

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE CLOSING REPORT

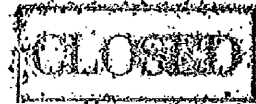
TITLE: Theft

CASE NUMBER: 09-001

DATE OF REPORT: July 27, 2009

REPORT PREPARED BY: SSA [REDACTED]

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Allegation:

On December 22, 2009, the OIG received a complaint that [REDACTED] was circumventing Amtrak policies and procedures by using AT "training funds" to pay for his PhD. [REDACTED] was said to have submitted expense reports for his "PhD classes" through e-trax.

SUMMARY OF INVESTIGATION:

On January 7, 2009, [REDACTED] assigned to Amtrak's Information Technology Department, revealed that she had learned that [REDACTED] had submitted expenses relevant to his college tuition for a post graduate curriculum he was taking at the University of Maryland. She revealed that this was done after his application for college educational assistance was denied by the Human Resources Department. He subsequently applied for and received approval for training funds to cover the tuition expenses of two courses, one in the Fall Semester, and one in the Spring Semester. These courses were being taken by [REDACTED] in pursuit of his post graduate doctorate degree.

Subsequent interviews of [REDACTED] Chief Informational Officer Ed Trainor ("Trainor"), Vice President of Human Resources Paula Porter ("Porter") and [REDACTED] for Amtrak Information Technology Department, substantiated that [REDACTED] had in fact sought and received approval from Trainor to apply for the training funds. It was determined also that although the policy, as it was written, contained some ambiguity, training funds were not to be utilized to pay for courses that were being taken toward the attainment of a post graduate degree.

CONCLUSION:

In a referral submitted to Trainor and Porter on June 4, 2009, the OIG recommended that Management ensure that the Employee Training and Career Development policy be revised in order to clarify as to whether a department can utilize training funds to pay for courses that an employee takes in furtherance of a degree. Also, it was recommended that Amtrak should fully comply with all IRS requirements and regulations as they pertain to [REDACTED] reception of the tuition benefits.

In response to the referral, Porter (in a letter dated July 24, 2009) advised that HR revised the Employee Training and Career Development Policy, PERS 7.5, to clarify the intent of the policy, and

to outline the possible federal tax implications as a result of improper use of training funds for educational assistance. Porter advised in her letter that HR had provided [REDACTED], Payroll, "with the appropriate information so applicable taxes can be applied for the referenced educational disbursements" as it applied to [REDACTED].

Trainor's letter (dated July 17, 2009), in response to the referral, advised that he had reviewed the two recommendations with Porter, and indicated that he understood the revisions made by HR, and was aware that Porter had discussed the tax issues with Payroll. Trainor also stated that he reviewed the issues with [REDACTED].

RECOMMENDATION:

It is the recommendation of this writer that this case be closed with no further action warranted.

Supervisor's Signature: [REDACTED] Date: 8/5/09

Deputy Inspector General/Counsel: CLA Date: 8/12/2009

CLOSED