

SUMMARY OF INVESTIGATIVE REPORT NO. 14-0153

August 2015

The Office of Inspector General's Review of Alleged Misconduct and Waste of Government Resources by a Senior Official

On December 2, 2013, a complainant contacted the Office of Inspector General (OIG) of the United States Department of Commerce (Department) alleging a senior Department official (Senior Official) engaged in a number of acts constituting waste of government resources and/or fraud. The complainant specifically alleged that Senior Official (i) misused a government computer that had been issued to her by allowing a family member to access and use the equipment, (ii) engaged in wasteful foreign travel at the expense of the federal government, and (iii) submitted false time and attendance claims.

To investigate these allegations, the OIG interviewed numerous employees across multiple divisions within the Department, including Senior Official herself. We also conducted forensic analysis on multiple computer devices issued to Senior Official and reviewed time and attendance records, security badge records, e-mail communications, government property records, and travel records.

During the investigation, questions arose regarding the propriety of Senior Official's conduct in response to the OIG's inquiries. First, one of Senior Official's tablet devices collected by the OIG for forensic analysis appeared to have been remotely erased, raising concerns regarding whether Senior Official attempted to interfere with the OIG's investigation. Second, the OIG received allegations that Senior Official engaged in retaliation against one of her subordinates for cooperating as a witness in the OIG's investigation as well as a pending investigation by the Equal Employment Opportunity Office.

The OIG's investigation revealed a troubling pattern of conduct that was abusive of government resources and evidenced a disregard for conservation of such resources, as well as misconduct by Senior Official in response to the OIG's investigation. In particular:

- The evidence revealed that Senior Official misused government computer equipment, including permitting members of her household to access and use such equipment, which resulted in inappropriate use of such equipment to view and/or store pornographic, sexually suggestive, and racially offensive materials. Additionally, for a period of approximately six months, Senior Official maintained no less than seven government-issued computer resources at her private residence, including two desktop computers, three laptop computers, and at least two iPad tablets, suggesting she was, at a minimum, indifferent to her obligation to conserve government property and resources.
- The evidence showed that, in connection with official travel, Senior Official selected a flight itinerary that benefitted her personally—permitting her to seek reimbursement from the government for expenses associated with her own personal, non-official travel plans—despite the fact she was presented with viable alternatives that would have

reduced the cost to the government. As a result, the evidence indicates the government overpaid for Senior Official's travel expenses by approximately \$1365.

- A review of Department records revealed numerous discrepancies between the arrival and departure times Senior Official listed in her official time and attendance records and the actual arrival and departure times indicated by Department security badge records. Although these discrepancies did not conclusively establish that Senior Official's time records were false, they call into question the veracity and accuracy of her time and attendance claims. Moreover, other evidence reviewed by the OIG casts further doubt on Senior Official's time and attendance claims. For example, on at least one occasion in July 2014, Senior Official claimed a full eight-hour day of telework when, in fact, the evidence suggests she likely worked for a substantially shorter period of time that day—as little as twenty minutes.

The OIG also uncovered evidence of troubling conduct by Senior Official in response to its investigation. This included evidence that Senior Official failed to comply with a preservation order issued by the OIG, which resulted in impeding the OIG's access to information and materials relevant to its investigation, as well as credible evidence that Senior Official's belief that one of her subordinates cooperated with the OIG's investigation was a significant factor in Senior Official's proposal to take disciplinary action against the subordinate. This evidence is deeply troubling to the OIG as it calls into question Senior Official's compliance with her obligations as a government employee.

In light of these findings, the OIG's report makes recommendations to address Senior Official's past conduct as well as the risk that similar issues may arise in the future. For example, the report recommends that certain divisions within the Department evaluate and make appropriate changes to their current operating policies and procedures to mitigate the risk other employees will be able to abuse government resources in a manner similar to that described in the report.

The OIG's full report of investigation on this matter may be requested pursuant to the Freedom of Information Act (5 U.S.C. § 552). For more information or to file a request, visit the OIG's website and click "FOIA" at the bottom of the screen.