

~~SECRET//TK//NF~~

Closure Memorandum

Case Number: 10-0081-I	Date of Entry: 29 Jan 2015
Primary Investigator: [redacted]	(b)(3)

Allegation Information

Narrative:
 NRO OIG proactive initiative identified individuals who, during the 12 week period from 11 May through 2 Aug 2009, were in the facility less than 25 hrs per week for 5 weeks or more. We eliminated part time employees. We then summarized time in the facility for the entire 12 week period and identified those with the largest percentage of time out of the facility, therefore requiring further analysis. Subject was out of the facility 70% of the time.

Last Investigative Step:
 Attempted communication with Raytheon requesting details of their investigation and follow-up to their 3 Oct 11 letter concluding a "lack of evidence substantiating the allegations."

Resolution:
 Substantiated

(b)(3)
(b)(7)(c)

Case Closure Justification

Summary
 (U//~~FOUO~~) The NRO OIG initiated the investigation based on results from the proactive initiative which indicated [redacted] was out of the facility 70% of the time. The OIG investigation revealed from 1 August 2009 through 14 March 2010 [redacted] charged 221 hours to NRO contracts that he did not work as claimed. This was discovered through an analysis of [redacted] timecard submissions compared to mostly badge records from the ADF-C and a Raytheon facility. According to [redacted] supervisor, [redacted] duties required him to spend the majority of his time inside these facilities.

(U//~~FOUO~~) During an interview in March 2011, [redacted] informed OIG investigators that he was made aware of the investigation through his supervisor which the OIG had previously interviewed. [redacted] asserted that most of his work time during the period in question was spent outside the ADF-C, although the investigative facts disclosed an opposing view. The investigation disclosed that [redacted] constantly had gaps of unaccounted time away from the ADF-C and the Raytheon facility. [redacted] advised he typically worked out daily at the ADF-C fitness center for approximately 1-1 1/2 hours. The gaps of unaccounted time mostly correlate with [redacted] fitness time and consistently charging 4.5 hours on Sundays, but with minimal, if any, time present at any facility. [redacted] advised that on Sundays he occasionally worked at the ADF-C and would also work from his home. [redacted] did not have any documentation or bona fide justification which authorized him to work from home. (b)(3)

(U//~~FOUO~~) A [redacted] ethics and compliance officer conducted an independent investigation to include an analysis of [redacted] badge records and timecards. The investigation disclosed hours that were unaccounted similar to that of the OIG investigation. The Raytheon investigation also included witness interviews to include Raytheon senior managers which advised that [redacted] potentially made up the hours by working at other facilities or from home. The OIG

~~SECRET//TK//NF~~

~~SECRET//TK//NF~~

requested specifics of Raytheon's investigation but those requests went unanswered. The OIG opines that given the surrounding facts of this investigation, the likelihood that [redacted] engaged in cost mischarging is more probable than not. If so, total monetary damage to NRO contracts based on a fully burdened rate would be \$24,170. (b)(3) (b)(7)(c)

(U//~~FOUO~~) The government program office was informed, but elected not to pursue the issue. RI&IS Ethics and General Counsel offices advised the OIG that [redacted] would be placed in a Raytheon facility in order to allow for closer scrutiny of his work hours. Based on the ADF-C [redacted] database, it appears [redacted] has not been issued a ADF-C permanent badge since early Jan of 2012. (b)(3)

(U//~~FOUO~~) OIG policy requires notification to Office of Security for substantiated investigations. OIG Investigations believed the allegation to be substantiated. However the contractor disagreed, but refused to provide supporting information. Further the government program office elected not to pursue. Due to other priorities OIG counsel was unable to provide timely guidance regarding notification to Office of Security. Due to the passage of time, this case is closed as substantiated, but with no notification to Office of Security.

~~SECRET//TK//NF~~