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Closure Recommendation Memorandum

Case Number: 19-0027-1	Date of Entry: 11/22/2020
Primary Investigator: [redacted]	(b)(3)

Allegation Information

Narrative:
 (U//~~FOUO~~) On 2 April 2019, the National Reconnaissance Office (NRO) Office of Inspector General (OIG) received a Hotlink complaint alleging [redacted] (Subject) was requested to be removed from a [redacted] (b)(3) [redacted] contract position due to issues with completing work. Additionally, Subject was suspected (b)(7)(C) spending excessive time on the NRO Unclassified Management Information System (UMIS) and not working a full-day.

(U//~~FOUO~~) On 17 April 2019, Special Agent (SA) [redacted] interviewed Complainant who said Subject was debriefed on 22 March 2019 from an NRO contract with [redacted] and came back on another NRO contract with [redacted] less than a month later. According to Complainant, the Contracting Officer's Technical Representative (COTR) for the [redacted] contract had concerns Subject was not working his hours. (b)(3)

Last Investigative Step:
 (U) Compared hours billed to the NRO to the days Subject accessed the [redacted] contract facility where he works. (b)(3)

Resolution:
 (U) Unsubstantiated

Case Closure Recommendation Justification

Additional Information:

(U) Review of Subject's hours billed to the [redacted] contract (b)(3)
 (U) On 7 May 2019, SA [redacted] interviewed the COTR of the [redacted] contract. [*SA's Note: COTR requested confidentiality.*] The COTR stated that he shared an office with Subject. The COTR observed Subject using UMIS and estimated Subject was on the internet 60 percent of his time. Additionally, the COTR noticed Subject was not productive. The COTR said he informed the Lead contractor of his concerns, and noted that there was minor improvement in Subject's internet usage. The COTR clarified that Subject told him that he conducted official business on his personal phone, which may account for some hours billed to the NRO, but not worked in NRO facilities. Further, the COTR said that Subject participated in official travel for the NRO, which might account for whole days missing. The COTR stated that he told the Lead contractor that he did not want Subject on his contract.

(U//~~FOUO~~) SA [redacted] completed a preliminary analysis of Subject's Time and Attendance (T&A) records from 1 Dec 2018 to 22 March 2019 and found Subject was short 124.7 hours (26.9 percent).³ After meeting with the COTR, SA [redacted]

¹ (U//~~FOUO~~) Subject worked for [redacted] from 9 Jan 2017 to 22 March 2019 on contract number [redacted] (b)(3)
² (U//~~FOUO~~) From 8 April 2019 to current, Subject holds active security clearances relevant to [redacted] contract number [redacted]
³ (U//~~FOUO~~) The OIG selected 1 Dec 2018 to 22 March 2019 because it represents approximately 90 days Subject worked on the [redacted] contract. OIG's preliminary analysis consisted of comparing Subject's timesheets to his NRO badge records for the relevant period.

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eliminated all half/whole missing days (4 hours or more) from the OIG's preliminary analysis and found Subject was short 49.1 hours (10.6 percent). SA [] opined Subject's short could be less than 10.6 percent if the OIG reviewed other data (e.g., Subject's calendar and other electronic communications) and/or interviewed Subject.

(U) Review of Subject's hours billed to the [] contract

(U//~~FOUO~~) On 30 Oct 2019, SA [] interviewed the COTR for the [] contract. While the COTR was familiar with Subject, (b)(3) he indicated that he does not have "eyes on" Subject or insight to Subject's daily activities because Subject works solely at an [] contractor facility located in []. The COTR stated that he does not have any concerns about Subject, nor has he heard any complaints. The COTR added that Subject's direct supervisor approves Subject's timecards and is very "meticulous" in performing this function.

(U//~~FOUO~~) In Oct-Nov 2019, SA [] confirmed with the [] Contract Officer (CO) and Ethics Officer that employees are required to badge into their offices with an [] identification card. However, [] employees are not required to badge out.

(U//~~FOUO~~) On 4 Nov 2019, SA [] spoke with an NRO Office of Security and Counterintelligence (OS&CI) official who (b)(3) stated that Subject does not have any NRO badge records after 31 March 2019 because he was not issued an NRO regular or temporary badge.

(U//~~FOUO~~) SA [] completed a preliminary analysis of Subject's T&A records from 8 April 2019 to 20 Sept 2019, and found [] badge activity for each day Subject billed the NRO.⁴ Following OIG practices, the OIG gave Subject full credit for all hours billed to the NRO on days where he badged into the [] contractor facility. As a result, Subject had no shortage from 8 April 2019 to 20 Sept 2019.

(U) Investigative results

(U//~~FOUO~~) A preliminary analysis of Subject's T&A from 1 Dec 2018 to 22 March 2019 [] and again from 8 April (b)(3) 2019 to 20 Sept 2019 [] shows that Subject's shortage is significantly less than 10 percent.

(U) No further action is required and this case is recommended for closure.

⁴(U//~~FOUO~~) The OIG selected 8 April 2019 to 20 Sept 2019 because it correlates to the date Subject began working on the [] contract and OIG discussions with government and contractor officials familiar with Subject. OIG's preliminary analysis consisted of comparing Subject's timesheets to his [] badge records for the relevant period. (b)(3)

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