pictures of girls in bikinis from the bikini bar, but not pornography. When SA (b) (6), asked about the "wet t-shirt contest" pictures, (b) (6), stated (b) (6) did not consider those pictures pornography. (b) (6), then added (b) (6) did show (b) (6) a video about "boobies." (b) (6), explained the video is topless women jumping on a trampoline. (b) (6), stated (b) (6) also did not feel that was pornography.

Next (b) (6), was asked about the allegation that (b) (6), showed pictures in the office of (b) (6), having sex with (b) (6), (b) (7)(C), (b) (7) denied the allegation (b) (6), (b) (7) stated (b) (6) did not have pictures like that on (b) (6) phone. SA (b) (6), asked (b) (6), if (b) (6) would ever hurt (b) (6), or anyone else. (b) (6), stated (b) (6) would not hurt anyone. (b) (6), stated (b) (6) would just quit before it came to that. (b) (6), then added that (b) (6) cannot quit because (b) (6) is over educated and paid well.

On May 4, 2017, SA (b) (6), asked some follow up questions to the interview on May 3, 2017. SA (b) (6), asked how the images from the "wet t-shirt contest" and other images were viewed at the office. (b) (6), stated the images were viewed on (b) (6) personal tablet or phone. (b) (6), stated (b) (6) viewed "you tube" videos on (b) (6) work computer and showed them to (b) (6), (b) (7)(C). The "you tube" videos have scantily clad women or women who look nude but do not show any private areas. (b) (6), was asked how (b) (6) connected to the internet on (b) (6) personal devices. (b) (6), stated (b) (6) connected on (b) (6) mobile phone through (b) (6) carrier, Verizon. (b) (6), also stated that (b) (6) phone may connect to whatever internet access is available including the EPA funded wireless networks. (b) (6), also stated (b) (6) tablet had no data plan of its own and could only connect to the internet through a wireless (b) (6) network, such as the EPA funded wireless networks at the EPA facility.

On May 6, 2017, (b) (6), sent an unsolicited email to SA (b) (6), regarding the interview. The e-mail is four pages long. These are some excerpts of the e-mail:

(b) (6), wrote the following, in part, regarding (b) (6), "There are times when I have been discussing building renovations at the (b) (6), (b) (7)(C) with (b) (6) and try to show (b) (6) pictures posted to Facebook (b) (6), (b) (7)(C) page on my personal phone. There are certain individuals (b) (6), (b) (7)(C) who post pictures of scantily clad (even naked) women on the private (b) (6) page. I could see how (b) (6) may have seen some of those picture while I was trying to scroll through my phone quickly to show (b) (6) images posted of the (b) (6), (b) (7)(C) renovations."

Additionally, (b) (6), stated the following regarding the "wet t-shirt contest" and (b) (6); "the members held a wet T-shirt contest. (b) (6) was not in attendance, but I did show (b) (6) pictures of the contest on my personal phone in the parking lot of the (b) (6) facility."

(b) (6), further discusses a time when (b) (6) showed images to (b) (6), (b) (7) and (b) (6), (b) (7) states, "the only image/video that has ever been shared with (b) (6), (b) (7)(C) listed above (which happen all at once) is a You tube video title "Ode to Boobies" which you can look up yourself. And once again, this was on a personal tablet."

DISPOSITION: EPA management was advised regarding the findings of this report. On April 23, 2018, (b) (6), was notified by EPA management of the decision that (b) (6) would serve a 14 day suspension beginning on (b) (6), (b) (7)(C) 2018. No further action is expected (b) (6) in this case; therefore, this case is closed.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604**

CASE #: OI-CH-2018-ADM-0001

CROSS REFERENCE #: Case number

TITLE: (b) (6), (b) (7)(C), Chicago, IL

INTERVIEWEE (if applicable): Interviewee

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE CLOSING REPORT

VIOLATION(s): 18 U.S.C § 2252 (Possession, Distribution and Receipt of Child Pornography)

ALLEGATION(s): On September 22, 2017, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO) received a telephone call from (b) (6), (b) (7)(C) EPA Region 5, (b) (6), (b) (7)(C) related the following:

On September 5, 2017, (b) (6), (b) (7)(C) received a call from (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated that while packing to move (b) (6), (b) (7)(C) came across an old EPA laptop that needed to be returned. (b) (6), (b) (7)(C) made arrangements for the laptop to be mailed to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) researched the laptop, but no one had any record of (b) (6), (b) (7)(C) retaining an EPA assigned laptop.

(b) (6), (b) (7)(C) received the laptop computer on September 18, 2017. Upon receipt of the computer, (b) (6), (b) (7)(C) began to review the electronic content for any records that would need to be handled in accordance with the Agency's record retention policy. There were a few document files that were not records which (b) (6), (b) (7)(C) deleted. (b) (6), (b) (7)(C) believed this computer was in (b) (6), (b) (7)(C)' possession during the early 2000's which is when (b) (6), (b) (7)(C) received a disciplinary action. On March 20, 2005, (b) (6), (b) (7)(C) was suspended for 30 days for inappropriate behavior and misuse of a computer (sexual in nature). The offenses from this action were the misuse of government resources and (b) (6), (b) (7)(C) misrepresentations to the OIG about (b) (6), (b) (7)(C) misuse.

Based on this, (b) (6), (b) (7)(C) felt it necessary to make sure there was nothing inappropriate on the computer before returning the laptop to EPA inventory. (b) (6), (b) (7)(C) first looked at the internet history and saw that two searches of a sexual nature had been conducted. (b) (6), (b) (7)(C) did not open

CASE:
OI-CH-2018-ADM-0001
DATE OF ACTIVITY:
April 10, 2018

INTERVIEWEE (if applicable):
Interviewee
DRAFTED DATE:
April 10, 2018

AGENT(S):
SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION
Page 1 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.

these links but did a search to see if there were any images on the computer as a result of the these or any other internet searches. Running a search for image files led (b) (6), (b) (7)(C) to several files housed in the temporary internet file directory. While (b) (6), (b) (7)(C) did not open any of the files, the file names suggested that many contained images of a sexual nature. It was when (b) (6), (b) (7)(C) came across files with the term "boys" in the name that (b) (6), (b) (7)(C) stopped and turned the computer off. (b) (6), (b) (7)(C) was concerned the computer contained child pornography.

FINDINGS: On October 11, 2017, SA (b) (6), (b) (7)(C) requested investigative support from (b) (6), (b) (7)(C) EPA, OIG, OI, Electronics Crime Division (ECD). Specifically, SA (b) (6), (b) (7)(C) requested ECD to conduct an examination of an EPA laptop searching for child pornography.

On January 9, 2018, SA (b) (6), (b) (7)(C) received a report from ECD that no child pornography was found on the computer.

DISPOSITION: This case is not criminal and is solely an administrative matter. The investigation showed that the allegation was not supported. No further action is expected in this case; therefore, this case is closed.

CASE:
OI-CH-2018-ADM-0001

DATE OF ACTIVITY:
April 10, 2018

INTERVIEWEE (if applicable):
Interviewee

DRAFTED DATE:
April 10, 2018

AGENT(S):
SA (b) (6), (b) (7)(C)

RESTRICTED INFORMATION
Page 2 of 2

This report and any attachments are the property of the EPA Office of Inspector General, Office of Investigations and is loaned to your agency. It and its contents may not be reproduced or disclosed without written permission. This report contains information protected by the Privacy Act and is FOR OFFICIAL USE ONLY. Disclosure of this report to unauthorized persons is prohibited. See 5 U.S.C. 552a.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

DATE: February 1, 2018

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-RTP-2016-ADM-0070

CROSS REFERENCE #: N/A

TITLE: ALLEN-KEARNEY, NIRILLA, CONTRACTOR ORD NHEERL

CASE CLOSING REPORT

Table with 3 columns: Subject(s), Location, Other Data. Row 1: Allen-Kearney, Nirilla Lacho | Durham, NC | EPA Contractor

VIOLATIONS:

Conduct unbecoming of a Federal Employee/Contractor.

ALLEGATION:

On May 17, 2016, Special Agent (SA) (b) (6), (b) (7)(C) U. S. Environmental Protection Agency (EPA) Office of the Inspector General Office of Investigations assisted Special Agents from the Internal Revenue Service Criminal Investigations (IRS-CI) and the Federal Bureau of Investigation with the arrest of Nirilla Allen-Kearney, a contract employee with the EPA Office of Research and Development, National Health and Environmental Effects Research Lab, Research Triangle Park (RTP), NC. Allen-Kearney was arrested in the E301 conference room of the EPA RTP campus without incident.

FINDINGS:

On May 18, 2016, SA (b) (6), (b) (7)(C) provided the Indictment for Allen-Kearney and all other subjects of the investigations after it had been unsealed in court. Allen-Kearney was indicted on the following charges:

Count 1 - Title 21, United States Code, Section 841 (a) (1) To knowingly and intentionally distribute and possess with the intent to distribute cocaine, a Schedule II controlled substance, and marijuana, a Schedule I controlled substance.

Count 2 - Title 18, United States Code, Section L95 Did knowingly combine, conspire, and agree with each other and with other persons known and unknown to the Grand Jury to commit offenses against the United States.

Conspiracy underlying charge - Title 21 United States Code, Sections 841 (a) (1) and 846 - To knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions in fact involved the proceeds of specified unlawful

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency: it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

activity, that is, conspiracy to distribute and possess with the intent to distribute of cocaine and marijuana. And that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956 (a) (1) (B) (i). The manner and means used to accomplish the objectives of the conspiracy included, among others, the following: deposits of United States Currency utilizing individual nominee bank accounts with Bank of America to conceal the true payee, payments for apartments, houses, and phones by a nominee to conceal the true owner/user of those items A11 in violation of Title 18, United States Code, Section 1956 (h).

Allen-Kearney pled guilty for violating 18 USC 195(h) 18 Conspiracy to Commit Money Laundering. The EPA-OIG did not complete any additional investigative activities following the arrest.

DISPOSITION:

Supported; Closed

On August 25, 2016, the EPA Suspension and Debarment (S&D) division suspended Allen-Kearney from participating in government contracts. On September 12, 2017, Allen-Kearney was sentenced to 24 months' confinement by the Eastern District of North Carolina. On December 22, 2017, (b) (6), (b) (7)(C), EPA S&D Official, Washington, DC, debarred Allen-Kearney for three years, starting when Allen-Kearney was suspended. The debarment will terminate August 3, 2019. This investigation is closed.