

# Investigation into Misuse of Agency Transportation Account and Other Improprieties by a Political Appointee

INVESTIGATIVE REPORT NO. 16-1036

JANUARY 2018



U.S. Department of Commerce  
Office of Inspector General  
Office of Investigations



# Report Summary

JANUARY 2018

## Background

In May 2016, the Office of Inspector General (OIG) initiated an investigation into an allegation that a high-level political appointee (Political Appointee) at an agency within the U.S. Department of Commerce (Agency) was using the Agency's account with a local taxicab company (Cab Company) for personal trips that were not authorized under Agency policy.<sup>1</sup>

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### WHAT THE OIG FOUND

The OIG found that from September 2014 to May 2016, Political Appointee misused the Agency's account with Cab Company by charging it for the cost of approximately 130 cab rides prohibited by Agency policy. The majority of these unauthorized cab rides took place between January and April 2016, during which time Political Appointee regularly used the account to travel between Agency headquarters and the vicinity of his home as part of his daily commute.

Further, the OIG's investigation found that Political Appointee attempted to conceal his misuse of the Agency's Cab Company account using tactics such as:

- Providing the names of other current and former Agency employees or fictitious names when calling to order cabs, and
- Writing false or inaccurate locations and names on cab receipts and vouchers.

The OIG determined that Political Appointee charged more than \$4,000 to the Agency's Cab Company account for the unauthorized cab trips that he took.

The OIG's investigation found that Political Appointee had engaged in other improper conduct as well.

Specifically, Political Appointee misstated his educational credentials on resumes he submitted to secure his politically appointed positions at the Agency by claiming to have a post-graduate degree that he did not actually receive.

Political Appointee also repeatedly failed to adhere to the rules and policies governing the use of his government-issued credit card, and did so even after making representations to the Agency that he would improve his compliance with these rules and policies. Indeed, the OIG found that Political Appointee made over \$15,000 in impermissible personal charges to his government-issued credit card between July 2012 and July 2016.<sup>2</sup>

<sup>1</sup> The names of people referenced in the OIG's report are masked and masculine pronouns are used, regardless of gender, to protect the privacy of these individuals.

<sup>2</sup> Political Appointee paid the bills for these impermissible charges using personal funds. The government did not reimburse Political Appointee for these unauthorized expenses.

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*Cover: Herbert C. Hoover Building main entrance at 14th Street Northwest in Washington, D.C. Completed in 1932, the building is named after the former Secretary of Commerce and 31st President of the United States.*

# I. Executive Summary

In May 2016, the Office of Inspector General (OIG) initiated an investigation into an allegation that a high-level political appointee (Political Appointee) at an agency within the U.S. Department of Commerce (Agency) was using the Agency's account with a local taxicab company (Cab Company) for personal trips that were unauthorized under Agency policy.<sup>1</sup> After conducting an investigation, the OIG substantiated this allegation.

The OIG found that from September 2014 to May 2016, Political Appointee misused the Agency's account with Cab Company by charging it for the cost of approximately 130 cab rides prohibited by Agency policy. The majority of these unauthorized cab rides took place between January and April 2016, during which time Political Appointee regularly used the account to travel between Agency headquarters and the vicinity of his home as part of his daily commute.

Further, the OIG's investigation found that Political Appointee attempted to conceal his misuse of the Agency's Cab Company account using tactics such as:

- Providing the names of other current and former Agency employees or fictitious names when calling to order cabs, and
- Writing false or inaccurate locations and names on cab receipts and vouchers.

The OIG determined that Political Appointee charged more than \$4,000 to the Agency's Cab Company account for the unauthorized cab trips that he took.

The OIG's investigation found that Political Appointee had engaged in other improper conduct as well. Specifically, Political Appointee misstated his educational credentials on resumes he submitted to secure his politically appointed positions at the Agency by claiming to have a post-graduate degree that he did not actually receive. Political Appointee also repeatedly failed to adhere to the rules and policies governing the use of his government-issued credit card, and did so even after making representations to the Agency that he would improve his compliance with these rules and policies. Indeed, the OIG found that Political Appointee made over \$15,000 in impermissible personal charges to his government-issued credit card between July 2012 and July 2016.<sup>2</sup>

The OIG interviewed Political Appointee in December 2016 and briefed a senior Department official on our investigation shortly thereafter. Political Appointee resigned his position with the

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<sup>1</sup> The names of people referenced in this report are masked and masculine pronouns are used, regardless of gender, to protect the privacy of these individuals.

<sup>2</sup> Political Appointee paid the bills for these impermissible charges using personal funds. The government did not reimburse Political Appointee for these unauthorized expenses.

Agency just over two weeks after this briefing, before the Agency or Department took any administrative action against him.

Because our investigation found credible evidence that Political Appointee's misuse of the Agency's Cab Company account violated federal criminal and civil statutes, the OIG consulted with the U.S. Department of Justice (DOJ), but no prosecution resulted.

This report details the OIG's investigation and findings, which the OIG is now referring to the Agency so that it may take any action it deems appropriate.<sup>3</sup>

## II. Factual Background

### *Agency Transportation Services Policy*

The Agency maintains three vehicles to provide chauffeured car service when certain designated officials holding senior positions, including Political Appointee's, conduct business away from its suburban Washington, D.C. headquarters building. The Agency also maintains an account with Cab Company for use by these designated officials in the event that a driver is not available to provide car service.

The Agency's Transportation Services policy governs any use of its car service or Cab Company account. This policy emphasizes that “[n]o one may receive ‘portal-to-portal’ (i.e., home-to-office or office-to-home) transportation” at the government's expense.<sup>4</sup> This restriction is consistent with another Agency policy governing the use of cabs by non-designated Agency employees, which similarly prohibits reimbursement of cab fare paid as part of “usual commuting costs.” The Transportation Services policy also states that employees should exercise their “best judgment” before using the Cab Company account as a replacement for car service, as the transportation provided by Cab Company is “far more expensive” than other options that are typically available, including use of the Washington, D.C. Metro system.

### *The Agency's Review of Charges to Its Cab Company Account*

In April 2016, the Agency conducted a review of invoices for rides charged to its Cab Company account and noticed that the name of one particular high-level official (Agency Official A) was associated with an unusually high number of cab rides during the period between November 2015 and March 2016. Most of the account documentation listing Agency Official A as a passenger showed trips taking place between the Agency's headquarters building and a particular location

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<sup>3</sup> Prior to issuing this report, the OIG provided Political Appointee with an opportunity to review and comment on a draft version of its Factual Background section. After availing himself of this opportunity, Political Appointee informed the OIG through his counsel that he had no corrections or rebuttal to offer in response to the OIG's evidentiary findings.

<sup>4</sup> Emphasis in original.

less than 1/10th of a mile from Political Appointee's home (Location 1). The Agency concluded that Political Appointee had taken these cab rides, and reported this potential abuse of its Cab Company account to the OIG in May 2016. After a preliminary discussion with the OIG about the facts of this case, the Agency's leadership elected to instruct Political Appointee to stop using the Cab Company account to commute between home and work.<sup>5</sup>

### *The OIG's Investigation & Findings*

After opening an investigation into this matter, the OIG gathered a variety of evidence that tied Political Appointee to the misuse of the Cab Company account suspected by Agency employees, and to additional improper usage of the account not previously identified by the Agency.

For example, one Cab Company invoice billed the government for a February 2016 trip ordered at 6:34 a.m. to go from Location 1 to Agency headquarters at a cost of \$30.24. The OIG found that the telephone number used to call for this cab is one that is associated with Political Appointee. In addition, Agency turnstile data shows Political Appointee entering Agency headquarters shortly after Cab Company global positioning system (GPS) data shows the cab arriving there. Moreover, the Cab Company receipt associated with this trip contains information handwritten in a particularly distinctive style that Political Appointee later confirmed to the OIG to be his own.

But even though the evidence establishes that Political Appointee took this cab ride to commute from his home to work, the receipt that he filled out for this trip states otherwise. Indeed, this receipt incorrectly states that the trip was taken by another Agency employee with whom Political Appointee was familiar, not by Political Appointee, and that the trip started from "DOC"—shorthand for the Department of Commerce — not from Political Appointee's home.

Similarly, another Cab Company invoice billed the government \$54.00 for a Saturday afternoon trip taken in July 2015 from Location 1 to Agency headquarters and \$36.20 for a second trip departing later that evening from a private residence located less than one mile from Agency headquarters. A senior Agency official (Agency Official B) told the OIG that he, Political Appointee, and one other Agency official (Agency Official C) were guests at a birthday party that Saturday at the residence listed as the pick-up location for the second trip. According to Agency Official B, no other Agency employees attended this gathering, the vast majority of attendees were not Agency employees, this event was not official Agency business, and there would have been no reason for anyone attending the event to think otherwise. Agency Official B made it clear that he did not use the Agency's Cab Company account to travel to or from this event, and said he saw Agency Official C's car outside the residence where the event took place.

Thus, the evidence shows that Political Appointee used the Agency's Cab Company account to facilitate his weekend social activity in this particular instance, but he made it appear otherwise when arranging for these cabs. Specifically, Cab Company documentation shows that Political

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<sup>5</sup> There is no evidence indicating that Political Appointee misused the account after receiving this instruction.

Appointee used the same fictitious name in connection with both trips, which appears to be a combination of the first name of a current senior Agency official and the last name of a former senior Agency official, each of whom would have been familiar to Political Appointee.

The evidence establishes that Political Appointee charged approximately 230 trips to the Agency's Cab Company account between September 2014 and May 2016. About 100 of these trips either appear permissible under the Agency's Transportation Services policy or lack sufficient indicia for the OIG to categorize them as impermissible. Cab Company documentation associated with all but a few of these approximately 100 trips either lists Political Appointee as the passenger or does not reference a passenger.

By contrast, Political Appointee's name appears only a handful of times in documentation associated with the approximately 130 impermissible trips that the OIG attributed to Political Appointee. When charging the government for these impermissible trips, the evidence establishes that Political Appointee almost always identified another Agency employee as the passenger and occasionally used fictitious names or the names of former employees.

Political Appointee took about 80 of these 130 impermissible trips between January and April 2016 to commute to or from the vicinity of his home at the government's expense. Political Appointee's usage of the account peaked during March and April 2016, when he billed it for his commute almost every weekday. The total cost to the government for the approximately 130 impermissible trips that the OIG identified was more than \$4,000.

#### *Political Appointee's Explanation for Misusing the Agency's Cab Company Account*

When the OIG interviewed Political Appointee, he confirmed that he regularly used the Agency's Cab Company account to commute between his home and Agency headquarters. Political Appointee said he did this because he believed Agency policy permitted him to use the Cab Company account to commute to or from work whenever his duties required him to participate in early or late telephone calls or meetings. According to Political Appointee, an "early" meeting was any meeting taking place before 9:00 a.m. Political Appointee said he reached this understanding by observing use of the Cab Company account by two former high-ranking Agency officials (Agency Officials D and E). For example, Political Appointee stated: "My understanding was, in terms of, ah, early morning and later departure, um, in the way that I saw [Agency Official D] use it, um, and in terms of conference with others, that [the Agency Cab Company account] was . . . copasetic to use."

Political Appointee added that he believed his use of the Cab Company account to commute to or from work in this manner was justified because, in his position with the Agency, "[t]here was a lot for me to pay attention to, and so I was thinking not to be foolish or inappropriate, but that when you've got that level of work to be done, that using [the Cab Company account] effectively to advance the work of the [A]gency and the mission was kosher." Similarly, Political Appointee said, "I saw this as directly, when it comes to having to deal with [A]gency work early in the

morning, or and/or having to do it at night, and/or doing it throughout the day, this was a service to get that business done, and really, my only focus was to get that business done.”

Political Appointee also confirmed during his OIG interview that he routinely used the names of other Agency employees when filling out paperwork associated with these trips. According to Political Appointee, when booking a cab using the Agency’s Cab Company account, he would typically use the name of the Agency business unit head that benefited from the work he would be doing upon arrival at the office or had been doing before departing the office.

As Political Appointee explained this practice:

So when I would travel with [Agency Official D] [he] would use the vouchers and the voucher name would always be the head of the department. . . . [S]ometimes . . . [Agency Official E], when I would travel with [him] to meetings [he] too would put down the boss of the business unit. . . . So my general understanding was that, [1], you could use [the Cab Company account] for work-related purposes, and [2], that you put down the name of the business unit that you’re drawing the account from [on Cab Company paperwork].

In addition, Political Appointee confirmed that he regularly provided incorrect pick-up and drop-off location information when filling out paperwork associated with the trips he billed to the Agency Cab Company account. According to Political Appointee, he would typically fill out Cab Company paperwork to state he was traveling from DOC to the Agency when commuting to work from his home and from the Agency to DOC when commuting home from work. He did this, Political Appointee claimed, to show these trips were justified for “performing work business.” Specifically, Political Appointee stated:

Usually those early mornings, if I started business that early, um, and we were doing a call—we have, for example, regional offices in different regions and those directors travel a ton. So we might do a call with them in sort of earlier hours. Um, then if I was starting from my home address and then heading to [the Agency], then I would put down from DOC to [the Agency] as opposed to filling out like my individual home address, because I was performing work business, and I thought that that’s how we were accounting for the going there and coming from.

Again, Political Appointee said he thought it was permissible to provide incorrect trip origin or destination information because this was the “protocol that was imparted to [him] by [his] bosses at the time,” and “because this is how . . . prior bosses approach[ed] it,” with Agency Officials D and E purportedly being the two primary sources of this understanding.



For example, Political Appointee told the OIG:

Ah, sometimes I saw [Agency Officials D and E] fill out just DOC, um, as a shorthand if they were running late or running into meetings and things like that, um, and then other times I saw folks individually pen the exact address that they were getting off at, or on.

*Witness Statements Conflicting with Political Appointee's Explanation*

Even though Agency Officials D and E no longer worked for the Agency at the time Political Appointee provided these explanations, the OIG was able to interview Agency Official E, and what he said contradicted Political Appointee's assertions about how others used the Cab Company account.<sup>6</sup>

For example, Agency Official E estimated that he used the Cab Company account ten times or less in the nearly five years that he worked for the Agency, and only a "couple of times" in the presence of Political Appointee. Agency Official E also noted that he was not Political Appointee's supervisor at the time he worked for the Agency, and he had no recollection of ever discussing how to fill out Cab Company paperwork with Political Appointee.

Further, Agency Official E told the OIG that he could not see why one would write the name of an Agency business unit head on Cab Company paperwork, and he would never have suggested to Political Appointee that it was acceptable to use the name of another Agency official in connection with a cab ride if that official was not a passenger in the cab. Similarly, Agency Official E said it would not be acceptable to write "DOC" as the destination or origin of a cab ride on a receipt or voucher if the Department's downtown Washington, D.C. headquarters building was not in fact the actual destination or origin of the trip. Indeed, Agency Official E said, adhering to such a practice "doesn't even make sense."

In addition, even though he recalled receiving no formal training on the Agency's Transportation Services policy, Agency Official E still knew that using the Agency's Cab Company account to commute to or from work would be impermissible—even if one had an early morning or late evening meeting—and for someone to believe otherwise would be "a little strange."

Moreover, Agency Official E's interview statements undermined the notion that Agency Official D might have set an example for Political Appointee's usage of the Agency's Cab Company account. Particularly, Agency Official E recalled that Agency Official D's ordinary practice was to drive his personal car to and from work, not to take cab rides that he might have billed to the government. Agency Official E further noted that Agency Official D often drove his personal car to afternoon or evening meetings held away from Agency headquarters so that he could return directly home from such meetings.

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<sup>6</sup> The OIG made several attempts to contact Agency Official D during this investigation, but he did not respond.

The OIG also interviewed four of the Agency employees whose names Political Appointee used in connection with the cab rides that he took for personal travel, and the statements of these employees aligned with those of Agency Official E, not those of Political Appointee.

For example, not one of these employees believed it would be appropriate to charge the government for a cab ride used to commute to or from his home, even if the employee was unfamiliar with the Agency's Transportation Services policy.

Similarly, none of these employees believed it would be acceptable to use the name of another Agency employee or business unit head when filling out Cab Company paperwork for the reasons given by Political Appointee. Moreover, each of these employees said that he would not approve of someone else using his name when filling out Cab Company paperwork in the manner employed by Political Appointee. As one of these employees put it when the OIG asked if it would be acceptable for someone else to name him as the passenger in a cab that he did not actually take: "To use my name? Why would they need to use my name? . . . They would never be justified in using my name. They would have to use their own name."

#### *Evidence of Other Misconduct by Political Appointee*

During the time he was employed at the Agency, Political Appointee's public profile on the Agency's website stated that he "did graduate work" at a well-respected university but made no mention of him having received a degree from that university. Consistent with this profile, Political Appointee affirmed during his OIG interview that he did not have a graduate degree. During the course of our investigation, however, the OIG obtained two resumes that Political Appointee submitted to secure the positions he held at the Agency, and in both of these resumes Political Appointee claimed to have received a master's degree from the university referenced on the Agency website:

**EDUCATION**  
**University of REDACTED**  
**B.A., Political Science, *cum laude***  
**REDACTED University**  
**M.A., Political Management**

The OIG also obtained a list of charges made by Political Appointee to his government-issued credit card (Travel Card) as part of our investigation into this matter. Government rules permit the use of such cards only to pay certain expenses incurred while on official travel away from one's local duty station, and prohibit their use for non-business expenses. Moreover, government employees are required to take training and sign certifications to confirm their awareness of these rules before receiving such a card. Political Appointee took this required training and certified that he "acknowledge[d] that [his Travel Card] is to be used only for expenses incurred incident to

officially authorized Government travel.” Despite this fact, the OIG’s review of Political Appointee’s Travel Card charges showed that he used this card to make over \$15,000 in impermissible personal charges during the four-year period between July 2012 and July 2016, including charged expenses at local bars, clubs, coffee shops, restaurants, grocery stores, dry cleaners, and at least one liquor store.<sup>7</sup>

Notably, Political Appointee had his Travel Card revoked during 2013 for failing to pay the outstanding balance, and he wrote the following to the Agency’s finance department in an effort to get his card reactivated:

I . . . want[] to underscore how deeply apologetic I am for the air of irresponsibility I demonstrated. I know managing government finances is an incredibly serious undertaking, and possessing a government [credit] card demands the utmost responsibility—so . . . I want to assure you I’ve taken steps . . . to . . . never make any such missteps again.

The card was reactivated, but Political Appointee did not go on to demonstrate the “utmost responsibility” with the “serious undertaking” that possessing a government-issued credit card demands, as he claimed he would. In fact, the evidence establishes that Political Appointee went on to make impermissible personal charges to his Travel Card nearly every day beginning in April 2015 through at least July 2016, sometimes making as many as nine such charges in a single day.

#### *Circumstances Leading to Political Appointee’s Resignation from the Agency*

Shortly after interviewing Political Appointee in December 2016, the OIG briefed the Department’s leadership regarding the evidence gathered in this case. Political Appointee resigned his position with the Agency just over two weeks after that, before the Agency or Department took any administrative action against him. Political Appointee’s personnel file cites the end of the outgoing presidential administration as the reason for his resignation.

### III. Analysis

The evidence gathered by the OIG establishes that Political Appointee knowingly used the Agency’s Cab Company account for impermissible purposes on a routine basis and that he took steps to conceal his unauthorized use of this account by providing false names and false location information. Thus, the evidence establishes not only that Political Appointee’s actions in this regard violated the Agency’s Transportation Services policy, but also that his actions implicate

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<sup>7</sup> Political Appointee paid the bills for these impermissible charges using personal funds. The government did not reimburse Political Appointee for these unauthorized expenses.

federal criminal and civil statutes prohibiting theft of government assets and the submission of false claims to the government.<sup>8</sup>

For example, 18 U.S.C. § 641 prohibits one from “steal[ing] . . . or knowingly convert[ing] to his use . . . any record, voucher, money, or thing of value of the United States or of any department or agency thereof.”

Further, 18 U.S.C. § 1001 makes it a criminal offense to “knowingly and willfully . . . make[] any materially false, fictitious, or fraudulent statement or representation,” or “make[] or use[] any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry” in connection with “any matter within the jurisdiction of the executive . . . branch of the Government of the United States.”

Similarly, 18 U.S.C. § 287 prohibits “mak[ing] or present[ing] . . . to any department or agency [of the United States government], any claim upon or against the United States, or any department or agency thereof, knowing such claim to be false, fictitious, or fraudulent.”

Finally, 31 U.S.C. § 3729 subjects one to civil liability for “knowingly present[ing], or caus[ing] to be presented, a false or fraudulent claim for payment or approval” or for “knowingly mak[ing], us[ing], or caus[ing] to be made or used, a false record or statement material to a false or fraudulent claim.”

Viewed together, these statutory prohibitions would impose liability upon an individual who (1) submits information (2) relied upon by the government to support issuance of a payment (3) to the individual’s personal benefit (4) when the individual knows the information to be false, fictitious, or fraudulent.

The evidence in this case establishes a basis for such liability. It is beyond dispute that Political Appointee benefitted personally from the government paying charges associated with his unauthorized cab rides because he was not required to expend his own financial resources to obtain these rides. The evidence also plainly establishes that the government relied on Cab Company paperwork showing proof of passenger name, origin, and destination to justify its payment of such charges. The issue of consequence, therefore, is whether Political Appointee knew he was submitting false, fictitious, or fraudulent information in Cab Company paperwork, and the evidence gathered by the OIG shows that Political Appointee did have such awareness for several reasons.

First, Political Appointee was not new to government service when he began using the Agency’s Cab Company account for personal travel. Political Appointee was approaching four years of experience with the Agency by that time, and he had over two years of federal and local government experience elsewhere prior to that. Indeed, by the time the Agency directed him to

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<sup>8</sup> Because it determined that Political Appointee’s conduct implicated federal criminal and civil statutes, the OIG consulted with the DOJ, but no prosecution resulted.

stop using its Cab Company account for personal travel, Political Appointee had approximately eight years of government experience in total.

The OIG knows of no instance in which government forms or processes condone, much less require, the use of incorrect names, locations, or any other information. Moreover, government employees undergo regular training to make them aware of the pervasive regulations, rules, and policies prohibiting them from making personal use of government resources. It therefore seems implausible that anyone with the government experience that Political Appointee had could reasonably believe it permissible to make use of the Agency's Cab Company account in the manner that he did.

Second, Political Appointee's claim that he believed he was acting appropriately is undermined by what several of his colleagues told the OIG. Indeed, not one of the other Agency employees with whom the OIG spoke believed it would be appropriate (1) to use the Cab Company account to commute between home and work or (2) to identify someone else as the passenger when using the account. It strains credibility to assume Political Appointee could reasonably have believed otherwise in light of this fact.

Third, Political Appointee's purported rationale for putting "DOC" in Cab Company paperwork as the destination or origin of his trip when commuting to or from his home makes so little sense that he could not reasonably have believed this practice was legitimate.

Political Appointee claimed to believe this practice would provide an accounting to the Agency that the trip was associated with him "performing work business." But billing the Agency for the trip to begin with would indicate that the traveler believed the trip was for a legitimate business purpose, so there would be no need to manipulate pick-up or drop-off location information to convey this fact. Manipulating such information instead indicates that the passenger did *not* actually believe the trip was permissible under the Agency's Transportation Services policy but was attempting to make it appear as though it was.

The argument that Political Appointee knew it was improper to use incorrect origin or destination information in Cab Company documentation finds additional support in his own statements regarding what lessons he supposedly learned from Agency Officials D and E. As Political Appointee said during his OIG interview:

Ah, sometimes I saw [Agency Officials D and E] fill out just DOC, um, as a shorthand if they were running late or running into meetings and things like that, um, and then other times I saw folks individually pen the exact address that they were getting off at, or on.

This statement indicates that Political Appointee understood that the correct practice was to use “exact address[es]” in Cab Company paperwork, but that writing “DOC” in such paperwork in lieu of an actual address might be justified due to exigency. If so, then Political Appointee would surely have known that his regular practice of referring to his home address as “DOC” in Cab Company paperwork was improper, given that one’s daily commute cannot reasonably be viewed as an exigent matter.

In other words, what the evidence shows is that Political Appointee was not writing “DOC” in place of his home address to convey to the Agency that his daily cab rides were justified for purposes of “performing work business,” but instead to mask the fact that he was knowingly using the Cab Company account for an improper purpose.

Fourth, Political Appointee’s pattern of providing passenger information when arranging for Agency-funded cab rides similarly indicates an effort on his part to conceal wrongful behavior.

The evidence establishes that when Political Appointee took cab rides that are impermissible under the Agency’s Transportation Services policy, someone else is almost always identified as the passenger in Cab Company documentation, whereas this is almost never the case for the trips that appear permissible. This indicates that Political Appointee used the names of others, not because he believed Agency policy required him to do so, but because he was attempting to hide his usage of the Cab Company account when he knew it was inappropriate.

Indeed, Political Appointee did not even act consistently with the rationale he gave the OIG for using names other than his own when charging the Agency’s Cab Company account. Political Appointee claimed to believe he should provide the name of an Agency business unit head as the passenger so that Cab Company paperwork would indicate which business unit benefited from the work he performed. However, the evidence shows that Political Appointee also used the names of non-business unit heads, the names of former Agency officials, and even fictitious names when making charges to the Cab Company account. These instances most certainly indicate an attempt to conceal wrongful conduct, not any genuine misunderstanding of Agency rules or policies.

Fifth, evidence of Political Appointee’s actions in other contexts supports a finding that he provided knowingly false, fictitious, or fraudulent information to conceal the personal cab rides that he charged to the Agency. Specifically, Political Appointee’s misrepresentation of his educational credentials on his resumes and repeated misuse of his government-issued credit card display his willingness to mislead Agency officials or otherwise improperly circumvent government rules and policies.

Finally, although Political Appointee claimed he reached his purported understanding of the custom and practice within the Agency regarding its Cab Company account primarily by observing Agency Officials D and E, the evidence does not support his claim.

For example, Agency Official E told the OIG that (1) he rarely used the Agency's Cab Company account, and might only have used it in the presence of Political Appointee a "couple of times"; (2) he had no recollection of ever discussing how to fill out Cab Company paperwork with Political Appointee; (3) he did not use other people's names when filling out such paperwork and would never have told Political Appointee to do so; (4) he would not use incorrect origin or destination information in such paperwork because doing so would not "make sense"; and (5) it would not be appropriate to use the account to commute to or from home, even when one had an early morning or late evening work obligation. Agency Official E also provided information undermining the notion that Agency Official D might have led Political Appointee to believe he was using the Cab Company account in accordance with accepted custom and practice.

The OIG found Agency Official E to be a credible witness, particularly in light of the fact that his understanding of what constituted appropriate usage of the Agency's Cab Company account aligned with the understanding of every other Agency employee with whom the OIG spoke aside from Political Appointee. Accordingly, and given the reasons for questioning Political Appointee's credibility discussed above, the evidence indicates that Political Appointee was not being truthful when claiming he believed he was using the Cab Company account appropriately based on what he saw others do.

In sum, the evidence in this case supports a finding that Political Appointee knew it was inappropriate to use the Agency's Cab Company account for personal travel, including travel between his home and office, and that he knowingly supplied false, fictitious, or fraudulent information to conceal his use of the account for this purpose.

Accordingly, the OIG is referring this report to the Agency so that it may take any action it deems appropriate.