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Description of document: Office of the Director of National Intelligence (ODNI)
Reports from Various Closed Investigations of the Office
of Inspector General of the Intelligence Community
2014-2016

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Director, Information Management Office
ATTN: FOIA/PA
Office of the Director of National Intelligence
Washington, D.C. 20511
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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

13 September 2024

Reference: ODNI Case DF-2016-00187

Dear Requester:

This letter responds to your Freedom of Information Act (FOIA) request, received by the on 4 April 2016 by the Office of the Director of National Intelligence (ODNI), in which you requested all conclusory documents associated with 13 specific closed/discontinued investigations conducted by the Intelligence Community Inspector General.

Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and after conducting a thorough search, ODNI located 17 document responsive to this request. During the review process, we considered the foreseeable harm standard and determined that certain information must be withheld pursuant to the following FOIA exemptions:

- (b)(1), which applies to information that is currently and properly classified pursuant to Executive Order 13526, Section 1.4(c);
- (b)(3), which applies to information exempt from disclosure by statute, and, in this case, the following statutes apply:
 - The National Security Act, as amended, 50 U.S.C. § 3024(i) and 50 U.S.C. § 3024(m), which protect intelligence sources and methods and identifying information of ODNI personnel, respectively;
 - Section 6 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. § 3507, which protects, among other things, the names and identifying information of CIA personnel; and
 - 50 U.S.C. § 3033(g)(3)(A), which protects the identity of an employee who submits a complaint or information to the Office of the Intelligence Community Inspector General, unless the employee gives consent or the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken.
- (b)(5), which applies to information that concerns communications within or between agencies that are protected by legal privileges;
- (b)(6), which applies to information, the release of which would clearly constitute an unwarranted invasion of personal privacy;

- (b)(7)(c), which provides protection for personal information in law enforcement records, the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy;
- (b)(7)(d), which provides protection for the personal information of confidential sources and all information provided by them, if the information was compiled during criminal or national security investigations; and
- (b)(7)(e), which provides protection for information related to investigative techniques and methods in law enforcement records.

If you are not satisfied with this response, a number of options are available. Please note, we have updated our email addresses. You may contact me, the FOIA Public Liaison, at ODNI_FOIA_Liaison@odni.gov, or the ODNI Requester Service Center, at ODNI_FOIA@odni.gov or (703)-275-1313. You may also submit an administrative appeal to the Chief FOIA Officer, c/o Chief, Information Management Office, Office of the Director of National Intelligence, Washington, DC 20511 or emailed to ODNI_FOIA@odni.gov. The appeal correspondence should be clearly marked "Freedom of Information Act Appeal of Adverse Determination" and must be postmarked or electronically transmitted within 90 days of the date of this letter.

Lastly, the Office of Government Information Services (OGIS) of the National Archives and Records Administration is available with mediation services and can be reached by mail at 8601 Adelphi Road, Room 2510, College Park, MD 20740-6001; telephone (202) 741-5770; toll-free (877) 684-6448; or email at ogis@nara.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Koch", with a stylized flourish extending to the right.

for
Gregory Koch
Chief, Information Management Office
FOIA Public Liaison

ENCLOSURE 1

UNCLASSIFIED//~~FOUO~~



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

12 March 2014

MEMORANDUM FOR: Mark Ewing, Chief Management Officer
(b)(3), (b)(6) Head of Contracting Activity
THRU: (b)(3), (b)(6) Assistant Inspector General for Investigations
FROM: (b)(3), (b)(6) Investigator
SUBJECT: Management Referral – (b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) From December 2012 to December 2013 the Office of the Inspector General of the Intelligence Community (IC IG) conducted various investigative activities related to

(b) (3), (b) (6), (b) (7)(C) [redacted]
(b) (3), (b) (6), (b) (7)(C) [redacted] owner of
(b) (3), (b) (6), (b) (7)(C) a small business, (b) (3), (b) (6), (b) (7)(C) [redacted]

The principal focus of the investigation was (b)(3), (b)(6), (b)(7)(c) billing practices, but there are additional concerns that fall outside the scope of the investigation that may require management attention.

(U//~~FOUO~~) (b)(3), (b)(6), (b)(7)(c) purportedly received a (b)(3), (b)(6), (b)(7)(c) [redacted]
[redacted] Records obtained from (b)(3), (b)(6), (b)(7)(c) [redacted]
[redacted] show that (b)(3), (b)(6), (b)(7)(c) [redacted]
It appears that (b)(3), (b)(6), (b)(7)(c) only legitimate degree is a (b)(3), (b)(6), (b)(7)(c) [redacted]
that required (b)(3), (b)(6), (b)(7)(c) [redacted] It was awarded to (b)(3), (b)(6), (b)(7)(c) [redacted]
[redacted] It is also (b)(3), (b)(6), (b)(7)(c) [redacted]
noteworthy that as an undergraduate (b)(3), (b)(6), (b)(7)(c) [redacted]
[redacted] earned a (b)(3), (b)(6), (b)(7)(c) [redacted]

This memorandum contains information that the Office of the Inspector General of the Intelligence Community has determined is confidential, sensitive, or protected by Federal Law, including protection from public disclosure under the Freedom of Information Act (FOIA) 5 USC § 552. Recipients may not further disseminate this information without the express permission of the Office of the Inspector General of the Intelligence Community personnel. Accordingly, the use, dissemination, distribution or reproduction of this information to or by unauthorized or unintended recipients may be unlawful. Persons disclosing this information publicly or to others not having an official need to know are subject to possible administrative, civil, and/or criminal penalties. This memorandum should be safeguarded to prevent improper disclosure at all times. Authorized recipients who receive requests to release this information should refer the requestor to the Office of the Inspector General of the Intelligence Community.

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UNCLASSIFIED//~~FOUO~~

(U//~~FOUO~~) Although [REDACTED] (b)(1), (b)(5), (b)(7)(C) position does not require a [REDACTED] (b)(3), (b)(6), (b)(7)(c) refers to himself as [REDACTED] (b)(3), (b)(6), (b)(7)(c) and lists both [REDACTED] (b)(3), (b)(6), (b)(7)(c) resume. Such actions by [REDACTED] (b)(3), (b)(6), (b)(7)(c) are improper because [REDACTED] (b)(3), (b)(6), (b)(7)(c) did not earn these degrees from an accredited or credible academic institution. Additionally, based on information and belief, [REDACTED] (b)(3), (b)(6), (b)(7)(c) claim to be a [REDACTED] (b)(3), (b)(6), (b)(7)(c) does not appear to be supported by any formal training or certifications in these areas.

(U//~~FOUO~~) It is unknown whether [REDACTED] (b)(3), (b)(6), (b)(7)(c) was selected for [REDACTED] (b)(3), (b)(6), (b)(7)(c) contractor employee position based on [REDACTED] (b)(3), (b)(6), (b)(7)(c) misrepresentation of [REDACTED] (b)(3), (b)(6), (b)(7)(c) academic credentials and professional certifications. Appropriate ODNI management should consider [REDACTED] (b)(3), (b)(6), (b)(7)(c) misrepresentations and take action if necessary. If you need further information, please contact me at [REDACTED] (b)(3), (b)(6), (b)(7)(c)

[REDACTED] (b)(3), (b)(6)

UNCLASSIFIED//~~FOUO~~

ENCLOSURE 2

(b)(3), (b)(6)

From: (b)(3), (b)(6)
Sent: Tuesday, September 29, 2015 9:24 AM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: RE: (b)(3), (b)(6), (b)(7)(c)
Signed By: (b)(3), (b)(6)

Classification: UNCLASSIFIED//~~FOUO~~

Wow – that says quite a bit right there!! [Thanks](#) (b)(3), (b)(6) [this](#) is helpful.

(b)(3), (b)(6)

From: (b)(3), (b)(6)
Sent: Tuesday, September 29, 2015 9:13 AM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: RE: (b)(3), (b)(6), (b)(7)(c)

Classification: UNCLASSIFIED//~~FOUO~~

Hi (b)(3), (b)(6)

(b)(3), (b)(6) was brought in for an interview on 05 April 2013. The interview only lasted a few minutes (3 according to the write-up). (b)(3), (b)(6), (b)(7)(c)

I'm not sure if reviewing our file would be helpful, but you are welcome to.

(b)(3), (b)(6)

Investigator, IC IG

(b)(3), (b)(6)

From: (b)(3), (b)(6)
Sent: Tuesday, September 29, 2015 8:27 AM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: RE: (b)(3), (b)(6), (b)(7)(c)

Classification: UNCLASSIFIED//~~FOUO~~

Hi (b)(3), (b)(6)

I'm looking into this case now. There is quite a history in (b)(3) I was wondering if the ICIG conducted an in-person interview with (b)(3), (b)(6), (b)(7)(C)

(b)(3), (b)(6)

From: (b)(3), (b)(6)
Sent: Monday, September 28, 2015 11:12 AM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: (b)(3), (b)(6), (b)(7)(c)

Classification: UNCLASSIFIED//~~FOUO~~

Good Morning (b)(3), (b)(6)

During a review of old cases, we stumbled upon the investigation of (b)(3), (b)(6), (b)(7)(c) From December 2012 to December 2013, the IC IG conducted an investigation into (b)(3), (b)(6), (b)(7)(c) an ODNI contract employee (still currently a contractor with ODNI). At the time, (b)(3), (b)(6), (b)(7)(c) was the owner (b)(3), (b)(6), (b)(7)(C)

The principal focus of the investigation was (b)(3), (b)(6), (b)(7)(c) billing practices, but additional concerns were identified (b)(3), (b)(6), (b)(7)(c) purportedly received a (b)(3), (b)(6), (b)(7)(c)

In March 2014, the case was closed and referred to ODNI CMO and Contracts, but our view did not find a referral to the Office of Security. After reviewing the case, we believed it warranted notification to you all. I have attached the March 2014 referral for your reference.

As always, our investigative file is available for review.

(b)(3), (b)(6)
Investigator
Office of the Inspector General of the Intelligence Community (IC IG)
(b)(3), (b)(6)
IC IG Hotline (855) 731-3260 open (b)(3), (b)(6)
Email

(b)(3), (b)(6)

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ENCLOSURE 3

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20514

January 9, 2014
INV-2013-0009-001

(U//FOUO) MEMO FOR:

AIGI

(b)(3), (b)(6)

(U//FOUO) FROM:

Investigator

(b)(3), (b)(6)

(U//FOUO) SUBJECT:

INV 2013-0009

(b)(3), (b)(6), (b)(7)(c)

Alleged Misuse of Government Property)

Background. (U//FOUO) On October 22, 2012, agency security officials referred an (b)(3) misuse matter to the IC IG. The referral, regarding (b)(3), (b)(6) included a 90-page report detailing (b)(3), (b)(6), (b)(7)(c) from May 27, 2010 through October 3, 2012. The IC IG Investigations Division opened an investigation into (b)(3), (b)(6), (b)(7)(c) alleged actions on March 21, 2013.

Applicable Standard. (U) 5 C.F.R. § 2635-704(a) (Misuse of Government Property). An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes.

Investigative Activity. (U//FOUO) In May 2013, the IC IG Investigations Division obtained additional (b)(3) records of (b)(3), (b)(6), (b)(7)(c). We found that (b)(3), (b)(6), (b)(7)(c) began using (b)(3) for (b)(3), (b)(6), (b)(7)(c) in May 2010, and continued on a near daily basis until (b)(3), (b)(6) removal ODNI facilities on July 18, 2013, under the direction of agency security officials.

(U//FOUO) (b)(3), (b)(6), (b)(7)(c) often

(b)(3), (b)(6), (b)(7)(c)

The majority of

(b)(3), (b)(6), (b)(7)(c)

included

attempts to

(b)(3), (b)(6), (b)(7)(c)

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Dissemination is prohibited unless authorized pursuant to 50 USC 403-3h

(U//~~FOUO~~) Upon discovery of information that (b)(3), (b)(6), (b)(7)(c) attempted to

(b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

(U//~~FOUO~~) During the course of the (b)(3), (b)(7)(e) into (b)(3), (b)(6), (b)(7)(c) agency security officials detected

(b)(3), (b)(6), (b)(7)(c) attempting to (b)(3), (b)(6), (b)(7)(c)

At that time, on July 18, 2014, agency security officials suspended (b)(3), (b)(6), (b)(7)(c) access to US government systems, confiscated (b)(3), (b)(6), (b)(7)(c) access badge, and escorted (b)(3), (b)(6), (b)(7)(c) out of ODNI facilities. After these events, agency security officials (b)(3), (b)(7)(e) who referred the (b)(3), (b)(6), (b)(7)(c) case to local law enforcement officials (b)(3), (b)(7)(e)

Agency security officials also notified (b)(3), (b)(7)(e)

(U//~~FOUO~~) The available evidence established that (b)(3), (b)(6), (b)(7)(c) misused the government (b)(3) system for personal and possibly illegal purposes. However, quantifying the amount of government funded labor misused by (b)(3), (b)(6), (b)(7)(c) was not possible in this instance.

Recommendation. (U//~~FOUO~~) Close this matter without further action.

ENCLOSURE 4

~~UNCLASSIFIED//FOUO~~



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

INVM-2013-0034

24 October 2014

MEMORANDUM FOR:

(b)(3), (b)(6)

SUBJECT:

(U) Derogatory Information - INV-2013-0034

1. (~~U//FOUO~~) The Inspector General of the Intelligence Community (IC IG) Investigations Division recently completed an investigation of ODNI employee (b)(3), (b)(6) (b)(3), (b)(6), (b)(7)(c)

2. (~~U//FOUO~~) The IC IG investigation substantiated the following misconduct: engaging in conflicts of interest; improper or unauthorized outside employment; falsification and misrepresentation; and, misuse of government information and information systems. (b)(3), (b)(6), (b)(7)(c) acknowledged and accepted the allegations of this misconduct as accurate during a subject interview.

3. (~~U//FOUO~~) This office's report of investigation contains derogatory information regarding (b)(3), (b)(6), (b)(7)(c) and is available for your review. If you have any questions regarding this matter, please contact Investigator (b)(3), (b)(6)

(b)(3), (b)(6)

Assistant Inspector General
for Investigations

cc:

(b)(3), (b)(6)

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ENCLOSURE 5

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

REPORT OF INVESTIGATION

CASE NUMBER: 2013-0034

SEP 10, 2014

SUBJECT

(U//~~FOUO~~) [REDACTED] (b)(3), (b)(6), (b)(7)(c)

ALLEGATIONS

1. (U//~~FOUO~~) Subject engaged in conflicts of interest.
2. (U//~~FOUO~~) Subject engaged in improper or unauthorized outside employment.
3. (U//~~FOUO~~) Subject engaged in falsification and misrepresentation.
4. (U//~~FOUO~~) Subject misused government information and information systems.
5. (U//~~FOUO~~) Subject engaged in sexual misconduct while on duty.

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(b)(3) [REDACTED]

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BACKGROUND

(b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

[REDACTED]

(b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

[REDACTED]

(b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

[REDACTED]

(b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

[REDACTED]

(U//FOUO) Due to possible criminal nature of the case, on March 18, 2013, Office of Security Legal Counsel advised [REDACTED] to refer the matter to the CIA Office of the Inspector General (CIA OIG). On or around March 20, 2013, CIA OIG referred the matter to the Intelligence Community Inspector General (IC IG). On April 29, 2013, the IC IG opened a preliminary inquiry on (b)(3), (b)(6), (b)(7)(c) to determine if [REDACTED] violated 18 USC §1001, 18 USC §205, 18 USC §1030, 5 USC §552a, 5 CFR 2635.702, 5 CFR 2635.703, (b)(3) and or (b)(3).

(U//FOUO) On September 13, 2013, the IC IG presented the case to the Eastern District of Virginia's (EDVA) prosecuting office. The Cyber Crime Unit accepted the case and IC IG began a criminal investigation into (b)(3), (b)(6), (b)(7)(c)

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(U//FOUO) Due to the Department of Defense [REDACTED] the IC IG collaborated with the (b) (3) [REDACTED]; on October 28, 2013, (b) (3) [REDACTED] and IC IG opened a joint case on the matter. (b) (3) [REDACTED] provided IC IG with Defense Security Service (DSS) points of contact and Joint Personnel Adjudication System (JPAS) records for (b) (3), (b) (6), (b) (7)(c) [REDACTED]

(U//FOUO) On February 28, 2014, the IC IG and (b) (3) [REDACTED] met with the IRS in order to refer (b) (3), (b) (6), (b) (7)(c) [REDACTED] to the criminal division. The IRS agreed to open a preliminary inquiry into (b) (3), (b) (6), (b) (7)(c) [REDACTED]

(U//FOUO) On July 28, 2014, the Eastern District of Virginia declined to further prosecute (b) (3), (b) (6), (b) (7)(c) [REDACTED]

SCOPE

(U//FOUO) The Investigations Division (INV) of IC IG conducted this investigation pursuant to 50 USC § 3033, Inspector General of the Intelligence Community, effective 7 October 2010; ODNI Instruction 10.34, Office of the Inspector General of the Intelligence Community, dated 22 Sept 2013; and, the Quality Standards for Investigations, dated 15 November 2011, set forth by the Council of the Inspectors General on Integrity and Efficiency.

ALLEGATION 1

(U//FOUO) Subject engaged in a conflict of interest.

APPLICABLE LAW AND POLICY

(U) *Compensation to Members of Congress, officers, and others in matters affecting the Government.* Title 18, United States Code, Section 203 provides that, with certain exceptions, "whoever...directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept any compensation for any representational services, as agent or attorney or otherwise, rendered or to be rendered either personally or by another at a time when such person is an officer or employee...of the United States in the executive...branch of the Government...in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department..." is guilty of a federal offense.

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(U) *Activities of officers and employees in claims against and other matters affecting the Government.* Title 18, United States Code, Section 205 provides that, with certain exceptions, “whoever, being an officer or employee of the executive branch of the United States Government... acts as agent or attorney for anyone before any department, agency, court, court-martial, officer, or civil, military, or naval commission in connection with any covered matter in which the United States is a party or has a direct interest” is guilty of a federal offense.

(U) *Use of Nonpublic Information.* 5 C.F.R. § 2635.703 provides that “an employee shall not engage in a financial transaction using nonpublic information, nor allow the improper use of nonpublic information to further his own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure.”

ANALYSIS

(U//FOUO) [REDACTED] began [REDACTED] tenure at the ODNI on [REDACTED] entered the ODNI as a GS-14 in the role of Senior Security Database Program Officer at the Office of the National Counterintelligence Executive (NCIX). In [REDACTED] role as a program officer, [REDACTED] is expected to [REDACTED] [REDACTED] [REDACTED] role also requires her to “monitor the Security Databases Program budget and author and compile well-reasoned budget planning and execution recommendations to the Security Databases Program Manager.”² [REDACTED] role at the ODNI allows [REDACTED] unfettered access to Scattered Castles, [REDACTED] JPAS, and a host of other security related databases and sites. According to [REDACTED] due to [REDACTED] role at the ODNI, [REDACTED] has the ability to change information within these security databases to include resolving redundancies, changing dates, or changing access for those with security clearances.³

(U//FOUO) According to [REDACTED] and [REDACTED] Standard Form 86 (SF86), [REDACTED] has also worked as a Facility Security Officer since [REDACTED] for several companies. A Facility Security Officer (FSO) administers and assures compliance with security regulations and procedures in accordance with a

¹ ODNI Vacancy Notices, *ODNI/DNI Security Databases Program Officer 20747*, [REDACTED]

² *Ibid.*

³ [REDACTED]

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contract's guidelines. They serve as the point of contact for contractor security matters and are familiar with all aspects of security including personnel, physical, operations, industrial, communications, information, and information technology security. An FSO directs and advises all departments regarding security regulations and procedures, and routinely interacts with Government agencies relative to security matters.⁴ FSOs are considered Key Management Personnel (KMP), and must be at least part-time employees in order for a contractor to properly maintain a facility's security. According to (b)(3), (b)(6), (b)(7)(c) and an audit of (b)(3) US Government system, one of the primary functions of (b)(3) job as an FSO, is working within security databases and providing assistance to employees regarding their clearance paperwork and processing.

(U//FOUO) On April 29, 2013, the IC IG opened a preliminary inquiry into (b)(3), (b)(6), (b)(7)(c) upon receiving a referral from CIA OIG and (b)(3) due to the subject's failure to adhere to (b)(3) and any subsequent laws or policies. The initial information included in the referral regarded unreported outside activities. As standard procedure, an independent audit of computer activity associated with (b)(3), (b)(6), (b)(7)(c), (b)(3) was conducted for the time frame of EOD to the time of the preliminary inquiry (b)(3), (b)(6), (b)(7)(c). (EXHIBIT M)

(U//FOUO) The audit revealed (b)(3) files pertaining to outside activities, (b)(3), (b)(6), (b)(7)(c)

(U//FOUO) The audit also revealed (b)(3) pages of keystroke data regarding FSO work, (b)(3) pages of web activity associated with FSO work, and the maintenance of (b)(3) files on a US Government system pertaining to FSO work.⁶ Among the keystrokes, the IC IG found several instances where (b)(3), (b)(6), (b)(7)(c)

Furthermore, the audit revealed multiple instances of communication between government

⁴ Derived from vacancy notices at different government contractor websites and the Department of Security Services website.

⁵ 337.538MB is 1/3 of a GB, or the complete works of Shakespeare, 100 times.

⁶ Although outside the scope of the investigation, it should be noted that (b)(3), (b)(6), (b)(7)(c) engaged in sexually explicit sametime chats with a contractor for the first year of working at ODNI. Please see exhibits for the sametime chats.

⁷ Improper maintenance of PII and improper use of government systems is discussed in the following allegations.

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agencies and (b)(3), (b)(6), (b)(7)(C) in (b)(3), (b)(6), (b)(7)(C) role as an FSO on a US Government system during duty hours. Specifically, the audit revealed (b)(3), (b)(6), (b)(7)(C) pages of communication between (b)(3), (b)(6), (b)(7)(C) in (b)(3), (b)(6), (b)(7)(C) role as FSO representing a company back to the federal government through DSS as the point of contact for the company while on duty as a federal employee. (EXHIBIT AA, DD)

(U//FOUO) During the investigation, (b)(3), (b)(6), (b)(7)(C) continued to act as key management personnel for the companies, and continued working on these activities while on US Government systems during duty hours.

(U//FOUO) In or around May 3, 2013, (b)(3), (b)(6), (b)(7)(C) second line supervisor overheard (b)(3), (b)(6), (b)(7)(C) negotiating terms of a contract on the phone while at work.⁸ The second line supervisor was told by (b)(3), (b)(6), (b)(7)(C) first line supervisor that (b)(3), (b)(6), (b)(7)(C) maintained outside activities. Out of concern regarding 18 USC § 205, the second line supervisor asked (b)(3), (b)(6), (b)(7)(C) for a list of the companies (b)(3), (b)(6), (b)(7)(C) represented and (b)(3), (b)(6), (b)(7)(C) duties for each company. (b)(3), (b)(6), (b)(7)(C) provided a list of the companies (EXHIBIT CCCC, DDDD):

Company	Start Date	Title
(b)(3), (b)(7)(C)		FSO
		FSO
		FSO
		FSO
		"not FSO"
		FSO
		FSO
		FSO

⁸ Date was derived from keystroke data from an email dated May 9, 2013 to (b)(3), (b)(6), (b)(7)(D) in where (b)(3), (b)(6), (b)(7)(C) tells (b)(3), (b)(6), (b)(7)(C) met with (b)(3), (b)(6), (b)(7)(C) "on Friday."

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(b) (3)	FSO
	FSO
	"not FSO"

(U//FOUO) The second line supervisor met with (b)(3), (b)(6), (b)(7)(c) and went over the company list, duties, as well as looked at (b)(3), (b)(6), (b)(7)(c) 879s. (b)(3), (b)(6), (b)(7)(c) told the second line supervisor that (b)(3), (b)(6), (b)(7)(c) was told "just don't list you're an FSO and you'll be fine" by OGC, and that is why (b)(3), (b)(6), (b)(7)(c) 879s were vague. The supervisor found this to be unbelievable and asked that (b)(3), (b)(6), (b)(7)(c) put a hold on all outside activities until it was resolved. (b)(3), (b)(6), (b)(7)(c) also alerted Office of Security and OGC to (b)(3), (b)(6), (b)(7)(c) concerns.

(U//FOUO) In an email dated May 8, 2013, the second line supervisor wrote to the Office of Security, (b)(3), (b)(6), (b)(7)(c) was notified of an approval for outside activities today, the problem is no one in (b)(3), (b)(6), (b)(7)(c) supervisory line approved the outside activity. The outside employment is very questionable regarding conflict of interest and we are still collecting information regarding (b)(3), (b)(6), (b)(7)(c) relationship and exact duties with these companies...I am requesting that you withdraw your approval of (b)(3), (b)(6), (b)(7)(c) outside activities until you receive an approval from (b)(3), (b)(6), (b)(7)(c) supervisor." (EXHIBIT CCCC, DDDD)

(U//FOUO) On May 8, 2013, the Office of Security responded, "We will add a note to (b)(3), (b)(6), (b)(7)(c) 879 request noting that it is in pending status while we wait for more information from you."

(U//FOUO) After the initial confrontation with (b)(3), (b)(6), (b)(7)(c) second line supervisor maintained that there were conflicts of interest. On August 14, 2013, the IC IG interviewed the supervisor. (b)(3), (b)(6), (b)(7)(c) stated that after meeting with (b)(3), (b)(6), (b)(7)(c) in May, and asking more questions regarding (b)(3), (b)(6), (b)(7)(c) outside activities, (b)(3), (b)(6), (b)(7)(c) felt that (b)(3), (b)(6), (b)(7)(c) FSO duties were clearly in conflict with (b)(3), (b)(6), (b)(7)(c) role as a government employee. (b)(3), (b)(6), (b)(7)(c) described (b)(3), (b)(6), (b)(7)(c) as "problematic." (b)(3), (b)(6), (b)(7)(c) received counseling on several issues including time and attendance issues and poor leave time management.

(U//FOUO) On August 15, 2013, the supervisor wrote an email to the IC IG investigator stating, "(b)(3), (b)(6), (b)(7)(c) first line supervisor] and I informed (b)(3), (b)(6), (b)(7)(c)

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(b)(3), (b)(7)(C) that I have decided to non-concur on (b)(3), (b)(7)(C) request for outside employment for all ten firms. I cited my reasons as conflict of interest and my opinion of (b)(3), (b)(7)(C) not adhering to OGC guidance on representing a third party back to the government. When [(b)(3), (b)(7)(C) first line supervisor] attempted to reply to the outside activities request we found it had once again been approved without our approval. I asked the outside activities branch to reactivate the request so we can record our decision.”

(U//FOUO) On August 19, 2013, the IC IG spoke with (b)(3), (b)(6), (b)(7)(d) (b)(3), (b)(6), (b)(7)(d) emailed the investigators to alert them to a meeting (b)(3), (b)(6), (b)(7)(c) was scheduled to have with (b)(3), (b)(6), (b)(7)(c) (b)(3), (b)(6), (b)(7)(c) requested the meeting to appeal the non-concur by second line supervisor. After the meeting, (b)(3), (b)(6), (b)(7)(d) wrote again to update the investigators:

“The decision hasn’t changed, but there have been complications. Unfortunately, the Outside Activities reporting system had generated an automatic concurrence for (b)(3), (b)(6), (b)(7)(c) at some point in May after it got no input from the designated supervisor after a certain amount of time (I believe 5 days) (this is actually the second time this has happened). Last week, [(b)(3), (b)(6), (b)(7)(c) second line supervisor] reached out to the office responsible for the system and told them (b)(3), (b)(6), (b)(7)(c) wished to non-concur as the supervisor, and they said (b)(3), (b)(6), (b)(7)(c) would have to generate another Outside Activities report, and resend it through the process. They also instructed (b)(3), (b)(6), (b)(7)(c) had to do this (b)(3), (b)(6), (b)(7)(c) still intends to non-concur (actually (b)(3), (b)(6), (b)(7)(c) is directing [the first line supervisor] as (b)(3), (b)(6), (b)(7)(c) supervisor to non-concur) and (b)(3), (b)(6), (b)(7)(c) has told (b)(3), (b)(6), (b)(7)(c) that.

When (b)(3), (b)(6), (b)(7)(c) met with me today (b)(3), (b)(6), (b)(7)(c) was looking for some way to appeal [the] decision. (b)(3), (b)(6), (b)(7)(c) said there was an appeal process for when OGC non-concurs, but nothing in the regs re when the supervisor non-concurs. (b)(3), (b)(6), (b)(7)(c) said (b)(3), (b)(6), (b)(7)(c) has spoken to the Ombudsman because (b)(3), (b)(6), (b)(7)(c) thinks (b)(3), (b)(6), (b)(7)(c) is being biased against (b)(3), (b)(6), (b)(7)(c) and (b)(3), (b)(6), (b)(7)(c) said they told (b)(3), (b)(6), (b)(7)(c) this might need to be an issue (b)(3), (b)(6), (b)(7)(c) needs to resolve with HR involvement. We ultimately decided: 1) (b)(3), (b)(6), (b)(7)(c) would send me the documentation on (b)(3), (b)(6), (b)(7)(c) outside employments that (b)(3), (b)(6), (b)(7)(c) provided to [(b)(3), (b)(6), (b)(7)(c) supervisor]; 2) [The supervisor] would send (b)(3), (b)(6), (b)(7)(c) written concerns to (b)(3), (b)(6), (b)(7)(c) and me (justification for (b)(3), (b)(6), (b)(7)(c) non-concur); 3) I would send both of the above to the OGC rep who concurred on the Outside Activity report (since the nature of (b)(3), (b)(6), (b)(7)(c) concerns have to do with conflict of interest); 4) I would set up a meeting with me, [the supervisor], (b)(3), (b)(6), (b)(7)(c) and OGC

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to discuss the concerns. Out of that meeting, either [REDACTED] would still have [REDACTED] concerns and OGC could give [REDACTED] clarification/guidance, or OGC will explain to [REDACTED] why [REDACTED] concerns don't apply and [REDACTED] will likely be comfortable concurring. And finally 5) regardless of the outcome of the meeting, [REDACTED] would generate another Outside Report listing all of [REDACTED] outside employments and then OGC and [REDACTED] would chop on it documenting their final concurrence or non-concurrence for the record." (EXHIBIT VV)

(U//FOUO) On August 20, 2013, the IC IG spoke with OGC concerning the upcoming meeting with [REDACTED] supervisors. In the call, OGC explained to the IC IG that OGC would not be meeting with [REDACTED] as the decision was at the management level. If management did not concur, then the 879 would be non-concurred on and never be received or reviewed by OGC, per [REDACTED] which states that supervisors must concur on the outside activity.

(U//FOUO) By August 20, 2013, [REDACTED] had been admonished by OGC to maintain strict distance from outside activities that would have conflicts of interest, had been told by [REDACTED] first and second line supervisor to cease all outside activities, and had been told by OGC that the matter was not for appeal, and that [REDACTED] was to oblige [REDACTED] management's decisions.

(U//FOUO) On July 30, 2014, the IC IG interviewed [REDACTED]. In the interview, [REDACTED] admitted that [REDACTED] represented the companies back to the US Government on innumerable occasions through emails and phone calls, and on one occasion, a meeting. [REDACTED] admitted that [REDACTED] represented these companies back to the US Government as an FSO while on duty as an ODNI employee.

(U//FOUO) [REDACTED] estimated that [REDACTED] spent at least three to four hours per day working on [REDACTED] FSO duties. [REDACTED] estimated that another five hours per day was spent playing games on Facebook.

CONCLUSION

(U//FOUO) The allegation that Subject engaged in a conflict of interest is substantiated.

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ALLEGATION 2

(U//~~FOUO~~) Subject engaged in improper or unauthorized outside employment.

APPLICABLE LAW AND POLICY

(U) Acts Affecting a Personal Financial Interest. Title 18, United States Code, Section 208 provides that, “except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the United States Government...participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer, director, trustee, general partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest” is guilty of a federal offense.

(U) Salary of Government Officials and Employees payable only by United States. Title 18, United States Code, Section 209 provides that, “whoever receives any salary, or any contribution to or supplementation of salary, as compensation for his services as an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality” is guilty of a federal offense.”

(U) Use of Nonpublic Information. 5 C.F.R. § 2635.703 provides that “an employee shall not engage in a financial transaction using nonpublic information, nor allow the improper use of nonpublic information to further his own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure.”

ANALYSIS

(U//~~FOUO~~) Form 879 Outside Activities Form (“879”) is required to be submitted by any member of the ODNI under (b)(1) prior to performing any

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covered activities. (b)(3) states that covered activities include court proceedings, international conferences, contact with the media, and relevant to this matter, outside employment. The regulation states that "while Agency employees may participate in outside activities, those that have potential...legal, or other adverse ramifications on Agency interest, or that could negatively affect an employee's performance, are of legitimate concern and therefore require prior approval as set forth herein." The policy is in place to ensure, among other things, no conflicts of interest exist between the federal employee and the outside activity.

(U//FOUO) Furthermore, as stated in (b)(3) "the employee may not engage in the requested activity until approval of the responsible official concerned or designee and require reviewers is received."

(U) (b)(3) states that Office of General Counsel Ethics Law Division (OGC/ELD) uses CFR 2635 and 18 USC § 205 as guidelines for the determination. The policy also states that whether there is a possibility of a conflict of interest is determined by OGC/ELD through a review of the information submitted on the 879. No further information is sought; thus, the information on the 879 is the sole source in the determination.

(U//FOUO) On (b)(3), (b)(6), (b)(7)(c), two days after joining the ODNI, (b)(3), (b)(6), (b)(7)(c) submitted an 879 to OGC/ELD for approval regarding work as a Facility Security Officer for four companies: (b)(3), (b)(6), (b)(7)(c)

(b)(3), (b)(6), (b)(7)(c) wrote, (b)(3), (b)(6), (b)(7)(c)

(b)(3), (b)(6), (b)(7)(c) ten days after joining ODNI, (b)(3), (b)(6), (b)(7)(c) submitted a second 879 for approval regarding work as a Facility Security Officer (b)(3), (b)(6), (b)(7)(c)

(b)(3), (b)(6), (b)(7)(c) In the second 879, (b)(3), (b)(6), (b)(7)(c) wrote, (b)(3), (b)(6), (b)(7)(c)

(b)(3), (b)(6), (b)(7)(c) (EXHIBIT CCCC, DDDD)

(U//FOUO) Form 879 is automatically approved by a supervisor, should the request for approval remain in the supervisor's email inbox, unread, for five days. After five days, the form is automatically approved and sent to OGC/ELD. According to (b)(3), (b)(6), (b)(7)(c) first and second line supervisors, the

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request for outside activities by (b)(3), (b)(6), (b)(7)(c) was automatically approved and sent to OGC/ELD.

(U//FOUO) On (b)(3) respectively, the 879s submitted by (b)(3), (b)(6), (b)(7)(c) were concurred by OGC/ELD. The notification that an outside activities form has been approved includes several admonishments from OGC/ELD regarding 18 USC § 205 and CFR 2635. Among the admonishments, OGC/ELD advises, (b)(3), (b)(6)

[REDACTED]

The guidance continues to specifically state, (b)(3), (b)(6)

[REDACTED]

(b)(3), (b)(6), (b)(7)(c) was also told that “an employee shall not allow the improper use of nonpublic information to further his own private interest.”

(U//FOUO) On April 24, 2013, (b)(3), (b)(6), (b)(7)(c) submitted a third 879 stating [REDACTED]

(U//FOUO) The form asks a series of prompts. One prompt asks “Indicate if you will be required to interact verbally or in writing with any federal government agency/department; please explain.” (b)(3), (b)(6), (b)(7)(c) wrote, “During my

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own time, I send Visit Requests and Visit Authorization Letters using my personal email to government agencies for the company contractors to visit their facilities.” At the bottom of the page, the form states “I understand I must report any changes to this particular Outside Employment activity” to which (b)(3), (b)(6), (b)(7)(c) responded, “Yes.” OGC/ELD sought clarification on this particular answer from (b)(3), (b)(6), (b)(7)(c). The OGC/ELD representative dealing with (b)(3), (b)(6), (b)(7)(c) 879 asked, “When you refer to DoD contracting agencies, do you mean other DoD contractors or DoD agencies?” to which (b)(3), (b)(6), (b)(7)(c) responded (b)(3), (b)(6), (b)(7)(c)

(U//FOUO) Between (b)(3), (b)(6), (b)(7)(c) EOD and March 11, 2013, the IC IG found (b)(3) of communication between DoD agencies and (b)(3), (b)(6), (b)(7)(c) while (b)(3) was on US Government systems during duty hours, and zero emails between (b)(3), (b)(6), (b)(7)(c). (EXHIBIT M)

(U//FOUO) Throughout the time period above (March 2013 to September 2013), the IC IG continued to monitor (b)(3), (b)(6), (b)(7)(c) activities on US Government systems. The audit from March 2013 to September 2013 revealed (b)(3) pages of keystroke and URL data related to JPAS alone. A non-exhaustive sampling of the same audit showed (b)(3) pages of keystroke data of (b)(3), (b)(6), (b)(7)(c) working on FSO duties on US Government systems during duty hours. In the same time period, the audit showed (b)(3) pages of keystroke data relating to Defense Security Services communications. On one occasion, (b)(3), (b)(6), (b)(7)(c) used Scattered Castles for (b)(3) duties as an FSO: On September 6, 2013, (b)(3), (b)(6), (b)(7)(c) wrote to one company (b)(3) represents, “JPAS still shows the 2007 investigation. In Scatter Castles, the FBI shows the 2013.” On the same day, (b)(3), (b)(6), (b)(7)(c) communicated with a DSS official while on duty at ODNI and provided (b)(3) with (b)(3) contact information so that they could further discuss the facility clearance for a company. (EXHIBIT N)

(U//FOUO) On November 20, 2013, (b)(3) and IC IG executed a search warrant of (b)(3), (b)(6), (b)(7)(c) personal email. The return on the warrant revealed (b)(3) gigabytes of information, including communication between (b)(3), (b)(6), (b)(7)(c). In one email dated October 2, 2013, (b)(3), (b)(6), (b)(7)(c) wrote

9 (b)(3), (b)(6), (b)(7)(c)

10 The list of (b)(3), (b)(6), (b)(7)(c) companies is non-exhaustive. Several times in the emails reviewed, (b)(3), (b)(6), (b)(7)(c) referred to (b)(3) “work email” in regards to different companies. The personal email

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an email to contractors with the subject header "Leave (a furloughed vacation I suppose):" "Good morning everyone, I am writing to let you know next Tuesday, Oct 8 through Monday, October 14 I will not have access to JPAS. However, I will have access to email and regular internet connectivity." The email indicates that (b)(3), (b)(6), (b)(7)(c) was unable to perform (b)(3), (b)(6), (b)(7)(c) duties as an FSO while on furlough.

(b)(3), (b)(6), (b)(7)(c), (b)(7)(e)

(U//FOUO) The continuing audit of (b)(3), (b)(6), (b)(7)(c) systems as well as a review of the search warrant revealed several instances where (b)(3), (b)(6), (b)(7)(c) referred to (b)(3), (b)(6), (b)(7)(c) LinkedIn account and used it to solicit new work. On March 4, 2014, (b)(3), (b)(6), (b)(7)(c) IRS, and IC IG executed a search warrant on (b)(3), (b)(6), (b)(7)(c) LinkedIn account. The LinkedIn account search warrant results confirmed the use of LinkedIn as a means to garner business, and confirmed (b)(3), (b)(6), (b)(7)(c) connections to some of the key management personnel at the companies.

(U//FOUO) After the IRS joined the investigation, on March 11, 2014, (b)(3), (b)(6), (b)(7)(c) IRS, and IC IG completed an analysis of profit made by (b)(3), (b)(6), (b)(7)(c) using a review of tax documents, SF86 reports, files held on (b)(3), (b)(6), (b)(7)(c) IUS Government system, and Virginia Employment Commission databases.

(EXHIBIT QQQ) The analysis revealed that between (b)(3), (b)(6), (b)(7)(c) 2013, (b)(3), (b)(6), (b)(7)(c) earned the following fees from the listed companies:

(b)(3), (b)(6), (b)(7)(c)

communications indicated that (b)(3), (b)(6), (b)(7)(c) would use the account when (b)(3), (b)(6), (b)(7)(c) company email was unavailable

(b)(3), (b)(7)(e)

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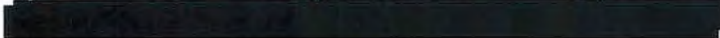
(b)(3), (b)(6), (b)(7)(e), (b)(7)(e)



(b) (1), (b) (3), (b) (6), (b) (7)(C), (b) (7)(E)



(U//FOUO) Between March 2014 and May 2014, the ongoing monitoring of (b)(3), (b)(6), (b)(7)(e) US Government systems revealed continued misuse of US Government systems through (b)(3) continued misuse of nonpublic information through JPAS and Scattered Castles, and continued false statements through time and attendance verifications and written statements to (b)(3) supervisors regarding (b)(3) outside activities. For example, on March 25, 2014, (b)(3), (b)(6), (b)(7)(e) used (b)(3) US Government system while on duty at ODNI to agree, clarify, and help write the security portion of a bid (b)(3), (b)(6), (b)(7)(e)



(U//FOUO) On June 9, 2014, the IC IG received access to contract databases that would allow for a wider breadth of information pertaining to (b)(3), (b)(6), (b)(7)(e). It was discovered through the use of this data, that (b)(3), (b)(6), (b)(7)(e) is listed in government databases as key management personnel for (b)(3), (b)(6), (b)(7)(e)

¹³ Information for (b)(3), (b)(6), (b)(7)(e) (b)(3), (b)(6), (b)(7)(e) all other contract data gathered from search warrant returns and keystroke activity.

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(b)(3), (b)(6), (b)(7)(c)

(U//FOUO) On July 30, 2014, the IC IG interviewed (b)(3), (b)(6), (b)(7)(c). In the interview, (b)(3), (b)(6), (b)(7)(c) disclosed that (b)(3), (b)(6), (b)(7)(c) worked for the following companies at the following rates:¹⁴

Company	Start Year	Pay Rate	879 Status	Notes
(b)(3), (b)(6), (b)(7)(c)	2007	(b)(3), (b)(6), (b)(7)(c)	Disclosed in 2010, 2013	
(b)(3), (b)(6), (b)(7)(c)	2007	(b)(3), (b)(6), (b)(7)(c)	Disclosed in 2010, 2013	Conflicting rates; invoices found on (b)(3), (b)(6), (b)(7)(c) USG government system and interview differ (EXHIBIT Z)
(b)(3), (b)(6), (b)(7)(c)	2009	(b)(3), (b)(6), (b)(7)(c)	Disclosed in 2010, 2013	
(b)(3), (b)(6), (b)(7)(c)	2010	(b)(3), (b)(6), (b)(7)(c)	Disclosed in 2010	
(b)(3), (b)(6), (b)(7)(c)	--	(b)(3), (b)(6), (b)(7)(c)	Not disclosed	Stated (b)(3), (b)(6), (b)(7)(c) reported to Senior Supervisor, no indication in this Supervisor's notes that (b)(3), (b)(6), (b)(7)(c) was disclosed; Not disclosed to IC IG until confronted
(b)(3), (b)(6), (b)(7)(c)	2011	(b)(3), (b)(6), (b)(7)(c)	Disclosed in	Conflicting

¹⁴ A conservative total of given rates is approximately (b)(3) per year, assuming (b)(3), (b)(6), (b)(7)(c) represents all companies for an entire year. According to (b)(3), (b)(6), (b)(7)(c) own admissions, (b)(3), (b)(6), (b)(7)(c) has represented all companies for at least one year, plus 2014 (2013, 2014). This would be (b)(3) not counting the hourly wages or bonuses.

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(b)(3), (b)(6), (b)(7)(c)		(b)(3), (b)(6), (b)(7)(c)	2010, 2013	years; told Seniro Supervisor in 2010, reported 2010. Told IC IG 2011
	2009		Not disclosed	
	2012		Disclosed 2013	Not disclosed to IC IG until confronted
	2012		Disclosed 2013	
	2012		Disclosed 2013	
	2013		Not disclosed	(b)(3), (b)(7)(e)
	2012		Disclosed 2013	
	2013		Not disclosed	Not disclosed until confronted by IC IG
	2012		Disclosed 2013	
	2011		Disclosed 2013	Conflicting years; 879 shows [redacted] employment since 2010

(U//FOUO) In light of the disclosures listed above, [redacted] was asked if [redacted] felt [redacted] actions regarding reporting outside activities were appropriate. [redacted] agreed that the way [redacted] reported the outside activities listed was inappropriate; [redacted] further agreed that failing to report them in a timely manner or failing to report them at all was inappropriate and wrong.

(U//FOUO) When asked if [redacted] were to state all of [redacted] duties and companies on an 879, if that form would be approved, [redacted] said no. However, [redacted] offered, if [redacted] stopped all outside activity, [redacted] would not be able to maintain [redacted] lifestyle.

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(U//FOUO) (b)(3), (b)(6), (b)(7)(C) explained that (b)(3) felt (b)(3) second line supervisor was singling (b)(3) out, although (b)(3) could not explain why. (b)(3) cited (b)(3) checking of (b)(3) time and attendance as evidence of (b)(3) bullying and categorically denied any time and attendance fraud when it came to (b)(3) physical presence.¹⁵

(U//FOUO) When asked about time and attendance fraud and dual compensation in regard to working on FSO duties and game playing while at ODNI, (b)(3), (b)(6), (b)(7)(C) said (b)(3) understood that by recording (b)(3) time and attendance as nine hours, when (b)(3) spent at least four of those nine working on FSO duties, (b)(3) was committing time and attendance fraud. In the interview, (b)(3), (b)(6), (b)(7)(C) said that (b)(3) understood while (b)(3) did not “feel like a criminal, I guess I am.”

CONCLUSION

(U//FOUO) The allegation that Subject engaged in improper or unauthorized outside employment is substantiated.

ALLEGATION 3

(U//FOUO) Subject engaged in falsification and misrepresentation.

APPLICABLE LAW AND POLICY

(U) *False Statements.* Title 18, United States Code, Section 1001 provides that, with certain exceptions, “whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry” shall be guilty of a federal offense.

¹⁵ A sampling of (b)(3), (b)(6), (b)(7)(C) computer log on/log off times and (b)(3) time and attendance records from March 2013 to August 2014 were compared. (b)(3), (b)(6), (b)(7)(C) time and attendance records show (b)(3) questionable hours indicating that the second line supervisor was acting well within reason to inquire after (b)(3) time and attendance. (EXHIBIT K)

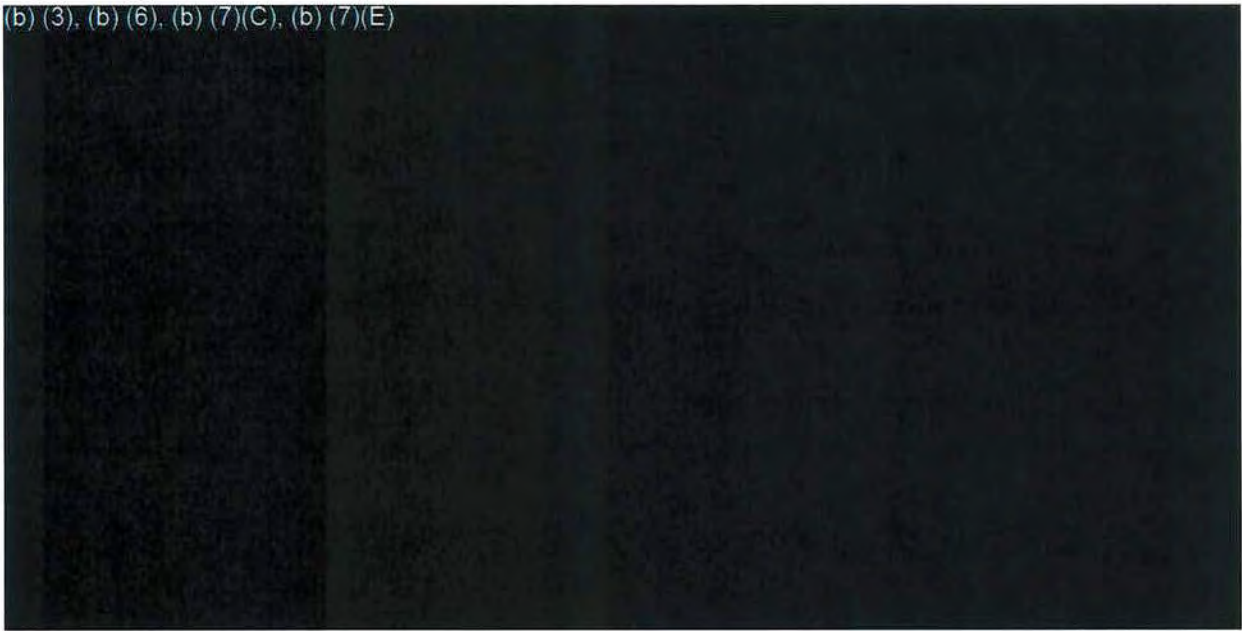
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ANALYSIS

(U//FOUO) Between November 2013 and February 2014, [REDACTED] continued a pattern and practice of working on FSO duties while on duty at the ODNI. During this time period, [REDACTED] filed [REDACTED] taxes. The ongoing audit of [REDACTED] US Government system revealed suspicious tax practices witnessed by investigators, as [REDACTED] filed [REDACTED] taxes at the ODNI using US Government systems.

(U//FOUO) Between March 2014 and May 2014, the IRS gathered [REDACTED] tax documents. In order to ascertain the extent of possible tax fraud, bank records were required on all accounts held by [REDACTED]. Between March 13, 2014 and June 19, 2014, eight grand jury subpoenas were served on banks regarding [REDACTED]. The subpoenas returned bank statements from January 2010 to June 2014.¹⁶ Those records were given to IRS agents for review against tax data.



¹⁶ Although unrelated to the investigation, bank statements for [REDACTED] showed that despite earning approximately [REDACTED] per year, [REDACTED] is struggling to make ends meet and has little to no savings. The counterintelligence concern of conspicuous spending and financial mismanagement was so much so that is seemed appropriate to note here.

¹⁷ The Schedule C portion of a tax form, known as a Form 1040, requires that anyone who is self-employed reflect the earnings and losses of their business. Depending on the amounts earned and lost, the Schedule C form can result in larger tax returns.

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2013. Aside from the unallowable and uncommon practices discussed here, the IRS reported that ██████ made materially false statements on tax returns which caused a loss of ██████ in taxes to the US Government.¹⁸

(U//FOUO) On July 30, 2014, the IC IG interviewed ██████ (b) (3), (b) (6), ██████. During the interview, ██████ admitted to intentionally lying about IC contracts on ██████ 879, and intentionally omitting the extent of ██████ work to ██████ supervisors and OGC. Furthermore ██████ explained that the actual start dates for ██████ companies and 879s were in conflict with one another. ██████ said ██████ would report the activity after ██████ received ██████ first payment from the company, not on the date of the agreement (which was typically weeks or months prior), nor prior to the agreement, as expected by 879 instructions.

(U//FOUO) ██████ has shown a pattern of insubordination and intentional misinformation. For example, on May 9, 2013, ██████ emailed a coworker to discuss ██████ meeting with second line supervisor regarding ██████ outside activities. ██████ explicitly states that ██████ was working to allay ██████ concerns by being vague. When talking about the list of companies ██████ provided to ██████ wrote (b) (3), (b) (6), (b) (7)(C)

████████████████████ (EXHIBIT PP)

(U//FOUO) ██████ admitted that ██████ intentionally falsified the outside activity forms and lied to ██████ supervisors. ██████ stated that ██████ intentionally provided misleading information and remained intentionally vague on forms. ██████ stated ██████ knew ██████ was failing to report all companies and lied by stating that the companies did not have IC contracts, despite knowing that they did maintain contracts within the Intelligence Community.

CONCLUSION

(U//FOUO) The allegation that Subject engaged in falsification and misrepresentation is substantiated.

ALLEGATION 4

(U//FOUO) Subject misused government information and information systems.

¹⁸ In order to be prosecuted for tax evasion in the Washington Metro Area, the tax loss suffered by the government must be more than \$150,000 per two years; thus, the IRS declined to criminally prosecute ██████.

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~~SECRET//NOFORN~~**APPLICABLE LAW AND POLICY**

(U) Computer fraud. Title 18, United States Code, Section 1030(a)(2)(B) provides that whoever “intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains... information from any department or agency of the United States” is guilty of a federal offense.

(U) Privacy Act Violations. Title 5, United States Code, Section 552a(i)(2) provides that, “any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section” is guilty of a misdemeanor and shall be fined not more than \$5,000.

(U) Use of Nonpublic Information. 5 C.F.R. § 2635.703 provides that “an employee shall not engage in a financial transaction using nonpublic information, nor allow the improper use of nonpublic information to further his own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure.”

(U) Access to Personnel Security Information. (b)(3) provides that, “Agency personnel authorized to handle OS personnel security information as part of their official duties are expected to review the information only on a definite “need-to-know” bases as determined by the D/OS or designees. It is incumbent upon Agency personnel having access to personnel security information to preserve the confidential character of this information in accordance with the terms of this regulation and applicable law.”

(U) Limited Use of Government Office Equipment Including Information Technology. (b)(3) provides that “Overt Agency personnel are permitted limited use of government office equipment for personal needs if the use does not interfere with official business, involves minimal additional expense to the US Government, does not affect Agency personnel under cover, and does not violate the *Standard of Ethical Conduct for Employees of the Executive Branch*. This limited use of government office equipment should take place during the individual’s non-work time.”

ANALYSIS

~~(U//FOUO)~~ On June 2, 2014, the IC IG received the JPAS records associated

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with (b)(3), (b)(6), (b)(7)(c) from May 23, 2013 to May 23, 2014. In that time period there were 12,121 instances of JPAS use. (EXHIBIT X) The records provided to the IC IG included Internet Protocol (IP) addresses for the times (b)(3), (b)(6), (b)(7)(c) used JPAS. The IC IG reviewed the IP addresses and discovered that approximately 59% of (b)(3), (b)(6), (b)(7)(c) JPAS use was performed while at the ODNI on US Government systems.¹⁹ (b)(3), (b)(6), (b)(7)(c) JPAS records showed a pattern and practice of misusing the nonpublic information in JPAS by accessing JPAS records on a US Government system for non-government purposes. According to (b)(3), (b)(6), (b)(7)(c) supervisor, (b)(3), (b)(6), (b)(7)(d) and (b)(3), (b)(6), (b)(7)(c) job at the ODNI requires no database searches within JPAS. The IC IG confirmed with the Defense Manpower Data Center (DMDC) – proponent for JPAS—that (b)(3), (b)(6), (b)(7)(c) does not maintain a DNI-based JPAS account. Therefore, every occasion (b)(3), (b)(6), (b)(7)(c) used JPAS while at the ODNI was improper. For example, on June 18, 2014, (b)(3), (b)(6), (b)(7)(c) used (b)(3), (b)(6), (b)(7)(c) US Government system to access JPAS and retrieve clearance information on a contractor for (b)(3), (b)(6), (b)(7)(c). Corresponding emails were then sent from (b)(3), (b)(6), (b)(7)(c) on US Government systems, while on duty at the ODNI. (EXHIBIT V)

(U//FOUO) According to DSS, (b)(3), (b)(6), (b)(7)(c) is expected to maintain strict controls on the use of JPAS and any matters related to personally identifiable information (PII) in (b)(3), (b)(6), (b)(7)(c) role as FSO. The data found on (b)(3), (b)(6), (b)(7)(c) US Government system from (b)(3), (b)(6), (b)(7)(c) to present is in direct violation of the policies and regulations set forth by DSS. Furthermore, the same policies and regulations that (b)(3), (b)(6), (b)(7)(c) violated, are the same policies and regulations that (b)(3), (b)(6), (b)(7)(c) is expected to train clients on in (b)(3), (b)(6), (b)(7)(c) role as FSO. Given the familiarity (b)(3), (b)(6), (b)(7)(c) has with the security policies and regulations as an FSO, the data found on (b)(3), (b)(6), (b)(7)(c) US Government system indicates an intentional regard of the rules and regulations (b)(3), (b)(6), (b)(7)(c) is expected to uphold.

Regulation Awareness

(U//FOUO) Each time an employee of ODNI logs onto a work computer, they are required to click “OK” under a banner that reads “This is a US Government system and shall be used for authorized purposes only. All information on this system is the property of the US Government and may not be accessed without prior authorization. Your use of this system may be monitored and you have

¹⁹ 7,170 instances out of 12,121. The IP addresses used for the statistic were confirmed as ODNI affiliated (b)(3)

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no expectation of privacy. Violation of the information system security regulations and guidance may result in discipline by the Agency and the violators may be prosecuted." This banner is provided at the login screen of

(b)(3)

(U//FOUO) Similar banners are located in Scattered Castles that read:

"Access to information in this system is restricted to authorized users for official US Government purposes only. All activity on this system is subject to monitoring. Should the data collected during monitoring provide evidence of criminal activity or activity exceeding privileges, such evidence may be provided to the authorities for use in criminal prosecution, administrative, or other adverse action. By continuing past this point, whether you are an authorized user or not, you expressly consent to this monitoring"

and

"NOTICE: Privacy Act Statement: This system maintains records subject to the Privacy Act, and no disclosures of records in the system shall be made without the prior written consent of the individual to whom the record pertains, except as provided in the Privacy Act declarations of routine use. Reasonable efforts must also be made to notify an individual when any record pertaining to him/her is made available to any person pursuant to court order when such order becomes a matter of public record.

This system shall maintain only such information about an individual as is relevant and necessary to accomplish a legally mandated purpose.

The Privacy Act provides for both civil remedies and for criminal penalties against individual officers for violations of various provisions of the Act.

If you have any questions regarding your obligations under the Privacy Act, please contact your legal advisory office."

(U//FOUO) (b)(6), (b)(7)(c) maintains an alternative work schedule. (b)(6), (b)(7)(c) works what is referred to as a 5/4/9 schedule in where an employee will work nine days every pay period rather than ten, and work nine and half hour days rather than eight and half hour days, save for one, each pay period. Each day,

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(b)(1), (b)(5), (b)(7)(c) accessed Scattered Castles and JPAS (which also has a banner) due to (b)(1), (b)(5), (b)(7)(c) ODNI and FSO duties. Assuming (b)(1), (b)(5), (b)(7)(c) took one day off each pay period—on the conservative end of estimates that means (b)(1), (b)(5), (b)(7)(c) acknowledged the rules and regulations around 18 USC §1030 at least (b)(1), (b)(5), (b)(7)(c) times since (b)(1), (b)(5), (b)(7)(c) EOD with ODNI.

(U//FOUO) Each time a person logs onto JPAS, they must click “Agree” under a banner that reads:

ATTENTION ALL JPAS USERS

It is a violation of DoD Regulations to share username/password, any Approved Active Public Key Infrastructure (PKI) Certificate, or allow an individual to access another person's JPAS account in any manner or form. Only the authorized account holder is permitted to access/use his/her account. Examples of Approved Active PKI Certificates are Common Access Cards (CAC) and Personal Identity Verification (PIV) cards, to include External Certificate Authority (ECA) cards. There are no combined or “company” JPAS user accounts. Users are required to have their own Approved Active PKI Certificate and JPAS account. Individuals cannot use another person's credentials. If you are not using your own account and certificate that are assigned to you, DISCONTINUE USING JPAS IMMEDIATELY and inform your Industrial Security Representative. Any Account Manager, authorized or unauthorized user who violates JPAS security and account management policies will risk immediate forfeiture and TERMINATION of their JPAS account, regardless of any access requirements that may exist to support mission-critical and job-essential tasks. When you select ‘AGREE’ at the bottom of this page, you are agreeing to comply with all JPAS administration policies, to include the forfeiture of JPAS access if terms of use are violated.

DATA YOU ARE ABOUT TO ACCESS COULD POTENTIALLY BE PROTECTED BY THE PRIVACY ACT OF 1974. You must:

- Have completed the necessary training with regards to Security Awareness and safe-guarding Personally Identifiable Information.
- Ensure that data is not posted, stored or available in any way for uncontrolled access on any media.
- Ensure that data is protected at all times as required by the Privacy Act of 1974 (5 USC 552a(i)(3)) as amended and other

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applicable DOD regulatory and statutory authority; data will not be shared with offshore contractors; data from the application, or any information derived from the application, shall not be published, disclosed, released, revealed, shown, sold, rented, leased or loaned to anyone outside of the performance of official duties without prior DMDC approval.

- Delete or destroy data from downloaded reports upon completion of the requirement for their use on individual projects.
- Ensure data will not be used for marketing purposes.
- Ensure distribution of data from a DMDC application is restricted to those with a need-to-know. In no case shall data be shared with persons or entities that do not provide documented proof of a need-to-know.
- Be aware that criminal penalties under section 1106(a) of the Social Security Act (42 USC 1306(a)), including possible imprisonment, may apply with respect to any disclosure of information in the application(s) that is inconsistent with the terms of application access. The user further acknowledges that criminal penalties under the Privacy Act (5 USC 552a(I)(3)) may apply if it is determined that the user has knowingly and willfully obtained access to the application(s) under false pretenses.
- The U.S. Department of Defense is committed to making its electronic and information technologies accessible to individuals with disabilities in accordance with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d), as amended in 1999. Send feedback or concerns related to the accessibility of this website to: DoDSection508@osd.mil. For more information about Section 508, please visit the DoD Section 508 website.

UNDER THE PRIVACY ACT OF 1974, YOU MUST SAFEGUARD PERSONNEL INFORMATION RETRIEVED THROUGH THIS SYSTEM.

DOD NOTICE AND CONSENT BANNER

You are accessing a U.S. Government (USG) Information System (IS) that is provided for USG-authorized use only. By using this IS (which includes any device attached to this IS), you consent to the following conditions:

- The USG routinely intercepts and monitors communications on this IS for purposes including, but not limited to, penetration testing, COMSEC monitoring, network operations and defense, personnel misconduct (PM), law enforcement (LE), and counterintelligence (CI) investigations.

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- At any time, the USG may inspect and seize data stored on this IS.
- Communications using, or data stored on, this IS are not private, are subject to routine monitoring, interception, and search, and may be disclosed or used for any USG authorized purpose.
- This IS includes security measures (e.g., authentication and access controls) to protect USG interests--not for your personal benefit or privacy.
- Notwithstanding the above, using this IS does not constitute consent to PM, LE or CI investigative searching or monitoring of the content of privileged communications, or work product, related to personal representation or services by attorneys, psychotherapists, or clergy, and their assistants. Such communications and work product are private and confidential. See User Agreement for details.”

(U//FOUO)- (b)(3), (b)(5), (b)(7)(C) works for approximately (b)(3) companies and maintains JPAS accounts with (b)(3), (b)(6), (b)(7)(C). Each time (b)(3) entered JPAS, (b)(3), (b)(6), (b)(7)(C) was required to acknowledge these banners. (b)(3), (b)(5), (b)(7)(C) has entered JPAS sixty-two days since January 1, 2014. During (b)(3) interview (b)(3), (b)(6), (b)(7)(C) explained that (b)(3) frequently has to re-enter JPAS after automatic logoffs (b)(3). Assuming (b)(3), (b)(6), (b)(7)(C) entered (and re-entered) onto JPAS four times²⁰ each day (b)(3) logged onto the system, (b)(3), (b)(6), (b)(7)(C) acknowledged the above warnings 248 times since the beginning of 2014 alone. Furthermore, as the FSO for the companies (b)(3) represents, (b)(3) is expected to train all other employees on the policies and regulations of JPAS, underscoring (b)(3) fiduciary duty and familiarity with the rules and regulations which (b)(3) violated.

Privacy Act Violations

(b)(1), (b)(3), (b)(6), (b)(7)(e), (b)(7)(c)

²⁰ Four times in (b)(3) is approximately (b)(3) of JPAS use. Using conservative amounts and circumstances, this assumes that (b)(3), (b)(6), (b)(7)(C) used (b)(3) minutes to perform her work. JPAS records indicate (b)(3), (b)(6), (b)(7)(C) actually spent approximately (b)(3) minutes to an hour each session (b)(3), (b)(6), (b)(7)(C) logged into JPAS at ODNI.

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(b)(3), (b)(6), (b)(7)(c)

(U//FOUO) The Privacy Act of 1974 requires that “data is not posted, stored or available in any way for uncontrolled access on any media.” In the case of the [REDACTED] SF86s listed above, [REDACTED] violated the Privacy Act.

(U//FOUO) Between June 10, 2013 and July 2, 2013, [REDACTED] ran JPAS record searches for Edward Snowden 357 times under [REDACTED] while at ODNI facilities during duty hours. According to the Defense Manpower Data Center’s Manual on JPAS Account Management, one of the most common JPAS user violations is “querying the JPAS application for ‘celebrity’ records.” This policy is explicitly forbidden in the manuals for JPAS. In the case of 357 unauthorized JPAS queries, [REDACTED] violated the Privacy Act. (EXHIBIT X)

(U//FOUO) In total, regarding only [REDACTED] maintenance of records and JPAS queries mentioned above, [REDACTED] violated the Privacy Act 636 times while at an ODNI facility, acting as an FSO, during duty hours for NCIX.

Exceeding Access to Systems

(U//FOUO) Between June 10, 2013, and May 19, 2014, [REDACTED] ran JPAS record-searches for [REDACTED] own record 442 times under [REDACTED]. [REDACTED] 324 of the 442 JPAS violations in this case were performed while at ODNI facilities during duty hours. According to the Defense Manpower Data Center’s Manual on JPAS Account Management, one of the most common JPAS user violations is “querying the JPAS application for your own record.” This policy is explicitly forbidden in the manuals for JPAS. (EXHIBIT X)

(U//FOUO) On March 14, 2013, a member of the Office of Security for CIA, spoke with [REDACTED] after a meeting at NCIX. [REDACTED] inquired after [REDACTED]

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clearance re-adjudication. [REDACTED] witnessed [REDACTED] search [REDACTED] —a classified security database—for [REDACTED] own name. [REDACTED] stated that [REDACTED] “tried to hide [REDACTED] disbelief” in order to observe how much access [REDACTED] had to the database. [REDACTED] stated that [REDACTED] believed [REDACTED] accesses would have allowed [REDACTED] to know the status of [REDACTED] re-adjudication (that it was with the Special Investigations Branch), because of the information provided [REDACTED]. When confronted with this information in the interview, [REDACTED] took a lax attitude toward the violation. [REDACTED] admitted that [REDACTED] queried [REDACTED] own record. [REDACTED] shrugged, explained that [REDACTED] did not hold enough information to be considered important to [REDACTED] and that “everybody” runs queries on their own records. [REDACTED] strictly states, “Agency personnel authorized to handle OS personnel security information as part of their official duties are expected to review the information only on a definite “need-to-know” basis...” On March 14, 2013, [REDACTED] violated [REDACTED].

(U//FOUO) On May 20, 2014, the IC IG was alerted by [REDACTED] that [REDACTED] was found to have downloaded illegal executables on [REDACTED] computer. When confronted, [REDACTED] strongly denied the accusation and attempted to blame other members of the IT staff or security personnel. In a risk assessment of [REDACTED] by NCIX, management stated, “[REDACTED] actions also reflect a pattern of poor judgment and a willingness to break the rules. For example, when [REDACTED] user account was found to have several unauthorized executable files (programs) including game programs, [REDACTED] denied any knowledge of how the programs were installed on [REDACTED] computer and denied ever playing the games. [REDACTED] attempted to blame the desktop support personnel saying the programs may have been installed when they were installing software for [REDACTED] DOD CAC card reader.”

(U//FOUO) On August 6, 2014, JPAS suspended all of [REDACTED] JPAS accounts until further notice and notified companies with which [REDACTED] is associated due to the issues discussed above. JPAS representatives —through DMDC—have emphasized the seriousness of the violations committed by [REDACTED] by explaining that one instance of the actions taken by [REDACTED] discussed above would constitute a JPAS revocation. An administrative investigation by DMDC is underway into [REDACTED] and the [REDACTED] that [REDACTED] represents.

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~~SECRET//NOFORN~~*Other computer related issues*

(U//FOUO) Several personnel, administrative, and counterintelligence issues were discovered upon auditing (b)(3), (b)(6), (b)(7)(c) system aside from criminal violations:

(U//FOUO) An audit of (b)(3), (b)(6), (b)(7)(c) game use from October 2010 to March 2013, revealed (b)(3), (b)(6), (b)(7)(c) pages of URL data pertaining to Russian websites that (b)(3), (b)(6), (b)(7)(c) used for gaming, for example. (EXHIBIT EE) A counterintelligence analyst remarked of (b)(3), (b)(6), (b)(7)(c) in an assessment of the audits from May 2010 to May 2013, "I have highlighted the subject's game playing, and noted the trends. Subject appears to use specific gaming sites for a set period of time and then switches to a new site...There do not appear to be any major gaps in time where subject was not visiting some type of gaming site."

(U//FOUO) A non-exhaustive sample was taken from May 2010 to March 2013 that revealed (b)(3), (b)(6), (b)(7)(c) pages of URL data associated with game playing on Facebook on (b)(3), (b)(6), (b)(7)(c) account. (EXHIBIT BB, CC)

(U//FOUO) The audit also revealed (b)(3), (b)(6), (b)(7)(c) pages of sexually explicit Sametimes (b)(3), (b)(6), (b)(7)(c) (EXHIBIT ZZZ)

(U//FOUO) When confronted with the issue of illegal executables, games, and inappropriate chats on (b)(3), (b)(6), (b)(7)(c) account during the interview, (b)(3), (b)(6), (b)(7)(c) admitted that (b)(3), (b)(6), (b)(7)(c) spends approximately "all day" on Facebook and plays games at work from four to six hours per day. (b)(3), (b)(6), (b)(7)(c) also admitted that (b)(3), (b)(6), (b)(7)(c) engaged in sexually explicit Sametimes with a contractor for the first year of her employment with ODNI.

(U//FOUO) In or around the same time of discovering the illegal executable files on (b)(3), (b)(6), (b)(7)(c) system, unrelated to the investigation on (b)(3), (b)(6), (b)(7)(c) NCIX – in an effort to lower costs—removed (b)(3), (b)(6), (b)(7)(c) from employees' desks and set up a kiosk in the lobby. For the month of June 2014, the audit of (b)(3), (b)(6), (b)(7)(c) computer usage revealed that despite lacking access to (b)(3), (b)(6), (b)(7)(c) in (b)(3), (b)(6), (b)(7)(c) office, 95% of (b)(3), (b)(6), (b)(7)(c) computer usage was on the (b)(3), (b)(6), (b)(7)(c) system, including continued communication with (b)(3), (b)(6), (b)(7)(c) outside employers, highlighting the lack of respect (b)(3), (b)(6), (b)(7)(c) has for (b)(3), (b)(6), (b)(7)(c) duties at ODNI. (EXHIBIT V)

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CONCLUSION

(U//~~FOUO~~) The allegation that Subject misused government information and information systems is substantiated.

ALLEGATION 5

(U//~~FOUO~~) Subject engaged in sexual misconduct while on duty

(U//~~FOUO~~) Referred to ODNI management - See Exhibit (ZZZ)

RECOMMENDATION

(U//~~FOUO~~) ODNI management should take appropriate action to discipline (b)(3), (b)(6), (b)(7)(C) and ensure appropriate security clearance and access reviews occur.

PREPARED BY:

APPROVED BY:

(b)(3) (b)(6)
[Redacted Signature]

Investigator

Assistant Inspector General
for Investigations

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LIST OF EXHIBITS (IN ORDER REFERENCED)

1. EXHIBIT M: (b)(3) Keystrokes only May 2010 to March 2013 (b)(3) pages)
2. EXHIBIT AA: FSO Keystrokes May 2010 to March 2013 (b)(3) pages)
3. EXHIBIT DD: (b)(3), (b)(6), (b)(7)(e) with highlights May 2010 to March 2013 (b)(3) pages)
4. EXHIBIT CCCC: (b)(3) documentation regarding outside activities Part 1
5. EXHIBIT DDDD: (b)(3) documentation regarding outside activities Part 2
6. EXHIBIT VV: (b)(3), (b)(6) Unclass emails_Personnel Issue_Aug 2013_INV-2013-0034
7. EXHIBIT N: (b)(3) Data April 2013 to September 2013 (b)(3), (b)(7)(e) pages)
8. EXHIBIT QQQ: Wage Analysis DNI (2)
9. EXHIBIT WWW: (b)(3), (b)(6), (b)(7)(c), (b)(7)(e) -05MAR14 (ATTACH)-1
10. EXHIBIT XXX: (b)(3), (b)(6), (b)(7)(c), (b)(7)(e) 25MAR14
11. EXHIBIT YYY: (b)(3), (b)(6), (b)(7)(c), (b)(7)(e) 3-25-14
12. EXHIBIT WW: List of Companies with EIN and FEIN
13. EXHIBIT XX: Company List for IRS
14. EXHIBIT Z: Stand Alone Computer Results
15. EXHIBIT K: TA_2013 to 2014
16. EXHIBIT X: JPAS Records
17. EXHIBIT V: (b)(3) Data June 2014 (b)(3) pages)
18. EXHIBIT EE: Russian URL_Aug 2010 to March 2013 (b)(3) pages)
19. EXHIBIT BB: Facebook Games 1 May 2010 to March 2013 (b)(3) pages)
20. EXHIBIT CC: Facebook Games 2 May 2010 to March 2013 (b)(3) pages)
21. EXHIBIT ZZZ: Sex Chats

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ENCLOSURE 6

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

8 January 2014

CO-14-001

MEMORANDUM FOR: (b)(6) Assistant Inspector General for Investigations,
(b)(3)

THRU: (b)(3), (b)(6) Assistant Inspector General for Investigations,
Office of the Inspector of the Intelligence Community

FROM: (b)(3), (b)(6) Hotline Manager
Office of the Inspector General of the Intelligence Community

SUBJECT: Investigation Referral IC IG Case (b)(3), (b)(6)

~~(SECRET)~~ The Office of the Inspector General of the Intelligence Community (IC IG) recently participated in an investigation with (b)(3) IG investigators working on a (b)(3) program. The case was presented to the Department of Justice (DoJ); however, DoJ (b)(1), (b)(3) The IC IG is providing the following information to your office for consideration.

~~(SECRET)~~ The investigation substantiated that (b)(1), (b)(3)

A summary of significant findings follows.

1. (U//FOUO) While on contract time, (b)(3) (b)(3)
2. (U//FOUO) (b)(3) traveled on several occasions at government expense for personal recreational trips.
3. (U//FOUO) (b)(3) purchased equipment with government funds for personal use.
4. (U//FOUO) (b)(3) charged time to government while engaged in personal activities.

Important Notice

This memorandum contains information that the Office of the Inspector General of the Intelligence Community has determined is confidential, sensitive, or protected by Federal Law, including protection from public disclosure under the Freedom of Information Act (FOIA) 5 USC § 552. Recipients may not further disseminate this information without the express permission of the Office of the Inspector General of the Intelligence Community personnel. Accordingly, the use, dissemination, distribution or reproduction of this information to or by unauthorized or unintended recipients may be unlawful. Persons disclosing this information publicly or to others not having an official need to know are subject to possible administrative, civil, and/or criminal penalties. This memorandum should be safeguarded to prevent improper disclosure at all times. Authorized recipients who receive requests to release this information should refer the requestor to the Office of the Inspector General of the Intelligence Community.

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(U//~~FOUO~~) We have the complete report of investigation which is too voluminous to attach to this memorandum. If you would like a copy of the report or would like further information please contact IC IG Investigator [REDACTED] (b)(3), (b)(6)

[REDACTED] (b)(3), (b)(6)

FOR

~~SECRET~~

ENCLOSURE 7

UNCLASSIFIED//~~FOUO~~



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

6 June 2014

MEMORANDUM FOR: (b)(3), (b)(6) Executive Director, Office of the National Counterintelligence Executive

FROM: (b)(3), (b)(6) Assistant Inspector General for Investigations, Office of the Inspector General of the Intelligence Community

SUBJECT: Referral – IC IG Inquiry 2013-0063

(U//~~FOUO~~) The Office of the Inspector General of the Intelligence Community (IC IG) recently conducted an inquiry which determined there were time and attendance discrepancies associated with (b)(3), (b)(6), (b)(7)(c) employee. The IC IG is referring this matter to you for management consideration.

(U//~~FOUO~~) (b)(3), (b)(6), (b)(7)(c) supervisor reported (b)(3), (b)(6), (b)(7)(c) to the IC IG and provided evidence, which included copies of several email conversations between (b)(3), (b)(6), (b)(7)(c) and (b)(3), (b)(6), (b)(7)(c) regarding non-adherence to time and attendance policies, and a signed reprimand issued to (b)(3), (b)(6), (b)(7)(c) by (b)(3), (b)(6), (b)(7)(c) supervisor regarding the matter. However, (b)(3), (b)(6), (b)(7)(c) time and attendance practices remained questionable after these counseling efforts.

(U//~~FOUO~~) On 6 August 2013 the IC IG began a preliminary inquiry concerning (b)(3), (b)(6), (b)(7)(c) time and attendance practices. After analyzing documentary evidence and interviewing (b)(3), (b)(6), (b)(7)(c) we found that (b)(3), (b)(6), (b)(7)(c) likely claimed (b)(3) hours of unearned compensation.

(U//~~FOUO~~) If you would like further information, please contact IC IG Investigator (b)(3), (b)(6) (b)(3), (b)(6)

(b)(3), (b)(6)

This document is intended only for authorized recipients. Recipients may not further disseminate this information without the express permission of the signatory or other Office of Inspector General of the Intelligence Community personnel. This document may contain Inspector General sensitive information that is confidential, sensitive, work product or attorney-client privileged, or protected by Federal law, including protection from public disclosure under the Freedom of Information Act (FOIA), 5 USC § 552. Accordingly, the use, dissemination, distribution or reproduction of this information to or by unauthorized or unintended recipients may be unlawful.

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ENCLOSURE 8

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

REPORT OF INVESTIGATION

#2013-0063

DATE: 24 January 2014

EXECUTIVE SUMMARY

(U//FOUO) [redacted] (b)(3), (b)(6) GS14 step 10 Program Manager, assigned to Office of the Director of National Intelligence, Office of the National Counterintelligence Executive, [redacted] (b)(3)

(U//FOUO) AUTHORITIES: This investigation was conducted through the National Security Act of 1947, as amended; Section 3033, under the supervision of the Assistant Inspector General for Investigations.

(U//FOUO) BACKGROUND: On 6 August 2013, the Office of the Inspector General of the Intelligence Community (IC IG) opened an investigation concerning [redacted] (b)(3), (b)(6) upon receiving an allegation that [redacted] (b)(3), (b)(6) may be involved in Time and Attendance (T&A) fraud.

(U//FOUO) [redacted] (b)(3), (b)(6) entered on duty (EOD) with the ODNI on [redacted] (b)(3) as a GS-14 full time staff employee. Prior to [redacted] (b)(3), (b)(6) EOD with the ODNI, [redacted] (b)(3), (b)(6) worked as a staff employee at the [redacted] (b)(3), [redacted] (b)(3), (b)(6) professional biography includes no formal degree information.

(U//FOUO) SUBSTANTIATED ALLEGATION: The IC IG investigation substantiated that [redacted] (b)(3), (b)(6) committed T&A fraud. From [redacted] (b)(3), (b)(6), (b)(7)(c) [redacted] (b)(3), (b)(6) recorded [redacted] (b)(3) hours that [redacted] (b)(3), (b)(6) did not work; an approximate [redacted] (b)(3) loss to the government.

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1. (U//~~FOUO~~) PURPOSE AND AUTHORITY: This investigation was conducted through the National Security Act of 1947, as amended; Section 3033, under the supervision of the Assistant Inspector General for Investigations, to determine if (b)(3), (b)(6) committed T&A fraud.

2. (U//~~FOUO~~) COMPLAINANT:

Name: (b)(3), (b)(6)

Work Address: ODNI (b)(3)

Work Phone #: (b)(3), (b)(6), (b)(7)(d)

3. (U//~~FOUO~~) SUBJECT:

Name: (b)(3), (b)(6)

Work Address: (b)(3)

Work Phone #: (b)(3), (b)(6), (b)(7)(c)

4. (U//~~FOUO~~) DATE AND BACKGROUND OF COMPLAINT: On 6 August 2013, the IC IG opened an investigation concerning (b)(3), (b)(6) time and attendance practices. (b)(3), (b)(6) current supervisor, (b)(3), (b)(6), (b)(7)(d) reported the matter to the IC IG. (b)(3), (b)(6) provided evidence to the IC IG, which included an email exchanged with (b)(3), (b)(6) for not adhering to time and attendance policies, and a signed reprimand. (b)(3), (b)(6) said that (b)(3), (b)(6) T&A practices remained questionable after all of (b)(3), (b)(6) counseling efforts.

5. (U//~~FOUO~~) ALLEGATION(S): That (b)(3), (b)(6) committed T&A fraud.

6. (U//~~FOUO~~) ANALYSIS OF ALLEGATION:

Allegation 1:

a. Evidence used in analysis of Allegation 1.

Documentary Evidence.

- (b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)
- U//~~FOUO~~) Email to (b)(3), (b)(6) from (b)(3), (b)(6) current supervisor (b)(3), (b)(6), (b)(7)(d) regarding (b)(3), (b)(6) not adhering to T&A policies. (EXHIBIT 2)

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- (U//FOUO) (b)(3), (b)(6) signed reprimand for not adhering to T&A policies. (EXHIBIT 3)
- (U//FOUO) (b)(3), (b)(6) written statement to the IC IG. On 27 September 2013, (b)(3), (b)(6) wrote a statement for the record which said that (b)(3), (b)(6) did not use (b)(3), (b)(6) government time wisely, and that (b)(3), (b)(6) would work with (b)(3), (b)(6) management to improve. (EXHIBIT 4)
- (U//FOUO) (b)(3), (b)(6) mitigating documentation. On 28 October 2013, (b)(3), (b)(6) provided documentation sufficient to prove (b)(3), (b)(6) was at work at on-site facilities for approximately (b)(3), (b)(6) hours of the (b)(3), (b)(6) hours in question. The IC IG reduced the discrepant hours to (b)(3), (b)(6) (applied to EXHIBIT 1)

Testimonial Evidence:

(U//FOUO) On 27 SEP 2013, at 10:00 AM, Investigator (b)(3), (b)(6) and Investigator (b)(3), (b)(6) interviewed (b)(3), (b)(6). (b)(3), (b)(6) was given a Warnings and Assurances Form, which (b)(3), (b)(6) signed and stated for the record that (b)(3), (b)(6) understood; (b)(3), (b)(6) waived (b)(3), (b)(6) right to remain silent, and to seek private counsel. (b)(3), (b)(6) provided the following information:

(U//FOUO) Investigator (b)(3), (b)(6) provided a copy of (b)(3), (b)(6) T&A spreadsheet, which listed all discrepant hours, for (b)(3), (b)(6) review. (b)(3), (b)(6) explained that he underwent multiple (b)(3), (b)(6) and was on (b)(3), (b)(6) leave for an extended amount of time (b)(3), (b)(6) (b)(3), (b)(6) leave was not considered discrepant on the spreadsheet).

(U//FOUO) (b)(3), (b)(6) said that (b)(3), (b)(6) sometimes had meetings at other IC buildings, which required IC badges.

(U//FOUO) (b)(3), (b)(6) explained that (b)(3), (b)(6) supervisor (b)(3), (b)(6), "gives no direction", and referred to (b)(3), (b)(6) as a (b)(3), (b)(6). (b)(3), (b)(6) admitted that (b)(3), (b)(6) left work early. (b)(3), (b)(6) explained that (b)(3), (b)(6) knocks work out pretty fast and that (b)(3), (b)(6) "here to serve". (b)(3), (b)(6) said that (b)(3), (b)(6) leaves work early to (b)(3), (b)(6) lives in (b)(3), (b)(6), and does not own a car.

(U//FOUO) (b)(3), (b)(6) wrote a statement in which (b)(3), (b)(6) apologized for (b)(3), (b)(6) discrepant hours, and said (b)(3), (b)(6) would improve. The interviewed concluded at approximately 10:40 AM.

Discussion:

Page 3 of 15

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(SECRET) The IC IG conducted a T&A analysis which (b) (3), (b) (6), (b) (7)(C), (b) (7)(E) [redacted] revealed (b) (3) questionable hours.

(U//FOUO) On 27 September 2013, the IC IG interviewed (b) (3), (b) (6) [redacted] reviewed the analysis and explained that (b) (3), (b) (6) was out of work for an extended time (b) (3), (b) (6), because (b) (3), (b) (6), (b) (7)(C) admitted that (b) (3) left work early, and explained that "knocks work out pretty fast", and sometimes leaves early to catch a bus, as (b) (3) lives in Georgetown (b) (3), (b) (6) work location is (b) (3) and does not own a car.

(U//FOUO) (b) (3), (b) (6) wrote a statement for the record which said that (b) (3), (b) (6) did not use (b) (3), (b) (6) government time wisely, and that (b) (3), (b) (6) would work with (b) (3), (b) (6) management to improve. The IC IG tasked (b) (3), (b) (6) to review his records, and provide any documentation that may prove (b) (3), (b) (6) was conducting official business during the time in question. On 28 October 2013, (b) (3), (b) (6) provided documentation sufficient to prove (b) (3) was at work at offsite facilities for approximately (b) (3) hours of the (b) (3) hours in question. The IC IG reduced the discrepant hours to (b) (3) an approximate (b) (3) loss to the government.

(U//FOUO) During the entire review period, (b) (3), (b) (6) took approximately (b) (3) hours of excused absence, (b) (3) hour of annual leave, (b) (3) hours of sick leave, and (b) (3) of (b) (3), (b) (6) leave. Omitting all (b) (3) leave hours, of the total (b) (3) hours reviewed, (b) (3), (b) (6) inaccurately recorded approximately (b) (3) percent of (b) (3) T&A.

(1) Allegation: That (b) (3), (b) (6) committed T&A fraud

(2) Standards:

- a. (U) Title 18 United States Code (U.S.C.) § 641 Theft of Government Property : 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 Whoever 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 fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this

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title or imprisoned not more than one year, or both. The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

b. (U) Title 18 U.S.C. § 1001 False Statements: Whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully –

- (1) Falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) Makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism, imprisoned not more than 8 years or both.

c. (U//~~FOUO~~) ODNI Instruction 73.04 Time and Attendance Responsibilities: Employees have the responsibility to submit accurate and timely official T&A reports. Employees must properly account for all hours in the biweekly pay period. Any employee who intentionally misrepresents any information on a T&A report shall be subject to disciplinary action, including termination of employment, and/or criminal prosecution by the Department of Justice.

(3) Evidence supporting substantiation:

[Redacted block with FOIA codes: (b)(1), (b)(3), (b)(6), (b)(7)(c), (b)(7)(e)]

2) (U//~~FOUO~~) Email exchange between [Redacted] and [Redacted] current supervisor, [Redacted] regarding [Redacted] not adhering to T&A practices. (EXHIBIT 2)

3) (U//~~FOUO~~) [Redacted] signed reprimand for not adhering to T&A policies. (EXHIBIT 3)

4) (U//~~FOUO~~) [Redacted] written statement to the IC IG. On 27 September 2013, [Redacted] wrote a statement for the record which said that [Redacted] did not use [Redacted] government time wisely, and that [Redacted] would work with [Redacted] management to improve. (EXHIBIT 4)

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5) (U//FOUO) (b)(3), (b)(6) mitigating documentation. On 28 October 2013, (b)(3), (b)(6) provided documentation sufficient to prove (b)(1), (b)(6) was at work at offsite facilities for approximately (b)(3) hours of the (b)(3) hours in question. The IC IG reduced the discrepant hours to (b)(3)

(4) Analysis of evidence:

(U//FOUO) All documentary and testimonial evidence revealed that from (b)(3), (b)(6) (b)(3), (b)(6) recorded (b)(3), (b)(6) hours that (b)(1), (b)(6) did not work; an approximate (b)(3) loss to the government.

(5) Conclusion:

(U//FOUO) The preponderance of evidence substantiated that (b)(3), (b)(6) committed T&A fraud. From (b)(3) (b)(3), (b)(6) recorded (b)(3) hours that (b)(3), (b)(6) did not work; an approximate (b)(3) loss to the government. (b)(3), (b)(6) T&A fraud violated all of the following standards:

1. Title 18 United States Code (U.S.C.) § 641 Theft of Government Property
2. 18 U.S.C. § 1001 False Statements
3. ODNI Instruction 73.04 Time and Attendance Responsibilities

The Department of Justice declined prosecution in favor of administrative action.

(6)(U//FOUO) RECOMMENDATIONS: That ODNI Employee Review Board takes administrative action as deemed necessary in this matter.

(b)(3), (b)(6)
INVESTIGATOR

APPROVED:

(b)(3), (b)(6)
AIGI

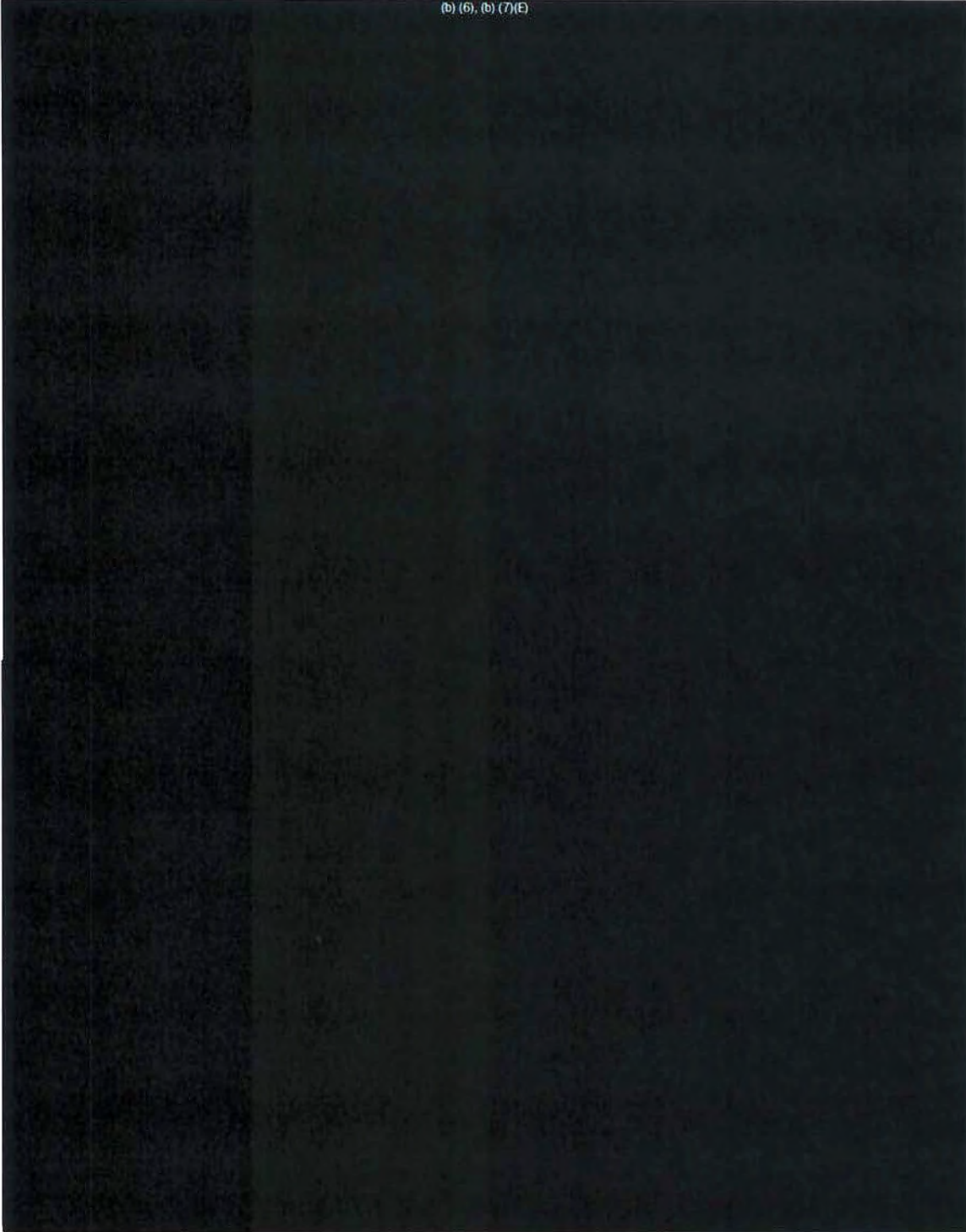
EXHIBIT 1

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(b) (6), (b) (7)(E)



Page 7 of 15

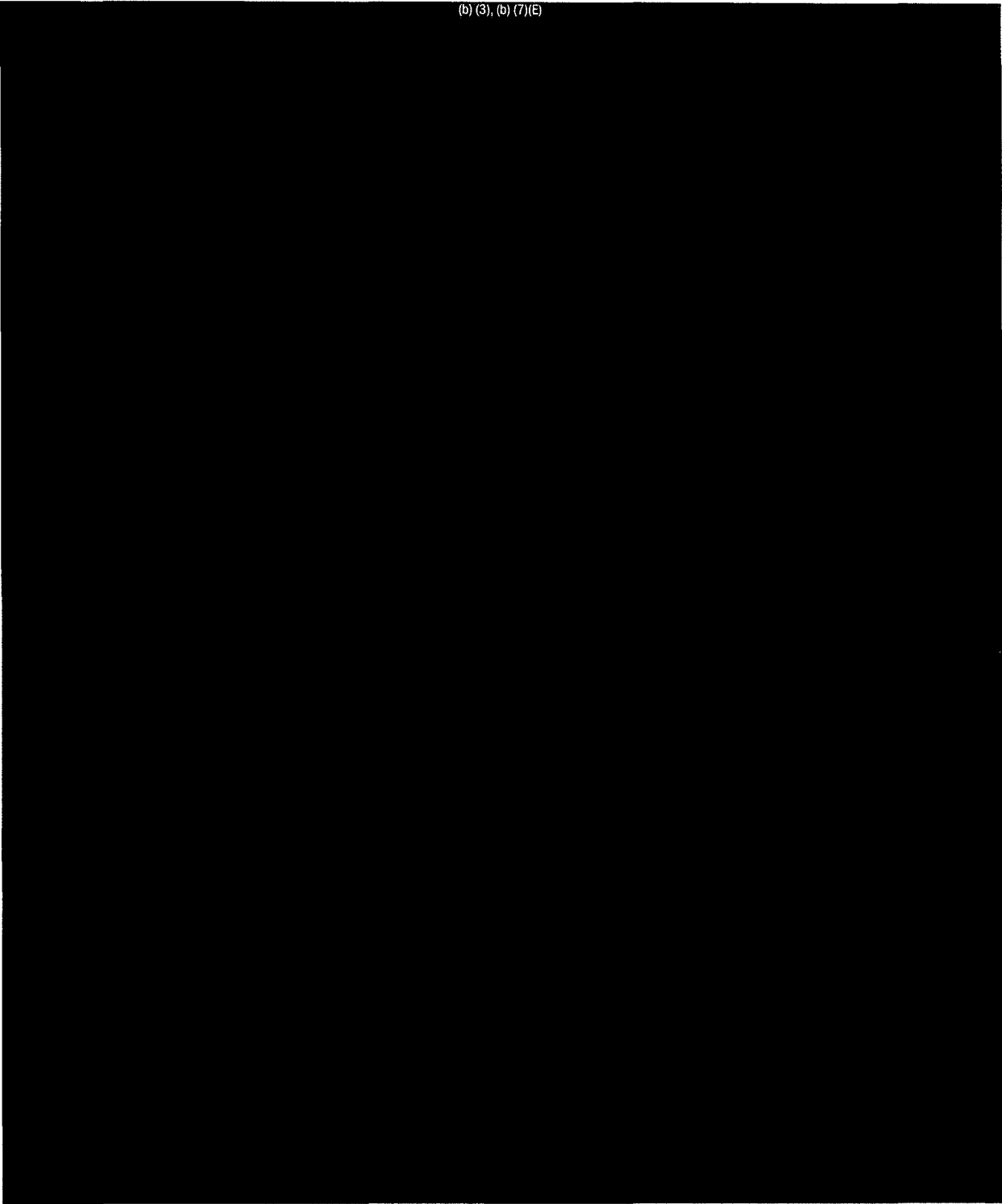
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(b) (3), (b) (7)(E)



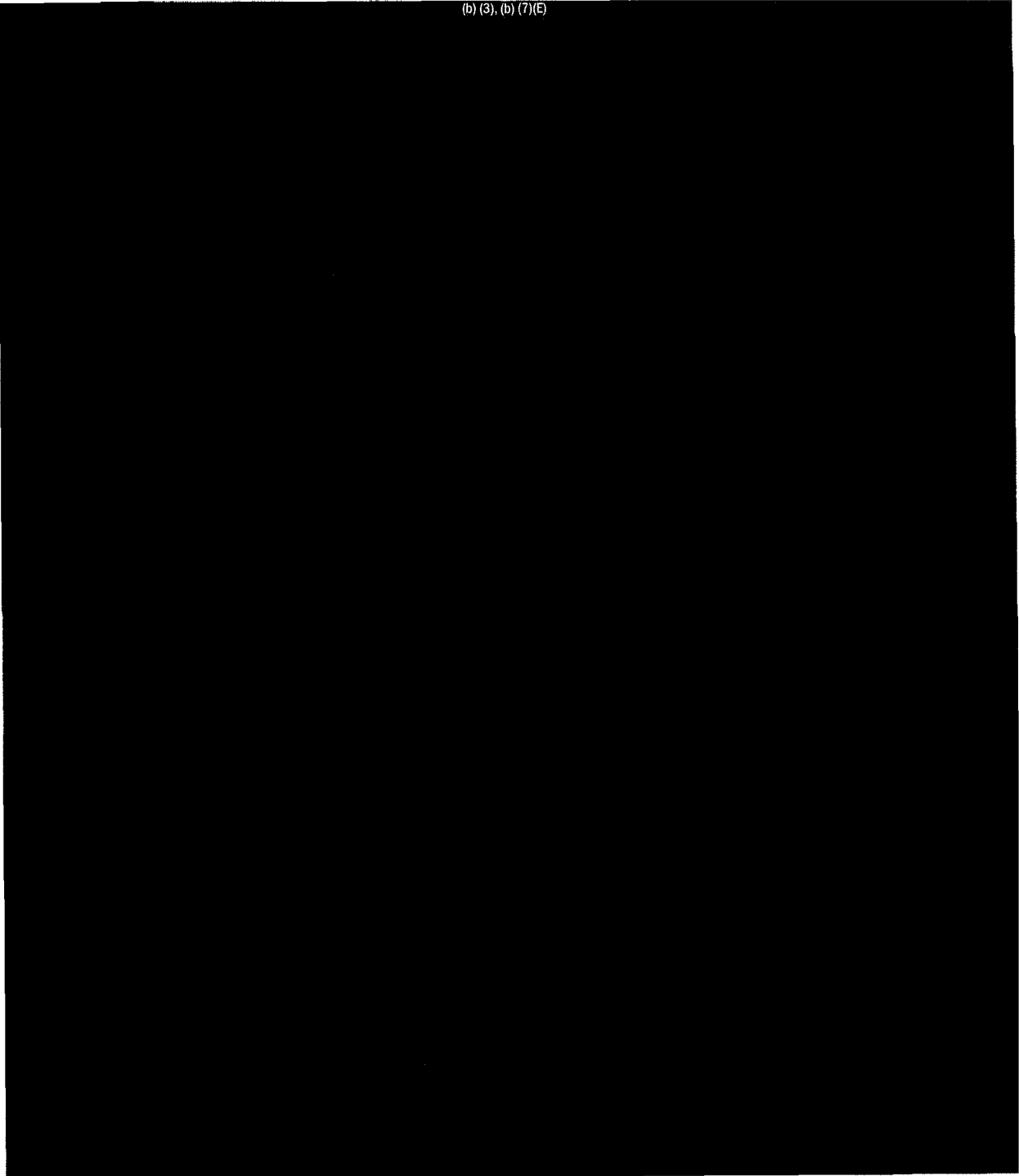
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(b) (3), (b) (7)(E)



Page 9 of 15

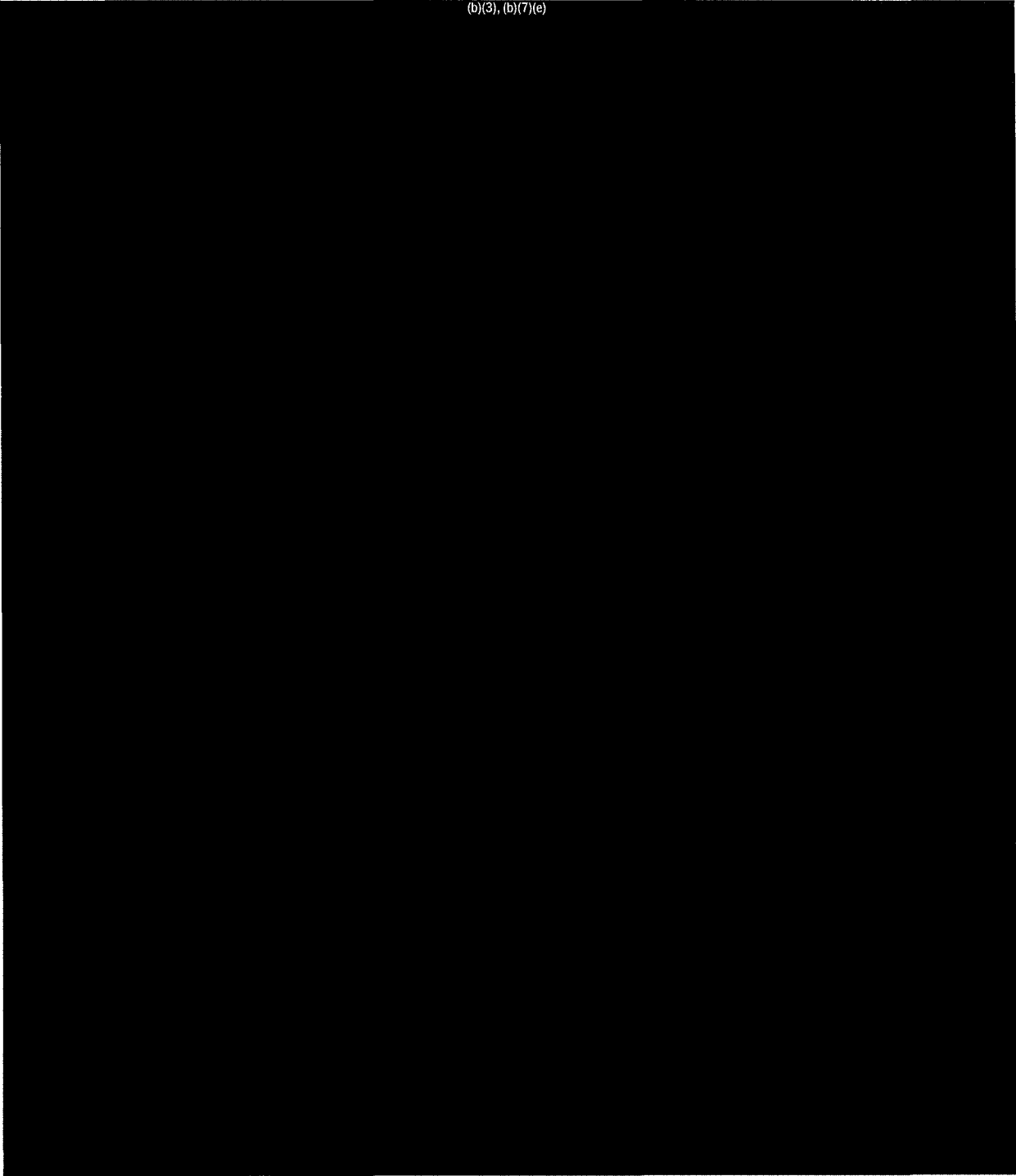
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(b)(3), (b)(7)(e)



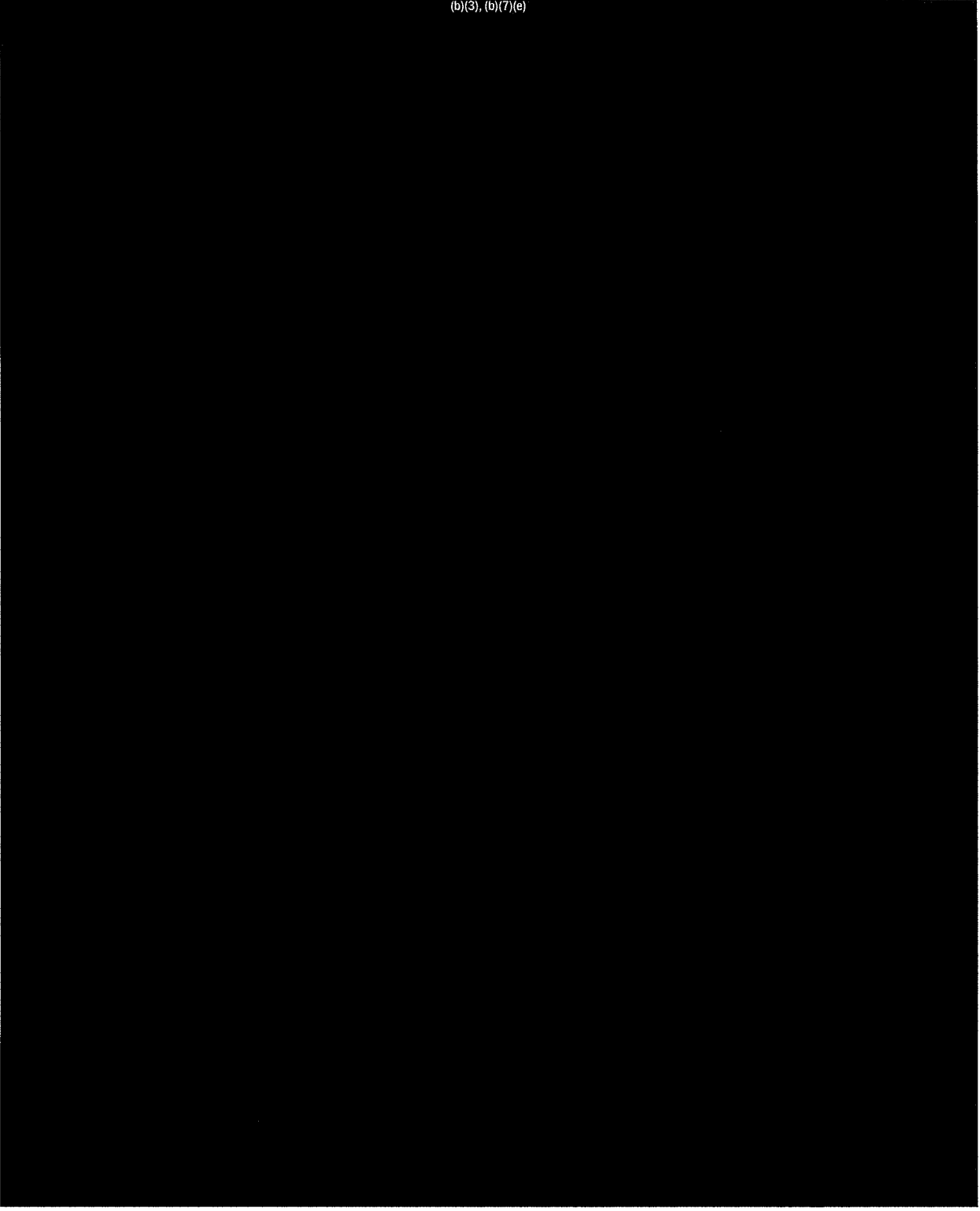
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(b)(3), (b)(7)(e)



Page 11 of 15

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EXHIBIT 2

(b)(3), (b)(6), (b)(7)(d)
From: (b)(3), (b)(6), (b)(7)(d)
Sent: Monday, January 14, 2013 11:14 AM
To: (b)(3), (b)(6), (b)(7)(c), (b)(7)(d)
Subject: RE: [redacted] - action

(b)(3), (b)(6), (b)(7)(c), (b)(7)(d)
[redacted]
[redacted]
[redacted]

-----Original Message-----
From: (b)(3), (b)(6), (b)(7)(c), (b)(7)(d)
Sent: Saturday, January 12, 2013 6:53 PM
To: (b)(3), (b)(6), (b)(7)(c), (b)(7)(d)

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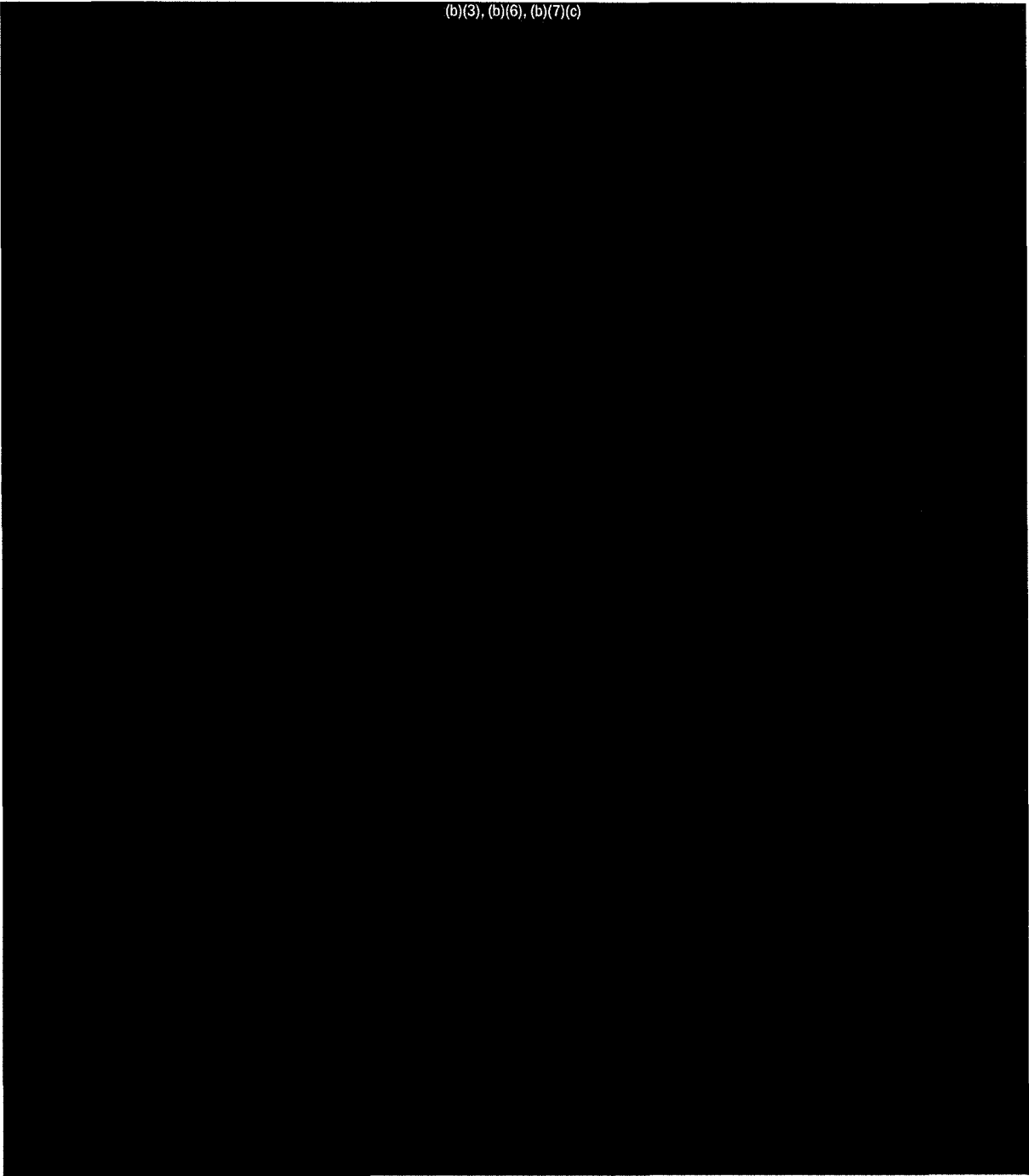
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EXHIBIT 3

(b)(3), (b)(6), (b)(7)(c)



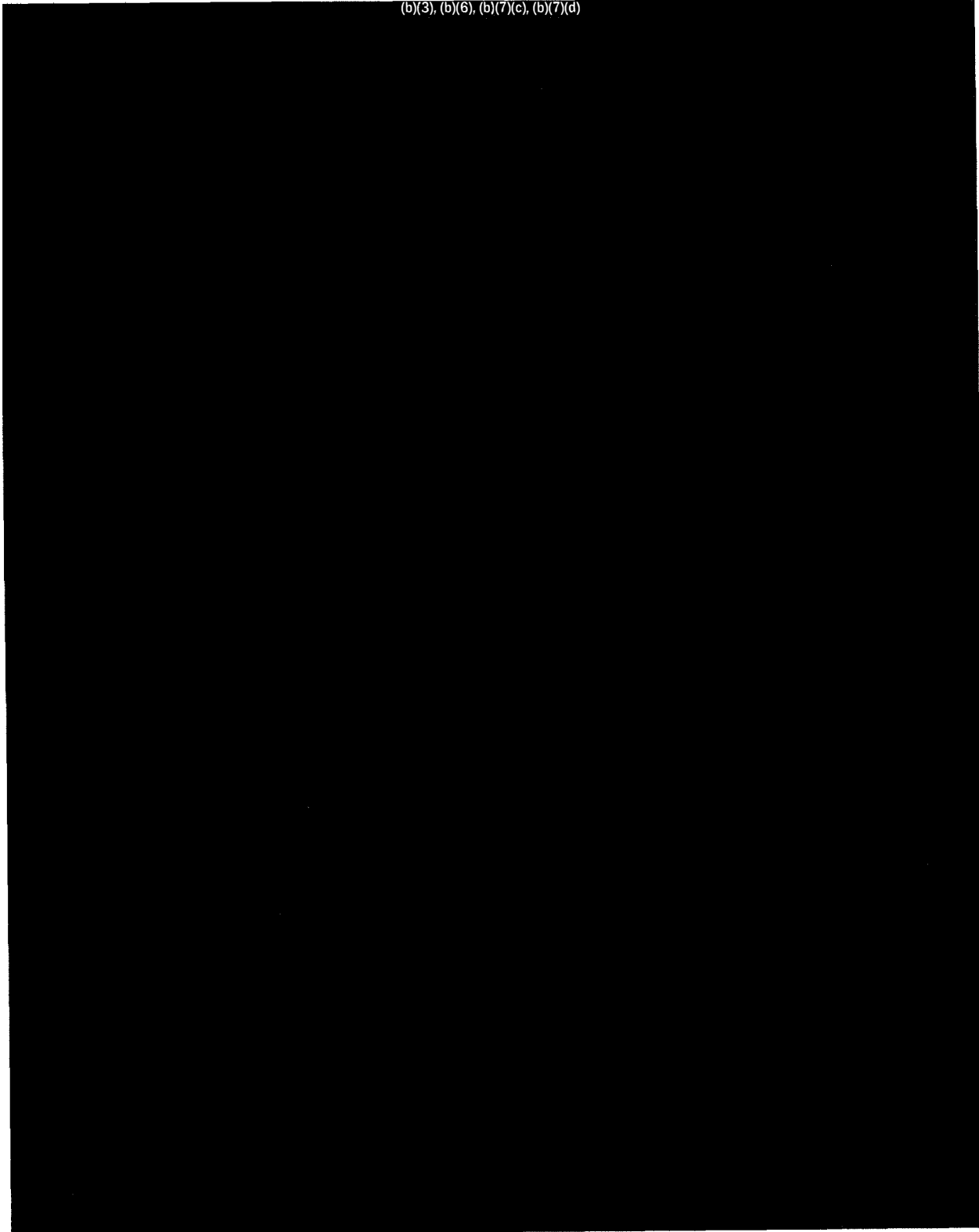
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(b)(3), (b)(6), (b)(7)(c), (b)(7)(d)



Page 14 of 15

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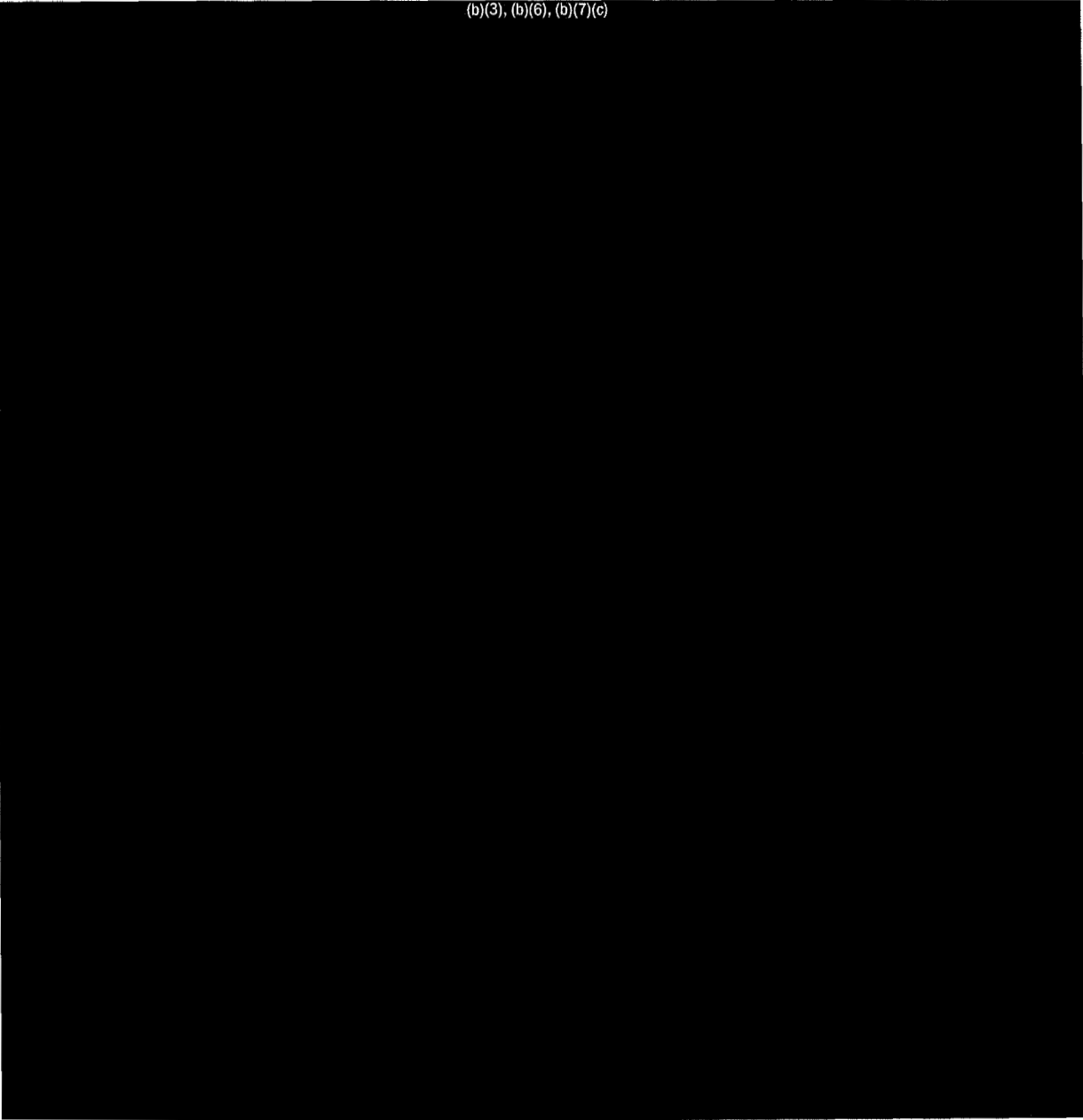
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EXHIBIT 4

(b)(3), (b)(6), (b)(7)(c)



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ENCLOSURE 9



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

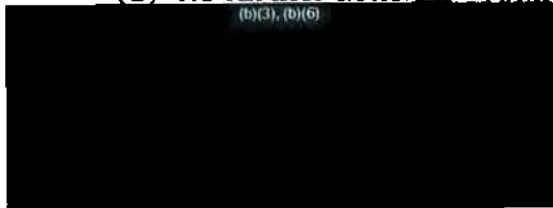
MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0065 Case-Closing Memorandum

(U) The file for case number INV-2013-0065 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 18 March 2014 to February 24, 2015.

(U) No further action is required.

(b)(3), (b)(6)



12 Jan 16

Date

Assistant Inspector General,
Investigations

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OFFICE OF THE INSPECTOR GENERAL, OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

18 MAR 14

(U//~~FOUO~~) MEMO FOR RECORD

(U//~~FOUO~~) SUBJECT: 201¹³~~4~~-0065 (b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) On 17 SEP 13, the IC IG opened a preliminary inquiry into the activities of (b)(3), (b)(6), (b)(7)(c) for possible ethics violations. After review of the associated information, the available evidence does not support continued investigation.

(U//~~FOUO~~) This case is closed without further action.



Assistant Inspector General
For Investigations

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

(b)(3), (b)(6)

18 March 2014

(U//~~FOUO~~) MEMO FOR: AIGI

(U//~~FOUO~~) FROM: INV (b)(3), (b)(6)

(U//~~FOUO~~) SUBJECT: 2013-0065 (b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) (b)(3), (b)(5)

(b)(3), (b)(6)

INVESTIGATOR

ENCLOSURE 10

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

(b)(3), (b)(6)
[Redacted]

1 AUG 14

~~(U//FOUO)~~ MEMO FOR: AIGI

~~(U//FOUO)~~ FROM: INV [Redacted] (b)(3), (b)(6)

~~(U//FOUO)~~ SUBJECT: 2013-0079 DCIS Support [Redacted] (b)(3)
2014-0003 DCIS Support [Redacted] (b)(3)
2014-0004 DCIS Support [Redacted] (b)(3)

~~(U//FOUO)~~ From 12 DEC 13 to 1 APR 14, the IC IG Opened the subject INV numbers to document support to the Defense Criminal Investigative Service activities at the Defense Intelligence Agency (DIA) and National Geospatial Intelligence Agency (NGA).

~~(U//FOUO)~~ As of 1 AUG 14, DCIS has declined further assistance on the subject issues. Recommend the INV numbers be closed out without further action by this office.

[Redacted] (b)(3), (b)(6)

INVESTIGATOR

ENCLOSURE 11



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR RECORD

SUBJECT: Correction to INV-2013-0079, INV-2014-0003-0004 Case-Closing Memorandum

(U) The file for case numbers INV-2013-0079, INV-2014-0003, and INV-2014-0004 contains an incorrectly dated case-closing memorandum. This Memorandum For The Record corrects the issue date of that document from 01 August 2014 to February 24, 2015.

(U) No further action is required.

(b)(3), (b)(6)



12 JAN 16

Date

Assistant Inspector General,
Investigations

ENCLOSURE 12

UNCLASSIFIED//~~FOUO~~



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

(b)(3), (b)(6)
[Redacted]

10 September 2014

(U//~~FOUO~~) MEMO FOR:

AIGI

(U//~~FOUO~~) FROM:

Investigator

(b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) SUBJECT:

2014-0010

(b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) Background. On 19 June 2014, the IC IG opened an investigation of (b)(3), (b)(6), (b)(7)(c) based on a referral from the ODNI (b)(3)

This memo alleged that (b)(3), (b)(6), (b)(7)(c) may have violated 18 USC § 208. According to the referral, (b)(3), (b)(6), (b)(7)(c)

As a result of (b)(3), (b)(6), (b)(7)(c) The referral stated the current value of these (b)(3), (b)(6) holdings is approximately (b)(3), (b)(6)

(U//~~FOUO~~) (b)(3), (b)(6), (b)(7)(c) serves as (b)(3), (b)(6), (b)(7)(c)

(b)(3), (b)(6), (b)(7)(c) participated in the selection of (b)(3), (b)(6), (b)(7)(c) as one of three prime contractors for (b)(7)(c)

(b)(3), (b)(6) did not recuse (b)(3), (b)(6) from this selection process, nor did (b)(3), (b)(6) seek a waiver under 18 U.S.C § 208 (b)(1). (b)(3), (b)(6) allegedly reported (b)(3), (b)(6), (b)(7)(c) portfolio, including the (b)(3), (b)(6), (b)(7)(c) stocks, in (b)(3), (b)(6) 2012 and 2013 Executive Branch Personnel Public Financial Disclosure Report (OGE-

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278). It was during the completion of (b)(3), (b)(6) 2013 form that (b)(3), (b)(6), (b)(7)(e) discovered the potential conflict of interest. At that time (b)(3), (b)(6) reportedly informed (b)(3), (b)(6) supervisor, and ODNI OGC regarding this issue. This matter was subsequently referred to the IC IG as a potential violation of 18 U.S.C § 208.

~~(U//FOUO)~~ Violation. 18 U.S.C. § 208- Acts Affecting a Personal Financial Interest. states, "(a) whoever, being an officer or employee of the executive branch of the United States Government...participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation...in a contract...in which, to his knowledge...his spouse...has a financial interest— shall be subject to the penalties set forth in section 216 of this title."

~~(U//FOUO)~~ Investigation. The investigation included a review of, but was not limited to: interviews confirming (b)(3), (b)(6) participation in the selection of Honeywell as one of three primary contractors for (b)(3), (b)(6), (b)(7)(C) OGE-278 forms for 2012 and 2013 in which (b)(3), (b)(6), (b)(7)(C) Financial Interest Statement (FIS) in which (b)(3), (b)(6) failed to report a conflict of interest regarding (b)(3), (b)(6), (b)(7)(C) emails to and from OGC which explained (b)(3), (b)(6), (b)(7)(C) inheritance of (b)(3), (b)(6), (b)(7)(C) stock and (b)(3), (b)(6), (b)(7)(C) subsequent participation in the selection of (b)(3), (b)(6), (b)(7)(C) as well as emails to and from OGC regarding (b)(3), (b)(6) realization after the fact that (b)(3), (b)(6), (b)(7)(C) still owned (b)(3), (b)(6), (b)(7)(C) stock. Interviews included: (b)(3), (b)(6), (b)(7)(d)

~~(U//FOUO)~~ On 2 July 2014 and 29 July 2014, the IC IG interviewed (b)(3), (b)(6), (b)(7)(d) During their interviews, (b)(3), (b)(6) and (b)(3), (b)(6) confirmed that (b)(3) were aware that (b)(3), (b)(6) participated as (b)(3), (b)(6), (b)(7)(e) for the (b)(3), (b)(6), (b)(7)(e) read (b)(3), (b)(6) proposal; and evaluated (b)(3), (b)(6) along with the other members (b)(3), (b)(6) advised that (b)(3), (b)(6) briefed (b)(3), (b)(6) selection as one of the prime contractors to the (b)(3), (b)(6) IARPA Acquisition Chief (b)(3), (b)(6) and the Contracts Officer (b)(3), (b)(6) confirmed that they personally spoke to (b)(3), (b)(6), (b)(7)(e) after (b)(3), (b)(6) allegedly realized (b)(3), (b)(6) ownership of (b)(3), (b)(6) in May 2014. (b)(3), (b)(6) confirmed in their respective interviews that they reviewed (b)(3), (b)(6) FIS, and were aware (b)(3) had not reported the conflict of interest with (b)(3). Additionally, (b)(3), (b)(6) and (b)(3), (b)(6) acknowledged had (b)(3), (b)(6) realized it, the proper place to list the conflict of interest would have been

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the FIS. (b)(3), (b)(6) added (b)(3), (b)(6) would then have been required to recuse (b)(3), (b)(6) from any participation in the evaluation and selection of (b)(3), (b)(6)

(U//~~FOUO~~) (b)(3), (b)(6) further noted that according to (b)(3), (b)(6) does not maintain—and had never maintained—access to (b)(3), (b)(6), (b)(7)(c) holdings per a (b)(3), (b)(6) agreement. According to (b)(3), (b)(6) (b)(3), (b)(6) stated (b)(3), (b)(6) was provided a list of (b)(3), (b)(6), (b)(7)(c) at the time (b)(3), (b)(6) filled out (b)(3), (b)(6) 2012 and 2013 OGE 278 forms and used that list to fill out the forms. However, according to the interviewees (b)(3), (b)(6) contended (b)(3), (b)(6) did not realize prior to (b)(3), (b)(6) participation in the evaluation of (b)(3), (b)(6) proposal that a conflict of interest existed. (b)(3), (b)(6) witnesses verified that upon discovering the potential violation, (b)(3), (b)(6) self-reported this financial conflict of interest on the same day (b)(3), (b)(6) 2013 OGE-278 form was completed (9 May 2014).

(U//~~FOUO~~) IC IG reviewed a message to (b)(3), (b)(6), (b)(7)(d) ODNI OGC, in which (b)(3), (b)(6) indicated (b)(3), (b)(6) was filling out this form on 9 May 2014, and another in which (b)(3), (b)(6) verified the time in which (b)(3), (b)(6) meeting would occur with (b)(3), (b)(6), (b)(7)(d) that same day. In addition, our review of the completed 2013 OGE 278 form verified that (b)(3), (b)(6) submitted it on 9 May 2014.

(U//~~FOUO~~) (b)(3), (b)(6), (b)(7)(d) offered that (b)(3), (b)(6) reported a conflict of interest with University of Maryland (UM), where (b)(3), (b)(6) attended as a graduate student, and had subsequently listed it on (b)(3), (b)(6) FIS.

(U//~~FOUO~~) On 27 June 2014, the IC IG interviewed (b)(3), (b)(6), (b)(7)(d) stated during (b)(3), (b)(6) interview that (b)(3), (b)(6) talked to (b)(3), (b)(6) about this matter on the phone and received a follow up email in which (b)(3), (b)(6) explained what had occurred. (b)(3), (b)(6) confirmed during (b)(3), (b)(6) interview the accuracy of the events detailed by (b)(3), (b)(6), (b)(7)(d) also noted that (b)(3), (b)(6), (b)(7)(c), (b)(7)(d) immediately reported this incident to (b)(3), (b)(6) forwarded an email from (b)(3), (b)(6), which was sent to (b)(3), (b)(6) on 12 May 2014, which described this incident. (b)(3), (b)(6) stated (b)(3), (b)(6) advised (b)(3), (b)(6) to (b)(3), (b)(6), (b)(7)(c) requested a review of the source selection process by (b)(3), (b)(6), (b)(7)(d) and suggested that (b)(3), (b)(6) have (b)(3), (b)(6), (b)(7)(c), (b)(7)(d) advised that (b)(3), (b)(6) complied with all of (b)(3), (b)(6) suggestions on this matter and forwarded an email (b)(3), (b)(6) sent (b)(3), (b)(6) from (b)(3) on 2 June 2014, confirming (b)(3), (b)(6), (b)(7)(c)

(U//~~FOUO~~) IC IG investigations reviewed the email sent to (b)(3), (b)(6), (b)(7)(d) by (b)(3), (b)(6) In this email, (b)(3), (b)(6) stated (b)(3), (b)(6), (b)(7)(c) inherited the

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██████████ stock in August 2011 after ██████████ (b)(3) mother passed away, and that the stocks in question transferred to ██████████ (b)(3) portfolio. ██████████ (b)(3), (b)(6) stated that ██████████ (b)(3) has no access to the portfolio as required by (b)(3), (b)(6), (b)(7)(C) prenuptial agreement. In the email, ██████████ (b)(3), (b)(6), (b)(7)(C) explained that ██████████ (b)(3), (b)(6) knew to report the ██████████ (b)(3), (b)(6) stock on ██████████ (b)(3), (b)(6) 2012 OGE 278 form in May 2013, because ██████████ (b)(3), (b)(6), (b)(7)(C) provided ██████████ (b)(3), (b)(6), (b)(7)(C) with a written list of ██████████ (b)(3), (b)(6), (b)(7)(C). His email further stated that ██████████ (b)(3), (b)(6), (b)(7)(C) brought it to ██████████ (b)(3), (b)(6), (b)(7)(d) on 9 May 2014 and immediately brought it to ██████████ (b)(3), (b)(6), (b)(7)(d) attention.

(U//~~FOUO~~) On 21 August 2014, the IC IG interviewed ██████████ (b)(3), (b)(6). During ██████████ (b)(3), (b)(6) interview, ██████████ (b)(3), (b)(6) confirmed the above information and verified the OGE 278s as well as FIS forms obtained by the IC IG. ██████████ (b)(3) also provided the following information:

- ██████████ (b)(3), (b)(6) admitted that ██████████ (b)(3), (b)(6) should have paid more attention to ██████████ (b)(3), (b)(6) holdings and that the FIS was the proper place to report the potential conflict of interest with ██████████ (b)(3), (b)(6), (b)(7)(C).
- ██████████ (b)(3), (b)(6) explained that while ██████████ (b)(3), (b)(6) is intimately aware of his financial holdings, that ██████████ (b)(3), (b)(6) is not aware of ██████████ (b)(3), (b)(6) due to the existing prenuptial agreement.
- On several occasions, ██████████ (b)(3), (b)(6) described this incident as an honest mistake and oversight on ██████████ (b)(3), (b)(6) part and adamantly denied that ██████████ (b)(3), (b)(6) knew ██████████ (b)(3), (b)(6) had ██████████ (b)(3), (b)(6) stock prior to participating in the source selection process involving ██████████ (b)(3), (b)(6).

(U//~~FOUO~~) Findings: ██████████ (b)(3), (b)(6), (b)(7)(C) participated personally and substantially in the ██████████ (b)(3), (b)(6), (b)(7)(C) ██████████ (b)(3), (b)(6), (b)(7)(C) reported ██████████ (b)(3) on ██████████ (b)(3), (b)(6) 2012 OGE-278 prior to participating in ██████████ (b)(3) for ██████████ (b)(3) which indicates ██████████ (b)(3), (b)(6) had a financial interest at the time. However, an evaluation of the available evidence indicates that ██████████ (b)(3), (b)(6), (b)(7)(C) immediately when filling out ██████████ (b)(3), (b)(6), (b)(7)(C) 2013 OGE-278, which supports ██████████ (b)(3), (b)(6) claim that ██████████ (b)(3) first realized the ██████████ (b)(3), (b)(6) at that time. No additional evidence was discovered to refute ██████████ (b)(3), (b)(6) contention that ██████████ (b)(3), (b)(6) did not realize at the time of ██████████ (b)(3), (b)(6) participation in the ██████████ (b)(3), (b)(6) that ██████████ (b)(3), (b)(6), (b)(7)(C) had ██████████ (b)(3) due to the large size of the portfolio and the existing ██████████ (b)(3), (b)(6), (b)(7)(A) agreement.

(U//~~FOUO~~) The available evidence does not substantiate that ██████████ (b)(3), (b)(6) participated as a ██████████ (b)(3), (b)(6), (b)(7)(C) in a matter which ██████████ (b)(3), (b)(6), (b)(7)(C). I recommend this matter be closed with no further action by this office. The U.S. Attorney's Office for the Eastern

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District of Virginia declined to prosecute this matter on September 9, 2014.



Investigator

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ENCLOSURE 13

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

(b)(3), (b)(6)
[Redacted]

26 January 2015

(U//FOUO) MEMO FOR: AIG

(U//FOUO) FROM: INV [Redacted] (b)(3), (b)(6)

(U//FOUO) SUBJECT: 2014-0012 [Redacted] (b)(3), (b)(6), (b)(7)(c)

(U//FOUO) On 31 OCT 14, the IC IG opened this investigation in response to a request for assistance from DOE IG. DOE opened a case in 2012 to investigate research misconduct on the part of [Redacted] (b)(3), (b)(6), (b)(7)(c) contracted by [Redacted] (b)(3) to provide research on a program funded by IARPA. DOE was successful in a recovery action and [Redacted] (b)(3), (b)(6), (b)(7)(c) was terminated from employment.

(U//FOUO) On 15 January 15, DOE OIG [Redacted] (b)(6) informed us that DOE OIG does not need operational assistance at this time, but requests that the ICIG provide documents from IARPA that could be used for potential suspension/disbarment actions or prosecution at a future time.

(U//FOUO) Due to the nature of the request for assistance being limited to document collection, I recommend that this case be closed and further coordination with DOE be tracked as a project.

(b)(3), (b)(6)
[Redacted]

Investigator

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ENCLOSURE 14



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

7 April 2016

(b)(6)

Dear (b)(6)

Thank you for providing the requested information on (b)(3), (b)(6), (b)(7)(c). The Intelligence Community Inspector General (IC IG), Investigations Division interviewed (b)(3), (b)(6), (b)(7)(c) reviewed relevant documentation and evidence, and determined (b)(3), (b)(6), (b)(7)(c) did not engage in labor mischarging. Because the information establishes that (b)(3), (b)(6), (b)(7)(c) did not engage in labor mischarging, the IC IG considers this matter closed.

Thank you again for your attention to this matter. If you any questions regarding this determination or need further information, please contact me at (b)(3), (b)(6) or via e-mail at (b)(3), (b)(6).

Sincerely,
(b)(3), (b)(6)
Investigator

ENCLOSURE 15



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

4 March 2015

(b)(6)
[Redacted]
[Redacted]

Dear [Redacted]

Thank you for providing the requested information on (b)(3), (b)(6), (b)(7)(c) [Redacted]. The Intelligence Community Inspector General (IC IG) has compared the labor charges of (b)(3), (b)(6), (b)(7)(c) [Redacted] to the time spent within ODNI spaces between 1 October 2013 and 1 OCT 2014. Our analysis identified 59 discrepant hours.

At this time, we are referring this matter to you for additional review and action as appropriate. We did not interview (b)(3), (b)(6), (b)(7)(c) [Redacted] government lead to obtain an explanation of the discrepancies, and (b)(3), (b)(6), (b)(7)(c) [Redacted] may be able to mitigate the discrepant hours for any work performed in accordance with the contract terms outside of ODNI spaces. A copy of our analysis is attached for your reference.

Please determine whether any of the discrepant hours can be mitigated, and if so please provide appropriate explanation. Additionally, provide the amount of hours you determine to be discrepant, if any. Should a contract adjustment be necessary after the IC IG inquiry is completed, we request that your office coordinate with the appropriate contracting officer at ODNI or prime contractor if you were a subcontractor for any of these billings. A copy of our (b)(3), (b)(6), (b)(7)(c) [Redacted] analysis is attached.

Please provide the results of your review to the IC IG no later than 27 March 2015. If you have any questions in this matter, please contact me at (b)(3), (b)(6) [Redacted] or via e-mail at (b)(3), (b)(6) [Redacted].

Sincerely,

(b)(3), (b)(6) [Redacted]

Investigator

ENCLOSURE 16



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
INVESTIGATIONS DIVISION
WASHINGTON, DC 20511

August 26, 2015

(b)(6)
[Redacted]

RE: INV 2014-0026 (b)(3), (b)(6), (b)(7)(C)

Dear (b)(6)

Thank you for providing the requested information and additional analysis regarding [Redacted] labor hour charges.

The Office of the Inspector General of the Intelligence Community (IC IG), Investigations Division has reviewed the information that you provided on August 21, 2015. Based upon our review of that information and analysis, the IC IG concurs that (b)(3), (b)(6), (b)(7)(C) did not engage in labor mischarging.

Because the information provided establishes that (b)(3), (b)(6), (b)(7)(C) did not engage in labor mischarging, the IC IG considers this matter closed.

Thank you again for your attention to this matter. If you have any questions regarding this determination or need further information, please contact me at (b)(3), (b)(6) or via e-mail at (b)(3), (b)(6)

(b)(3), (b)(6)
[Redacted Signature]

Investigator