



United States  
Office of Personnel Management  
Washington, DC 20415-0001

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MEMORANDUM FOR: NORBERT VINT  
Deputy Inspector General  
Office of the Inspector General

THRU: PHILIP W. KROOP  
Chief, Integrity Assurance  
Federal Investigative Services

FROM: DAVID K. NEWCOMER  
Lead Investigator, Integrity Assurance  
Federal Investigative Services

SUBJECT: Falsification of Investigative Work involving  
OPM Contract Investigator Ramon S. Davila

This forwards the falsification recovery project regarding Ramon S. Davila, former Contract Investigator, Office of Personnel Management (OPM), Federal Investigative Services (FIS). On August 9, 2007, Mr. Davila was ordered removed from the OPM Contract, after it was confirmed that he had falsified investigative case work.

I. Introduction

The suspected falsification triggered a full and comprehensive recovery project involving all cases Mr. Davila conducted and/or completed, during the recovery period. The recovery effort would be defined by the extent and scope of the identified instances of falsification, ghost writing, embellishment, and other anomalies. As evidenced in this document and attachments, it was determined that Mr. Davila, in executing his duties as a Contract Investigator for OPM-FIS, engaged in numerous instances of falsification that may be in violation of Title 18, United States Code, Section 1001 (Making Material False Statements and Concealing Material Information from Governmental Departments or Agencies), as defined. We respectfully request your full review and consideration of the facts presented here in the context of Title 18, Section 1001.

II. OPM-FIS

The Office of Personnel Management's mission is to ensure that the Federal Government has an effective civilian workforce. OPM's Federal Investigative Services (FIS) is responsible for conducting background investigations for approximately 90% of federal agencies and their contractors, for the purposes of security clearance and suitability determination. FIS supports OPM's mission by protecting merit system hiring principles; ensuring the suitability of federal applicants, employees, and appointees; and conducting National Security Investigations on individuals who work in positions that have access to classified information.

The authority to conduct investigations is contained within various Executive Orders, Title 5 United States Code (5 USC), and Title 5 of the Code of Federal Regulations (5 CFR). Specifically, but not exclusively, Executive Order 10450, as amended, requires agency heads to classify positions for sensitivity in relation to National Security. Executive Order 10450, as amended, further requires an investigation appropriate to the sensitivity level on each person in order to determine that the employment is consistent with the interests of National Security, and grants OPM Government-wide oversight responsibility of its implementation. OPM, under 5 CFR Part 5, is authorized to investigate and adjudicate the suitability of individuals entering the competitive Federal service.

OPM currently has an active investigator workforce of over 6,700, comprised of approximately 1,500 Federal agents employed by OPM and another 5,200 investigators employed by various companies under contract to conduct background investigations on behalf of OPM. Mr. Davila was part of the aforementioned OPM Contractor workforce. He was an investigator for three OPM contractors; USIS (formerly U.S. Investigative Services); Systems Application & Technologies, Inc. (SA-TECH); and ManTech MSM Security Services, Inc.

OPM-FIS has a rigorous training and mentoring program and strictly enforces investigative standards with all investigators. OPM must meet rigid national standards in all investigations we perform, as established in several executive orders and as outlined in OPM's Investigator Handbook, which is issued to every agent. Quality control and assurance measures are designed to preserve the quality of the product and integrity of the investigations program. In fact, page 1 of the Handbook is entitled, "Standards of Conduct," and speaks to the critical elements of trust and ethics inherent with the agent position.

### III. FIS Quality Assurance

OPM-FIS' quality control and assurance procedures are well-established and time-tested. Cases undergo a thorough case review to determine whether standards have been met and whether the report is presented in a clear and complete manner before delivery to the requesting customer agency. On a monthly basis, the FIS Investigations Support Group (ISG) identifies random sources gleaned from Reports of Investigation (ROIs) and mails recontact letters on each of our Federal agents and Contract Investigators asking about their conduct, interview questions, and professionalism. Returned feedback is provided to the agent and the supervisor. The recontact letter program has proven tremendously effective in ensuring the integrity and competency of our investigative staff.

### IV. Recontact Letter Concern and Administrative Inquiry

On July 26, 2007, a recontact letter (Appendix 1) was received from Linda Burdett, a source reported by Mr. Davila as being interviewed in the case of Marilyn Lythgoe, case #06K46839. One of the questions in the recontact letter is whether the source was interviewed in person or over the phone. Ms. Burdett's response was, "via mail". On August 2, 2007, IA staff contacted Ms. Burdett, who indicated that when she responded, "via mail", she was referring to the recontact letter itself; she had not been interviewed, had not been called, and had not received any other correspondence regarding a background investigation on Marilyn Lythgoe. As a result, IA conducted a random telephonic sampling of Mr. Davila's work on the Lythgoe case, as well as others. The initial findings indicated numerous discrepancies between Mr. Davila's ROI's and the information obtained from the telephonic recontacts. In addition, source Brian Frost indicated he had not been interviewed in the investigation of Deanna Howell, case #07J01609. Mr. Davila's ROI reflected testimony from Mr. Frost. On August 9, 2007, OPM directed the

suspension (Appendix 2) of Mr. Davila from USIS and SA-TECH (Davila had separated from ManTech employment prior to this date).

On August 13, 2007, a "targeted review" was launched by IA. In contrast to the random monthly recontact letter program, a "targeted review" specifically identifies each source reported by a particular agent within a predetermined time frame, and dispatches recontact letters to each of those sources. In this case, approximately 140 recontact letters were sent to sources reported by Davila. The findings (Appendix 3), dated December 7, 2007, indicate numerous quality errors, as well as additional falsification in the case of Darnell Shegog, case #07J09879. Shegog's supervisor, Jesus Torres, stated he was not interviewed by Davila, however Davila's ROI reflects testimony attributed to Torres. Based on the preliminary findings along with the targeted review results, all documents were subsequently prepared for recovery work.

#### V. Recovery Process

FIS pursued a full recovery effort to determine the depth and scope of the falsification. Field leadership was apprised of the situation and FIS Integrity Assurance briefed affected components of OPM.

Without knowing the depth or scope of his falsification activities, the first objective involved identifying the sources reported on each case conducted by Mr. Davila. OPM-FIS defines a source as any investigative entry reported in an ROI, to include Subject Interviews, Personal References, Records Checks, and any other investigative entry found within the ROI.

The recovery process set out to meticulously and systematically identify, address, and correct any instances of falsification involving any single Davila case or source testimony. The attached matrix, Attachment 4, identifies the individual sources reported on each case conducted by Davila and provides a snapshot of the activity involved during the recovery project on each and every source indicated in his ROIs. Based upon the aforementioned review of completed casework and responses from recontacts, the recovery period was subsequently defined to cover all case work completed by Mr. Davila, within six months of his suspension (August 9, 2007), as well as all currently open cases.

- In instances where recontact was favorable, additional recovery work was not performed and is so noted on the matrix. In these instances, no revisions were made to the source testimonies as reported in the ROI.
- In instances where recontact reflected falsification indicators or anomalies, or where no recontact was previously attempted, OPM recovery agents attempted to conduct follow-up inquiries. In these situations, each source is either validated as correct as written, determined not to have been conducted, found to have been conducted but not reported accurately, or the validity can not be determined (e.g., sources can not be found or will not cooperate). The recovery agents provided new testimonies on falsified or inaccurate leads and all results were tracked.

Open cases were corrected at IA to delete: 1) falsified information, 2) testimonies that were inaccurately reported and, 3) testimonies that could not be validated. The case was then processed via routine closing procedures.

Closed cases were reopened and the investigative and IA procedures above were followed. Additional corrective procedures were required in order to amend the imaged or microfilmed

investigation (this is a multi-step process). A complete copy of the corrected investigation is provided to the requesting agency to replace the original investigation.

- ▶ The following table represents a statistical summary of the recovery project:

*Recovery Project Statistics*

Total Cases	65
Total Sources	415
Sources with confirmed falsification	72
Sources with falsification indicators or testimonies that could not be validated	144
% of sources with confirmed falsification, falsification indicators, or testimonies that could not be validated	52%

- ▶ The following table represents the 72 instances (above) of confirmed falsification

Tab	OPM Case No.	Subject	Agency / Investigation Level	Item Name	Comment
5	06J21743	McCain	DSS / Top Secret (SSBI)	Coastal International Security (Calvin Miller)	Source did not provide record. ROI reflects record testimony.
6	06J21743	McCain	DSS / Top Secret (SSBI)	Barrington, Charquia	Source could not be located. Occupant at listed address has lived there since 1951 and does not know source. ROI reflects testimony.
7	06052669	Self	DOD / Top Secret (SSBI)	Johnston, Kit	Source was not interviewed. ROI reflects testimony.
8	06052669	Self	DOD / Top Secret (SSBI)	Romano, Michael	Source was not interviewed. ROI reflects testimony.
9	06052669	Self	DOD / Top Secret (SSBI)	Mahoney, William	Source was not interviewed. ROI reflects testimony.
10	05008779	Miller	DOJ / Top Secret (SSBI)	Defense Information Systems Agency (McNeil, Sharon)	Source could not be located in agency database. Current record custodian states no record exists. ROI reflects record testimony.

11	06K61667	O'Connell	DSS / Top Secret (SSBI)	Maribel, James	Source could not be located. Occupant at listed address has lived there since 2000 and does not know source. ROI reflects testimony.
12	06L63029	Lau	DSS / Top Secret (Phased PR)	Bess, Jeffrey	Source was not interviewed. ROI reflects testimony.
13	06L63029	Lau	DSS / Top Secret (Phased PR)	Johnson, Robert	Source was not interviewed. ROI reflects testimony.
14	06L63029	Lau	DSS / Top Secret (Phased PR)	Rhem, Samuel	Source was not interviewed. ROI reflects testimony.
15	06L63029	Lau	DSS / Top Secret (Phased PR)	Burns, Thomas	Source was not interviewed. ROI reflects testimony.
16	06060339	McDonald	Navy / Top Secret (SSBI)	Central Intelligence Agency (Kevin McCarty)	Source did not provide and does not maintain employment records. ROI reflects record testimony.
17	06046628	Rauch	DOD / Top Secret (SSBI)	Virginia State Police (Sean Bradus)	Source could not be located. Agency states nobody by source's name works there. ROI reflects record testimony.
18	06K91876	Stringer	DSS / Top Secret (SSBI)	Booz Allen Hamilton (Garber, Dennis)	Source left the company and could not be located. Current record custodian states source would not have had access to record. ROI reflects record testimony.
19	06K91876	Stringer	DSS / Top Secret (SSBI)	Harrison, Elizabeth	Source was not interviewed. ROI reflects testimony.
20	06K46839	Lythgoe	DOD / Top Secret (SSBI)	Burdett, Linda	Source was not interviewed. ROI reflects testimony.



21	06L83067	Janousek	DOD / Top Secret (SSBI)	Gandl, Cheryl	Source was not interviewed. ROI reflects testimony.
22	06238437	Barkley	Navy / Top Secret (SSBI)	Miller, Betsy	Source was not interviewed. ROI reflects testimony.
23	06238437	Barkley	Navy / Top Secret (SSBI)	Miller, Bill	Source was not interviewed. ROI reflects testimony.
24	06238437	Barkley	Navy / Top Secret (SSBI)	Naval Undersea Warfare Center (Aker, Joann)	Source did not provide nor have access to record. ROI reflects record testimony.
25	06K52847	Bozek	DSS / Top Secret (SSBI)	CACI-NSR, Inc. (Whelan, Anne)	Source does not recall being contacted and does not have a record on the Subject. ROI reflects record testimony.
26	06K52847	Bozek	DSS / Top Secret (SSBI)	Eftekari, Reza	Source was not interviewed. ROI reflects testimony.
27	06K18176	Gauci	DSS / Top Secret (SSBI)	Delinski, Jeffrey	Source was not interviewed. ROI reflects testimony.
28	06K71937	Hawkins	DSS / Top Secret (SSBI)	Mitre Corp. (Jacquef, Barbara)	Employment record source did not provide nor have access to record. ROI reflects record testimony.
29	06K71937	Hawkins	DSS / Top Secret (SSBI)	America's Pride (Meinecke, Barbara)	Source did not provide record. ROI reflects record testimony.
30	06K71937	Hawkins	DSS / Top Secret (SSBI)	Ross, James	Source was not interviewed. ROI reflects testimony.
31	06K71937	Hawkins	DSS / Top Secret (SSBI)	Smith, Kathleen	Source was not interviewed. ROI reflects testimony.

32	06K71937	Hawkins	DSS / Top Secret (SSBI)	Mitre Corp. (Jacquef, Barbara)	Security record source did not provide nor have access to record. ROI reflects record testimony.
33	06K71937	Hawkins	DSS / Top Secret (SSBI)	America's Pride (James Ross)	Security record source did not provide nor have access to record. ROI reflects record testimony.
34	06236789	Bryant	Air Force / Top Secret (Phased PR)	Ompach, William	Source was not interviewed. ROI reflects testimony.
35	06236789	Bryant	Air Force / Top Secret (Phased PR)	Tiernay, Bruce	Source was not interviewed. ROI reflects testimony.
36	06236789	Bryant	Air Force / Top Secret (Phased PR)	Horan, David	Source was not interviewed. ROI reflects testimony.
37	06236789	Bryant	Air Force / Top Secret (Phased PR)	Riccardi, Frederick	Source was not interviewed. ROI reflects testimony.
38	06236789	Bryant	Air Force / Top Secret (Phased PR)	Air Force (Jennifer Row)	Source does not recall being contacted and does not have access to the Subject's record. ROI reflects record testimony.
39	06K67739	Williams	DSS / Top Secret (SSBI)	Ferguson, Glenn	Source was not interviewed. ROI reflects testimony.
40	06K67739	Williams	DSS / Top Secret (SSBI)	Northrop Grumman (Shari Sachs)	Source did not provide nor have access to record. ROI reflects record testimony.
41	06244149	Mihalik	Navy / Top Secret (SSBI)	Swenson, Brian	Source was not interviewed. ROI reflects testimony.
42	07F19103	Hill	DSS / Top Secret (SSBI)	Tashakori, Mark	Source was not interviewed. ROI reflects testimony.

43	07F19103	Hill	DSS / Top Secret (SSBI)	Keegan, John	Source was not interviewed. ROI reflects testimony.
44	07H59469	Randall	DSS / Top Secret (Phased PR)	McVeigh, James	Source was not interviewed. ROI reflects testimony.
45	07H88559	Batsakis	DSS / Top Secret (Phased PR)	Electronic Data Systems (Dennis, Keith)	Source did not provide nor have access to record. ROI reflects record testimony.
46	07H88559	Batsakis	DSS / Top Secret (Phased PR)	Durkin, Kevin	Source was not interviewed. ROI reflects testimony.
47	07H66027	Blasi	DSS / Top Secret (Phased PR)	Alion Science and Technology (Wirta, Daniella)	Source did not provide record. ROI reflects record testimony.
48	07H66027	Blasi	DSS / Top Secret (Phased PR)	Kearney, T.K.	Source was not interviewed. ROI reflects testimony.
49	07H38429	Curtis	DSS / Top Secret (Phased PR)	Pickard, William	Source was not interviewed. ROI reflects testimony.
50	07H59599	Richardson	DSS / Top Secret (Phased PR)	General Dynamics (Williams, Juandella)	Source did not provide nor have access to record. ROI reflects record testimony.
51	07H56689	Webster	Air Force / Top Secret (Phased PR)	Durante, Blaise	Source was not interviewed. ROI reflects testimony.
52	07H56689	Webster	Air Force / Top Secret (Phased PR)	Air Force (Durante, Blaise)	Source did not provide record. ROI reflects record testimony.
53	07I23297	Eichhorst	Air Force / Top Secret (Phased PR)	Hemming, Rebekah	Source was not interviewed. ROI reflects testimony.



54	07I70127	Harris	Army / Top Secret (Phased PR)	U.S. Army (Mills, Anthony)	Source did not provide nor have access to record. ROI reflects record testimony.
55	07I67038	Solarski	DSS / Top Secret (Phased PR)	Sytex, Inc. (Belligan, Jennifer)	Source did not provide nor have access to record. ROI reflects record testimony.
56	07I63496	Blackwell	Army / Top Secret (Phased PR)	U.S. Army (Cravalho, Emmy)	Source did not provide record. ROI reflects record testimony.
57	07I63496	Blackwell	Army / Top Secret (Phased PR)	Sumpter, Fern	Source was not interviewed. ROI reflects testimony.
58	07I63168	Lucas	DSS / Top Secret (Phased PR)	Swindell, Charles	Source was not interviewed. ROI reflects testimony.
59	07I63168	Lucas	DSS / Top Secret (Phased PR)	Bobbitt, Kenneth	Source was not interviewed. ROI reflects testimony.
60	07I63168	Lucas	DSS / Top Secret (Phased PR)	Lucas, Steven	Subject was not interviewed. ROI reflects testimony.
61	07I91976	Lute	Army / Top Secret (Phased PR)	Sattler, John	Source was not interviewed. ROI reflects testimony.
62	07I99778	Hyde	DSS / Top Secret (Phased PR)	Hyde, Clinton	Subject was not interviewed. ROI reflects testimony.
63	07I99778	Hyde	DSS / Top Secret (Phased PR)	Self, Troy	Subject was not interviewed. ROI reflects testimony.
64	07J01679	Voight	Air Force / Top Secret (Phased PR)	Price, Paul	Source was not interviewed. ROI reflects testimony.
65	07J09879	Shegog	DSS / Public Trust (NACLC)	Sass, Grady	Source was not interviewed. ROI reflects testimony.

66	07J09879	Shegog	DSS / Public Trust (NACLC)	Torres, Jesus	Source was not interviewed. ROI reflects testimony.
67	07J09879	Shegog	DSS / Public Trust (NACLC)	BAI, Inc. (Shepherd, Lisa)	Source did not provide record. ROI reflects record testimony.
68	07J08127	Smith	DSS / Top Secret (Phased PR)	Lockheed Martin (Parks, Michelle)	Record provider left the employer prior to Davila's investigation. Current record custodian did not provide record. ROI reflects record testimony.
69	07J08127	Smith	DSS / Top Secret (Phased PR)	Wyrick, Jimmy	Source was not interviewed. ROI reflects testimony.
70	07J08127	Smith	DSS / Top Secret (Phased PR)	U.S. Army (Wyrick, Jimmy)	Source did not provide nor have access to record. ROI reflects record testimony.
71	07J08127	Smith	DSS / Top Secret (Phased PR)	Camden Properties (Smith, Jennifer)	Record provider left the employer prior to Davila's investigation. Current record custodian did not provide record. ROI reflects record testimony.
72	06J20931	Lomke	NRC / Public Trust (LBI)	Global Commerce & Information (Soldz, Stanley)	Source did not provide record. ROI reflects record testimony.
73	07I53639	Kotter	DSS / Top Secret (Phased PR)	Conrad, Bruce	Source does not recall being interviewed. ROI reflects testimony.
74	07I70786	Turner	DSS / Top Secret (Phased PR)	Fossiel, Joseph	Source was not interviewed. ROI reflects testimony.
75	07J01609	Howell	DSS / Top Secret (Phased PR)	Frost, Brian	Source was contacted by Davila but declined the interview. ROI reflects testimony.

76	07J01609	Howell	DSS / Top Secret (Phased PR)	Advanced Systems Development (Reid, Donna)	Source did not provide record. ROI reflects record testimony.
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#### VII. Cost Accounting

Local Special Agents and IA administrative personnel assigned to the recovery project tracked hours worked specifically on the recovery project and reported their time, both throughout and at the conclusion of the recovery project. Each employee's hourly rate, to include benefits, was subsequently determined and used in determining the overall cost of the project.

The falsification of case work, by former Contract Investigator Ramon S. Davila, resulted in expenses to the government of, at least, \$79,468.

The cost matrix and associated documentation is reflected in Appendix 77.

Attachments