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*Office of Inspector General
Investigations Staff*

DISPOSITION MEMORANDUM

**(U//~~FOUO~~) MISREPRESENTATION OF ACADEMIC CREDENTIALS
AND FALSE STATEMENTS BY A TELECOMMUNICATIONS
INFORMATION SYSTEMS OFFICER
(2011-10146-IG)**

15 January 2013

(~~C~~) Section A – Subject:

1.

[Redacted]

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(U) Section B – Predication:

2. ~~(C)~~ Based on a 2008 United States Secret Service investigation that identified an Agency contractor as possessing a degree from a known diploma mill, the Office of Inspector General (OIG) initiated a proactive investigation on 5 August 2008 into Agency staff claiming degrees from non-accredited institutions. OIG matched a list of unaccredited institutions against Agency BIO information to identify any individuals who had provided degree evidence to Human Resources. One of the individuals identified, [redacted] claimed a bachelor's degree in electrical engineering from [redacted] on his Agency BIO. [redacted] is an unaccredited institution and is not affiliated with the accredited [redacted]

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(U) Section C – Potential Violations:

3. (U) Title 18 U.S.C. § 1001 (*Fraud and False Statements, Statements or entries generally*) provides in pertinent part:

Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully-

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title or imprisoned not more than 5 years, or both. . . .

4. (U//~~FOUO~~) Agency Regulation (AR) 18-1, CIA University - General, dated 21 April 2004, provides in pertinent part:

(1)(d) ACADEMIC TRAINING

(1) Each Deputy Director, Chief, Mission Support Office, or Head of Independent Office (DD, C/MSO, or HIO) or designee may select and assign employees to academic degree training and may pay or reimburse the costs of academic degree training from appropriated or other available funds if such training meets the following three criteria:

...

(c) Is accredited and is provided by a college or university that is accredited by a nationally recognized accrediting body, as identified by the Department of Education. Accreditation of the granting institution is required for a degree to be eligible for payment or reimbursement.

(2) In exercising this authority each DD, C/MSO, or HIO or designee shall:

Take into consideration the need to:

(b) Ensure that the training is not for the sole purpose of providing an employee an opportunity to obtain an academic degree or qualify for appointment to a particular position for which the academic degree is a basic requirement.

(c) To the greatest extent practicable, facilitate the use of online degree training.

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(3) The guidance in sections d(1) and d(2) above pertain to full academic degrees, and in all such cases, accreditation of the granting institution is required for that degree to be eligible for payment or reimbursement. However, Operating Officials, HIOs, and the Deputy Director of the National Reconnaissance Office (DD/NRO) may fund individual training courses provided by colleges, universities, and private vendors, including non-accredited institutions. Care must be taken to ensure that, through careful supervisory approval and vigilant HR office oversight, any such training must be clearly job related, and that the provider actually delivers the quality and quantity of training purchased.

(U) Section D – Investigative Results:

[Redacted]

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6. (U/~~FOUO~~) (Exhibit A) The letter provided by the Department of Justice (DOJ) to former [redacted] students, [redacted] stated in part:

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7. (U) (Exhibit B) A review by OIG of records from the DOJ fraud case [redacted] found that [redacted] participated in the restitution program, and claimed reimbursement as a victim of the fraud. The OIG review found forms submitted by [redacted] for restitution in which he claimed that he paid [redacted] for his degree. [redacted] received and endorsed a restitution check from DOJ in the amount of [redacted]

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¹ (U) The attached letter is the template sent to all individuals reimbursed by the Department of Justice. Individual letters were not retained.

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8. (C) During a 25 August 2008 interview, [redacted] stated to OIG that he had received notification from DOJ that [redacted] "had been investigated and prosecuted." [redacted] stated that he submitted claims for, and received tuition reimbursement for, his [redacted] courses from the Agency in 1997. [redacted] further stated that he received a tuition refund resulting from the DOJ investigation. According to [redacted] he did not remit these funds to the Agency, which had paid his tuition. [redacted] stated he was unable to recall the total amount of the refund and declined to identify an approximate figure. Because the claims were over ten year old, Agency vouchers from [redacted] Agency reimbursement are no longer available. [redacted] stated that he would be willing to return the monies received from the reimbursement to the Agency.

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9. (C) (Exhibit C) A review of his security file by OIG found that [redacted] included his bachelor's degree information SPHS/Form 444 dated 22 January 1999. This SPHS entry triggered an education check during [redacted] subsequent background investigation. This resulted in an [redacted] transcript provided by [redacted] being placed into his official records.

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10. (C) (Exhibit D) A review of his personnel file by OIG found that [redacted] informed his supervisor of his bachelor's degree award during his April 1996-March 1997 performance appraisal period, resulting in his supervisor crediting him with completion of a bachelor's degree in electrical engineering on his PAR dated 2 May 1997. [redacted] personnel file contained no additional mention of his degree.

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11. (C) A review of [redacted] BIO by OIG showed that his [redacted] degree information was available from 1999 through 2008, during which he received one promotion and was selected for four positions, all as a TISO. OIG determined through a review of the job category description that the TISO classification does not require a degree.

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(U) Section E - Conclusions:

12. (C) OIG referred [redacted] to the U.S. Attorney's Office, Eastern District of Virginia (EDVA) on 12 March 2009 for violation of Title 18 U.S.C. § 1001 (Fraud and False Statements, Statements or entries generally). EDVA declined prosecution on 14 April 2009 for lack of prosecutive merit in favor of administrative action.

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13. (C) [redacted] received tuition reimbursement from the Agency for an unspecified amount, and then received additional funds from the fraud settlement with DOJ in the amount of [redacted] [redacted] failed to notify the Agency that his degree was not from a properly accredited institution as recommended by DOJ in its letter to [redacted] failure to notify the Agency that he had received restitution for academic training the Agency paid for resulted in an unjust enrichment of [redacted] to [redacted]

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14. ~~(S)~~ [redacted] presented his degree information to the Agency [redacted], following his notification from DOJ that his degree was fraudulent. [redacted] degree information was available from 1999 through 2008, during which he received one promotion and was selected for four positions. [redacted] job classification does not require a degree, and his personnel file showed no highlighting of his degree by [redacted] following his notification by DOJ. Based on OIG's investigative findings, OIG believes there is insufficient evidence to indicate [redacted] violated Title 18 U.S.C. § 1001.

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15. (U//~~FOUO~~) Based on the staleness of the evidence and the lack of substantiation for the criminal violations the matter is being closed.

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[redacted]

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Special Agent

[redacted]

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Deputy Assistant Inspector General
for Investigation

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(U) **Section F – Exhibits:**

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- A. (U/~~FOUO~~) Department of Justice Notifications – [redacted]
- B. ~~(S)~~ Claim package from DOJ – [redacted]
- C. ~~(S)~~ [redacted] PAR (1997)
- D. ~~(S)~~ [redacted] SPHS/Form 444 (1999)

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