U.S. COMMODITY FUTURES TRADING COMMISSION
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Office of the Chairman

December 2, 2025

VIA ELECTRONIC TRANSMISSION

Dear Chairman Grassley,

Please find below the supplemental answers of the Commodity Futures Trading Commission ("CFTC") to its August 27, 2025 submission in response to your letter of August 13, 2025.

1. Why and when did Mr. Alexander-Neal travel to Lebanon? How long and where did he reside and travel while there? Did Mr. Alexander-Neal travel to Lebanon to meet any particular individuals or groups? Explain, in detail, what Mr. Alexander-Neal did while in Lebanon and provide records.

CFTC Response: The CFTC has completed its review of its records concerning Mr. Alexander-Neal's trip to Lebanon. The only responsive material is contained within the CFTC's Office of Inspector General ("OIG") Report of Investigation into Alleged Telework Violations by CFTC Risk Analyst (CFTC-00041) and excerpts from Mr. Alexander-Neal's book, *Verses of Life*. Based on this information it appears that Mr. Alexander-Neal visited Lebanon in approximately early 2019 and again in approximately early 2022 for an unknown duration. The CFTC has no information concerning whether Mr. Alexander-Neal met with any particular individuals or groups.

4. From 2022 to present, broken down by pay period, provide:

a. How many hours Mr. Alexander-Neal certified working on his timesheets;
b. How many hours or approximate minutes Mr. Alexander-Neal was logged into his government issued computer;
c. How many hours or approximate minutes Mr. Alexander-Neal performed tasks on his government issued mobile device;
d. Total amount of hours Mr. Alexander-Neal fraudulently certified on his timesheets; and
e. Total amount money Mr. Alexander-Neal was overpaid for the time he fraudulently certified on his timesheets.

CFTC Response: In its submission on August 27, 2025, the CFTC responded to questions 4.a, 4.d, and 4.e. Concerning question 4.b, between March 5, 2024, and December 2, 2024, Mr. Alexander-Neal was logged into his government computer for approximately 412 hours. This is an estimate based on metadata from the employee's network user account. Concerning question 4.c, between March 5, 2024, and December 2, 2024, Mr. Alexander-Neal was active on his government issued mobile device for approximately 112 hours. This is an estimate based on metadata from the employee's network user account. Please see the attachment for a breakdown by pay period. Combining these totals, Mr. Alexander-Neal was using government equipment for a total of 524 hours during the period between March 5, 2024, and December 2, 2024. Taking into account the leave he took, Mr. Alexander-Neal should have been using government equipment for approximately 1200 hours during this time frame, not 542 hours.

The agency also sampled Mr. Alexander-Neal's e-mail for the period from June 1, 2024, to December 1, 2024. Of the 3,072 e-mails sent, 90% were union related, 7% were work related, and 3% were personal.

As identified in its initial response, the CFTC is unable to provide information for periods prior to March 2024 without incurring significant costs, and it is the CFTC's understanding that the data received would likely be of questionable use due to associated technological difficulties. The CFTC is available to discuss these issues further at your convenience.

13. From 2020 to present, provide each instance a CFTC employee abused the agency's telework program. Explain, in detail, the violation and the accompanying corrective action.

CFTC Response: The CFTC continues to monitor its employees in order to identify any possible abuse of the agency's telework program. The CFTC has identified over two dozen potential violations of the agency's telework policy by its employees and is continuing to investigate. The CFTC is continuing an on-going review of other potential violations.

Sincerely,

Caroline D. Pham
Acting Chairman

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Office of the Chairman

August 27, 2025

VIA ELECTRONIC TRANSMISSION

Dear Chairman Grassley,

Please find below the first production of responses from the Commodity Futures Trading Commission ("CFTC") to your letter of August 13, 2025. We are providing these responses consistent with your deadline of August 27, 2025. After discussing the matter with the CFTC's Office of the Inspector General ("OIG"), it is our understanding that OIG is providing its response under separate cover.

1. Why and when did Mr. Alexander-Neal travel to Lebanon? How long and where did he reside and travel while there? Did Mr. Alexander-Neal travel to Lebanon to meet any particular individuals or groups? Explain, in detail, what Mr. Alexander-Neal did while in Lebanon and provide records.

CFTC Response: The CFTC's inquiry into Mr. Alexander-Neal's Lebanon trip is ongoing. Initial records reviewed suggest the trip was for sightseeing. The CFTC will provide the results of its inquiry when it is complete.

2. Was any information related to the U.S. government, CFTC regulated entities, or other sensitive information compromised while Mr. Alexander-Neal used and transported his government issued devices abroad? If yes, explain in detail and provide records.

CFTC Response: The CFTC is unaware of any sensitive information being compromised. Mr. Alexander-Neal's CFTC-issued laptop has been scanned by CFTC's forensic and security teams. The scan revealed no evidence that any U.S. government, CFTC-regulated entities, or other sensitive information was compromised while Mr. Alexander-Neal used and transported his CFTC-issued laptop. All CFTC laptops are protected with encryption, and CFTC information is securely stored in the cloud, ensuring data remains protected.

3. Did the CFTC OIG or CFTC refer the investigative report or Mr. Alexander-Neal to the Office of Special Counsel or to the Justice Department? If not, why not? If yes, when?

CFTC Response: The CFTC made a referral to the U.S. Department of Justice ("DOJ"). Specifically, the OIG made a referral to DOJ's Public Integrity Section ("PIN"), which issued a declination of prosecution. Based upon PIN's declination, the OIG issued Mr. Alexander-Neal a *Kalkines* warning compelling his testimony. The issued *Kalkines* warning effectively immunized Mr. Alexander-Neal from federal criminal prosecution. The CFTC did not make a referral to the Office of Special Counsel ("OSC"). Because the OIG investigated the misconduct, substantiated it, referred the matter to PIN, and referred the matter back to the Agency (which removed Mr. Alexander-Neal from federal service), the Agency and OIG considered a potential referral to OSC based upon Mr. Alexander-Neal's apparent filing to register in the 2024 Presidential election (under the "U.S. Taxpayers Party," according to balletopedia.org) – which the Agency and OIG first discovered during the OIG's investigation – to be unnecessary.

4. From 2022 to present, broken down by pay period, provide:

- **a. How many hours Mr. Alexander-Neal certified working on his timesheets;**
- **b. How many hours or approximate minutes Mr. Alexander-Neal was logged into his government issued computer;**
- **c. How many hours or approximate minutes Mr. Alexander-Neal performed tasks on his government issued mobile device;**
- **d. Total amount of hours Mr. Alexander-Neal fraudulently certified on his timesheets; and**
- **e. Total amount money Mr. Alexander-Neal was overpaid for the time he fraudulently certified on his timesheets.**

CFTC Response: Concerning question 4.a, please see Exhibit 1, which is a listing of the claimed hours worked, union official time used, and leave taken by Mr. Alexander-Neal by pay period for years 2022 through 2025. Concerning questions 4.b – 4.c, the Agency is continuing to review the underlying data for the time period March 2024 – December 2024 to formulate a response. In the interim, the OIG's investigative report at pages 11-14 may be helpful. Please note that the CFTC is unable to respond to questions 4.b – 4.e for periods prior to March 2024 without incurring significant costs, and it is the CFTC's understanding that the data received would likely be of questionable use due to associated technological difficulties. The CFTC is available to discuss these issues further at your convenience.

Concerning question 4.d – 4.e, the OIG investigation estimated that Mr. Alexander-Neal worked a total of 575 hours of the 1,419 hours of official time he claimed across 148 workdays from March 5, 2024, to December 2, 2024. This represents a total of 844 hours that Mr. Alexander-Neal claimed to have been performing official duties when he was not. Mr. Alexander-Neal's hourly rate of pay, including locality pay, was $105.27 in 2024 and represents a total of $88,847.88 in fraudulent payments.

5. Has any corrective action been taken to address Mr. Alexander-Neal's substantial waste, fraud, abuse, and misconduct? Does the CFTC OIG or CFTC plan to ensure *all* of the money improperly paid to Mr. Alexander-Neal resulting from his fraudulent certification of his timesheets is returned to taxpayers? If not, why not? If yes, when? Explain in detail.

CFTC Response: As discussed in response to question 3 (above), the CFTC has removed Mr. Alexander-Neal from his CFTC position and federal service because of his conduct. The CFTC is currently exploring avenues to recoup the improper payments to Mr. Alexander-Neal.

6. Were Mr. Alexander-Neal's supervisors aware of or notified that he was working outside the U.S. or failing to log into his computer to perform his duties prior to the CFTC and/or CFTC OIG opening the investigation? If yes, explain when they first became aware and provide all records. If not, why not?

CFTC Response: Please see attached Exhibit 3, which is Exhibit O to the OIG report concerning this matter, indicating that one of Mr. Alexander-Neal's supervisors was cc'd on an e-mail of October 19, 2023, questioning whether Mr. Alexander-Neal was working outside of the United States.

7. Has there been any investigations into Mr. Alexander-Neal's supervisors' failure to detect his world tour, unacceptable level of work effort, and violation of the administrative leave agreement? If yes, provide all records. If not, why not?

CFTC Response: The CFTC has not initiated any investigation into Mr. Alexander-Neal's supervisors' conduct. It is the CFTC's understanding that the OIG has determined, after careful consideration of all available evidence and circumstances, that the actions of Mr. Alexander-Neal's supervisors during the relevant period did not warrant additional inquiry, and that their repeated efforts to account for Mr. Alexander-Neal's time was not unreasonable.

8. Has any corrective action been taken to address the apparent failure of Mr. Alexander-Neal's supervisors to oversee his performance? If not, why not? If yes, explain in detail.

CFTC Response: Please see the agency's response to question 7.

9. From 2022 to present, provide Mr. Alexander-Neal's performance reviews or related evaluations.

CFTC Response: Please see attached Exhibit 2.

10. Did Mr. Alexander-Neal's position as union president influence his supervisors' or CFTC management's decision whether to investigate the multiple red flags exhibited by his misconduct or whether and to what extent to impose disciplinary action, if any? If yes, explain in detail and provide all records.

CFTC Response: In fulfilling their duties under the Federal Service Labor-Management Statute, 5 U.S.C. Part 71, union officials are statutorily authorized to use government time to work on union matters. Under the CFTC's collective bargaining agreement with its union, as its president, Mr. Alexander-Neal could use 50% of his work time for this purpose, which may have contributed to the delay in addressing Mr. Alexander-Neal's misconduct. However, his status with the union was not a factor in taking disciplinary action once the CFTC became aware of the misconduct.

11. Did the CFTC accept the CFTC OIG's recommendations? If not, why not? If yes, explain in detail the steps the CFTC has taken to implement the recommendations.

CFTC Response: Yes, the CFTC accepted all the OIG's recommendations and is continuing to work on implementing the recommendations. For recommendation #1, the CFTC had created a standard operating procedure ("SOP") on September 20, 2024, outlining the workflow and ServiceNow ticket requirements in response to successful foreign sign-in alerts. The SOP covers the following Sentinel Alerts: CFTC - successful foreign sign-in activity and CFTC - foreign VPN activity. It was updated on January 30, 2025, to ensure the SOP aligned with current practices and supports ongoing process improvements.

For recommendation #2, the Human Resources Branch ("HRB") conducted supervisory training on August 14, 2025, where guidance on official time (CBA Article 46) was addressed.

Additionally, HRB intends to issue written guidance to supervisors detailing the supervisory controls necessary to ensure compliance with CBA Article 46 of the CFTC-NTEU Master Collective Bargaining Agreements and to prevent the misuse of official time.

Finally, for recommendation #3, HRB revised the administrative leave letter template on May 2, 2025. The updated template clearly states the requirements for employees placed in administrative leave status. The revision is more streamlined in establishing scheduled hours during which the employee on administrative leave must be available to be contacted and can be required to resume active-duty status.

12. From March 2020 to present, provide each instance and country of origin in which the CFTC's eSOC detected that Mr. Alexander-Neal's connection originated from a foreign IP address. Provide all records related to each occurrence.

CFTC Response: Please see attached Exhibit 3, which is Exhibit O to the OIG report concerning this matter.

13. From 2020 to present, provide each instance a CFTC employee abused the agency's telework program. Explain, in detail, the violation and the accompanying corrective action.

CFTC Response: We have identified potential violations of the telework policy and, as announced on August 15, 2025, are conducting a review.[1] The CFTC will provide the results of this review when it is complete.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Caroline D. Pham
Acting Chairman

[1] CFTC Conducting Review of Time & Attendance Compliance Amid OIG Report, Congressional Inquiry, Release Number 9108-25 (Aug. 15, 2025), https://www.cftc.gov/PressRoom/PressReleases/9108-25.

U.S. Commodity Futures Trading Commission
OFFICE OF INSPECTOR GENERAL

August 27, 2025

Via Electronic Mail

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 2010

Dear Chairman Grassley:

I'm writing in response to your letter dated August 13, 2025 concerning a recent investigation by the Commodity Futures Trading Commission (CFTC) Office of the Inspector General (OIG) into telework violations by a former CFTC employee, Malcolm Alexander-Neal.[1] This investigation was referred to the OIG on January 24, 2025 and conducted in accordance with the Inspector General Act of 1978 (5 U.S. Code Chapter 4, as amended), and guidelines established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

On April 24, 2025, OIG submitted the Report of Investigation which substantiated allegations that Mr. Alexander-Neal had violated the Agency's telework policy, falsified timekeeping records, made false statements to include statements under oath, violated the Agency's administrative leave requirements, and engaged in partisan political activity in violation of the Hatch Act. Based on those findings, the Agency formally removed Mr. Alexander-Neal from federal service using Chapter 75 disciplinary procedures on or about July 23, 2025.

In response to your specific inquiries regarding the investigation and other related concerns, the OIG has coordinated with the Agency to ensure your office receives complete and accurate information. However, to maintain the independence of the OIG in accordance with the Inspector General Act, the OIG and the Agency will respond to your requests separately. This response addresses those inquires that are squarely in the purview of the OIG—specifically Requests 1, 3, 4, 7, 8, and 11—while deferring to the Agency's responses to the remaining requests.

Request 1 – Malcolm Alexander-Neal's Travel to Lebanon

The OIG defers to the Agency to address Mr. Alexander-Neal's general conduct, including any information regarding his travel to Lebanon. The OIG does not possess responsive information outside of what is included in the Report of Investigation (and exhibits) and in Mr. Alexander-Neal's self-published book. As noted in the Report of Investigation, when the

[1] The report is titled Report of Investigation into Alleged Telework Violations by CFTC Risk Analyst (CFTC-00041).

investigations team learned of Mr. Alexander-Neal's telework from Lebanon, the OIG notified the Agency cybersecurity office immediately.

Request 3 – Referral to Department of Justice and Office of Special Counsel

It is standard practice for the OIG investigations team to discuss potential criminal investigations early with the Department of Justice (DOJ) to ensure matters of interest are coordinated from the outset. This investigation was first initiated based on a non-criminal allegation: that Mr. Alexander-Neal violated the Agency's telework policy by teleworking from outside the United States. After receiving information showing that Mr. Alexander-Neal may have engaged in widespread timekeeping fraud, and after Mr. Alexander-Neal made false statements during an interview, the investigations team conferred with the DOJ Public Integrity Section on March 14, 2025 to discuss potential criminal investigation and/or prosecution. In that meeting, DOJ declined the case and thereby authorized the investigations team to administer a "Kalkines" warning to Mr. Alexander-Neal as part of the ongoing administrative investigation. See 18 U.S.C. § 6004.

A Kalkines warning compels a government employee to cooperate in an administrative investigation by granting criminal use immunity for the employee's statement and thereby removing their Fifth Amendment right against self-incrimination.[2] The investigations team determined a Kalkines warning was necessary to compel Mr. Alexander-Neal's cooperation after he made false statements under oath, invoked his right to counsel, and declined to participate further in his interview. After receiving the Kalkines warning and in response to interrogatories by the investigations team, Mr. Alexander-Neal provided additional information in writing, including admissions that he had violated the Agency's telework policy by working from multiple foreign locations. See Report of Investigation (CFTC-00041), Exhibit W.

No referral was made to the Office of Special Counsel (OSC) since the allegations were duly investigated by the OIG and the CFTC accepted the OIG's findings and recommendations, and took corrective action (*i.e.*, removal of the employee). Had the Agency not taken corrective action, the OIG would have considered referral to OSC (which has legal authority to direct agencies to take corrective actions to address employee misconduct).

Request 4 – Collection of additional timekeeping and account metadata back to 2022

The Agency has informed the OIG that it is actively working to provide a response to Request 4(a). Further discussion may be needed regarding the availability of the data requested at 4(b) – 4(e), to include the feasibility of obtaining and analyzing this data in the requested manner. The OIG defers to the Agency to address those logistical concerns.

[2] Criminal use immunity means that the employee's statements and any evidence gained therefrom cannot be used in a criminal prosecution of the employee. Kalkines v. U.S., 473 F.2d 1391(1973); see also Haine v. Dept. of the Navy, 41 MSPR 462 (Aug. 9, 1989).

Request 7 and 8 – Investigations into supervisors

During the investigation, the investigations team assessed evidence related to the actions of Mr. Alexander-Neal's supervisory chain—particularly his first-line supervisor—and determined that none of these supervisors were aware of Mr. Alexander-Neal's telework outside the United States and falsified timekeeping records. Because Mr. Alexander-Neal's union position allowed him to use 50% of his official time on union business, he was able to conceal this misconduct from his supervisors. See Report of Investigation (CFTC-00041), p. 12. Despite these challenges, his first-line supervisor did make good faith attempts to manage Mr. Alexander-Neal's time management and sought assistance from the CFTC Human Resources Branch in doing so.

As it relates to Mr. Alexander-Neal's foreign telework, Mr. Alexander-Neal's first-line supervisor was notified on October 19, 2023 by the CFTC Cyber Security Operations Center (eSOC) that Mr. Alexander-Neal may be teleworking using an IP address from Mexico. This notification was an email sent directly to Mr. Alexander-Neal with the first-line supervisor copied. See Report of Investigation (CFTC-00041), pp. 6-7. In response, Mr. Alexander-Neal denied that he had signed into a government device from Mexico. Id. ("That is not accurate, I have had this issue in the past with my VPN but believe that it has been fixed. I can check my settings to see if anything was changed or lapsed this morning."). This was the only prior notification received by Mr. Alexander-Neal's supervisory chain related to his foreign telework.

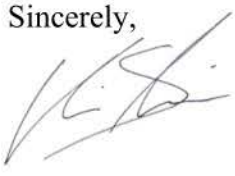
Based on these findings, the OIG recommended that the Agency "update supervisory controls as necessary to ensure compliance with Article 46 of the CFTC-NTEU Master Collective Bargaining Agreement, as amended, [addressing entitlement to official time by union officials] and prevent misuse of official time." The OIG also recommended that the Agency "review CFTC Cyber Security Operations Center (eSOC) standard operating procedures to ensure detections of foreign IP addresses are effectively resolved, particularly when multiple detections are received for the same employee." The Agency accepted both recommendations.

Request 11 – Acceptance of Recommendations by the Agency

The Agency notified the OIG that it has accepted all three recommendations made in the Report of Investigation. The OIG defers to the Agency for details and timelines regarding implementation of the recommendations.

Should you have further questions, please feel free to contact my office.

Sincerely,



Christopher Skinner
Inspector General