IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA v. DAVID J. RUSH	Case No. 1:26-MJ-177

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Matthew T. Johnson, a Federal Bureau of Investigation ("FBI") Special Agent, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the FBI, a position I have held since October 2004. As a Special Agent, I have received training at the FBI Academy located in Quantico, Virginia, including training on investigative methods and training specific to counterintelligence and espionage investigations. I am currently assigned to a squad at the FBI Washington Field Office, Counterintelligence Division, where I primarily investigate counterintelligence matters. As an FBI Special Agent, I have conducted or participated in witness and subject interviews, physical surveillance, service of subpoenas, the execution of search and arrest warrants, the seizure of evidence, including computer, electronic, and e-mail evidence, as well as requested and reviewed pertinent records.

2. Since this affidavit is being submitted for the limited purpose of securing authorization for the execution of an arrest warrant, I have not included each and every fact known to me concerning the investigation. I have set forth only the facts that I believe are necessary to support the issuance of the requested process. The statements contained in this affidavit are based, in part, on information gathered through interviews, search warrants, surveillance operations, and conclusions reached by me based upon my training and experience as an FBI Special Agent.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that David J. Rush ("RUSH") violated 18 U.S.C. § 641 (theft of public money). I therefore make this affidavit in support of a criminal complaint charging RUSH with this offense.

APPLICABLE CRIMINAL LAW

4. Under 18 U.S.C. § 641, "Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof" or "[w]hoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted" shall be punished by law.

PROBABLE CAUSE

5. RUSH is a former Senior Executive Service level employee at a United States Government agency ("USG") in the Eastern District of Virginia. RUSH possesses a Top

Secret/Secure Compartmented Information ("TS/SCI") clearance and has access to classified information.

6. The FBI's investigation has revealed that RUSH provided false information about his education and military service on his application to the USG and fraudulently took military leave after he separated from the military.

I. RUSH's Prior Military Service.

7. According to the Defense Personnel Records Information Retrieval Service ("DPRIS"), and information provided by the Naval Criminal Investigative Service ("NCIS"), RUSH enlisted in the United States Navy in 1997.

8. DPRIS records indicate that in 2004, RUSH provided the U.S. Navy with a transcript from Clemson University indicating RUSH had earned an undergraduate degree from Clemson. Based on his obtaining a degree, RUSH was commissioned as an Ensign (O-1) in the U.S. Navy Reserves in 2004. According to DPRIS records, a February 1, 2015, letter to RUSH notified RUSH that he was honorably discharged from the Navy Reserves as a Lieutenant (O-3).

9. Based on communications with special agents from NCIS, RUSH was not enlisted or commissioned in the U.S. Navy, the U.S. Navy Reserves, or any other U.S. military branch after February 2015.

II. RUSH's False Statements in His Applications to the USG and SF-86 Reports.

10. RUSH applied for employment with the USG on three separate occasions. In his first application, in March 2006, RUSH's education background included a Bachelor of Science in Mathematics and Information Systems from Clemson University in 2000, a Master of Science

in Computing Technology from Rensselaer Polytechnic Institute ("RPI") in 2004, and an undated Master of Science in Computing Technology from the Naval Postgraduate School.

11. In his second application, in November 2006, RUSH's education background included a Bachelor of Science in Mathematics and Information Systems from Clemson University in 2000, and a Master of Science in Electrical Engineering from RPI in 2004. This application omitted the prior reference to RUSH's purported Master's from the Naval Postgraduate School.

12. In his third application, in 2009, the one that was ultimately successful, RUSH's education background included a Bachelor of Science in Mathematics from Clemson University in 2000, a Master of Science in Electrical Engineering from RPI in 2004, and an undated Aircraft Test and Evaluation certification from the United States Naval Test Pilot School.

13. In the Standard Form 86 (SF-86), dated November 20, 2009, that RUSH submitted to obtain his TS/SCI clearance at his former U.S. Government employer, RUSH stated he held a Bachelor of Science in Mathematics from Clemson University in 2000 and a Master of Science in Electrical Engineering from RPI in 2004.

14. In his application to enter the Senior Executive Service level ranks that RUSH submitted to his former U.S. Government employer on October 25, 2018, RUSH stated he was a graduate of the United States Air Force Test Pilot School, and he was the current Director of Test for a 145-person, 18-aircraft joint Army/Navy weapons test organization, despite his military records, discussed above, indicating that he separated from the Navy in 2015. In this same application, RUSH stated he had an eleven-year tenure as a Thesis/Dissertation advisor at the Air Force Institute of Technology.

15. As described below, the FBI's investigation has revealed that RUSH's applications contained false information about his education background and work with the United States military.

16. The investigation has revealed that, contrary to RUSH's statements, he never attended or obtained a degree from Clemson University. On March 27, 2026, an Assistant Registrar at Clemson University stated via a letter that "based on the name, social security number and date of birth provided, Clemson University's Records and Registration staff were unable to verify that David John Rush attended the institution." This letter was obtained in response to a query based on RUSH's name, social security number, and date of birth.

17. The investigation has also revealed that RUSH never attended or obtained degrees from RPI. In a letter dated April 3, 2026, an Associate Registrar at RPI stated, "the student named below with date of birth was not found in our system as attending Rensselaer Polytechnic Institute." This letter was obtained in response to a query based on RUSH's name, social security number, and date of birth.

18. A review of RUSH's military personnel file does not indicate that RUSH was ever a pilot for the Navy, nor does it indicate that he underwent any evaluations as a pilot. Instead, RUSH's personnel file indicates that he had other responsibilities, such as an information systems technician.

19. Further, in an email dated March 19, 2026, an Intelligence Analyst in the Federal Aviation Administration (FAA), Counterintelligence Analysis Branch wrote, "[RUSH] does not have an FAA certificate/pilots license, no records for the individual in FAA systems."

20. Based on my training and experience, I know that federal employee salaries are determined by a number of factors, including the employee's education level. An employee with higher education levels, such as Master's degree, would generally be expected to receive a higher pay scale than a similar employee doing similar work without an undergraduate or Master's degree.

III. RUSH's Timecard Fraud.

21. As noted, DPRIS records and NCIS have confirmed that RUSH was honorably discharged on February 1, 2015, as an O-3 Lieutenant. The investigation has revealed that RUSH, through at least on or about September 2025, represented to the USG that he was in the U.S. Navy Reserves at the rank of O-6 (Captain).

22. Specifically, records from the USG indicate that, since being honorably discharged in February 2015, RUSH has claimed 744 hours of Military Leave on his official timesheet, representing approximately $77,000 in compensation. He most recently claimed Military Leave in or about September 2025.

IV. Unaccounted Bulk Currency and Gold from the USG.

23. Based on conversations with employees from the USG, between on or around November 2025 through on or around March 2026, RUSH made several requests to the USG to obtain a significant quantity of foreign currency and tens of millions of dollars in gold bars for work-related expenses. RUSH received the currency and gold bars.

24. A review of the storage space at the USG where RUSH had an office in which he stored the currency upon receipt revealed that only a portion of the currency he received remained in the storage space.

25. Based on an initial review by RUSH's employer, the USG has been unable to locate the gold bars or significant amounts of the foreign currency RUSH received pursuant to his requests or to identify the intended use of these funds. Further, while a review is ongoing, the USG has yet to locate any record of RUSH providing information to his employer regarding the disposition of the currency or gold bars that he received for work-related purposes.

V. FBI's Search of RUSH's Home.

26. On or about May 18, 2026, the FBI executed a search warrant for RUSH's home in the Eastern District of Virginia. During the search, FBI agents seized approximately 303 gold bars, each of which weighs approximately one kilogram. Based on the current price of gold, the estimated value of the gold exceeds $40 million.

27. FBI agents also seized approximately $2 million in United States currency.

28. Finally, FBI agents seized approximately 35 luxury watches, many of which were Rolex brand.

CONCLUSION

29. For the reasons stated above, there is probable cause to believe that, from in or about 2009 through in or about May 2026, within the Eastern District of Virginia, RUSH knowingly embezzled, stole, purloined, or knowingly converted a thing of value of the United States or received, concealed, or retained the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined, or converted, including by obtaining a

fraudulently inflated salary and fraudulently obtaining military leave, the value of which exceeded $1,000.

Respectfully Submitted,

Matthew T. Johnson
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me
by reliable electronic means
in accordance with Fed. R. Crim. P. 4.1
on May 20, 2026:

The Honorable William E. Fitzpatrick
United States Magistrate Judge