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NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE



INSPECTOR GENERAL

REPORT OF INVESTIGATION

7 October 2015

IV-14-0024

Alleged Time Card Fraud and False Claim

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Approved for Release by NSA on 10-30-2020, FOIA Case # 85643 (litigation)

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(U) FIELD INSPECTIONS

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I. (U) SUMMARY

(U//~~FOUO~~) This investigation was conducted in response to allegations that NSA employee, [redacted] GS-13, [redacted] Information Assurance Directorate, was submitting false timesheets, and also fabricated a travel receipt so that he would be reimbursed for transporting government equipment in conjunction with a temporary duty assignment (TDY).

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(U//~~FOUO~~) In addition to obtaining sworn testimony from [redacted] the OIG conducted interviews of his immediate supervisors, co-workers, and spouse.

(U//~~FOUO~~) Analysis of [redacted] timesheets and Access Control Records revealed discrepancies that supported the conclusion that [redacted] worked fewer hours than he claimed over an extended period of time. [redacted] claimed he had been working at home but he had no approved telework agreement and in July 2013, his supervisor specifically told him he could not telework. Additionally, [redacted] manufactured receipts in conjunction with a TDY to claim expenses that he did not actually incur. [redacted] voluntarily resigned from NSA on [redacted]

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(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted]

1) (U//~~FOUO~~) During the period 1 August 2013 until 11 July 2014, knowingly submitted false timesheets, for a total shortfall to the Government of 612.25 hours (approximately $27,257), in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 360, § 2-7 (a); NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B); and 31 U.S.C. § 3802; and
2) (U//~~FOUO~~) Made a false claim when he submitted three receipts that he manufactured -- two for transportation to and from the airport and one for transport of excess baggage -- totaling $1340.00, in violation of NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B), and 31 U.S.C. § 3802.[1]

(U//~~FOUO~~) A summary of the findings will be forwarded to Q242, Special Actions, for information.

[1] (U//~~FOUO~~) [redacted] may have also violated 18 U.S.C. §§ 287 and 1001 by knowingly and willfully submitting false timesheets and false travel receipts. This potential violation was reported to the United States Attorney's Office, but on [redacted] the Assistant United States Attorney for the District of Maryland declined to pursue the case for prosecution.

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II. (U) BACKGROUND

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(U) Introduction

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(U//~~FOUO~~) Prior to his resignation, [redacted] was a [redacted] GG-13/02, working in [redacted] within the Information Assurance Directorate (IAD). He entered on duty with NSA on [redacted] beginning his career as a Cooperative Education Engineering Student, GS-06. He was promoted to GS-13 while working in [redacted] in June 2013.

(U//~~FOUO~~) In November 2013 the OIG was notified that [redacted] was working from home, without approval from his supervisor. The allegation also stated that [redacted] was rarely in the office and that when he did come into work, he was arriving late and leaving early, without approval from his supervisor, and that [redacted] was "cheating" on his hours, claiming more hours on his timesheets than he actually worked. Additionally, it was alleged that after returning from a TDY, [redacted] created a fake receipt in order to be compensated for excess baggage expenses for which he was actually not charged.

(U) Applicable Authorities

(U) The investigation considered possible violations of the following authorities. Full citations are contained in Appendix A.

(U) 31 U.S.C. § 3802 – False Claims and Statements; liability

(U) NSA/CSS PMM, Chapter 360 – Time and Attendance

(U) NSA/CSS PMM, Chapter 366 – Personal Conduct

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III. (U) FINDINGS

(U//~~FOUO~~) ***ALLEGATION 1: Did [redacted] knowingly and willfully submit inaccurate timesheets during the period of 1 August 2013 through 11 July 2014, in violation of law and policy?***

(U//~~FOUO~~) CONCLUSION: Substantiated.

(U) Documentary Evidence

(U//~~FOUO~~) **Appendix B -- [redacted] Employee Profile**

(U//~~FOUO~~) This document provides [redacted] work history while employed by NSA. The profile is "Inactive" since [redacted] voluntarily resigned on [redacted]

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(U//~~FOUO~~) **Appendix C – Timesheets and Access Control Records Comparison**

(U//~~FOUO~~) Access Control Records pertaining to [redacted] for the time period 1 August 2013 through 11 July 2014 were compared to time sheets submitted by [redacted] for the same time period.[2] When timesheets and access control records were compared, there were 993.25 discrepant hours initially; these are the hours that [redacted] claimed on his timecard, but was not within access controlled space. After reviewing the time periods when [redacted] was TDY, as well as dates he was subject to furlough, and on one occasion, on a visit to another government agency, the OIG reduced the discrepant hours to 736. [redacted] subsequently provided additional mitigation in his response to the tentative conclusions (Appendix H), thereby further reducing the discrepant hours to 612.25.

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(U//~~FOUO~~) **Appendix D – [redacted] Response to OIG Time and Attendance Discrepancies, dated 15 August 2014**

(U//~~FOUO~~) This letter, from [redacted] attorney, indicates that since [redacted] job duties often required him to work from remote locations, it is not surprising that his badge records do not capture all the hours that he worked. The letter did not forward any specific information regarding [redacted] activities to mitigate the discrepant hours, stating that because [redacted] had left the Agency, he no longer had access to work records.

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[2] (U//~~FOUO~~) The OIG compared [redacted] timesheets against Access Control Records for the period 13 December 2012 to 11 July 2014, and initially found 1605 discrepant hours. However, [redacted] supervisor until July 2013, [redacted] allowed [redacted] to work outside of the office, even though he did not execute the required telework agreement. Accordingly, the OIG substantiated the allegation of false time and attendance claims for only the period starting 1 August 2013.

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(U) Testimonial Evidence

(U//~~FOUO~~)

(U//~~FOUO~~) On 13 December 2013, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) has worked with since July 2012. is not in the office consistently. He comes in late and leaves significantly early almost every day. His time and attendance has not improved much since current supervisor, told him he could no longer work from home. continues to attempt to work from home, saying he needs to because but he has been unable to get approval. has never seen work a full week in the office. A few people complained to prior supervisor, about time and attendance. who was a friend of did not seem concerned about his time and attendance, and offered work-related explanations for his absences.

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(U//~~FOUO~~) On 19 December 2013, was interviewed and provided the following sworn testimony.

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(U//~~FOUO~~) has worked with for about a year. If lucky, she sees once a week when he reports to work, typically not for the full day. assumes is at home when he is not at work. personnel are not authorized to work from home. recently asked her supervisor about whether telework was an option because she lives a great distance from work. She was told it was not allowed. People in the office are trusted to work their eight hours, and can flex their schedules as long as they update JSIGNOUT as to their whereabouts. personnel do not have to request leave in advance. Typically, they can just notify the supervisor that they want to be off that day; the same policy holds for early departures. frequently takes advantage of these office policies. He does not typically document JSIGNOUT; sometimes other people in the office will update it for him. The last time spoke with he apologized for not being in the office more, saying he was not around because he was upset about something. told him he should work through his problems in the office and that she was irritated because his absences have been holding her work up and hampering the office. pledged to do better and come in more consistently, but has not improved his attendance as of yet. At some point about a year or more ago, Chief emphasized that when individuals were going to be absent, they needed to speak with a supervisor or the Office Manager, has been calling to tell her he is not going to be in; is frustrated by the number of calls he makes to her.

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(U//~~FOUO~~)

(U//~~FOUO~~) On 7 May 2014, was interviewed and provided the following sworn testimony.

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(U//~~FOUO~~) Both and joined in summer 2011. was the Branch and then Acting Division Chief until arrived in approximately July 2013. directly supervised while he was the chief.

(U//~~FOUO~~) is a top notch engineer, a hard core developer, who has all the necessary skills for the mission. His performance under was outstanding.

(U//~~FOUO~~) would sometimes be questioned by his subordinates regarding hours. Consistent with the mission, had to conduct a great deal of research over the Internet; He spent a lot of time at local vendor sites. He was also the the lead on and the lead for the allowed considerable autonomy in terms of his schedule: "I knew what he was doing and most of the time, I knew where he was, and could get a hold of him." who worked a very late schedule, arriving around lunchtime most days, generally was in the office at least half of the day; he maybe worked outside of the office for full days on occasion, but does not think that was the norm. He also worked out of on occasion. He visited vendor locations on occasion as well, particularly When was the Acting Chief, in absence, he had a problem with schedule, and may have filed a complaint.

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(U//~~FOUO~~) At some point, and/or supervisors, asked why did not have a completed telework agreement.[3] did not know the agreement was required; he never instituted one either, since took over soon thereafter, in summer 2013. stopped work outside the office: "Soon after came on board, they told no more telework, unless pre-approved on a case by case basis."

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[3] (U//~~FOUO~~) On 9 July 2013, an anonymous complaint was filed with the OIG about The complaint said was a person that "never shows up for work," yet was promoted The OIG notified and who were division managers at the time, of the complaint. responded on 10 July 2013, saying he spoke to about time and attendance. On 10 September 2015, the OIG contacted asking him if at the time of the July 2013 complaint, he had addressed telework. responded: "To the best of my recollection, I spoke with about telework and told him it needed to stop until such time as it was appropriately documented and approved. I can't specifically say when that conversation occurred or what exactly was conveyed, but it was part of my investigation into the original allegations…" was also contacted, on 9 September 2015, and he emailed the following to the OIG: "To the best of my recollection…I provided specific direction to leadership some time in mid July 2013 or no later than early August 2013, that did not support telework hours…and that all official government work was to be conducted locally at or approved NSA locations…as my official response to and workforce telework expectations…"

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(U//~~FOUO~~) was giving more than 8 hour days when he worked for because respects him. was telling him what he was doing and where, and he was okay with that. is not sure if respects his current management. However, he has not seen anything to indicate is not working a full day. had no means to check hours when he worked for him; and he did not want to check them because he did not want to damage their relationship. His performance was exceptional and he was getting the job done. He did not keep any records on time and attendance. He did track his hours for a pay period on one occasion, and found no discrepancies. had to frequently call to complete his timesheet at the end of the pay period. He opined that is too smart to commit timecard fraud.

(U//~~FOUO~~) never decided that did not have to work 8 hours a day, he just trusted him to work a full day. is a creative person, so to get maximum value out of him, he had to be managed a little differently. told him he would work in the office for 8 hours every day if that is what wanted, but that if he did so, there would be things he would not be able to accomplish. agreed with at the time, but later told him there were could have used to accomplish his work from the office. At that time, also told him about the need for a telework agreement.

(U//~~FOUO~~) **Contractor Employee,**

(U//~~FOUO~~) On 15 May 2014, was interviewed and provided the following sworn testimony.

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(U//~~FOUO~~) met when he started working in in April 2013. is very bright and has a passion for the work. was often partnered up with When first came into the office, the prevailing thought was that employees and contractors could work from home when needed to conduct research that could not be performed from a government computer. The two would sometimes be working on a project for several hours on a particular day, or leave early to conduct research on the Internet. Once or twice, they were out of the office for a whole day or at most, two days. However, at some point in fall, 2013, the Contracting Officer Representative (COR) said work at home was not authorized.

(U//~~FOUO~~) On one occasion, in early 2014, was supposed to go to with did not make the meeting, but someone subsequently told that was talking about being at the meeting. reported the matter to he is not sure if actually claimed time for the meeting.

(U//~~FOUO~~) does not know if has been committing time card fraud. However, he has noticed is rarely in the office, and as noted, the team has been explicitly told not to work from home. At one point, supervisor, talked to about his attendance, and he started showing up regularly for a time period.

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But in March or April, 2014, [redacted] became frustrated after someone cleaned up his desk in his absence, and he was once again rarely in the office.

(U//~~FOUO~~) [redacted] Chief, [redacted]

(U//~~FOUO~~) On 8 April 2014, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] became [redacted] supervisor in late June or early July 2013 [redacted] typically has daily contact with [redacted] is technically strong, and passionate about his work, but he is loud and boisterous. He runs his mouth inappropriately at times. Right now, [redacted] is reluctant to send him out to the field. He did allow [redacted] to go to [redacted] for a two week job, which he is on at present. After this trip, he probably will limit him to the office.

(U//~~FOUO~~) [redacted] is habitually late in completing his timesheet, despite [redacted] prompting to complete it each day. He misses a lot of time from work, but calls [redacted] on those days 99% of the time. [redacted] has been sick a lot, and also takes leave to take care of his wife fairly often. He takes a few hours to a day off each pay period.

(U//~~FOUO~~) [redacted] works at his desk at [redacted] or occasionally at [redacted] Once in a while, he [redacted] building. For instance, he was at the [redacted] in mid June and much of July 2013. All of the aforementioned areas have CONFIRM turnstiles. [redacted] used to allow [redacted] to telecommute on occasion, but [redacted] boss, [redacted] told him to cut off any telecommuting for [redacted] immediately when he arrived (footnote 2, page 5).

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(U//~~FOUO~~) [redacted] has a good rapport with [redacted] and is going to talk to him soon to let him know he needs to watch what he says, complete his time sheets on time; and act professionally. [redacted] was lax with rules for [redacted] when he supervised him.

(U//~~FOUO~~) On 19 October 2013, [redacted] and a contractor employee, [redacted] were at a "Cigar Bar" with their government laptops. [redacted] was chastised by his management for this and now is trying to separate himself from [redacted] told [redacted] he cannot be working out of a cigar bar with his government laptop and how ludicrous it was. [redacted] promised not to do it again.

(U//~~FOUO~~) On a TDY to [redacted] in fall, 2013, [redacted] came in late several days. [redacted] had to wake him up a few days to get him to go into work. [redacted] was difficult to get in touch with then, despite [redacted] telling him to be available due to the impending government shut down. He made numerous excuses why he wasn't available when [redacted] finally reached him.

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(U//~~FOUO~~)

(U//~~FOUO~~) was interviewed and provided the following sworn testimony. signed a voluntary consent form prior to his testimony.

(U//~~FOUO~~) for the team. He has also been involved in a lot of customer engagements. He does not have a telework agreement, however.

(U//~~FOUO~~) When supervised him, he thinks he was approved to work at home, as long as it "never got above the radar." was his supervisor until about July 2013. Neither nor was aware that he needed a formal telework agreement. subsequently saw an Agency All about the need for a telework agreement and approached his supervisor then, about getting it approved. At some point, told and a contractor employee, that they could no longer work at home. Despite not having the authority to do so, continued to work at home, in order to get the mission completed. It was a questionable decision.

(U//~~FOUO~~) talked to him multiple times about his late arrival times at work, as did supervisor. He talked about going to EEOD to see if there was an accommodation for but never followed through. His management told him they could work with him, but said "maybe it's time to move on, you've been here two-and-a-half years." decided to go to after hearing that, and was scheduled to start working for them in

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(U//~~FOUO~~) thinks his management was tired of him because he reported vulnerabilities as a Compliance Officer. For instance, there was and he questioned whether they had authorization. The concern he raised ultimately resulted in stated warnings and a consent form for He has been seen as a troublemaker because he does not mind telling the bosses when the office is not allowed to do something. He has expressed his unhappiness with the technology available to the office, and the fact that a lot of the equipment they have is not even being used. His inconsistent attendance at work was a big reason they were tired of him as well. He has missed a lot of time due to his and his wife's health problems, and only has about 36 hours of annual leave and four hours of sick leave.

(U//~~FOUO~~) made an "error in judgment" by continuing to work at home after his manager specifically told him not to work from home any more. He admits he did not communicate with his management as he should or make the appropriate effort to let them know where he was at all times. He does not know if anyone will be able to corroborate the hours he worked at home: "I am screwed." He is more than willing to pay the Agency back for any hours that are discrepant.

(U//~~FOUO~~) [redacted] was given spreadsheets regarding his time and attendance discrepancies from December 2012 until April 2014.[4] He responded, "To use one letter of the alphabet, I am pretty F'd. I screwed up…Even if I am able to explain some of the hours…me being not authorized to work from home without a telework agreement …I will not be able to satisfactorily explain a good bit of the hours…."

(U) Analysis and Conclusions

(U//~~FOUO~~) 31 U.S.C. § 3802 prohibits any person from making, presenting, or submitting a false fictitious or fraudulent claim. NSA/CSS PMM Chapter 360, Section 2-7, mandates that employees "ensure that all information relevant to their time and attendance is recorded accurately," NSA/CSS PMM Chapter 366, Section 2-1(K), states that employees "will not knowingly make or present a false or fraudulent statement or claim," and NSA/CSS PMM Chapter 366, Section 2-2, states that employees "must be . . . trustworthy; reliable; of excellent character, judgment and discretion . . . Any conduct . . . that brings into question these character traits may be cause for . . . administrative action . . . [including] B. Deliberate misrepresentations, falsifications, or omission of material facts in any Agency document…" Under applicable legal standards, a person "knowingly" makes a false statement whenever he or she acts with knowledge of its falsity or acts with reckless disregard of whether the statement is true.

(U//~~FOUO~~) After receiving the allegation that [redacted] was submitting false timesheets, the OIG examined [redacted] timesheets against access control records for the time period 13 December 2012 through 11 July 2014, and initially found 1605 discrepant hours. When interviewed by the OIG, [redacted] testified that when he was [redacted] direct supervisor, he allowed him to work from home. ([redacted] did not have an approved telework agreement. Both [redacted] and [redacted] stated they did not know a telework agreement was required.) [redacted] supervised [redacted] from 2011 until July 2013.

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(U//~~FOUO~~) Considering the collective testimony of [redacted] his co-workers and his supervisors, it is likely that [redacted] was submitting false time sheets prior to August 2013. However, because [redacted] approved his work outside NSA spaces, and did not take action to regularly check on [redacted] work hours, the OIG is unable to reliably quantify the number of false hours claimed by [redacted] prior to 1 August 2013.

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(U//~~FOUO~~) Upon becoming [redacted] supervisor in July 2013, [redacted] clearly told [redacted] that he was no longer approved to telework – a fact acknowledged by [redacted] Despite the guidance from [redacted] reported to the [redacted] office space only sporadically between August 2013 and July 2014. The OIG's comparison of access control records and the timesheets submitted by [redacted] for the period 1 August 2013 to 11 July 2014 initially revealed 993.75 discrepant hours. During the aforementioned period, [redacted]

[4] (U//~~FOUO~~) Following the interview, [redacted] identified [redacted] as his legal representative. In addition to the spreadsheet that was provided to [redacted] a second spreadsheet was provided to [redacted] on 4 August 2014 regarding [redacted] time and attendance discrepancies between April 2014 and 11 July 2014.

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badge records indicated he did not enter NSA facilities at all on 76 days for which he claimed hours worked, resulting in 625.50 discrepant hours. However, on 18 of the "no access" days, [redacted] was TDY, and on four of the days, NSA employees were furloughed. The OIG subtracted the 195 hours he claimed to work on the TDY days and 30.50 furlough hours from the 625.50 discrepant hours.

(U//~~FOUO~~) Additionally, on 104 work days between 1 August 2013 and 11 July 2014, the hours [redacted] claimed he worked were different from the hours access control records indicate he was inside of an NSA facility, resulting in an additional discrepancy of 368.25 hours. [redacted] apparently left work earlier and arrived to work later than he claimed on his timesheet, or was absent during the middle of the work day, without explanation or approval from his supervisor. The OIG adjusted those hours as well in conjunction with [redacted] TDYs, as well as one furlough day, and one day he visited another government agency, and further reduced the discrepancy by 32.25 hours.

(U//~~FOUO~~) Thus, the total number of discrepant hours for [redacted] was 736. However, after [redacted] legal representative responded to the OIG tentative conclusions, providing further mitigating information, the total number of discrepant hours was reduced to 612.25 hours (Appendix C).

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(U//~~FOUO~~) When interviewed by the OIG, [redacted] admitted he made an "error in judgment" by continuing to work at home after his manager specifically told him not to work from home any longer. He admits he did not communicate with his management as he should have or make the appropriate effort to let them know where he was at all times. He does not know if anyone will be able to corroborate the hours he worked at home. He indicated the time and attendance discrepancies will be difficult, if not nearly impossible, to explain.

(U//~~FOUO~~) During his interview, [redacted] also acknowledged that both [redacted] (his supervisor) and [redacted] supervisor) counseled him multiple times about his late arrival times at work.

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(U//~~FOUO~~) [redacted] written response to the time and attendance discrepancies, submitted through his legal representative (Appendix D), states that [redacted] supervisors gave him the flexibility to perform his work at alternate locations so it is not surprising that his badge records do not capture all the hours he worked, but it does not address why he continued to work outside of NSA spaces after being explicitly told not to telework by [redacted] told the OIG that once he became [redacted] supervisor, unless specifically approved otherwise, [redacted] should have been working at either his desk in [redacted] or on occasion at the [redacted] in Fort Meade, Maryland. All of these facilities have CONFIRM turnstiles; entry and exit times are captured in the Access Control Records.

(U//~~FOUO~~) In light of the above, the OIG finds that the preponderant evidence supports the conclusion that during the period 1 August 2013 and 11 July 2014, [redacted] knowingly and willfully submitted false timesheets, for a total shortfall to the Government of 612.25 hours

(approximately $27,257), in violation of NSA/CSS PMM, Chapter 360, § 2-7 (a); NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B); and 31 U.S.C. § 3802.

(U//~~FOUO~~) ***ALLEGATION 2: Did*** [redacted] ***falsify receipts indicating he had been charged for shipment of excess baggage as well as transportation to and from the airport, in conjunction with being reimbursed for his travel costs, in violation of law and policy?***

(U//~~FOUO~~) ***CONCLUSION: Substantiated.***

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((U) Documentary Evidence

(U//~~FOUO~~) **Appendix E – Request and Travel Authorization/Expense Report, digitally signed by** [redacted] **on 13 September 2013.**

(U//~~FOUO~~) This document was submitted to NSA Travel by [redacted] after he completed temporary duty (TDY) to [redacted] and [redacted] from 22 September 2013 until 30 September 2013. The document, which [redacted] submitted in order to be reimbursed for travel expenses incurred on the TDY, indicates Actual Reimbursable Expenses of $3430 for "Excess Baggage," and $130.00 for "Taxi."

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(U//~~FOUO~~) **Appendix F –Receipts from** [redacted] **two dated 22 September 2013, and two dated 30 September 2013.**

(U//~~FOUO~~) The two documents dated 22 September 2013, one in [redacted] name, and one for [redacted] are for "Airport Transportation Special Home to BWI." [redacted] receipt totals $65.00 while [redacted] is for $50.00. The two documents dated 30 September 2013 are in [redacted] name. One of those documents is a receipt for $1210.00 for Baggage Fees, while the other is a $65.00 charge for "Airport Transportation Special BWI to Home." [redacted] submitted the three receipts in his name to NSA Travel for reimbursement.

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(U//~~FOUO~~) **Appendix G –Travel Voucher Summary, dated 24 October 2013.**

(U//~~FOUO~~) This document, compiled by Travel Entitlements, details the amount of reimbursement that [redacted] received for his TDY to [redacted] and [redacted] Charges for $3430.00 for "Excess Baggage", and $130.00 for "Taxi/Limo", are included under "Approved Reimbursable Expenses."

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(U) Testimonial Evidence

(U//~~FOUO~~)

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(b)(6)

(U//~~FOUO~~) On 13 December 2013, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) performed a TDY to with and contractor in September 2013. On the flight to had a significant amount of government equipment to ship. The cost to ship the equipment to was approximately $1100. and proceeded to from and again, was charged approximately $1100 for shipping the equipment. When they went to return from to Maryland, for some reason, the airline did not charge for shipping the equipment. told he could make $1100 on the trip since he was not charged for the shipping. He said he could make a fake receipt. About three weeks later, and were discussing their Request for Travel Authorizations (RTAs), and some difficulty was having getting reimbursed. showed his expense report, which indicated was reimbursed over $3000 for baggage. A few weeks later, bragged in front of several people about his ability to create any receipt he needed.

(U//~~FOUO~~)

(U//~~FOUO~~) On 15 May 2014, was interviewed and provided the following sworn testimony.

(b)(3)-P.L. 86-36
(b)(6)

(U//~~FOUO~~) was TDY with to and in September/October 2013. Due to the government shutdown at the time, they were given notice that they should take the next flight home from to Baltimore. They did not have access to the laptop cases they used to transport all their work equipment for the trip, so they had to purchase two suitcases from Big Lots to get the laptops and other gear on the plane. He thinks spent between $110 and $120 for the suitcases, which were very large. later mentioned to management that the "car service" he uses provided the suitcases and that he hoped to get reimbursed for them. found his statement curious since he was with when they bought the suitcases themselves. Further, wife drove them to and from the BWI Marshall airport in truck on the TDY vice using a "car service." Subsequent to the TDY, gave a copy of a receipt for the use of the car service so that could submit it for reimbursement. did not use the receipt, which he suspected may not be legitimate.

(U//~~FOUO~~) was with when he incurred an $1100 baggage charge for three transit cases plus his suitcase when they went from BWI to He could not verify the baggage costs for flights to or home; however, he thinks the cost was reduced from to BWI since they had purchased the two suitcases.

(b)(3)-P.L. 86-36

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(b) (3)-P.L. 86-36
(b) (6)

(U//~~FOUO~~)

(U//~~FOUO~~) On 28 May 2014, was interviewed and provided the following sworn testimony.[5]

(U//~~FOUO~~) is the spouse of She told she was meeting with an NSA investigator and he told her to cooperate fully. said her business operates by word of mouth, conducting such services as shuttling individuals to the airport and assisting with the shipment of baggage.

(b) (6)

(U//~~FOUO~~) has a large SUV and used that to transport and a co-worker to and from the airport on his TDY to and They carried all of his government equipment in the back of her truck. She said it was only option, due to the impending government shutdown. When asked about the $1210 receipt for (Appendix E) dated 30 September 2013, said paid her the amount with his personal Visa, and she paid for the baggage transport. She said she visited the website and arrived at the cost based on excess baggage charges as listed online. She could not explain how she made money off the transaction or how would benefit from paying her vice paying directly for the transport of excess baggage.

(b) (6)

(U//~~FOUO~~) has been busy with her full time job, and has not had much time to devote to She was vague about services she has provided to other Agency employees and contractors, but estimated that she has assisted with five or six Permanent Change of Station (PCS) moves. She also claimed she shipped a dog on three occasions for the wife of an Agency contractor.

(U//~~FOUO~~) has paid taxes on the income she has earned through [6]

(U//~~FOUO~~)

(b) (3)-P.L. 86-36

(U//~~FOUO~~) was interviewed and provided the following sworn testimony. signed a voluntary consent form prior to his testimony.

(U//~~FOUO~~) In late September 2013, performed a TDY to and with and He was responsible for four transit cases which

(b) (3)-P.L. 86-36
(b) (6)

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[5] (U//~~FOUO~~) When telephonically contacted to arrange the interview, the witness said her name was and she maintained the name throughout the interview. However, in a subsequent interview with the OIG, said his wife's name was actually He said had nothing to do with the receipts, and that they were solely manufactured by him.

[6] (U//~~FOUO~~) A search of the Maryland Department of Taxation and Assessment for yielded no results. Additionally, the OIG found no online presence for the business.

contained [redacted]. He took an [redacted] flight to [redacted] and paid [redacted] approximately $1400 on his government credit card for the shipping. His wife drove him to the airport. He submitted a receipt for his transport to the airport to NSA Travel, under the name [redacted] seeking reimbursement. His wife, [redacted] had a side business, which he helped her with, under that name. "It may have been a lack of judgment on my part…It does seem like a conflict of interest. I probably should not have…."

(b)(6)

(U//~~FOUO~~) [redacted] then flew to [redacted] with all the equipment, paying the airline with his government credit card for the shipping. He was then told that due to the impending government furlough, he and his co-workers should return to Maryland on the next flight. Much of the equipment he had shipped was not in his possession at the time, but was at [redacted] to include the transit cases. [redacted] went to Big Lots and bought two large suitcases for approximately $110 each, to utilize to bring the government laptops back to Maryland. He initially said he paid for the shipment of the two large suitcases through a personal credit card.

(U//~~FOUO~~) [redacted] submitted a receipt for the baggage being returned, using [redacted] When shown the receipt during the interview, which totals $1,210, [redacted] said "I can see how that looks, Sir…definitely a fallacy in judgment…this (receipt) is my work. I will not put any of this on my wife." [redacted] listed what he thought were the reasonable prices for shipping himself. He has receipts for the purchase of the suitcases.

(b)(3)-P.L. 86-36
(b)(6)

(U//~~FOUO~~) "Maybe they did not charge me….I don't know Sir. I don't watch my credit cards closely…"

(U//~~FOUO~~) [redacted] agreed that it was wrong to charge the government for the receipt if he was not sure whether or not he was actually charged for shipping the baggage.

(U//~~FOUO~~) When asked if he had actually manufactured the receipt knowing he had not been charged, because it was reasonable that he could have been charged, [redacted] said, "I plead no contest…I will not deny that…this was extremely poor judgment on my part…." [redacted] admitted to manufacturing the taxi receipts as well. "It was definitely a conflict of interest that I should have not engaged in…I should not have involved [redacted] either, by giving him a receipt." His wife was not involved with the falsification of receipts, and he never exchanged money with her as a result of the receipt. He will take 100% full responsibility for the receipt: "I manufactured the receipt, yes…it was an honest mistake…I can't understand why they would not have charged me…I should have gone back, done due diligence on it…"

(U//~~FOUO~~) [redacted] would like to reimburse the government for the receipts that he manufactured, to include one he made for [redacted]. "I've screwed up…There's no excuse for this. This was a failure in judgment, that I was 100% at fault for…."

(b)(3)-P.L. 86-36

(U) Analysis and Conclusions

(U//~~FOUO~~) 31 U.S.C § 3802 states that "any person who makes, presents, or submits, or causes to be made…or submitted, a claim that the person knows or has reason to know…is false, fictitious, or fraudulent… includes or is supported by any written statement which asserts a material fact which is false, fictitious or fraudulent…shall be subject to, in addition to any other remedy that may be prescribed by law, a civil penalty of not more than $5000 for each such claim…." Additionally, PMM Chapter 366, Section 2-1(K), states that "Employees will not knowingly make or present a false or fraudulent statement or claim…or, knowingly and willfully falsify or conceal a material fact by a trick, scheme or device." PMM Chapter 366, Section 2-2 (B) states that "Employees . . . must be stable, trustworthy; reliable; of excellent character, judgment and discretion…Any conduct…that brings into question these character traits may be cause for appropriate security action and in some cases administrative action. The following illustrations are provided as examples…B. Deliberate misrepresentations, falsifications, or omission or material facts in any Agency document…" Under applicable legal standards, a person "knowingly" makes a false statement whenever he or she acts with knowledge of its falsity or acts with reckless disregard of whether the statement is true. (b) (6)

(U//~~FOUO~~) When interviewed by the OIG [redacted] stated, under oath, that he manufactured three receipts in his name and submitted them for reimbursement: one receipt for shipment of excess baggage for $1210.00; and two receipts for taxi to and from the airport, totaling $130.00. NSA Travel Entitlements paid him a total of $1340.00, based on the receipts. Additionally, unsolicited, he also provided a receipt to a contractor employee for $50.00. The contractor employee, [redacted] realized the receipt was not legitimate since [redacted] wife transported [redacted] and [redacted] to and from the airport on their TDY. [redacted] told the OIG he did not submit the receipt for reimbursement. (b) (3)-P.L. 86-36

(U//~~FOUO~~) [redacted] legitimately incurred charges for transporting the government equipment when he flew to [redacted] and then subsequently to [redacted] He knew that it would be reasonable to incur a similar charge on his return trip to Maryland. When he was not charged, [redacted] manufactured the excess baggage receipt to capitalize on the opportunity presented to him to defraud the government for $1210.00. He also manufactured the taxi receipts so that he could be paid an additional $130.00, though he was transported to and from the airport by his wife.[7] [redacted] admitted to submitting the receipts he manufactured.

(U//~~FOUO~~) Thus, the OIG finds by a preponderance of the evidence that [redacted] made false claims and false statements when he submitted the receipts he fabricated for reimbursement for charges he did not incur in violation of NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B); and 31 U.S.C. § 3802.

(b) (3)-P.L. 86-36
(b) (6)

[7] (U//~~FOUO~~) Had [redacted] chosen to claim the mileage for his wife's trip from the airport to the [redacted] residence, he would have been entitled to be reimbursed for it.

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IV. (U) RESPONSE TO TENTATIVE CONCLUSIONS

(U//~~FOUO~~) On 11 May 2015, the OIG sent [redacted] via his legal representative, the tentative conclusions of this investigation. On 14 August 2015, [redacted] legal representative responded to the OIG's tentative conclusions (Appendix H). The response indicated that [redacted] was in training or conducting team demonstrations outside of NSA spaces on the following days:

21-24 January 2014

27-31 January 2014

10-12 February 2014

19-23 May 2014.

(U//~~FOUO~~) [redacted] representative also indicated in the response that on 18 and 19 March 2014, [redacted] was specifically approved to telework by his supervision.

(U//~~FOUO~~) After confirming [redacted] training and team demonstrations, as well as the authorized telework on 18 and 19 March 2014, the OIG reduced the number of discrepant hours to 612.25 (Appendix C).[8]

(b)(3)-P.L. 86-36
(b)(6)

(U//~~FOUO~~) The response also stated that:

> [redacted] began reporting to a new supervisor in August 2013, "but there is no evidence that his new supervisor promptly informed him that he should change how of (sic) where he was performing his job. [redacted] apparently did speak with his new supervisor about working off-site in late October 2013, but there is no clear evidence that any conversation on this topic occurred prior to that time. [redacted] time entries from August through October 2013, like his time prior to August 2013, should not be included in any calculation of potential discrepancies given these facts."

[8] (U//~~FOUO~~) The Response to the Tentative Conclusions was the first time [redacted] provided specific information regarding training and telework. The OIG initially provided [redacted] a spreadsheet detailing the discrepancies between hours claimed and hours documented within NSA spaces. On 4 August 2014, the OIG sent [redacted] attorney a spreadsheet detailing the discrepancies in full. [redacted] attorney responded via a letter dated 15 August 2014 (Appendix D). The letter stated: "I wish that I could provide you with more detailed information on [redacted] daily activities, and his interactions with his supervisors, but [redacted] ability to provide that information is limited by his lack of access to work records, and to the statements made by his superviors…"

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(U//~~FOUO~~) In response to this statement, the OIG again reviewed sworn testimony from multiple witnesses, to include [redacted] and [redacted]. As noted, on 9 July 2013, an anonymous complaint was filed with the OIG about [redacted] alleging that [redacted] was a person that "never shows up for work," yet was promoted. After being notified by the OIG about the complaint, [redacted] who was a Deputy Division Chief at the time, responded then that he spoke to [redacted] about [redacted] time and attendance. On 10 September 2015, the OIG contacted [redacted] asking him if at the time of the July 2013 complaint, he addressed [redacted] telework. [redacted] responded: "To the best of my recollection, I spoke with [redacted] about [redacted] telework and told him it needed to stop until such time as it was appropriately documented and approved. I can't specifically say when that conversation occurred or what exactly was conveyed, but it was part of my investigation into the original allegations…" [redacted] who was Division Chief in July 2013, was also contacted, on 9 September 2015, and he emailed the following to the OIG: "To the best of my recollection…I provided specific direction to… [redacted] leadership some time in mid July 2013 or no later than early August 2013, that [redacted] did not support telework hours…and that all official government work was to be conducted locally at [redacted] or approved NSA locations…as my official response to [redacted] and [redacted] workforce telework expectations. Additionally, during his interview with the OIG, [redacted] recalled that soon after [redacted] took over as [redacted] supervisor, "they" told [redacted] he could not telework unless it was pre-approved for a specific purpose. [redacted] testified that soon after he became the supervisor [July 2013], [redacted] told him to stop [redacted] telework. After considering the testimony of the four supervisors, the OIG concluded that the guidance about ceasing telework was provided to [redacted] in July 2013. Accordingly, the OIG did not further reduce [redacted] discrepant hours of 612.25.

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36
(b)(6)

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V. (U) CONCLUSIONS

(b)(3)-P.L. 86-36
(b)(6)

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted]

(U//~~FOUO~~) During the period 1 August 2013 until 11 July 2014, knowingly submitted false timesheets, for a total shortfall to the Government of 612.25 hours (approximately $27,257), in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 360, § 2-7 (a); NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B); and 31 U.S.C. § 3802; and

(U//~~FOUO~~) Made a false claim when he submitted three receipts that he manufactured -- two for transportation to and from the airport and one for transport of excess baggage -- totaling $1340.00, in violation of NSA/CSS PMM, Chapter 366, §§ 2-1(K) and 2-2(B), and 31 U.S.C. § 3802.

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VI. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) A copy or summary of this report of investigation will be provided to Q242, Special Actions, for information and any appropriate action.

[redacted]
Senior Investigator

(b)(3)-P.L. 86-36

Concurred by:

[redacted]
Assistant Inspector General
for
Investigations

Doc ID: 6711055

APPENDIX A

(U) Applicable Authorities

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(U) 31 U.S.C. § 3802 – *False Claims and Statements; liability*

(a)(1) Any person who makes, presents, or submits, or causes to be made, presented, or submitted, a claim that the person knows or has reason to know—

(A) is false, fictitious, or fraudulent;

(B) includes or is supported be any written statement which asserts a material fact which is false, fictitious, or fraudulent;

(C) includes or is supported by any written statement that—

(i) omits a material fact;

(ii) is false, fictitious, or fraudulent as a result of such omission; and

(iii) is a statement in which the person making, presenting, or submitting such statement has a duty to include such material fact; or

(D) is payment for the provision of property or services which the person has not provided as claimed,

Shall be subject to, in addition to any other remedy that may be prescribed by law, a civil penalty of not more than $5,000 for each such claim. Except as provided in paragraph (3) of this subsection, such person shall also be subject to an assessment, in lieu of damages sustained by the United States because of such claim, of not more than twice the amount of such claim, or the portion of such claim, which is determined under this chapter to be in violation of the preceding sentence.

(U) 5. C.F.R. § 2635.101 Code of Ethics for Government Service – Basic Obligation of Public Service

(b)(5) Employees shall put honest effort in the performance of their duties.

(U) NSA/CSS PMM Chapter 360 – *Time and Attendance*

Section 2-7 Employees.

a. Ensure that all information relevant to their time and attendance is recorded accurately.
b. Sign in and out daily on the time sheet.

(U) NSA/CSS PMM Chapter 366 – *Personal Conduct*

Section 2-1, WORK ENVIRONMENT

K. False Statements – Employees will not knowingly make or present a false or fraudulent statement or claim; enter into an agreement or conspiracy to defraud the Government by obtaining or aiding in the payment or allowance of a false or fraudulent claim; or, knowingly and willfully falsify or conceal a material fact by a trick, scheme, or device.

Section 2-2, PERSONNEL and SECURITY STANDARDS

Doc ID: 6711055

Employees granted access to classified information and Sensitive Compartmented Information must be stable; trustworthy; reliable; of excellent character, judgment and discretion; and of unquestioned loyalty to the United States. Any conduct, including off-duty conduct that brings into question these character traits may be cause for appropriate security action and in some cases administrative action. The following illustrations are provided as examples and are not inclusive:

> B. Deliberate misrepresentations, falsifications, or omission of material facts in any Agency document....

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APPENDIX B

(U) Employee Profile

[redacted]

(b)(3)-P.L. 86-36
(b)(6)

PERSONNEL PRIVILEGED

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EMPLOYEE PRIVACY ACT
PERSONAL DATA: Dissemination or reproduction is limited to that authorized by the privacy act. Users may be subject to civil or criminal penalties and disciplinary action for failure to comply with privacy act provisions. Furthermore, document may not be removed from NSA facilities without specific approval of the Freedom of Information & Privacy Office.

INACTIVE Employee Profile - Generated 25-NOV-2014

[redacted] Employee ID: [redacted]

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36
(b)(6)

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[redacted] Employee ID: [redacted]

(b)(3)-P.L. 86-36
(b)(6)

BENEFITS

Retirement: [redacted]
Health Plan:
FEGLI Life Insurance:
Thrift Savings Plan:

TSP investment allocations are now maintained by the TSP Office.
Please refer to the Agency TSP Home Page for further information

LOCATOR INFORMATION

HOME INFORMATION:

Address: [redacted]

Phones
Home:

EMERGENCY INFORMATION: (b)(6)

Contact
Name: [redacted]
Relationship:
Address:

Phones
Home:
Mobile:
Home:

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NSA13011

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[redacted] Employee ID: [redacted]

(b)(3)-P.L. 86-36
(b)(6)

Contact
Name:
Relationship:
Address:

Phones
Home:
External Work
Home:

[redacted]

(b)(6)

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(b)(3)-P.L. 86-36
(b)(6)

APPENDIX C

(U) Timesheet and Access Control Records Comparison

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NSA13013

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)					
Date	DOW	Time	Location	Gaps	Access Total	Total GAP(s)	No lunch Claimed	Net Time	Hours Claimed	Discrepant Hours	ADJ	Net Discrepant Hours	Notes
8/1/13	Thu	11:47:56											
		15:30:04			3:42:08			3:42:08	11:30	8.25		8.25	
8/2/13	Fri	9:51:57											
		9:53:38											
		13:03:44											
		14:16:53		1:13									
		14:58:13											
		15:04:50		0:06									
		15:30:19											
		15:36:29											
		15:54:02			6:02:05	1:13:09		4:18:56	8:00	3.50		3.50	
8/5/13	Mon	11:31:27											
		11:33:00											
		15:49:22											
		15:50:51			4:19:24			3:49:24	9:00	5.00		5.00	
8/6/13	Tue		NO ACCESS				Y		10:00	10.00		10.00	
8/7/13	Wed		NO ACCESS						12:00	12.00		12.00	
8/8/13	Thu		NO ACCESS						7:30	7.50		7.50	
8/9/13	Fri	9:31:59											
		9:39:51											
		9:46:51											
		10:16:02		0:29									
		10:39:15			1:07:16			0:37:16	4:45	4.00		4.00	
8/11/13	Sun		NO ACCESS						5:30	5.50		5.50	
8/12/13	Mon	7:23:03											
		11:12:54			3:49:51			3:19:51	12:00	8.50		8.50	
8/19/13	Mon		NO ACCESS				Y		4:00	4.00		4.00	
8/20/13	Tue		NO ACCESS						18:00	18.00	-18.00	0.00	TDY
8/21/13	Wed	12:09:26											
		13:32:14											
		17:08:15											
		22:02:35			9:53:09			9:23:09	6:30	-2.75		-2.75	
8/22/13	Thu	7:37:37											
		7:37:46											
		13:58:38											
		22:37:41			15:00:04			14:30:04	11:30	-3.00		-3.00	
8/23/13	Fri	3:30:03											
		7:46:42											
		12:40:15											

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NSA13014

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)							
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
		14:49:16											
		16:31:44											
		16:32:32			13:02:29			12:32:29	13:30	0.75		0.75	
8/24/13	Sat	4:54:59											
		7:30:12											
		9:51:25											
		9:52:51											
		11:18:39											
		12:51:55											
		17:16:40			12:21:41			11:51:41	11:30	-0.25		-0.25	
8/25/13	Sun	8:14:44											
		8:28:30											
		8:32:34											
		8:35:06											
		8:39:05											
		8:40:46											
		8:49:49											
		8:50:55											
		8:56:47											
		9:01:38											
		9:13:50											
		9:54:22											
		13:03:10											
		14:22:30											
		16:47:21			8:32:37			8:02:37	11:30	3.25		3.25	
8/26/13	Mon	7:50:41											
		9:59:40											
		11:19:37											
		11:24:22											
		11:28:43											
		11:29:25											
		11:29:33											
		13:34:48											
		13:55:12		0:20									
		13:57:23											
		15:40:53											
		16:59:45											
		17:01:37		0:01									
		18:40:36											
		18:46:43											
		18:58:58			11:08:17			10:38:17	11:30	0.75		0.75	
8/27/13	Tue	8:34:48											
		8:45:43											
		9:25:01											
		9:26:04		0:01									
		11:44:12											
		12:58:04											
		13:01:21											
		14:46:09		1:44									

Release 2020-10
NSA13015

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW												
Date	DOW	Time	Location	Gaps	Access Total	Total GAP(s)	No lunch (Y) Claimed	Net Time	Hours Claimed	Discrepant Hours	ADJ	Net Discrepant Hours	Notes
		14:49:27											
		14:50:53											
		17:01:47											
		18:06:08											
		20:01:57											
		20:06:48			11:32:00	1:44:48		9:17:12	12:30	3.00		3.00	
8/28/13	Wed	7:48:37											
		7:52:09											
		9:25:43											
		11:14:57											
		11:34:04											
		11:51:12											
		13:29:16											
		17:21:47			9:33:10			9:03:10	11:30	2.25		2.25	
8/29/13	Thu	7:34:53											
		14:19:49											
		16:02:39											
		16:02:52											
		16:04:01											
		18:01:28			10:26:35			9:56:35	10:30	0.50		0.50	
8/30/13	Fri	8:18:46											
		9:37:56											
		9:38:01											
		11:09:51			2:51:05			2:21:05	6:00	3.50		3.50	
8/31/13	Sat		NO ACCESS						14:30	14.50	-14.50	0.00	TDY
9/1/13	Sun		NO ACCESS				Y		2:00	2.00	-2.00	0.00	TDY
9/3/13	Tue	7:10:56											
		7:12:23											
		11:19:34											
		11:30:21											
		12:46:31		1:16									
		12:48:14											
		14:29:57											
		17:11:17											
		17:13:12			10:02:16	1:16:10		8:16:06	10:00	1.50		1.50	
9/4/13	Wed	9:44:29											
		9:46:03											
		12:11:29											
		12:13:04											
		12:58:34		0:45									
		17:20:31			7:36:02			7:06:02	9:30	2.25		2.25	
9/5/13	Thu	13:50:05											
		14:24:30											
		15:07:08		0:42									
		16:42:25											

Release 2020-10
NSA13016

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
Date	DOW	Time	Location	Gaps	Access Total	Total GAP(s)	No lunch Claimed	Net Time	Hours Claimed	Discrepant Hours	ADJ	Net Discrepant Hours	Notes
		17:16:58		0:34									
		19:00:10			5:10:05			4:40:05	12:30	7.75		7.75	
9/6/13	Fri		NO ACCESS						8:00	8.00		8.00	
9/9/13	Mon	9:03:41											
		9:05:03											
		12:52:39											
		12:53:59			3:50:18			3:20:18	9:30	6.00		6.00	
9/10/13	Tue		NO ACCESS						10:00	10.00		10.00	
9/11/13	Wed	9:15:39											
		9:17:07											
		11:32:21											
		12:01:01		0:28									
		12:15:41			3:00:02			2:30:02	10:00	7.25		7.25	
9/12/13	Thu		NO ACCESS						10:00	10.00		10.00	
9/13/13	Fri	10:20:31											
		10:21:47											
		12:00:29											
		12:47:17		0:46									
		16:43:35											
		16:44:57			6:24:26			5:54:26	12:00	6.00		6.00	
9/17/13	Tue	8:23:34											
		8:25:04											
		11:09:35											
		13:15:47			4:52:13			4:22:13	9:30	5.00		5.00	
9/18/13	Wed	11:35:15											
		12:07:03											
		13:07:50		1:00									
		13:09:53											
		16:30:08											
		16:31:21											
		17:15:26		0:44									
		19:40:58											
		21:18:03			9:42:48	1:00:47		8:12:01	13:00	4.75		4.75	
9/19/13	Thu	9:15:18											
		11:33:55											
		13:00:06		1:26									
		13:01:25											
		14:25:45											
		14:52:21											
		17:50:17											
		20:24:19			11:09:01	1:26:11		9:12:50	12:30	3.25		3.25	
9/20/13	Fri	8:56:50											
		8:58:31											

Release 2020-10
NSA13017

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
		10:12:18											
		12:48:27											
		12:49:44											
		15:26:08		2:36									
		17:34:02											
		17:57:32											
		18:08:18		0:10									
		18:41:19			9:44:29	2:36:24		6:38:05	9:30	2.75		2.75	
9/22/13	Sun		NO ACCESS						8:00	8.00	-8.00	0.00	TDY
9/23/13	Mon		NO ACCESS						11:00	11.00	-11.00	0.00	TDY
9/24/13	Tue		NO ACCESS						11:00	11.00	-11.00	0.00	TDY
9/25/13	Wed		NO ACCESS						10:30	10.50	-10.50	0.00	TDY
9/26/13	Thu		NO ACCESS						9:00	9.00	-9.00	0.00	TDY
9/27/13	Fri		NO ACCESS						7:30	7.50	-7.50	0.00	TDY
9/28/13	Sat		NO ACCESS						8:30	8.50	-8.50	0.00	TDY
9/29/13	Sun		NO ACCESS						15:15	15.25	-15.25	0.00	TDY
9/30/13	Mon		NO ACCESS						15:15	15.25	-15.25	0.00	TDY
10/1/13	Tue	9:11:54											
		9:31:53											
		10:34:17			1:22:23			0:52:23	8:00	7.00	-7.00	0.00	FURLOUGH
10/2/13	Wed		NO ACCESS						6:30	6.50	-6.50	0.00	FURLOUGH
10/3/13	Thu		NO ACCESS						8:00	8.00	-8.00	0.00	FURLOUGH
10/4/13	Fri		NO ACCESS						8:00	8.00	-8.00	0.00	FURLOUGH
10/6/13	Sun		NO ACCESS						8:00	8.00	-8.00	0.00	FURLOUGH
10/7/13	Mon	8:09:34											
		8:11:02											
		9:31:42											
		9:33:16											
		9:58:09		0:24									
		10:17:37											
		10:41:18		0:23									
		11:31:22			3:21:48			2:51:48	8:00	5.00		5.00	
10/8/13	Tue	8:11:42											
		8:13:16											
		9:35:51											
		10:48:18											
		10:54:13		0:05									

Release 2020-10
NSA13018

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)					Net Discrepant	
Date	DOW	Time	Location	Gaps	Access Total	Total GAP(s)	No lunch Claimed	Net Time	Hours Claimed	Discrepant Hours	ADJ	Hours	Notes
		12:08:02											
		12:14:57		0:06									
		13:35:38											
		13:37:01											
		14:00:50		0:23									
		14:02:24											
		18:37:16											
		18:38:46			10:27:04			9:57:04	8:00	-1.75		-1.75	
10/9/13	Wed	9:43:15											
		9:44:42											
		12:19:52											
		12:21:22			2:38:07			2:08:07	8:00	5.75		5.75	
10/10/13	Thu	11:30:55											
		14:09:57											
		15:01:49		0:51									
		16:18:44			4:47:49			4:17:49	8:00	3.50		3.50	
10/11/13	Fri		NO ACCESS						8:00	8.00		8.00	
10/15/13	Tue	8:11:24											
		8:12:47											
		11:24:23											
		11:25:47											
		13:38:26		2:12									
		16:28:12			8:16:48	2:12:39		5:34:09	8:00	2.25		2.25	
10/16/13	Wed		NO ACCESS						8:00	8.00		8.00	
10/17/13	Thu		NO ACCESS						8:00	8.00		8.00	
10/18/13	Fri		NO ACCESS						8:00	8.00		8.00	
10/23/13	Wed	16:16:48											
		17:57:29			1:40:41		Y	1:40:41	5:00	3.25		3.25	
10/24/13	Thu	10:17:36											
		10:19:04											
		17:23:49											
		17:25:26			7:07:50			6:37:50	9:00	2.25		2.25	
10/28/13	Mon	7:44:15											
		7:44:26											
		7:45:48											
		9:50:56											
		9:52:18			2:08:03		Y	2:08:03	3:30	1.25		1.25	
11/1/13	Fri	9:14:04											
		9:15:27											
		11:18:32											
		11:20:01											
		11:20:02			2:05:58		Y	2:05:58	2:30	0.25		0.25	

Release 2020-10
NSA13019

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
11/4/13	Mon		NO ACCESS						8:00	8.00		8.00	
11/5/13	Tue		NO ACCESS						8:00	8.00		8.00	
11/6/13	Wed	9:27:23											
		9:28:47											
		11:35:03											
		11:36:31											
		12:09:55		0:33									
		12:11:35											
		16:14:23											
		16:15:51			6:48:28			6:18:28	8:00	1.50		1.50	
11/7/13	Thu	10:02:51											
		10:04:22											
		10:04:25											
		13:15:41											
		13:49:31		0:33									
		16:47:23			6:44:32			6:14:32	7:00	0.75		0.75	
11/8/13	Fri	8:57:02											
		9:58:19											
		11:05:23		1:07									
		12:42:58			3:45:56	1:07:04		2:08:52	3:15	1.00		1.00	
11/12/13	Tue	11:56:40											
		12:00:28											
		12:22:38		0:22									
		12:24:10											
		12:34:42			0:38:02			0:08:02	8:30	8.25		8.25	
11/13/13	Wed	10:09:58											
		10:11:31											
		10:16:04											
		10:48:13											
		15:36:21											
		15:37:42			5:27:44			4:57:44	6:30	1.50		1.50	
11/19/13	Tue	9:19:46											
		10:21:43			1:01:57			0:31:57	8:00	7.25		7.25	
11/20/13	Wed		NO ACCESS						8:00	8.00		8.00	
11/25/13	Mon	10:12:35											
		10:14:22											
		13:21:24											
		13:22:45			3:10:10		Y	3:10:10	4:30	1.25		1.25	
11/26/13	Tue	10:38:11											
		14:00:49											
		15:43:20			5:05:09			4:35:09	8:00	3.25		3.25	

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
12/2/13	Mon	10:54:10											
		11:03:14											
		17:06:42			6:12:32			5:42:32	8:00	2.25		2.25	
12/3/13	Tue	10:54:31											
		10:58:15											
		14:57:48											
		15:03:01											
		17:35:24											
		17:36:58			6:42:27			6:12:27	8:00	1.75		1.75	
12/4/13	Wed		NO ACCESS						8:00	8.00		8.00	
12/5/13	Thu	12:49:51											
		12:51:23											
		14:37:58											
		14:39:20			1:49:29			1:19:29	8:00	6.50		6.50	
12/6/13	Fri	10:47:23											
		11:38:49											
		12:49:25											
		13:59:41			3:12:18			2:42:18	8:00	5.25		5.25	
12/16/13	Mon	9:37:36											
		9:38:58											
		12:03:36											
		12:07:55			2:30:19			2:00:19	0:00	-2.00		-2.00	
12/19/13	Thu		NO ACCESS				Y		4:00	4.00		4.00	
12/30/13	Mon	11:28:15											
		11:29:43											
		12:39:54											
		12:41:15			1:13:00		Y	1:13:00	3:30	2.25		2.25	
1/6/14	Mon	10:39:25											
		10:40:52											
		12:39:16											
		13:44:59		1:05									
		13:53:38											
		17:12:19			6:32:54	1:05:43		4:57:11	8:00	3.00		3.00	
1/7/14	Tue		NO ACCESS						8:00	8.00		8.00	
1/8/14	Wed		NO ACCESS						4:00	4.00		4.00	
1/13/14	Mon	9:54:10											
		9:55:38											
		17:15:53											
		17:17:18			7:23:08			6:53:08	8:00	1.00		1.00	
1/15/14	Wed	9:05:05											
		9:06:33											

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
		10:59:39											
		11:04:15			1:59:10			1:29:10	8:00	6.50		6.50	
1/16/14	Thu	8:42:53											
		8:44:26											
		17:10:43											
		17:12:15			8:29:22			7:59:22	8:00	0.00		0.00	
1/17/14	Fri	9:31:13											
		9:32:39											
		15:52:12											
		15:53:43			6:22:30			5:52:30	8:00	2.00		2.00	
1/18/14	Sat		NO ACCESS						8:00	8.00		8.00	
1/19/14	Sun		NO ACCESS						8:00	8.00		8.00	
1/21/14	Tue		NO ACCESS				Y		4:00	4.00	-4	0.00	
1/22/14	Wed		NO ACCESS						8:00	8.00	-8	0.00	
1/23/14	Thu		NO ACCESS.						8:00	8.00	-8	0.00	
1/24/14	Fri		NO ACCESS						8:00	8.00	-8	0.00	
1/27/14	Mon	8:41:14											
		8:42:43											
		9:29:18											
		9:38:53											
		10:12:39											
		10:48:01											
		16:07:40		5:19									
		16:07:46											
		16:26:55											
		16:29:07			7:47:53	5:19:39		1:58:14	9:00	7.00	-7.00	0.00	
1/28/14	Tue	9:07:00											
		9:08:38											
		9:15:53											
		16:14:25		6:58									
		16:55:12											
		16:56:56			7:49:56	6:58:32		0:21:24	8:00	7.50	-7.50	0.00	
1/29/14	Wed	8:45:33											
		18:39:02			9:53:29			9:23:29	10:00	0.50		0.50	
1/30/14	Thu	8:34:26											
		8:35:49											
		9:16:59											
		17:03:28		7:46									
		17:15:28											
		17:18:14			8:43:48	7:46:29		0:27:19	10:00	9.50	-9.50	0.00	

Release 2020-10
NSA13022

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW												
Date	DOW	Time	Location	Gaps	Access Total	Total GAP(s)	(Y) No lunch Claimed	Net Time	Hours Claimed	Discrepant Hours	ADJ	Net Discrepant Hours	Notes
1/31/14	Fri	12:11:11											
		14:23:56											
		16:16:56			4:05:45			3:35:45	5:00	1.25	-1.25	0.00	
2/3/14	Mon	10:30:25											
		12:30:28			2:00:03			1:30:03	2:00	0.25		0.25	
2/4/14	Tue		NO ACCESS						8:00	8.00		8.00	
2/5/14	Wed	8:27:59											
		8:33:00											
		8:36:30											
		9:25:54		0:49									
		12:08:29											
		13:28:36		1:20									
		13:55:01											
		15:28:33											
		15:55:08		0:26									
		17:03:30			8:35:31	1:20:07		6:45:24	9:00	2.00		2.00	
2/6/14	Thu	9:19:01											
		9:19:10											
		9:19:50		0:00									
		9:20:35											
		10:25:01											
		12:07:21											
		13:32:15		1:24									
		13:33:27											
		13:56:54											
		13:57:13											
		13:59:02											
		14:36:47											
		15:16:50		0:40									
		18:03:27			8:44:26	1:24:54		6:49:32	10:30	3.50		3.50	
2/10/14	Mon	12:15:27											
		12:47:16			0:31:49			0:01:49	8:45	8.50	-8.50	0.00	
2/11/14	Tue		NO ACCESS						8:30	8.50	-8.5	0.00	
2/12/14	Wed		NO ACCESS						8:30	8.50	-8.5	0.00	
2/15/14	Sat		NO ACCESS				Y		7:00	7.00		7.00	
2/18/14	Tue	7:05:16											
		7:40:12											
		17:36:44		9:56									
		17:50:30			10:45:14	9:56:32		0:18:42	13:30	13.00		13.00	
2/19/14	Wed		NO ACCESS						11:30	11.50		11.50	

Release 2020-10
NSA13023

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
2/24/14	Mon	9:36:09											
		9:37:47											
		11:27:33											
		11:29:16											
		11:29:20											
		12:43:21		1:14									
		14:24:20											
		14:28:01		0:03									
		19:16:05			9:39:56	1:14:01		7:55:55	11:00	3.00		3.00	
2/25/14	Tue	9:39:16											
		14:13:46											
		15:06:12		0:52									
		17:20:47			7:41:31			7:11:31	9:30	2.25		2.25	
2/26/14	Wed	13:30:27											
		18:18:52			4:48:25			4:18:25	8:45	4.25		4.25	
2/27/14	Thu	14:20:24											
		18:47:28			4:27:04			3:57:04	5:45	1.75		1.75	
3/4/14	Tue	9:08:23											
		13:04:37											
		14:06:28		1:01									
		17:44:58			8:36:35	1:01:51		7:04:44	8:45	1.50		1.50	
3/5/14	Wed	8:25:54											
		11:27:08											
		12:47:20		1:20									
		18:04:30			9:38:36	1:20:12		7:48:24	9:30	1.50		1.50	
3/6/14	Thu	13:45:37											
		17:49:52			4:04:15			3:34:15	8:15	4.50		4.50	
3/7/14	Fri	8:08:06											
		8:09:30											
		9:42:37											
		10:44:04		1:01									
		11:21:25											
		11:33:16											
		16:50:30											
		17:29:58			9:21:52	1:01:27		7:50:25	8:30	0.50		0.50	
3/10/14	Mon	9:33:33											
		9:34:57											
		13:59:53											
		14:01:02			4:27:29			3:57:29	4:45	0.75		0.75	
3/11/14	Tue	9:39:03											
		9:40:36											
		9:50:07											
		9:56:11		0:06									
		11:14:56											

Release 2020-10
NSA13024

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
		11:21:27		0:06									
		13:32:18											
		13:33:46			3:54:43			3:24:43	7:45	4.25		4.25	
3/12/14	Wed	13:18:10											
		14:57:06											
		15:01:56		0:04									
		17:38:22			4:20:12			3:50:12	7:00	3.00		3.00	
3/14/14	Fri		NO ACCESS						8:00	8.00		8.00	
3/16/14	Sun		NO ACCESS				Y		5:00	5.00		5.00	
3/18/14	Tue	9:51:01											
		13:47:17			3:56:16			3:26:16	8:00	3.25	-3.25	0.00	Approved Telework
3/19/14	Wed		NO ACCESS						9:00	9.00	-9	0.00	Approved Telework
3/24/14	Mon	10:03:19											
		10:04:42											
		17:00:22											
		17:01:54			6:58:35			6:28:35	7:00	0.50		0.50	
3/25/14	Tue	9:25:04											
		9:26:28											
		14:49:37											
		14:51:11			5:26:07			4:56:07	8:00	3.00		3.00	
3/26/14	Wed	12:43:17											
		14:09:23											
		14:48:37		0:39									
		17:21:56			4:38:39			4:08:39	8:00	3.75		3.75	
3/27/14	Thu		NO ACCESS				Y		2:00	2.00		2.00	
3/28/14	Fri	7:23:51											
		7:25:22											
		8:09:34											
		15:04:23		6:54									
		15:20:21											
		16:07:26		0:47									
		20:51:42											
		20:53:37			13:29:46	6:54:49		6:04:57	13:15	7.00	-7.00	0.00	Visit to [redacted]
3/31/14	Mon	8:45:25											
		8:46:48											
		12:39:31											
		15:22:59											
		15:23:39		0:00									
		15:29:14											
		17:03:02		1:33									
		17:23:00			8:37:35	1:33:48		6:33:47	9:30	2.75		2.75	

Release 2020-10
NSA13025

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
4/1/14	Tue		NO ACCESS						11:00	11.00	-11.00	0.00	TDY
4/2/14	Wed		NO ACCESS						13:00	13.00	-13.00	0.00	TDY
4/3/14	Thu		NO ACCESS						12:45	12.75	-12.75	0.00	TDY
4/4/14	Fri	18:39:46											
		19:23:53			0:44:07			0:14:07	10:45	10.50	-10.50	0.00	Return from TDY
4/5/14	Sat		NO ACCESS				Y		3:00	3.00		3.00	
4/7/14	Mon	14:48:36											
		14:50:09											
		15:49:08			1:00:32			0:30:32	8:30	7.75	-7.75	0.00	Departed for TDY
4/8/14	Tue		NO ACCESS						9:15	9.25	-9.25	0.00	TDY
4/9/14	Wed		NO ACCESS						9:15	9.25	-9.25	0.00	TDY
4/10/14	Thu		NO ACCESS						9:15	9.25	-9.25	0.00	TDY
4/11/14	Fri	13:34:33											
		13:49:36											
		14:58:23		1:08									
		16:13:53											
		16:15:46											
		16:15:50											
		16:15:53			2:41:20	1:08:47		1:02:33	8:00	6.75		6.75	
4/15/14	Tue	13:05:21											
		14:43:55											
		14:59:56		0:16									
		16:46:39			3:41:18		Y	3:41:18	4:30	0.75		0.75	
4/16/14	Wed	8:20:36											
		8:22:17											
		8:39:07											
		14:23:59		5:44									
		14:26:07											
		17:29:41											
		17:32:07			9:11:31	5:44:52		2:56:39	8:30	5.50		5.50	
4/17/14	Thu	12:40:27											
		12:53:04											
		13:22:41		0:29									
		14:03:29											
		15:09:01		1:05									
		17:26:25			4:45:58	1:05:32		3:10:26	8:00	4.75		4.75	
4/18/14	Fri		NO ACCESS				Y		3:30	3.50		3.50	
4/21/14	Mon	15:31:12											
		17:31:20			2:00:08		Y	2:00:08	2:00	0.00		0.00	

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)					Net Discrepant	
					Access	Total	No lunch	Net	Hours	Discrepant			
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
4/23/14	Wed	9:45:55											
		9:47:19											
		18:13:42			8:27:47			7:57:47	8:00	0.00		0.00	
4/25/14	Fri	7:20:58											
		7:20:58											
		7:22:29											
		7:22:29											
		11:30:47											
		11:30:47											
		12:34:31		1:03									
		12:34:31											
		16:04:08											
		16:05:31			8:44:33	1:03:44		7:10:49	8:15	1.00		1.00	
4/28/14	Mon	9:58:39											
		10:00:04											
		17:38:52											
		17:39:54			7:41:15			7:11:15	8:15	1.00		1.00	
4/29/14	Tue	12:38:19											
		19:11:06			6:32:47			6:02:47	7:45	1.50		1.50	
4/30/14	Wed	15:22:11											
5/5/14	Mon	10:09:39											
		11:55:19											
		12:20:15		0:24									
		14:46:23			4:36:44			4:06:44	8:00	3.75		3.75	
5/6/14	Tue	12:08:32											
		12:24:09											
		13:17:21		0:53									
		16:50:32			4:42:00		Y	4:42:00	5:00	0.25		0.25	
5/13/14	Tue	9:55:49											
		10:13:33			0:17:44			########	5:00	5.00		5.00	
5/15/14	Thu	8:48:26											
		8:49:55											
		11:00:11											
		11:01:31			2:13:05			1:43:05	8:00	6.25		6.25	
5/19/14	Mon	8:04:34											
		8:36:50											
		12:20:09		3:43									
		12:55:08			4:50:34	3:43:19		0:37:15	9:30	8.75	-8.75	0.00	
5/20/14	Tue	NO ACCESS							4:30	4.50	-4.50	0.00	
5/21/14	Wed	NO ACCESS							9:00	9.00	-9.00	0.00	

Release 2020-10
NSA13027

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
5/22/14	Thu		NO ACCESS						9:00	9.00	-9.00	0.00	
5/23/14	Fri		NO ACCESS						8:00	8.00	-8.00	0.00	
5/27/14	Tue	15:08:01											
		17:10:22			2:02:21			1:32:21	6:30	4.75		4.75	
5/28/14	Wed		NO ACCESS						8:00	8.00		8.00	
5/29/14	Thu	11:51:19											
		11:55:46											
		13:14:31											
		13:15:50			1:24:31			0:54:31	6:45	5.75		5.75	
6/2/14	Mon		NO ACCESS						8:00	8.00		8.00	
6/3/14	Tue	8:09:09											
		8:09:13											
		8:10:41											
		10:50:16											
		10:51:43			2:42:34			2:12:34	8:00	5.75		5.75	
6/4/14	Wed		NO ACCESS						8:00	8.00		8.00	
6/5/14	Thu	9:56:32											
		9:58:00											
		14:02:54											
		14:04:22			4:07:50			3:37:50	5:30	1.75		1.75	
6/10/14	Tue	10:23:23											
		11:26:03											
		12:02:35		0:36									
		15:48:26											
		15:49:49											
		15:50:38		0:00	5:27:15			4:57:15	9:15	4.25		4.25	
6/11/14	Wed	12:35:13											
		17:40:43			5:05:30			4:35:30	8:00	3.25		3.25	
6/13/14	Fri	9:59:03											
		10:00:35											
		17:14:53											
		17:16:21			7:17:18			6:47:18	8:00	1.00		1.00	
6/20/14	Fri	9:16:20											
		9:17:53											
		9:40:08											
		12:42:22											
		12:52:46											
		12:54:10			3:37:50			3:07:50	8:30	5.25		5.25	
6/21/14	Sat		NO ACCESS						6:30	6.50		6.50	

Release 2020-10
NSA13028

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36

	NSAW						(Y)						
					Access	Total	No lunch	Net	Hours	Discrepant		Net Discrepant	
Date	DOW	Time	Location	Gaps	Total	GAP(s)	Claimed	Time	Claimed	Hours	ADJ	Hours	Notes
6/23/14	Mon		NO ACCESS						8:00	8.00		8.00	
6/24/14	Tue	11:11:16											
		11:12:53											
		14:12:33											
		18:06:03											
		18:07:35			6:56:19			6:26:19	8:00	1.50		1.50	
6/25/14	Wed		NO ACCESS						8:00	8.00		8.00	
6/26/14	Thu		NO ACCESS						8:00	8.00		8.00	
6/27/14	Fri	10:58:04											
		11:37:50											
		12:15:47											
		13:20:13		1:04									
		17:22:10			6:24:06	1:04:26		4:49:40	10:30	5.50		5.50	
7/1/14	Tue		NO ACCESS				Y		5:00	5.00		5.00	
7/2/14	Wed		NO ACCESS						8:00	8.00		8.00	
7/3/14	Thu		NO ACCESS				Y		5:00	5.00		5.00	
7/7/14	Mon		NO ACCESS						8:00	8.00		8.00	
7/8/14	Tue	14:42:08											
		14:42:14											
		16:43:30			2:01:22			1:31:22	8:00	6.25		6.25	
7/9/14	Wed		NO ACCESS						8:00	8.00		8.00	
7/10/14	Thu		NO ACCESS						8:00	8.00		8.00	
7/11/14	Fri		NO ACCESS						8:00	8.00		8.00	
													612.25

Release 2020-10
NSA13029

APPENDIX D

(U) [redacted] Response to Timesheet and Access Control Record Comparison

Dated 15 August 2014

(b)(3)-P.L. 86-36
(b)(6)

[redacted]

[redacted]

August 15, 2014

VIA ELECTRONIC MAIL

[redacted] (b)(3)-P.L. 86-36

Senior Investigator
NSA/CSS Office of Inspector General

[redacted] (b)(6)

Dear [redacted]

I write in response to your August 4, 2014 email, regarding the hours worked by my client, [redacted] between December 2012 and July 2014.

Your August 4th email included two spreadsheets which compare [redacted] time sheet records with his badge record data. Those spreadsheets show apparent discrepancies between the two data sources. You have asked [redacted] to respond with "any information relevant to mitigating the Net Discrepant Hours, as well as the 'Gaps', that are listed."

We thank you for the opportunity to respond to these questions.

As you know, [redacted] was employed by the Agency for nearly 17 years. [redacted] is extremely proud of the work he accomplished for the Agency over that time. He was promoted for his work in July 2013, and in January 2014 he received a performance bonus. These actions, and others like them, demonstrate the high quality of the work that [redacted] performed for the Agency during the time period in question.

Earlier this year, [redacted] decided to leave the Agency to transition to a job in the private sector. He announced he would leave his job at the end of July. [redacted] as he was preparing for his departure, [redacted] was unexpectedly called into a meeting with you to answer questions regarding the hours reported on his time sheets during the past two years.

[redacted] officially left the Agency the following day. As a result, [redacted] no longer has access to the records needed to provide detailed information regarding his activities on each date listed in the spreadsheets that you provided.

[redacted] (b)(3)-P.L. 86-36
(b)(6)

(b) (3)-P.L. 86-36
(b) (6)

There is no question that [redacted] performed work for the Agency from many locations. He worked long hours to ensure that needed projects were completed, while diligently respecting acquisition policy and following operational security practices. Those considerations often required him to perform work from a remote location. I understand that [redacted] supervisors were aware of his work at alternate locations, and they permitted him that flexibility. It is not at all surprising that [redacted] badge records do not capture all the hours that he worked given that arrangement.

I wish that I could provide you with more detailed information on [redacted] daily activities, and his interactions with his supervisors, but [redacted] ability to provide that information is limited by his lack of access to work records, and to the statements made by his supervisors. I hope this letter nonetheless provides context regarding [redacted] diligent work for the Agency, and his commitment to advancing Agency goals.

Please let me know if you have any additional questions after reviewing this letter. I'm happy to try to answer any questions that may arise.

Finally, I know that your ability to release information is limited while an investigation is ongoing, but I would like to be notified when the investigation is complete. Please confirm that we will receive notice when the investigation has concluded, or let me know what process I should follow to obtain notification.

I appreciate your assistance navigating this process, and thank you again for you time.

Sincerely,

[redacted]

(b) (6)

CC: [redacted]

(b) (3)-P.L. 86-36

APPENDIX E

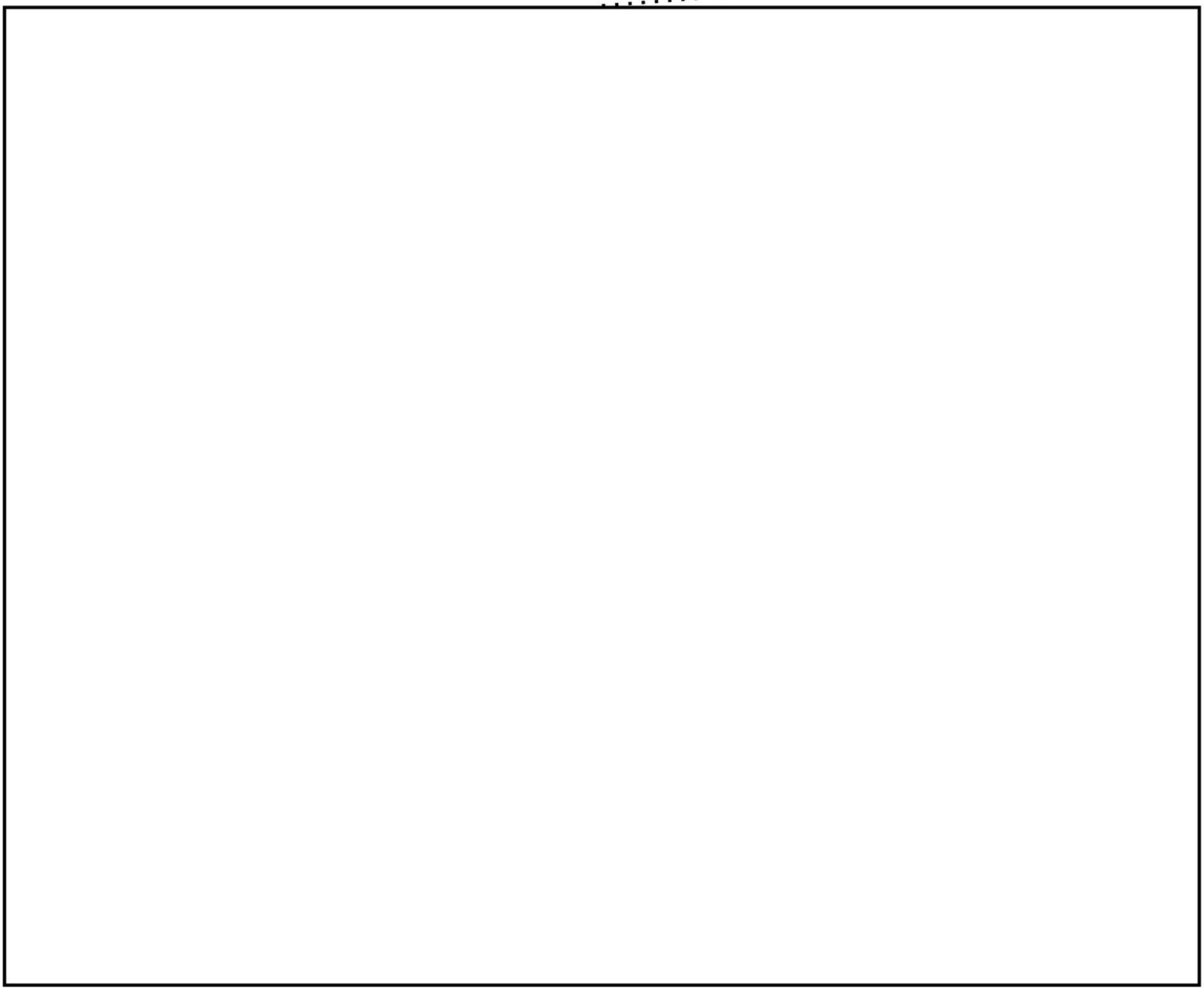
(U) Request for Travel Authorization/Expense Report

[redacted]

15 October 2013

(b)(3)-P.L. 86-36
(b)(6)

(b)(3)-P.L. 86-36
(b)(6)



(b) (6)

APPENDIX F

(U) Receipts (4) from [redacted]

[redacted]

24 October 2013

(b) (3)-P.L. 86-36
(b) (6)

(b) (6)

[redacted]

Invoice # [redacted]

Date Sunday, September 22, 2013

Customer Company [redacted]

(b) (3)-P.L. 86-36

Line #	Description	Price Ea	Qty	Ext Price
1	Airport Transportation *Special Home to BWI	$45.00	1	$45.00
	Total			$45.00
2	Driver Tip			$5.00
	Payment Due			$50.00
	CASH Payment			$50.00
	Balance			$0.00

(b) (6)

[redacted]

Invoice # [redacted]
Date Sunday, September 22, 2013

Customer [redacted]
Company US Gov

(b) (3)-P.L. 86-36
(b) (6)

Line #	Description	Price Ea	Qty	Ext Price
1	Airport Transportation *Special			
	Home to BWI	$45.00	1	$45.00
	* Require Truck / Large SUV due to Courier Requirements	$10.00	1	$10.00
	Total			$55.00
2	Driver Tip			$10.00
	Payment Due			$65.00
	CASH Payment			$65.00
	Balance			$0.00

(b) (6)

[redacted]

Invoice # [redacted]
Date Monday, September 30, 2013

Customer [redacted]
Company US Gov

(b) (3)-P.L. 86-36
(b) (6)

Line #	Description	Price Ea	Qty	Ext Price
1	Airport Transportation *Special			
	BWI to HOME	$45.00	1	$45 00
	* Require Truck / Large SUV due to Courier Requirements	$10.00	1	$10 00
	Total			$55.00
2	Driver Tip			$10 00
	Payment Due			$65 00
	CASH Payment			$65 00
	Balance			$0 00

[redacted]

Invoice # [redacted]
Date Monday, September 30, 2013

Customer [redacted]
Company US Gov

(b) (3)-P.L. 86-36
(b) (6)

(b) (6)

Line #	Description	Price Ea	Qty	Ext Price
	*Special Service - Courier Baggage			
	[redacted]o BWI			
1	[redacted]Baggage Fee Bag #1	$25.00	1	$25.00
2	[redacted]Baggage Fee Bag #2	$35.00	1	$35.00
3	Overwieght Fee for Bag #2 (75 lbs)	$200.00	1	$200.00
4	[redacted]Baggage Fee Bag #3	$125.00	1	$125.00
5	Overwieght Fee for Bag #3 (76 lbs)	$200.00	1	$200.00
6	Packaging Fee for Bag #3 (include TSA Lock)	$125.00	1	$125.00
7	[redacted]Baggage Fee Bag #4	$200.00	1	$200.00
8	Overwieght Fee for Bag #4 (75 lbs)	$200.00	1	$200.00
9	Packaging Fee for Bag #4 (include TSA Lock)	$125.00	1	$125.00
	Insurance - WAIVED	$0.00		
	Total			$1,210.00
	Payment Due			$1,210.00
	Payment VISA [redacted]			$1,210.00
	Balance			$0.00

(b) (3)-P.L. 86-36

APPENDIX G

(U) Travel Voucher Summary

[redacted]

24 October 2013

(b)(3)-P.L. 86-36
(b)(6)

UNCLASSIFIED // ~~FOR OFFICIAL USE ONLY~~

Personal Data - Privacy Act of 1974 - Handle with care

Travel Voucher Summary | Date Prepared 10/24/2013

(b)(3)-P.L. 86-36
(b)(6)

Release 2020-10
NSA13041

Travel Voucher Summary | Date Prepared 10/24/2013

(b)(3)-P.L. 86-36
(b)(6)

Release 2020-10
NSA13042

APPENDIX H

(U) [redacted] Response to Tentative Conclusions

14 August 2015

(b)(3)-P.L. 86-36
(b)(6)

[redacted]

(b) (6)

[redacted]

August 14, 2015

VIA ELECTRONIC MAIL

[redacted]
Senior Investigator
NSA/CSS Office of Inspector General
[redacted]

Re: Response to Tentative Conclusions Regarding [redacted]

Dear [redacted]

I write in response to the tentative conclusions reached by the Office of Inspector General (OIG) during its investigation of my client, [redacted]. The OIG investigation was initiated because of concerns regarding timesheets and travel receipts submitted by [redacted] in late 2013 and 2014—during his final year as an NSA employee after nearly 17 years of service. The OIG has tentatively concluded that [redacted] "knowingly and willfully submitted false timesheets, and made false claims and statements." OIG Tentative Conclusions (May 11, 2015) at 1. The tentative conclusions further propose that [redacted] actions violate 18 U.S.C. § 287, 18 U.S.C. § 1001, and 31 U.S.C. § 3802, as well as three sections of the NSA/CSS Personnel Management Manual. *Id.* I write to explain why those tentative conclusions are not supported by the evidence.

(b) (3)-P.L. 86-36

A. [redacted] worked diligently to support the NSA's mission for all of his nearly 17 years as an NSA employee.

(b) (3)-P.L. 86-36
(b) (6)

[redacted] worked at the NSA for nearly 17 years before voluntarily leaving the Agency in July 2014. [redacted] received accolades for the work he did as an NSA employee, and he took great pride in his ability to contribute to the important mission of the NSA.

His duties as an NSA employee were challenging. As a [redacted] responsibilities included [redacted] Fulfilling these duties frequently involved [redacted] if necessary.

(b)(3)-P.L. 86-36

These tasks were difficult or impossible to perform within NSA facilities. work also required Again, it was difficult if not impossible for to communicate with these vendors from within NSA facilities. was also responsible for ensuring that he, and other NSA employees and contractors, received needed training Once again, that training often had to be provided off-site.

was proud of his work at NSA, but it became increasingly difficult for to do his job effectively starting in late 2013. There is no question that "until July 2013 supervisor approved [his] work outside NSA spaces...." Tentative Conclusions at 1. But when a new supervisor came on board in August 2013 found that his efforts to obtain guidance, and to report serious problems, were met with hostility.

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To make matters worse, in October 2013, also had to deal with the impact of a government shutdown which brought a work trip he was on for the NSA to an unexpected and abrupt halt.

was being placed in an increasingly untenable position as he tried to find ways to complete the work he knew needed to be done without guidance or support from his supervisors. He loved working for the government, but he knew something needed to change. When his concerns continued to be ignored in 2014 he began to consider other employment options. In mid-2014 he accepted a position with a private company.

now hopes to put this difficult time behind him to focus on his new work in the private sector. He is willing to accept that he made mistakes as he struggled to deal with conflicting guidance in his final year at NSA. But the broad conclusions of willful misconduct that have been tentatively proposed by OIG go far beyond what the evidence supports.

B. did not act with an intent to violate the law.

The OIG's tentative conclusion that violated 18 U.S.C. § 287 and 18 U.S.C. § 1001 is particularly troubling. To violate these serious criminal laws a person must act with criminal intent. *See, e.g., United States v. Maher*, 582 F.2d 842, 848 (4th Cir. 1978) ("Under § 287, the government must prove beyond a reasonable doubt that the defendant performed forbidden acts with a criminal intent.") The evidence does not support a finding that actions rose to this level.

The fundamental purpose of "sections 287 and 1001 is to protect the government against those who would cheat or mislead it in the administration of its programs." *United States v. Snider*, 502 F.2d 645, 652 n.12 (4th Cir. 1974). These laws are "intended to subject to criminal punishment only those people who knowingly and willfully attempt to deceive." 2A Fed. Jury Prac. & Instr. § 40:16 (6th ed.); *see also United States v. Seay*, 718 F.2d 1279, 1284 (4th Cir. 1983) (violations of these sections require "the specific intent to do something which the law forbids; that is to say, with bad purpose either to disobey or to disregard the law").

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[redacted] actions were not motivated by an intent to harm the NSA or willfully violate the law. On the contrary, [redacted] sought ways to perform his job that would benefit the NSA.

[redacted] needed to work outside of NSA facilities in order to do his job better. Indeed, he was only able to perform many of his position's functions because he performed them remotely. His supervisors knew this was the case because he told them so on many occasions. His supervisors accepted his work, even when they knew it had been done off-site, and viewed [redacted] as a strong performer. The evidence does not show that [redacted] was acting with anything approaching criminal intent when he entered time for work done off-site given this context.

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[redacted] submission of receipts for taxi and baggage expenses from travel in October 2013 should also be considered in context. [redacted] was in [redacted] doing work for the NSA when the government shutdown began. He found himself unexpectedly asked to end his trip and find some way to properly store or return a great deal of important NSA equipment. To compound the situation, he could not use his government-issued credit card because the card was suspended in the shutdown. These difficult circumstances do not excuse the mistakes the OIG has identified, but they support the conclusion that [redacted] actions, even if in error, do not rise to the level needed to find a violation of 18 U.S.C. § 287 or 18 U.S.C. § 1001.

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C. The OIG's tentative analysis improperly includes numerous instances when records must show [redacted] was at approved off-site trainings or doing other approved work.

The tentative conclusion that [redacted] should repay the government for 736 hours of time—worth approximately $32,767—is also not supported by the evidence.

The analysis underlying this calculation compares the hours [redacted] reported on his timesheets with data taken from access control records for the period from August 2013 through July 2014. The analysis identifies 736 supposedly "discrepant" hours—hours that are entered on [redacted] time sheet that do not match building entry records.

As an initial matter, the OIG analysis should not consider time entered prior to November 2013. The tentative analysis begins in August 2013 because there is no question that "until July 2013 [redacted] supervisor approved [his] work outside NSA spaces...." Tentative Conclusions at 1. [redacted] began reporting to a new supervisor in August 2013, but there is no evidence that his new supervisor promptly informed him that he should change how of where he was performing his job. [redacted] apparently did speak with his new supervisor about working off-site in late October 2013, but there is no clear evidence that any conversation on this topic occurred prior to that time. [redacted] time entries from August through October 2013, like his time prior to August 2013, should not be included in any calculation of potential discrepancies given these facts.

More troublingly, many of the more recent supposedly discrepant hours included in the tentative analysis are from days when [redacted] was at approved off-site trainings. For example, the tentative analysis lists 24.5 hours of discrepant time on January 27-30, 2014. But [redacted] was at an approved team demonstration and training at the [redacted]

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in Northern Virginia on those days, as numerous NSA records must show. The tentative analysis likewise lists 39.25 hours of discrepant time on May 19-23, 2014, when [redacted] was at a training held at [redacted] in Columbia, Maryland. He was again at trainings at [redacted] from January 21-24, 2014, when the tentative analysis lists 28 hours of discrepant time, and from February 10-12, 2014, when the tentative analysis lists 25.5 hours of discrepant time.

[redacted] attendance at these off-site trainings is memorialized in numerous records, and can also be confirmed by co-workers who attending the trainings with him. Yet these days are included in the tentative analysis, suggesting [redacted] supervisors may not have provided the OIG investigation with even basic records regarding [redacted] attendance at these events.

The tentative analysis also troublingly includes discrepant hours for days when [redacted] had *explicit* authorization to work at home, and days when he was communicating with his supervisors from home with their full knowledge of where he was and the work he was performing.

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In particular, in March 2014, [redacted] supervisor spoke to him about conducting a research project that could not be done on-site. [redacted] told his supervisor that he would need to work outside NSA facilities to conduct the research. His supervisor approved that arrangement. [redacted] then conducted the research as instructed on March 18 and 19, 2014, and promptly turned around a report summarizing his research. [redacted] remembers this particular example well because his supervisor was on vacation when he submitted his time card for this period. Another supervisor reviewed his timecard, and questioned [redacted] about his approval to work off-site during this period. When his supervisor returned from vacation he confirmed [redacted] was authorized to work off-site during that time. [redacted] is, understandably, deeply troubled that despite these detailed discussions regarding his authorization to work remotely on March 18 and 19, 2014, time from those days is still listed in the tentative analysis as "discrepant."

[redacted] does not have access to his NSA records, which makes it impossible for him to recreate all of his actions in detail, but he is certain there are NSA records memorializing his work on March 18 and 19, 2014. There are also records showing that [redacted] supervisors and co-workers contacted him at home on numerous occasions in late 2013 and 2014 when they knew he was working remotely to seek his assistance with projects. Despite these records the tentative analysis treats [redacted] as if he performed essentially no work on behalf of NSA outside of NSA facilities after August 2013.

The specific examples above are indicative of problems with the data set as a whole. [redacted] cannot recreate his actions on every single day that is listed in the tentative analysis, but that burden should not be placed on him. He should not be penalized—to the tune of over $30,000—because of lax record-keeping by his supervisors.

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D. Conclusions.

Throughout [redacted] 16-plus year career with the NSA he repeatedly demonstrated his commitment to the NSA's mission and his ability to excel at supporting that mission even under difficult conditions. He continued to work hard to perform his duties for the NSA in late 2013-2014. His supervisors knew that he was working off-site at times in late 2013 and 2014 to get his job done, and they continued to accept, and benefit from, the work he was doing. In short, he earned the salary he received during this time.

We respectfully ask that you revise your tentative conclusions in recognition of these facts. Specifically, we ask that you reconsider any conclusion suggesting [redacted] actions were motivated by criminal intent, and that you revise any finding that [redacted] should repay a large portion of the salary he received during his final year as an NSA employee.

Please let me know if you would like to set up a time to talk more about our position, or the changes that we propose to the tentative conclusions.

Sincerely,

[redacted]

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