



UNITED STATES ATTORNEY'S OFFICE EASTERN DISTRICT OF VIRGINIA

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Virginia Man Pleads Guilty in Scheme to Defraud the U.S. Government

(Alexandria, VA) – Brian M. Hayes, age 42, of Alexandria, Virginia, pled guilty today before United States District Judge Gerald Bruce Lee, to using a false document in a matter within the jurisdiction of the government, while he was employed as a GS-15 general engineer at the U.S. Department of Homeland Security (DHS). Chuck Rosenberg, United States Attorney for the Eastern District of Virginia, also announced that sentencing has been set for July 13, 2007. Hayes faces a maximum potential penalty of five years in prison and a fine of \$250,000.

According to court documents, Hayes had been medically retired from the U.S. Army in 2001. Beginning in 2003, Hayes worked in the Science and Technology Directorate at DHS. In 2005, Hayes obtained employment with Blackwater, a private contractor providing security services for the United States in Iraq and Afghanistan. Rather than resign his position with DHS or seek leave without pay, Hayes told his DHS supervisors that he had been called up out of medical retirement to active duty status for a tour overseas supporting Operation Iraqi Freedom. To support his claim, Hayes created on his computer, and delivered to his supervisors, fictitious military orders to that effect. He then left for Iraq for six months. While Hayes was in Iraq, DHS (through administrative error) continued to pay him his full time salary.

Court documents state further that Hayes returned to DHS in late 2005, and in early 2006, told his DHS supervisors that he was called up to serve in Afghanistan and again provided fictitious military orders to that effect. While he was working for Blackwater in Afghanistan, DHS discovered that it was incorrectly paying him his full time salary. Hayes returned home and admitted that he had worked for Blackwater and that he had obtained from DHS a combined \$71,000 in unearned salary during his absence in 2005 and 2006.

In March 2004, Hayes successfully obtained a promotion at DHS to general engineer, GS-15, based in part upon information contained in his resume, namely, that he had received a Master of Science Degree in "Engineering (Process Dynamics), Ashford University." However, Hayes had simply purchased a diploma online for \$1,750 a diploma from Ashford University.

This investigation was conducted by the Office of Inspector General, U.S. Department of Homeland Security. Assistant United States Attorney Stephen Learned is prosecuting the case on behalf of the United States.

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