

Summary of Closed Employee Integrity Cases April 1, 2014, to September 30, 2014

Statistics on employee integrity investigation cases closed during the semiannual reporting period April 1, 2014, through September 30, 2014, as well as summaries of the cases, follow.

	Political appointees	SES	GS-14/15	GS-13 and below	Misc	Total
Pending 4/1/14	5	9	24	39	1	78
Open	0	5	10	9	2	26
Closed	0*	3	11*	7	1	22
Pending 9/30/14	4	11	24	41	2	82

*Numbers were adjusted after the *Semiannual Report to Congress* ending September 30, 2014, was published.

Political Appointees

None

Senior Executive Service

CASE 1

A Senior Executive Service (SES)-level employee allegedly attempted to steer a U.S. Environmental Protection Agency (EPA) grant for \$60,000 to a specific company. The Assistant U.S. Attorney for Fraud and Public Corruption declined prosecution. There were no administrative findings, and the case was initiated based on an anonymous complaint.

CASE 2

An SES-level employee allegedly requested that EPA employees who reported to her conduct activities that were outside the scope of their official EPA duties. After admitting to having employees perform personal activities for her—including parking her car and getting her lunch—the employee retired from federal service prior to any administrative action being taken by the EPA.

CASE 3

An SES-level employee allegedly incurred about \$18,000 in international roaming charges on an EPA-issued mobile device. In addition, the employee did not disclose all foreign travel and foreign activities on the SF-86 form, *Questionnaire for National Security Positions*. The employee claimed regular work hours while on vacation in or in transit to a foreign destination. The employee resigned before any administrative action could be taken.

GS-14/15

CASE 4

An EPA employee allegedly fraudulently input, verified and approved time-and-attendance records for a subordinate employee. The investigation determined that the accused individual had not fraudulently reported time-and-attendance for the subordinate employee.

CASE 5

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CASE 6

An EPA employee allegedly fraudulently input, verified and approved time-and-attendance records for a subordinate employee. The investigation determined that the accused individual had not fraudulently reported time-and-attendance for the subordinate employee.

CASE 7

An EPA employee allegedly was engaged in time-and-attendance fraud. The investigation determined that the employee had appropriately accounted for his time-and-attendance.

CASE 8

An EPA employee allegedly misused an EPA-issued mobile device by placing personal international calls. The investigation disclosed that the employee had incurred more than \$4,500 in international roaming charges when the mobile device was used in a foreign country while the employee was on leave. The employee and all division staff were counseled by management on the appropriate use of EPA-issued mobile devices.

CASE 9

An EPA employee allegedly received kickbacks from a former employer that had a contract with the EPA and may have violated EPA ethics policy by maintaining a personal relationship with the company. It was determined that the employee had never been employed by the contracting company, and the employee maintained that no personal relationship existed between them. The investigation revealed that the allegation against the employee was unsubstantiated. The company had posted the employee's name on its website without the employee's knowledge or permission. The employee contacted the company to ensure that the posting was removed immediately, and emailed the Office of Inspector General (OIG) about those steps being taken. The case agent verified that the employee's name had been removed. In addition, the employee ensured that the EPA complied with all contract rules regarding the company.

CASE 10

An EPA employee allegedly violated the Freedom of Information Act, the Federal Records Act and the Administrative Procedures Act by deleting emails and directing other employees to delete emails pertaining to a Superfund site. The investigation supported the allegation. The EPA issued a proposal to remove the employee from federal service. The employee retired prior to a final decision being issued on that removal.

CASE 11

A GS-15-level employee viewed pornographic material on an EPA-issued computer while in duty status. The employee admitted to the allegation, and a forensic analysis of the hard drive substantiated that the employee had watched pornography regularly at work for the past several years. The employee was suspended without pay for 5 working days, is no longer allowed to telework, and is not allowed to attach any unauthorized external drive devices to a government computer.

CASE 12

An EPA employee allegedly worked from and had an improper connection with a nonprofit organization receiving EPA grants for which the employee previously had worked. The investigation determined that the employee was in the program area awarding the grants but was not involved in the grant selection or awards process. While the employee previously had worked at the nonprofit, the agency had authorized an exemption for this employee from that covered relationship. Further, the employee worked in the nonprofit's office space two days each week as part of a cooperative agreement with the EPA to use proprietary software programs in that location.

CASE 13

There was an alleged conflict of interest between an EPA employee and a contractor when the employee became involved with an initial contract task order. The investigation substantiated the allegation, but the case was declined for criminal prosecution by the U.S. Attorney's office. The EPA's administrative proposal recommended removal of the employee, but the employee retired before the proposal was finalized.

CASE 14

A GS-15-level employee allegedly engaged in outside employment during normal work hours, and used EPA materials and property for personal gain. Additionally, it was alleged that the employee allowed personal use of an EPA-issued computer by the employee's father. The investigation determined that the employee did not engage in outside employment during normal work hours. However, it did find that the employee had provided a computer ID and password to the father and permitted him to use the government computer. The employee was suspended for 14 days.

GS-13 and below

CASE 15

An EPA employee allegedly misused his EPA-issued travel card for services unrelated to government travel and attempted to mislead EPA officials regarding how the travel card had been used. Management initiated removal of the employee; however, when given the opportunity, the employee resigned.

CASE 16

An EPA employee and a contractor allegedly exchanged emails containing procurement-sensitive information relative to the EPA's Central Data Exchange support contract valued at \$220 million. The emails allegedly constituted a violation of the Procurement Integrity Act, which prohibits the disclosure of contractor bid or proposal information and source selection information. The investigation confirmed that the employee had engaged in conversation, via email, with the contractor, revealing sensitive procurement information. The email exchange took place during the open procurement period for the contract. The allegation regarding violation of the act was proven. The EPA issued a warning to and

counseled the employee concerning improper communications. The employee was relieved of the role of Contracting Officer's Representative and instructed to take interpersonal skills training.

CASE 17

An EPA employee allegedly used an office purchase card to pay off a personal debt to a university. This case was prosecuted by an Assistant U.S. Attorney. The employee pleaded guilty to one count of first degree fraud misdemeanor and entered into a deferred sentencing agreement. The conditions of the agreement were for the employee to perform 48 hours of community service and not be rearrested in the next 6 months with any incident where probable cause could be established.

CASE 18

An EPA employee allegedly incurred improper international roaming charges on an EPA-issued mobile device. The employee agreed to pay back \$1,725. The employee also was orally reprimanded and counseled on the appropriate use of government-issued equipment and the EPA's international travel policies. The employee's manager indicated that all staff would be made aware of the EPA's policy on government equipment and international travel.

CASE 19

A state police officer notified the OIG that an EPA employee allegedly was living at one address and insuring a motor vehicle at another address in order to pay a reduced auto insurance premium on the vehicle. The OIG investigation found that the allegation against the EPA employee was unsubstantiated. Since the employee did not assert a government position or status during the alleged actions, no federal ethics issues were violated. Also, the OIG had no jurisdiction to further a state investigation.

CASE 20

An EPA employee allegedly misused his position in relation to a U.S. Army Corps of Engineers property cleanup of debris following Hurricane Sandy by having an officer from the New York State Department of Environmental Conservation come to the property to stop the cleanup. While the original complaint alleged the employee was concerned about stray cats in the area, a later one alleged that the employee had influenced the cleanup response for financial gain. During this investigation, numerous interviews were conducted involving individuals who either had interacted with the EPA employee or had knowledge of the response to the cleanup efforts at the property. According to the employee, he was concerned with how the cleanup was being conducted in a Wetlands area. The evidence did not support allegations that the employee's attempts were in bad faith, outside his duties or used nonpublic EPA information to have state employees stop work at the property. Nor did the facts support the allegation that the employee misused his position for financial gain.

Miscellaneous (Unknown Subjects and Contractor Employees)

CASE 21

A former EPA intern allegedly was observed removing money from unsecured purses at the EPA. An arrest warrant was issued for the suspect on a misdemeanor charge for petty larceny. The subject subsequently surrendered to the local police. The suspect received a 6-month consent decree from the court, and an agency bar notice was issued, banning the subject from EPA facilities.

CASE 22

An EPA employee reported that an EPA laptop was stolen during a burglary of the employee's residence. This theft was not reported in a timely manner; more than 3 months passed between the time the laptop allegedly was stolen and the time the employee was asked to return it. The employee was suspended for 2 days without pay for failure to immediately report that a government-issued laptop had been stolen. The employee also agreed to receive 8 hours of counseling.