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OFFICE OF INSPECTOR GENERAL

2020-0008-INVI-P – Suspected Violations of the Architect of the Capitol (AOC) Government Ethics, Standards of Conduct, Authority and Responsibilities of the Office of Inspector General and Cooperation of Architect of the Capitol Employees Policies, Administrative Leave Uses and Update on the Administration of Leave During COVID-19 and Title 18, United States Code §1343 – Fraud by wire, radio or television devised or intending to devise any scheme or artifice to defraud, or for obtaining money: Substantiated

On February 5, 2021, the AOC Office of Inspector General (OIG), received a complaint from a jurisdiction Administrative Officer (AO) regarding Ms. Blakely LeMasters, (former GS-05) abusing the COVID-19 pandemic administrative leave and working outside employment without prior approval.

LeMasters became an AOC employee on September 3, 2019. On March 13, 2020, the AOC jurisdiction closed to the public due to the COVID-19 pandemic. LeMasters as well as her other co-workers were placed on administrative leave due to these positions requiring interaction with the public and are were not telework eligible. While on administrative leave, LeMasters was expected to be available, to stay in communication with her manager and to complete required telework activities and training.

The agency defined “available” in a memorandum issued on October 6, 2020, as “[an employee is available] when, during his or her normal tour of duty, he or she is communicating regularly with and responding promptly to AOC colleagues and supervisors, participating in telework activities as directed by management, and able to return to work in two to three hours, regardless of jurisdictional operating status.” The memorandum also provided the following example, “if an employee needs to leave the Washington, D.C., metropolitan area, undergo a medical procedure or attend a medical appointment, then they are required to submit the appropriate leave request (e.g., annual or sick leave) to their supervisor for approval as they will not be able to return to work in two to three hours or will not be able to participate in telework activities as directed by management.”

The jurisdiction AO requested the OIG’s assistance as LeMasters had union representation and would not cooperate with jurisdiction management who was in consultation with the Human Capital Management Division and the Office of General Counsel. The AO and LeMasters’ supervisor did not want to request anything from LeMasters that they had not requested from other AOC employees who were all union employees and only required to report to work voluntarily.



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The AO conducted an internet search and found LeMasters on LinkedIn. LeMasters listed her current employer as an insurance company and her job title as the Director of Group Benefits. The AO stated LeMasters had not declared outside employment nor did she have an approved notice of outside employment on file in accordance with AOC Order 38-1 Government Ethics.

LeMasters' supervisor identified several social media posts of LeMasters and her husband who was running for City Council in Spokane, Washington. Blakely LeMasters was featured in some of her husband's campaign photos and social media posts. The AO was concerned that LeMasters participated in political activities while on paid administrative leave and possibly committed a violation of AOC Order 38-1, Government Ethics.

The AOC OIG investigation disclosed that LeMasters' supervisor contacted the AO to inform them that LeMasters was purchasing a home and that the mortgage company needed employment verification. During the loan application process, LeMasters notified the AO and her supervisor that she had been in Spokane, Washington, from January 9 - 29, 2021, without being on approved leave in violation of AOC Order 630-1, March 28, 2014, 16-2, and Administrative Leave Uses and Update to the Administrative Leave during COVID-19.

The AO then received an email on Friday, January 22, 2021, from the loan company and verified LeMasters employment with the AOC. On Monday, January 25, 2021, the AO received a follow up email from the loan company regional manager asking how a Visitor Assistant was able to work remotely and to confirm that LeMasters salary would not change with her change in location from Washington, DC to Spokane, Washington.

When LeMasters' supervisor questioned her in a follow-up conversation via Skype on January 27, 2021, she stated she was four hours away and was not clear on when she would return. LeMasters' supervisor then allowed her to submit an unscheduled annual leave request for January 9 -29, 2021, the time she was out of the area, which was then approved. In follow-on conversations, LeMasters would only answer her supervisor stating that she was "available," for work and "her location was personal information," and that she would "prefer not to disclose that information" in violation of AOC Order 752-2, Standards of Conduct. LeMasters eventually stopped communicating with her supervisor and the AO. LeMasters' supervisor and the AO never directed her to report to work and continued to process and certify her time within the AOC's web-based time and attendance application (WebTA).

The AOC OIG conducted a Google search on LeMasters, which identified her as the Director of Group Benefits at the same insurance company noted earlier on LinkedIn. On May 10, 2021, the OIG interviewed LeMasters' insurance company supervisor, who confirmed that LeMasters had been employed with them since October 21, 2020. After notifying LeMasters' supervisor from insurance company that LeMasters was also employed by the AOC until March 23, 2021, they stated she led them to believe that the AOC was her former employer when she was hired.



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LeMasters had been teleworking with the insurance company since October 21, 2020, when she started. Her normal duty hours were 9 a.m. – 5 p.m. with the insurance company while in Washington, D.C (Eastern Time Zone) and 11 a.m. - 7 p.m. (Pacific Time Zone) to account for the time difference from east coast to west coast after she moved to Spokane, Washington.

The OIG searched LexisNexis/Accurint for LeMasters. The search revealed that LeMasters resided at/and or was responsible for the utilities in Alexandria, VA 22314-5523, Alexandria City, from April 23, 2020 through February 2021.

The search also identified that from February 10, 2021 (connect date) LeMasters resided at/and or was responsible for the utilities in Spokane, WA 99223-3606, Spokane County (her current residence).

In March 2021, the OIG sent two emails to LeMasters in an attempt to schedule her interview regarding the complaint. LeMasters did not respond to the OIG's repeated attempts in violation of AOC Order 40-1, Authority and Responsibilities of the Office of Inspector General and Cooperation of Architect of the Capitol Employees. On March 23, 2021, LeMasters contacted her AOC supervisor via email resigning her employment with the AOC citing being "increasingly harassed by management which has caused psychological stress." She stated that she had maintained an Alexandria, VA, address and decided to permanently relocate to spend more time with her husband in Spokane, Washington.

On April 27, 2021, an open source search was conducted on LeMasters' husband. He was identified as one of two candidates running for a seat on the Spokane City Council District 2, which included East Central, the South Hill and downtown Spokane. He was running against the incumbent city councilperson.

Agent's Comment: On January 25, 2021, LeMasters' AOC supervisor requested she retroactively submit leave for the dates she had been out of the area. LeMasters' AOC supervisor approved her unscheduled leave request from January 9 - 29, 2021. Throughout this incident, jurisdiction leadership never formally requested LeMasters return to work. They maintained oversight of their employees with one mandatory meeting every two to three months and utilized voluntary team meetings every two to three weeks. While the accusation against LeMasters is egregious in nature, the lack of oversight and communication by the jurisdiction's management to their employees during the COVID-19 pandemic allowed the policy to be misunderstood or possibly exploited. LeMasters stated via text message to her AOC supervisor on January 25, 2021, that she was unaware of the October 6, 2020 Memorandum and apologized for the confusion. She was then approved for unscheduled annual leave for the time she was out of the area visiting her husband in Spokane. LeMasters continued to be paid from January 31, 2021 through March 23, 2021, even though LeMasters would not verify whether she was in



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Washington, DC or commutable surrounding location as her non-telework position required, or Spokane, Washington.

LeMasters refused to respond to the OIG's request for interviews and resigned from the AOC on March 23, 2021. Due to LeMasters' resignation, the OIG, under its authority, was not able to interview her or determine her exact location, motivation or actions during time period in question. Since supervisors allowed LeMasters to change her timesheet to unscheduled leave, the OIG was not able to determine if there was confusion about the administrative leave policy. However, based on LeMasters' employment with both the AOC and the insurance company from October 21, 2020 through March 23, 2021, we identified intentional time and attendance fraud by concurrently representing both organizations in violation of Title 18 U.S.C. § 1343 - Fraud by wire, radio, or television devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations.

LeMasters, as well as other AOC employees, were placed on Corona Virus Prevention and or Remediation (11ZZCOVID19) for pay purposes in WebTA. This temporary pay assignment allowed LeMasters paid administrative leave on condition that she be available to return to full duty in Washington, DC, in accordance with AOC policy. LeMasters instead moved to and worked for the insurance company in Spokane, Washington, while simultaneously collecting pay and benefits from the AOC.

LeMasters defrauded the AOC out of:

Salary:

- GS-05 /01 = \$19.01 hourly X 296 hours = \$5626.96 (Pay Periods 03 - 05 [240 hours]) from January 31 through March 23, 2021, and 56 hours in Pay Period 6 (Last month at the AOC)
- GS-05 /01 = \$18.83 hourly X 424 hours = \$7,983.92 (Pay Periods 21 [24 hours] 22 - 26 (400 hours) from October 21, 2020 through January 2, 2021

Subtotal of funds put to better use for salary are \$13,610.88

Benefits:

- GS-05 /01 = \$9.57 hourly X 296 hours = \$2,832.72 (Pay Periods 03 - 05 [240 hours]) from January 31 through March 23, 2021, and 56 hours in Pay Period 6 (Last month at the AOC)
- GS-05 /01 = \$9.45 hourly X 424 hours = \$4,006.80 (Pay Periods 21 [24 hours] 22 - 26 (400 hours) from October 21, 2020 through January 2, 2021



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Subtotal of funds put to better use for benefits = \$6,839.52

Total of funds put to better use = \$20,450.40

As of June 23, 2021, the jurisdiction employees are still on administrative leave and voluntarily participate in work related projects and teams. LeMasters was never asked to return to work prior to her resignation.

Final Management Action: Although the allegations were substantiated, LeMasters is no longer an AOC employee based on her resignation, therefor the case is closed. Where applicable and allowable, the OIG suggests the AOC attempt to recoup identified funds put to better use. This investigation and other cases involving administrative leave will be collectively presented to the Assistant United States Attorney for potential prosecution.