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**NATIONAL SECURITY AGENCY/CENTRAL SECURITY
SERVICE**



INSPECTOR GENERAL

REPORT OF INVESTIGATION

14 December 2016

IV-16-0028

Alleged Misuse of a Government Owned Vehicle (GOV)

(U) This report might not be releasable under the Freedom of Information Act or other statutes and regulations. Consult the NSA/CSS Inspector General Chief of Staff before releasing or posting all or part of this report.

Approved for Release by NSA on 09-30-2019, FOIA Case # 85643 (litigation)

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(U) OFFICE OF THE INSPECTOR GENERAL

(U) Chartered by the NSA Director and by statute, the Office of the Inspector General conducts audits, investigations, inspections, and special studies. Its mission is to ensure the integrity, efficiency, and effectiveness of NSA operations, provide intelligence oversight, protect against fraud, waste, and mismanagement of resources by the Agency and its affiliates, and ensure that NSA activities comply with the law. The OIG also serves as an ombudsman, assisting NSA/CSS employees, civilian and military.

(U) AUDITS

(U) The audit function provides independent assessments of programs and organizations. Performance audits evaluate the effectiveness and efficiency of entities and programs and their internal controls. Financial audits determine the accuracy of the Agency's financial statements. All audits are conducted in accordance with standards established by the Comptroller General of the United States.

(U) INVESTIGATIONS

(U) The OIG administers a system for receiving complaints (including anonymous tips) about fraud, waste, and mismanagement. Investigations may be undertaken in response to those complaints, at the request of management, as the result of irregularities that surface during inspections and audits, or at the initiative of the Inspector General.

(U) INTELLIGENCE OVERSIGHT

(U) Intelligence oversight is designed to insure that Agency intelligence functions comply with federal law, executive orders, and DoD and NSA policies. The IO mission is grounded in Executive Order 12333, which establishes broad principles under which IC components must accomplish their missions.

(U) FIELD INSPECTIONS

(U) Inspections are organizational reviews that assess the effectiveness and efficiency of Agency components. The Field Inspections Division also partners with Inspectors General of the Service Cryptologic Elements and other IC entities to jointly inspect consolidated cryptologic facilities.

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IV-16-0028

I. (U) SUMMARY

(b) (3) - P.L. 86-36

(U//FOUO) On 20 April 2016, the NSA/CSS Office of Inspector General (OIG) received an allegation that [redacted] Program / Project Director, [redacted] [redacted] misused a government owned vehicle (GOV) on one or more occasions. The complaint specifically stated that [redacted] was observed at a deli on Elkridge Landing Road using a GOV on 20 April 2016.

(U//FOUO) The OIG interviewed [redacted] as well as three other witnesses including his current supervisor, a previous supervisor, and a Commuter & Motor Fleet Services subject matter expert regarding the policy and procedures governing the use of GOVs. We also obtained [redacted] records related to [redacted] use of GOVs from 1 January 2015 to 20 April 2016, reviewed his NSA net e-mail account, calendars, training records, payroll, and access control records for NSA and other agencies.

(U//FOUO) [redacted] was unable to recall details of specific dates of his use of GOVs; however, he admitted that on at least one occasion he did not return to work and took a GOV to his residence and returned it the next day. [redacted] and access control evidence show that there were five occasions during the period of review where [redacted] without approval, failed to return a GOV on the same day it was checked-out. The vehicles were eventually logged into the system after his arrival at work the following day. Additionally, [redacted] admitted to using a GOV to attend a going away luncheon for a co-worker and to pick-up lunch while attending a local class, which are non-official purposes.

(U//FOUO) Evidence also shows that [redacted] when submitting a request for a GOV, claimed to be traveling to non-NSA locations to ensure his requests would be approved when in reality his classes or meetings were held at NSA locations where shuttles were available but inconvenient.

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) The OIG examined [redacted] timesheets for the days that he reserved government vehicles and found that [redacted] claimed hours he did not work. He failed to accurately state his arrival and departure times, and failed to account for time away from work during mid-day gaps and for an office morale building activity (MBA).

(U//FOUO) The preponderance of the evidence supports the conclusion that:

- (U//FOUO) From 1 January 2015 through 20 April 2016, [redacted] willfully misused GOVs, in violation of NSA/CSS Policy 9-19, *Management, Acquisition, and use of*

¹ (U//FOUO) [redacted] is NSA's on-line vehicle reservation system and vehicle management program.

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Motor Vehicles, July 2014, and Department of Defense Regulation 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007.

- (U//~~FOUO~~) From 1 January 2015 through 20 April 2016, [redacted] knowingly provided false information when reserving government vehicles. His actions violated NSA/CSS Personnel Management Manual (PMM), Chapter 366, § 2-1(K) and 2-2(B).²
- (U//~~FOUO~~) [redacted] knowingly submitted false and inaccurate timesheets in violation of NSA/CSS PMM Chapter 360, § 2-7(a), and Chapter 366, §§ 2-1(K) and 2-2(B).

(U//~~FOUO~~) A copy of the NSA/CSS OIG report will be forwarded to Employee Relations (A307) for information and any action deemed appropriate. Also, a summary of the findings will be forwarded to Security and Counterintelligence, Special Actions (A5242), and [redacted] supervisor.

[redacted]
(b) (3) - P.L. 86-36
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[redacted]
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² (U//~~FOUO~~) [redacted] may have also violated 18 U.S.C. § 1001 by knowingly falsifying government documents, including timesheets and GOV records. The OIG reported this potential violation to the United States Attorney's Office for the District of Maryland on [redacted]. Additionally, by submitting timesheets he knew to be false, [redacted] may have also violated 31 U.S.C. § 3802.

(b) (3) -P.L. 86-36
(b) (6)

II. (U) BACKGROUND

(U) Introduction

(b) (3) -P.L. 86-36

(U//~~FOUO~~) [redacted] is a GS 9/2 Program / Project Director assigned to the [redacted]. As a Program / Project Director, [redacted] is a product champion of [redacted] a web-based system for [redacted] web site on JWICS. He entered on duty with NSA/CSS on [redacted].

(U//~~FOUO~~) The OIG interviewed [redacted] as well as his immediate supervisor, a past supervisor, and a subject matter expert regarding the policy and processes of GOVs. We also obtained all pertinent records related to [redacted] use of GOVs for the period January 2015 through April 2016.

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(U) Applicable Authorities

(U) The investigation looked at possible violations of the following authorities (full citations are contained in **Appendix A**):

(U) NSA/CSS Policy 9-19, *Management Acquisition, and use of Motor Vehicles*

(U) DoD Regulation 4500.36-R, *Management Acquisition, and use of Motor Vehicles*

(U) NSA/CSS PMM Chapter 366, §§ 2-1(K) and 2-2(B).

(U) NSA/CSS PMM Chapter 360, § 2-7(a)

(U) 31 U.S. Code § 1344, *Passenger carrier use*

III. (U) FINDINGS

(U//~~FOUO~~) ALLEGATION 1: Did [redacted] willfully misuse GOVs in violation of Department of Defense Regulation 4500.36-R, Management, Acquisition, and use of Motor Vehicles, March 2007 and NSA/CSS Policy 9-19; Management, Acquisition and use of Motor Vehicles, July 2014?

(U//~~FOUO~~) CONCLUSION: Substantiated

(U//~~FOUO~~) ALLEGATION 2: Did [redacted] knowingly provide false information when reserving GOVs in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366 § 2-1(K) and 2-2(B)?

(U//~~FOUO~~) CONCLUSION: Substantiated

(U//~~FOUO~~) ALLEGATION 3: Did [redacted] falsify his timesheet and claim hours that he did not actually work in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 360 § 2-7(a), and Chapter 366 §§ 2-1(K) and 2-2(B).

(U//~~FOUO~~) CONCLUSION: Substantiated.

(b) (3) - P.L. 86-36
(b) (6)

(U) Evidence

(U) Testimony

(U//~~FOUO~~) On 1 June 2016, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] lives in Washington, D.C. and commutes by public transportation to his office located at NSA W within the [redacted] building. He usually takes the MARC train to the Odenton station and the NSA shuttle to the campus. He does not own a vehicle. He typically works from 9:30 AM to 5:30 PM, although his schedule varies.

(U//~~FOUO~~) [redacted] attends work meetings at Emerson, FANX and NBP. [redacted] takes classes, mostly at FANX, but has attended classes in the OPS buildings, and the [redacted] [redacted] obtained cars to travel to [redacted] meetings³

³ (U//~~FOUO~~) According to the IC Affinity Group Network Charter, [redacted] is an Employee Resource Group (ERG) consisting of members from each of the Intelligence Community agencies. It was chartered with the goal of providing advice, guidance,

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(b) (3) - P.L. 86-36

(b) (3) - P.L. 86-36
(b) (6)

at locations including NRO, DIA, NGA, CIA, and the State Department. [redacted] chairs the [redacted] Extended Enterprise working group. [redacted] meetings occur once a month and last from two to four hours.

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(U//FOUO) [redacted] said that he has taken a GOV home instead of returning to work once, date unrecalled. He explained that he would have returned to [redacted] later than the last shuttle to the Odenton MARC station departs from NSAW⁴, and he would have not been able to get home and would have had to "stay overnight, basically." He returned the car and its keys the next morning. [redacted] also admitted that he used a GOV on 19 April 2016 to attend an MBA⁵ at a restaurant during his lunch break from a class held at FANX.

(b) (3) - P.L. 86-36

(U//FOUO) On 7 July 2016, [redacted] Chief, [redacted] was interviewed and provided the following sworn testimony.

(U//FOUO) [redacted] has been [redacted] supervisor since February 2016. [redacted] is a "product champion" for a SJGINT system and he gathers requirements and works on contract details so that he can coordinate with the developer contractors who build and support the tool. He occasionally travels to Emerson, where the developers are seated, and has other meetings, but his meetings are not frequent, nor are they urgent in nature. He normally arrives for work around 10:00 AM.

(U//FOUO) [redacted] is frequently out of the office for training, most of which is not required for the performance of his duties. He also travels out of the office and away from NSA to attend [redacted] events and meetings. [redacted] is aware that [redacted] does not have a POV and uses GOVs to travel to other government locations, but she does not know the frequency of his GOV use.

(U//FOUO) On 13 July 2016, [redacted] Intelligence Analysis Technical Leader, [redacted] was interviewed and provided the following sworn testimony.

(U//FOUO) [redacted] was [redacted] supervisor from December 2014 to December 2015. [redacted] took excessive training when under [redacted] supervision; and during one 90 day period was out of the office 36 of 90 days for training. As a result, [redacted] counseled [redacted] two times regarding his training and advised that training needed to be appropriate to his job duties and less frequent. [redacted] had difficulty getting [redacted] to account for his whereabouts, and he often was out of the office. When questioned about his whereabouts,

and recommendations to the Director of National Intelligence regarding planning, implementing, monitoring, and evaluating goals and objectives of the IC EOOD Strategic Plan.

(b) (3) - P.L. 86-36

⁴ (U//FOUO) According to the Odenton MARC schedule provided by [redacted] the last shuttle to the MARC station departs [redacted] at 7:51 PM. This schedule was effective 8 September 2015 and the time of the last shuttle has not changed with recent schedule updates.

⁵ (U//FOUO) NSA/CSS Personnel Management Manual, Chapter 363 - Section 6-17, *Excused Absence for Morale Building Activities (MBA)*, March 2016, states that MBAs are defined as activities planned for the purpose of promoting employee morale.

(b) (3) - P.L. 86-36
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(b) (3) - P.L. 86-36
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IV-16-0028

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[redacted] often gave vague and incomplete information. [redacted] did not know whether [redacted] attended meetings at other agencies, with the exception of one Analysis and Production working group meeting that was held approximately monthly at Liberty Crossing in McLean, Virginia. She had no knowledge of his participation in the [redacted] group. He typically arrived for the day around 10:00 AM, and arrived early "once in a blue moon." She was not aware of other meetings that [redacted] attended.

(b) (3) - P.L. 86-36

(U) Acceptance of Motor Pool Policies

(U//FOUO) The [redacted] system is operated by [redacted] Commuter and Motor Fleet (CTC), and supported by [redacted]. The system is available on the Agency classified network by typing [redacted] in a browser. The [redacted] system contains policy information, such as use authorization, requirements of the operator, and responsibilities of the operator. Registered users may acknowledge their understanding of the Motor Pool Policies by clicking on the button reading "I have read and agree to the terms of this Policy." Per [redacted] and as captured within the [redacted] system, [redacted] acknowledged his acceptance of the policies. (Appendix B).

(U//FOUO) The welcome page (screenshot Appendix C) presented to all users entering the [redacted] system notifies users, [redacted] vehicles will not be issued for transportation to any facility where shuttle service is available."

(U//FOUO) Multiple comments entered by [redacted] on vehicle reservation requests (Appendix D) note that shuttles were not conducive to his schedule (27 March 2015, 13 January 2016, 18 March 2016, 25 March 2016, 4 April 2016, 6 April 2016, and 20 April 2016). For instance, for his 27-March 2015 request, he wrote, "I looked at the shuttle schedule and there's no way to get from HQ>Emerson>NBP all within meeting schedule times (unless I'm missing other shuttle schedules." For his 18 March 2016 request, he wrote, "I will need to stay after the shuttle ends back to Ft. Meade." Additionally, he entered false destinations on many of his vehicle requests (20 July 2015, 22 July 2015, 3 August 2015, 4 April 2016, 19 April 2016 and 20 April 2016). [redacted] written comments and false destinations together indicate that he was aware that there were limitations on vehicles issued for transportation to facilities where shuttle service is available, despite testifying that he was "not sure."

(U) Intra-day Misuse of GOVs

(U//FOUO) A review of [redacted] reservation records (Appendix D) compared to training records and access control indicate that [redacted] on six separate days over the period 1 January 2015 through 20 April 2016, used a GOV to attend training at FANX, a location for

⁶ (U//FOUO) The [redacted] system also contains policies and instructions about its use, functionality to sign up for an account, and a link to frequently asked questions (FAQs). Examples of information presented on the web site including appropriate use of vehicles and daily registration requirements can be found in Appendix C.

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which shuttle service is available. On all six of these days, he provided false information on his reservation request so that his request to use a GOV would be approved – five times he falsified the location of the training, and the sixth time he falsely stated he had meetings at a separate location. On four of these six days, [redacted] falsified his timesheets and knowingly claimed hours that he did not actually work. Details follow.

(U//~~FOUO~~) Workforce Support Activities (A) records (Appendix E) indicate that [redacted] attended the following training classes and locations:

(U//~~FOUO~~)

Date	Class	Location
20 – 22 July 2015	[redacted]	FANX
3 August 2015	[redacted]	FANX
4 – 6 April 2016	[redacted]	FANX
19 – 20 April 2016	[redacted]	FANX

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(U//~~FOUO~~)

(U) 20 July 2015

(U//~~FOUO~~) [redacted] NSA/CSS Training Records (Appendix E) indicate that he attended [redacted] on 20 July 2015. According to his Microsoft Lync conversation (Appendix E) on this day, the class was held at the FANX facility. Based on the [redacted] reservation records, [redacted] reserved a GOV to travel to Laurel, not FANX (located in Linthicum) to attend training that day (there is no Government shuttle service to Laurel, but there is Government shuttle service to FANX). Access control records (Appendix F) reflect that [redacted] first arrived and last departed from the [redacted] Gatehouse [redacted] but spent the remaining time at [redacted].

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) The evidence shows that [redacted] falsified his training location on his reservation request so that he would be approved to use a GOV instead of using the Government provided shuttle service.

(b) (3) - P.L. 86-36

(U) 22 July 2015

(U//~~FOUO~~) [redacted] NSA/CSS Training Records indicate that he attended [redacted] on 22 July 2015. According to his Microsoft Lync conversation, the class was held at the FANX facility. Based on the [redacted] reservation records, [redacted] reserved a GOV to travel to Laurel, not FANX, to attend training that day (there is no Government shuttle service to Laurel, but there is Government shuttle service to FANX). [redacted] and access control records indicate the following information for 22 July 2015:

(U//FOUO)

22 July 2015			
8:04 AM		ENTRY	
8:06 AM		GOV Dispatch-out	
8:06 AM		EXIT	
8:31 AM		ENTRY	0:25 Travel
11:17 AM		EXIT	
		Out of A/C	3:15
2:32 PM		ENTRY	
2:34 PM		GOV Dispatch-in	
10:00 PM		EXIT	
Net Total Hours Worked: 10:40			

(U//FOUO)

(U//FOUO) Per timesheet records, [redacted] claimed to work from 7:15 AM to 10:00 PM, a total of 14.75 hours, and claimed no lunch, yet he was within access control or traveling between government buildings for only 10 hours and 40 minutes.

(U//FOUO) Review of [redacted] Outlook calendar and NSA net e-mail did not reveal evidence of any meetings scheduled at another location on 22 July 2015.

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) The evidence demonstrates that [redacted] knowingly falsified his training location on his reservation request so that he would be approved for a GOV instead of using the Government-provided shuttle service. Furthermore, [redacted] claimed hours that he did not actually work on his timesheet.

(b) (3) - P.L. 86-36

(U) 3 August 2015

(U//FOUO) [redacted] NSA/CSS Training Records indicate that he attended [redacted] on 3 August 2015. According to an email notification to [redacted] on 28 July 2015, the location of [redacted] was the FANX facility. Based on the [redacted] reservation records, [redacted] reserved a GOV to travel to the [redacted] to attend training that day (there is no Government shuttle service to [redacted] but there is Government shuttle service to FANX). The vehicle was dispatched-out at 7:43 AM and returned at 12:17 PM on 3 August 2015.

(b) (6)

(U//FOUO) NSA facility access control records indicate that [redacted] was inside the [redacted] building from 8:14 AM to 11:20 AM and then returned to [redacted] for the remainder of the day.

(U//FOUO) The evidence shows that [redacted] knowingly falsified his training location on his reservation request so that he would be approved for a GOV instead of using the Government-provided shuttle service.

(U) 4 April 2016

(U//FOUO) [redacted] NSA/CSS Training Records indicate that he attended [redacted] on 4 April 2016. According to an email notification to [redacted] on 28 March 2016, the location of [redacted] was the FANX facility.

(U//FOUO) [redacted] Microsoft Outlook calendar (Appendix H), indicated that his only appointment on that day was for training. Based on the [redacted] reservation records, [redacted] reserved a GOV to travel to FANX for training and [redacted] in Laurel, Maryland for meetings that day. These records and access control logs further detail the following information for 4 April 2016:

(b) (6)

(U//FOUO)

4 April 2016		
7:00 AM	[redacted]	ENTRY
7:37 AM	[redacted]	GOV Dispatch-out
7:37 AM	[redacted]	EXIT
8:02 AM	[redacted]	ENTRY
11:15 AM	[redacted]	EXIT
	[redacted]	Out of A/C
12:19 AM	[redacted]	ENTRY
3:56 PM	[redacted]	EXIT
	[redacted]	Out of A/C
5:03 PM	[redacted]	ENTRY
5:04 PM	[redacted]	GOV Dispatch-in
5:24 PM	[redacted]	EXIT
5:26 PM	[redacted]	EXIT
Net Total Hours Worked: 8:15 (2:11 gaps)		

(b) (3) - P.L. 86-36

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO)

(U//FOUO) [redacted] did not enter the Emerson facility at any time on 4 April 2016. Per timesheet records, [redacted] claimed regular work hours from 7:00 AM to 5:30 PM, a total of 10.5 hours and claimed no lunch, yet he was within access control or traveling between government buildings for only 8 hours and 15 minutes.

(U//FOUO) The evidence shows that [redacted] knowingly falsified his reservation request by stating that he had a meeting following his training in order to be approved for a GOV instead of using the Government-provided shuttle service. Furthermore, [redacted] claimed hours that he did not actually work on his timesheet.

(b) (3) - P.L. 86-36

(U) 19 April 2016

(U//FOUO) [redacted] NSA/CSS Training Records indicate that he attended [redacted] on 19 April 2016. According to an email notification to [redacted] on 12 April 2016, the location of [redacted] was the FANX facility. Based on the [redacted] reservation records, [redacted] reserved a GOV to travel to [redacted] not FANX, for a meeting that day (there is no

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IV-16-0028

Government shuttle service to [redacted] but there is Government shuttle service to FANX). These records and access control logs further detail the following information for 19 April 2016:

(U//FOUO)

19 April 2016		
6:43 AM	[redacted]	ENTRY
6:43 AM	[redacted]	ENTRY
7:18 AM	GOV Dispatch-out	
7:18 AM	[redacted]	EXIT
7:48 AM	[redacted]	ENTRY
11:07 AM	[redacted]	EXIT
	Attended Luncheon	1:54
1:01 PM	[redacted]	ENTRY
3:52 PM	[redacted]	EXIT
3:43 PM	[redacted]	ENTRY
3:44 PM	GOV Dispatch-in	
3:49 PM	[redacted]	EXIT
Net Total Hours Worked: 7:12 (1:54 gap)		

(b) (3) - P.L. 86-36

(U//FOUO)

(U//FOUO) In an interview on 1 June 2016, [redacted] testified under oath that he used a GOV to attend a going away luncheon for a co-worker at an Italian restaurant during his lunch break from class. Although he could not recall the exact date, he stated that it was approximately one month prior to the interview. He thought it was allowable to use a GOV because it was a work function. Because it was a "non-official" location, [redacted] requested non-government license tags in his [redacted] reservation request.

(U//FOUO) In an interview on 7 July 2016, [redacted] supervisor, [redacted] testified that the going away luncheon was an office MBA at Stella Notte restaurant located in Ellicott City, Maryland and confirmed through calendar records that the date of the luncheon was 19 April 2016. She saw [redacted] at the luncheon. She knew that [redacted] was in training the day of the luncheon, but did not see the vehicle in which [redacted] traveled. [redacted] Outlook calendar also contained the entry, "SURPRISE Dinner for [redacted] (MBA Event) (Stella Notte Italian Restaurant)."

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) Per Timesheet records, [redacted] claimed to work 7:20 AM to 4:50 PM on his timesheet, including a 30 minute meal period, for a total of 9 work hours, yet he was within access control or traveling between government buildings for only 7 hours and 12 minutes. Even though he was gone nearly two hours for lunch, he did not claim Morale Building Activity time, and left an hour earlier than indicated on his timesheet.

(U//FOUO) The evidence shows that [redacted] knowingly falsified his training location on his reservation request so that he would be approved for a GOV instead of using the Government provided shuttle service. Furthermore, [redacted] used a government vehicle to travel to an MBA and claimed hours that he did not actually work on his timesheet.

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(U) **20 April 2016**

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(U//~~FOUO~~) [redacted] NSA/CSS Training Records indicate that he attended [redacted] on 20 April 2016, the last day of the two-day course at the FANX facility. Based on the [redacted] reservation records reflect that [redacted] reserved a GOV to travel to [redacted] for a meeting, not FANX for training, that day (there is no Government shuttle service to [redacted] but there is Government shuttle service to FANX). Records indicate he was assigned a black Dodge Grand Caravan minivan. These records and access control logs further detail the following information for 19 April 2016:

(U//~~FOUO~~)

20 April 2016			
7:20 AM	[redacted]	ENTRY	
7:38 AM	[redacted]	GOV Dispatch-out	
7:38 AM	[redacted]	EXIT	
8:12 AM	[redacted]	ENTRY	0:33 Travel
11:43 AM	[redacted]	EXIT	
11:47 AM	[redacted]	ENTRY	0:04
11:49 AM	[redacted]	EXIT	
		Outside of A/C	0:21
12:11 PM	[redacted]	ENTRY	
3:42 PM	[redacted]	EXIT	
4:01 PM	[redacted]	ENTRY	0:19 Travel
4:02 PM	[redacted]	GOV Dispatch-in	
4:19 PM	[redacted]	EXIT	
4:20 PM	[redacted]	ENTRY	
4:41 PM	[redacted]	EXIT	
Net Total Hours Worked			9:21

(b) (3) - P.L. 86-36

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~)

(U//~~FOUO~~) The OIG received a complaint that on 20 April 2016, [redacted] was observed at a deli on Elkridge Landing Road using a GOV, specifically, a black Dodge minivan.

(U//~~FOUO~~) Per timesheet records, [redacted] claimed to work from 6:30 AM to 5:00 PM, a total of 10.5 hours this day, and marked no lunch, yet he was within access control or traveling between government buildings for only 9 hours and 21 minutes.

(U//~~FOUO~~) The evidence shows that [redacted] knowingly falsified his training location on his reservation request so that he would be approved for a GOV instead of using the Government provided shuttle service. Furthermore, [redacted] used a government vehicle to travel to lunch and claimed hours that he did not actually work on his timesheet.

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IV-16-0028

(U) Failure to Return GOVs Daily

(U//FOUO) A review of [redacted] reservation records indicated that [redacted] checked out a vehicle that was not dispatched into the [redacted] system until the following day on five separate occasions over the period 1 January 2015 through 20 April 2016.

(U//FOUO) [redacted] point of contact, CTC, was interviewed on 30 June 2016, and provided sworn testimony regarding [redacted] processes. She stated that customers may return GOVs by either using the [redacted] automated kiosk or by placing the keys within a drop box, both located within access control in [redacted]. If the kiosk is used, the actual pickup and return times are recorded by the [redacted] system. If the drop box is used, CTC personnel pick up keys from drop box each morning, and the vehicles are manually returned in the system. The return date and time are manually entered to match the scheduled return information on the reservation. [redacted] stated that GOVs may only be kept overnight for official use and when the customer has approval via the registration request or has contacted the SOCC.

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) During an interview on 1 June 2016, [redacted] admitted that on at least one occasion, a meeting he attended lasted late into the evening, and he took a GOV to his home overnight. He stated that it was too late for him to return to NSA because the MARC train would no longer be running by the time he returned, and he would have no way to get back home after returning the vehicle.⁷ Per [redacted] supervisor's testimony, he had no mission requirement to keep a GOV overnight.

(b) (3) - P.L. 86-36

(U//FOUO) The dates that GOVs were retained overnight were identified using the following criteria:

- (U//FOUO) Upon the vehicle being dispatched out, [redacted] did not re-enter an Agency building until the day following the scheduled return date; and
- (U//FOUO) [redacted] dispatched in the GOV on the day following the scheduled vehicle return date; or
- (U//FOUO) CTC personnel manually dispatched in the GOV on the day following the scheduled vehicle return date.

(U) 11 March 2015

(U//FOUO) [redacted] reservation records indicate that [redacted] reserved a GOV to travel to CIA in Dulles, Virginia, for a site visit on 11 March 2015. These records and access control logs further detail the following information for 11-12 March 2015:

⁷ (U//FOUO) Alternative means of transportation such as taxi or Uber service are available after the MARC shuttle and trains daily service ends.

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(U//FOUO)

11 March 2015	
6:20 AM	[redacted] ENTRY
2:13 PM	GOV Dispatch-out by [redacted]
2:13 PM	[redacted] EXIT
7:30 PM	Scheduled GOV Return
12 March 2015	
6:03 AM	[redacted] ENTRY
6:04 AM	[redacted] EXIT
6:07 AM	[redacted] ENTRY
11:15 AM	GOV Dispatch-in by CTC
1:30 PM	[redacted] EXIT

(U//FOUO)

(U//FOUO) On 11 March 2015, [redacted] checked-out a GOV and departed the NSA spaces. If [redacted] had returned the vehicle keys on 11 March 2015, he would have had to come through access control to put them in the drop box. He did not return to an NSA building until the following day. The GOV was manually checked in by CTC after [redacted] entered the building on 12 March 2015.

(U//FOUO) The evidence shows that [redacted] retained the GOV overnight for domicile-duty travel.

(b) (3) -P.L. 86-36
(b) (6)

(b) (3) -P.L. 86-36

(U) 23 April 2015

(U//FOUO) [redacted] reservation records indicate that [redacted] reserved a GOV to travel to NRO in Fairfax, Virginia, for a meeting on 23 April 2015. These records and access control logs further detail the following information for 23-24 April 2015:

(U//FOUO)

23 April 2015	
9:04 AM	[redacted] ENTRY
11:15 AM	[redacted] EXIT
11:34 AM	[redacted] ENTRY
12:54 PM	GOV Dispatch-out by [redacted]
12:54 PM	[redacted] EXIT
7:00 PM	Scheduled GOV Return
24 April 2015	
7:02 AM	[redacted] ENTRY
7:26 AM	GOV Dispatch-in by CTC
11:53 AM	[redacted] EXIT
12:01 PM	[redacted] ENTRY
2:28 PM	[redacted] EXIT

(U//FOUO)

(U//FOUO) [redacted] checked out the GOV on 23 April 2015 and departed from the NSA spaces. If [redacted] had returned the vehicle keys on 23 April 2015, he would have had to come through access control to put them in the drop box. He did not return to an NSA building until the following day. The GOV was manually checked by CTC after [redacted] entered the building on 24 April 2015. The evidence shows that [redacted] retained the GOV overnight for domicile-to-duty travel.

(U) 12 May 2015

(U//FOUO) [redacted] reservation records indicated that [redacted] reserved a GOV to travel to CIA in Reston, Virginia, for a meeting on 12 May 2015. These records and access control logs further detail the following information for 12-13 May 2015:

(U//FOUO)

12 May 2015	
9:49 AM	[redacted] ENTRY
10:49 AM	GOV Dispatch-out by [redacted]
10:49 AM	[redacted] EXIT
7:00 PM	Scheduled GOV Return
13 May 2015	
5:26 AM	CTC e-mail to [redacted]
6:46 AM	[redacted] ENTRY
7:05 AM	GOV Dispatch-in by CTC
8:01 PM	[redacted] EXIT

(b) (3) - P.L. 86-36

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO)

(U//FOUO) On 12 May 2015, [redacted] checked out a GOV and never returned to an NSA building. On 13 May 2015, CTC personnel checked the drop box prior to [redacted] arrival and did not find the key to the vehicle. CTC then e-mailed [redacted] and asked about the status of the GOV. Per the comment on this reservation record in the [redacted] system, [redacted] "explained [that] his meeting at [his] destination lasted through the night. [He was] instructed to always drop [CTC] an email or contact [SOCC] to inform us of the situation so [they] can account for [the] vehicle and passengers."

(U//FOUO) Timesheet records indicate that [redacted] claimed regular work hours from 9:45 AM to 5:45 PM, a total of 8 hours. He did not claim work hours that would indicate a meeting that lasted "through the night." His supervisor also testified that he had no need to attend meetings that would last through the night.

(U//FOUO) The evidence shows that [redacted] retained the GOV overnight for domicile-to-duty travel. Furthermore, [redacted] misrepresented his overnight use of the GOV when questioned by CTC.

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IV-16-0028

(U) 22 October 2015

(U//~~FOUO~~) [redacted] reservation records indicated that [redacted] reserved a GOV to travel to ODNI (Liberty Crossing) in McLean, Virginia, for a meeting on 22 October 2015. These records and access control logs further detail the following information for 22-23 October 2015:

(U//~~FOUO~~)

22 October 2015	
10:14 AM	[redacted] ENTRY
1:46 PM	GOV Dispatch-out by [redacted]
1:46 PM	[redacted] EXIT
3:01 PM	Liberty Crossing ENTRY
5:30 PM	Liberty Crossing EXIT
7:00 PM	Scheduled GOV Return
23 October 2015	
9:54 AM	[redacted] ENTRY
9:55 AM	GOV Dispatch-in by [redacted]
3:47 PM	[redacted] EXIT

(U//~~FOUO~~)

(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36

(U//~~FOUO~~) On 22 October 2015, [redacted] checked-out a GOV and departed the NSA spaces. If [redacted] had returned the vehicle keys on 22 October 2015, he would have had to come through access control to put them in the drop box. He did not return to an NSA building until the following day. The GOV was dispatched in by [redacted] after he entered the building on 23 October 2015.

(U//~~FOUO~~) The Liberty Crossing facility is approximately 37 miles driving distance from NSA headquarters. With heavy traffic at approximately 5:30 PM, it's estimated to take one hour 22 minutes to complete a one-way trip (Appendix I).

(U//~~FOUO~~) Per timesheet records, [redacted] claimed to work from 10:10 AM to 8:10 PM, a total of 10 hours on 22 October 2015. However, there is no evidence that [redacted] returned to work at NSA headquarters. Even if he had, it is unlikely it would have taken him two hours and forty minutes to return. Additionally, on 23 October 2015, he claimed to work from 9:00 AM to 4:00 PM, a total of 7 hours this day, and marked no lunch, yet he was within access control for only 5 hours and 53 minutes.

(U//~~FOUO~~) The evidence shows that [redacted] retained the GOV overnight for domicile-to-duty travel. Furthermore, [redacted] claimed hours that he did not actually work on his timesheet.

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IV-16-0028

(U) 18 February 2016

(U//~~FOUO~~) [redacted] reservation records indicate that [redacted] reserved a GOV to travel to "EOP⁸" in Washington, D.C., for a meeting on 18 February 2016. These records and access control logs further detail the following information for 18-19 February 2016:

(U//~~FOUO~~)

18 February 2016	
6:27 AM	[redacted] ENTRY
1:25 PM	GOV Dispatch-out by [redacted]
7:30 PM	Scheduled GOV Return
19 February 2016	
5:15 AM	[redacted] ENTRY
6:12 AM	GOV Dispatch-in by CTC
4:45 PM	Final [redacted] EXIT

(U//~~FOUO~~)

(b) (3) - P.L. 86-36

(U//~~FOUO~~) On 18 February 2016, [redacted] checked out a GOV and departed NSA spaces. If [redacted] had returned the vehicle keys on 18 February 2016, he would have had to come through access control to put them in the drop box. He did not return to NSA spaces until the following day. The GOV was manually checked in by CTC after [redacted] entered the building on 19 February 2016.

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) Timesheet records indicate that [redacted] claimed regular work hours from 6:10 AM to 5:10 PM, a total of 11 hours on 18 February 2016. However, there is no evidence that [redacted] returned to work at NSA headquarters. Additionally, he claimed to have departed work at 5:30 PM on 19 February 2016, despite leaving NSA facilities at 4:45 P.M.

(U//~~FOUO~~) The evidence shows that [redacted] retained the GOV overnight for domicile-to-duty travel. Furthermore, [redacted] claimed hours that he did not actually work on his timesheet.

(U) Analysis and Conclusions

(U//~~FOUO~~) DoD 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007, Section 2.5 and NSA/CSS Policy 9-19, which implements the DoD regulation, require that the use of all GOVs be restricted to official purposes only. These regulations also state that questions arising about the official use of a GOV shall be resolved in favor of strict compliance with statutory provisions and the implementing regulation.

⁸ (U//~~FOUO~~) EOP likely stands for the Executive Office of the President, but there are no calendar entries, e-mails or other evidence to indicate what building or office [redacted] may have visited.

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IV-16-0028

(U//FOUO) [redacted] admitted that he reserved a GOV to attend a class at FANX and to facilitate attending a going away luncheon for a co-worker on 19 April 2016. [redacted] supervisor testified that the 19 April 2016 luncheon was an office Morale Building Activity (MBA), and the entry on [redacted] outlook calendar also stated "MBA Event." Neither a going away luncheon nor an office sponsored MBA is considered an official use of a GOV. NSA/CSS Personnel Management Manual, Chapter 363 - Section 6-17, *Excused Absence for Morale Building Activities (MBA)*, March 2016, states that MBAs are defined as activities planned for the purpose of promoting employee morale. As MBAs are meant to contribute to a better work environment and are recorded as excused absences on timesheets, attending an MBA would not be an official purpose to use a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19 by using the GOV to attend the MBA.

(U//FOUO) Additionally, on 20 April 2016, the date named in the initial complaint, [redacted] used a GOV to drive to a food establishment near the FANX facility. Use of a GOV to travel from FANX to a local food establishment is not an official use of a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19.

(U//FOUO) Both DoD 4500.36-R and NSA/CSS Policy 9-19⁹ state that the transportation between an employee's place of residence (domicile) and duty location is the sole responsibility of the employee and NSA/CSS motor vehicles shall not be used for domicile-to-duty transportation, or any portion thereof, unless an exception has been granted by the Secretary of Defense. [redacted] admitted that on at least one occasion, he took a vehicle home when a meeting in Virginia lasted too long to allow him to return to NSA and still make the MARC train/shuttle to commute home. This reasoning has no bearing on the fact that domicile to duty transportation is strictly prohibited. In reviewing GOV records, the OIG identified five instances where [redacted] did not return the assigned GOV on the same day as it was checked out. He was counseled by CTC on 13 May 2015 about the need to return vehicles or notify SOCC if they are not returned the same day. According to CTC records, he advised that his meeting "lasted through the night." This is untrue. In fact, [redacted] noted his ending work time as 5:45 PM on his timesheet. Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times. Therefore, his use of GOVs for domicile-to-duty transportation violated DoD 4500.36-R and NSA/CSS Policy 9-19.

(U//FOUO) [redacted] was aware, or should reasonably have been aware, that [redacted] vehicles should not be used for locations where shuttle services were available, not only because it is

⁹ (U) 31 U.S. Code § 1344, *Passenger carrier use*, defines passenger carrier as a passenger motor vehicle or other similar means of transportation that is owned or leased by the United States Government. 31 U.S. Code § 1344 further states that transporting any individual other than the individuals listed in subsections (b) and (c) between such individual's residence and such individual's place of employment is not transportation for an official purpose. 31 U.S. Code § 1344 is implemented by DoD 4500.36-R and NSA/CSS Policy 9-19, *Management, Acquisition, and Use of Motor Vehicles*, July 2014.

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IV-16-0028

prominently displayed on the [redacted] reservation website where he acknowledged his understanding of the policies, but also because he made comments justifying why he was unable to use shuttles on several reservations; justifications that in some cases were untrue. In his vehicle reservation request on 13 January 2016, [redacted] stated, "I just received [sic] to back meeting requests in Ft. Meade and at FANX that overlap. There is no way the shuttle service will provide connections in time to [sic] meet the meetings and a car will enable maximum efficiency." His supervisor testified that he did not have a need for early morning meetings, as a rule, and that much of his training was not required for his position. Access control records show that he did not enter other NSA facilities on several occasions when he documented a need to go to Emerson or other facility with inconvenient shuttle services. The OIG found that [redacted] excuses were just that, an excuse fabricated to allow him to use a GOV rather than a shuttle. [redacted] falsified his government records for the dates 20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016 by stating that he was attending a class at a location where a shuttle was not available so that he could use a GOV to attend a class at FANX, where an Agency-contracted shuttle service is available. Similarly, [redacted] falsified his government records on 4 April 2016 stating that he was required to attend a meeting and a class, and the shuttle would not be able to satisfy his mission requirements even though there is no evidence of another scheduled meeting on that day, or attendance at another NSA facility.

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) NSA/CSS Personnel Management Manual, *Chapter 366 Personal Conduct*, February 2014, states employees granted access to classified information and Sensitive Compartmented Information must be stable; trustworthy; reliable; of excellent character, judgment, and discretion; and of unquestioned loyalty to the United States. Conduct that brings into question these character traits specifically include deliberate misrepresentations, falsifications, or omission of material facts in any Agency document. Furthermore, NSA/CSS Personnel Management Manual, Chapter 366, *Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsification, or omission of material facts in an Agency document. [redacted] repeatedly provided false information about his destinations when reserving GOVs. He knew that reporting his training at the [redacted] would allow for the use of a GOV, whereas training at FANX would not. On six occasions he entered deliberately false information into the [redacted] system in order to gain approval for the use of a GOV for his personal convenience. Likewise, when questioned about his failure to return a vehicle, [redacted] provided false information to CTC personnel. He told them his meeting "lasted through the night," when, in fact, he documented that his work day ended at 5:45 PM, at the conclusion of his eight hour work day.

(b) (3) - P.L. 86-36

(U//FOUO) NSA/CSS Personnel Management Manual, Chapter 360, *Time and Attendance*, § 2-7(a), September 2003, states that employees must ensure that all information relevant to their time and attendance is recorded accurately. NSA/CSS Personnel Management Manual, Chapter 366, *Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsification, or omission of material facts in an Agency document. The OIG reviewed [redacted] timesheets for the days he used GOVs during the period of review. We found that seven days contained discrepancies in the arrival or departure times, net hours, incorrectly claiming "no

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lunch" or unexplained mid-day gaps, resulting in an overstatement of [redacted] work hours. On each of these seven days, the error in time reporting is substantial and in his favor, leading to the conclusion that [redacted] made the overstatements deliberately.

(U//FOUO) [redacted] pattern of GOV use reflects an individual who has used GOVs for his personal convenience repeatedly. He has falsified records in order to gain approval for use of GOVs, and he has provided false information to [redacted] administrators when questioned about failure to return a vehicle. After being questioned by [redacted] personnel, he again failed to return a vehicle at the end of the day on two more occasions, with no explanation. He altered his arrival routine, in order to return vehicles the next day without being detected, arriving much earlier than he does on typical work days. The OIG finds that [redacted] misuse of GOVs was willful.

(U//FOUO) The preponderance of the evidence supports the conclusions that:

(b) (3) - P.L. 86-36

- (U//FOUO) From 1 January 2015 through 20 April 2016, [redacted] willfully misused GOVs, in violation of NSA/CSS Policy 9-19; *Management, Acquisition, and use of Motor Vehicles*, July 2014, and Department of Defense Regulation 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007.

(b) (3) - P.L. 86-36
(b) (6)

- (U//FOUO) From 1 January 2015 through 20 April 2016, [redacted] knowingly provided false information when reserving government vehicles. His actions violated NSA/CSS Personnel Management Manual (PMM), Chapter 366, § 2-1(K) and 2-2(B).

- (U//FOUO) [redacted] knowingly submitted false and inaccurate timesheets in violation of NSA/CSS PMM Chapter 360, § 2-7(a), and Chapter 366, §§ 2-1(K) and 2-2(B).

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IV-16-0028

IV. (U) RESPONSE TO TENTATIVE CONCLUSION(S)

(U//~~FOUO~~) On 1 November 2016 the OIG sent [redacted] the tentative conclusion reached in the investigation. In his 5 December 2016 response (Appendix J), he disagreed with the findings of the investigation. Following are some of his specific comments and the OIG response.

1. (U//~~FOUO~~) [redacted] He reserved a car, in part, to attend an event which he considered to be a work function because nearly the entire office was attending. If he had not reserved a car, he would not have been able to attend. He did not claim MBA hours on his timesheet because he only stayed a fraction of the allotted time.

(U//~~FOUO~~) OIG Response: [redacted] testified under oath that he attended a "going away luncheon for a co-worker." His supervisor characterized the event as an MBA and [redacted] calendar entry listed it as an MBA. He further testified that he attended the luncheon for only about 30 minutes and then went to another location to pick up food (access control records show he was out of the building for 1 hour and 54 minutes). Regardless of whether [redacted] chose to use MBA hours for the event, neither a going away luncheon nor an MBA are considered an official purpose for GOV use.

2. (U//~~FOUO~~) [redacted] He cited multiple instances where he "may have" reserved a vehicle to not only attend class, but to facilitate both attendance at class and at a meeting on the same day before or after class.

(U//~~FOUO~~) OIG Response: [redacted] was given the opportunity to provide evidence to support his claim that he had meetings before or after class on 20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016. He provided none. The OIG obtained and reviewed his Outlook calendar, which failed to reveal any scheduled meetings before or after class on those dates. Furthermore, for instances that [redacted] documented meetings at other locations in his vehicle requests, access control records show that he did not enter the NSA facilities where he claimed to have meetings scheduled.

(b) (3) - P.L. 86-36
(b) (6)

3. (U//~~FOUO~~) [redacted] On 13 May 2015, the CTC timestamp indicates that the vehicle was returned at 0604 but his timesheet indicates that he arrived at 0640. He proposed two "possible scenarios" for the discrepancy; 1) he accidentally entered the wrong time on his timesheet and in fact worked more hours than he claimed or 2) CTC failed to record the return of the vehicle until the next day.

(U//~~FOUO~~) OIG Response: CTC records (Appendix D) demonstrate that [redacted] kept the vehicle overnight. The CTC point of contact checked for the vehicle on the morning of 13 May 2015 at 05:26 AM and found it had not been returned the previous evening - nor did she find a key in the dropbox. [redacted] came through

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access control at 06:46 AM on 13 May 2015 and deposited the key in the dropbox. According to CTC records, [redacted] claimed he dropped the key in the box at 06:00 AM because his meeting lasted through the night. CTC physically dispatched in the vehicle at 07:05 AM.

(U//FOUO) [redacted] two scenarios are incorrect. He came through access control at 06:46 AM and claimed 06:40 AM on his timecard; he did not work more hours than he claimed. CTC did not fail to record the return of the vehicle; they kept clear records. The reason the "Actual Return date/time" on 13 May 2015 is 06:04 AM is because that is a manual time entered by CTC if the vehicle key is not returned via the automated kiosk. The OIG surmised that CTC put 06:04 based upon [redacted] stated return time. However, the vehicle was not physically dispatched in until 07:05 AM, which is consistent with his return through access control.

- 4. (U//FOUO) [redacted] He does not believe that the policies cited in the report were displayed on the CTC website when he made vehicle reservations and there is no reasonable expectation that he knew the policies to include the requirement to use available shuttles over the use of GOVs.

(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) OIG Response: The OIG contacted [redacted] Commuter and Motor Fleet Services, to ascertain when the [redacted] reservation site was updated. She advised that the screenshot contained in Appendix C, which states "[redacted] vehicles will not be issued for transportation to any facility where shuttle service is available" was present during the January 2015 to April 2016 timeframe that was reviewed for this investigation. Furthermore, the OIG did not conclude that [redacted] was aware of the policies based solely on the contents of the website. [redacted] own comments on his reservation requests (e.g. explaining why the shuttle schedule was not conducive to his plans) indicated that he knew he was required to use shuttle service when available.

(b) (3) - P.L. 86-36

- 5. (U//FOUO) [redacted] It is factually incorrect that the "Agency operates a shuttle service" between Ft. Meade and FANX.

(U//FOUO) OIG Response: The [redacted] reservation site states that "[redacted] vehicles will not be issued for transportation to any facility where shuttle service is available. Please type "Go Shuttle" in your browser for a list of shuttles." The "Go Shuttle" site lists [redacted] shuttle service available for transportation from FANX to Ft. Meade. CTC clarified that [redacted] is a contracted service, which is a public shuttle provided through the [redacted]. The Agency pays the largest portion of the service and controls the route of the service. [redacted] observation is not germane to our conclusion; however, for precision, we have revised the statement to reflect that the shuttle service between Ft. Meade and FANX is contracted.

- 6. (U//FOUO) [redacted] The report is inaccurate in stating that "as a rule" he does not have early morning meetings.

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IV-16-0028

(U//~~FOUO~~) OIG Response: The statement was not a conclusion of the OIG, but the testimony of his supervisors, who were privy to the requirements of his position. More importantly, [redacted] was given the opportunity to provide evidence to support his claim that he had meetings before (or after) class on 20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016. He provided none. The OIG obtained and reviewed his Outlook calendar, which failed to reveal any scheduled meetings before (or after) class on those dates. Furthermore, for instances that [redacted] documented meetings at other locations in his vehicle requests, access control records show that he did not enter the NSA facilities where he claimed to have meetings scheduled.

7. (U//~~FOUO~~) [redacted] made allegations about the OIG's (lack of) professionalism and bias, particularly in regards to the tentative conclusions.

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) OIG Response: The OIG followed its standard operating procedures with regards to the amount of information provided in tentative conclusions as well as the timeline for a response. [redacted] was granted two extensions. A full copy of [redacted] correspondence with the OIG after issuance of the tentative conclusions is attached as Appendix J.

(U//~~FOUO~~) [redacted] response to the tentative conclusions did not change the OIG findings in this matter. Thus, the tentative conclusions became final.

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IV-16-0028

V. (U) CONCLUSION

(b) (3) - P.L. 86-36
(b) (6)(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that:

- (U//~~FOUO~~) From 1 January 2015 through 20 April 2016, [REDACTED] will fully misused GOVs, in violation of NSA/CSS Policy 9-19, *Management, Acquisition, and use of Motor Vehicles*, July 2014, and Department of Defense Regulation 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007.
- (U//~~FOUO~~) From 1 January 2015 through 20 April 2016, [REDACTED] knowingly provided false information when reserving government vehicles. His actions violated NSA/CSS Personnel Management Manual (PMM), Chapter 366, § 2-1(K) and 2-2(B).
- (U//~~FOUO~~) [REDACTED] knowingly submitted false and inaccurate timesheets, in violation of NSA/CSS PMM, Chapter 360, §§ 2-7(a), and Chapter 366, §§ 2-1(K) and 2-2(B).

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IV-16-0028

VI. (U) DISTRIBUTION OF RESULTS

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) A copy of this report of investigation will be provided to Employee Relations (A307). A summary of the investigative findings will be provided to Security and Counterintelligence, Special Actions (A5242), and [redacted] supervisor.

[redacted]

Investigator

Concurred by:

[redacted]

Assistant Inspector General
for
Investigations

(b) (3) - P.L. 86-36

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APPENDIX A

(U) Applicable Authorities

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~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~**(U) DoD 4500.36-R, Management, Acquisition, and use of Motor Vehicles****Section C2.5-Official Use of Vehicles**

The use of all DoD motor vehicles, including those leased using DoD funds, or from other Government Agencies or commercial sources shall be restricted to official purposes only. Federal Management Regulation (FMR), Section 102-34.220-260 (Reference (n)) provides that each Federal Agency shall ensure that Government carriers are used for official purposes only; e.g., to perform the mission of the DoD Components as authorized by the DoD Components. When questions arise about the official use of a motor vehicle, they shall be resolved in favor of strict compliance with statutory provisions and this Regulation.

Section C2.8-Determining the Method for Transporting Personnel

When motor vehicle transportation is determined to be essential to the performance of official business, the following methods shall be considered in the order shown, to the extent they are available and capable of meeting mission requirements:

- C2.8.1. DoD-scheduled bus service.
- C2.8.2. Scheduled public transportation.
- C2.8.3. DoD motor vehicles.
- C2.8.4. Voluntary use of privately-owned motor vehicle on a reimbursable basis.
- C2.8.5. Taxicab, on a reimbursable basis.

(U) NSA/CSS Policy 9-19, Management, Acquisition, and Use of Motor Vehicles**...Part 2. Policy:**

2. Domicile-To-Duty (D-T-D) Transportation: Transportation between an employee's place of residence (domicile) and duty location is the sole responsibility of the employee and NSA/CSS motor vehicles shall not be used for D-T-D transportation, or any portion thereof, unless an exception has been granted by the Secretary of Defense. See Annex A for procedures on requesting D-T-D transportation authority.

(U) NSA/CSS PMM, Chapter 360-Time and Attendance**Section 2-Responsibilities****...Part 2-7. Employees:**

- A. Ensure that all information relevant to their time and attendance is recorded accurately.

(U) NSA/CSS PMM Chapter 363, § 6-17, Excused Absence for Morale Building Activities

(U) Morale Building Activities (MBAs) are defined as activities planned for the purpose of promoting employee morale. These activities are generally conducted outside the workplace and may include, but are not limited to, luncheons, picnics, sporting activities and events, movies, museum visits, holiday parties, etc.

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(U) NSA/CSS PMM, Chapter 366-Personal Conduct

...Section 2-Personnel and Security Standards

Part 2-1. Work Environment

...K. False Statements – Employees will not knowingly make or present a false or fraudulent statement or claim; enter into an agreement or conspiracy to defraud the Government by obtaining or aiding in the payment or allowance of a false or fraudulent claim; or, knowingly and willfully falsify or conceal a material fact by a trick, scheme, or device...

Part 2-2. Personnel Security Requirements:

Employees granted access to classified information and Sensitive Compartmented information must be stable; of excellent character, judgment and discretion; and of unquestioned loyalty to the United States. Any conduct, including off-duty conduct, that brings into question these character traits may be cause for appropriate security action and in some cases administrative action. The following illustrations are provided as examples and are not inclusive:

...B. Deliberate misrepresentations, falsifications, or omission of material facts in any Agency document...

(U) 31 U.S. Code § 1344, Passenger carrier use

...Section (a)-(1)

... Notwithstanding any other provision of law, transporting any individual other than the individuals listed in subsections (b) and (c) of this section between such individual's residence and such individual's place of employment is not transportation for an official purpose.

...Section (f)

Each Federal agency shall maintain logs or other records necessary to establish the official purpose for Government transportation provided between an individual's residence and such individual's place of employment pursuant to this section.

...Section (h)-(1)

The term "passenger carrier" means a passenger motor vehicle, aircraft, boat, ship, or other similar means of transportation that is owned or leased by the United States Government...

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APPENDIX B

(U) Acceptance of Use of GOV Policies

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Motor Pool Policies

Accident Reporting

(U) An accident reporting kit is provided in all Agency [redacted] vehicles. In the event of a vehicular accident, the driver will stop at once, give reasonable first aid to those injured, and notify the police. All information related to the accident and all drivers involved will be written down at the scene. All accidents, no matter how minor, MUST be reported as soon as possible to the CTC office. An Accident Report must be completed. Accident Report forms are located in the glove box in each vehicle and are also available at the CTC office.

- (U) When conditions or regulations permit, move to the shoulder or side of the roadway to prevent further damage or hazards. If conditions or regulations do not permit moving the vehicle, contact the local authorities immediately.
- (U) You must contact the local authorities and complete an accident report. Advise authorities if medical assistance is needed.
- (U) Obtain the names and addresses of witnesses.
- (U) Report accident to CTC office as soon as possible. After hours, accidents should be reported to the Security Operations Command Center (SOCC) [redacted].

Insurance

(U) Employees are personally NOT required to buy insurance to use Government vehicles. Claims against the Government of non-employees, when Agency responsibility is established, are covered under the Federal Tort Claims Act. This coverage would apply to claims for personal or property injury arising from the negligent act or omission of a Government employee operating a Government vehicle within the scope of his employment (for official purposes). Personal injuries sustained by the employee under similar circumstances would be covered under Workmen's Compensation. A "Proof of Insurance" statement is provided (located in the accident reporting kit in the glove box) in all Agency [redacted] vehicles for accident purposes.

(U) The driver is personally responsible for all costs or damages for personal, illegal, or unauthorized use of government vehicles.

I have read and agree to the terms of this Policy.

Content Owner: SCS, Developer: IllinoisClass
Last Reviewed: 29Aug2014 Last Modified: 29Aug2014

DERIVED FROM: NSA/CSSM 1-52
DATED: 05 JAN 2007
DECLASSIFY ON: [redacted]

Privacy Statement Feedback
Copyright © 2011 Apple Access Control, Inc. All rights reserved.

(U) [redacted] Support [redacted] team's description of individuals that have active accounts and have accepted the policy.

(b) (3) - P.L. 86-36

File MESSAGE

Ignore Delete Reply Reply Forward All More... Respond

Mon 8/21/2016 9:43 AM

RE: (U) [redacted] Policy Acknowledgement

Message: [redacted] policy accepted.xlsx (564 KB)

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

I've attached a spreadsheet of users with active accounts whose database records show that they accepted the policy.

The first tab lists users who have logged in at least once, and the second tab shows those who have not logged in. I assume that in the "early days", users didn't have to accept the policy, which would explain why the database shows that someone who never logged in could have "accepted the policy". Could someone in CTC confirm this? All of these accounts were added July 2014 and earlier.

[redacted]

[redacted]

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The image shows a screenshot of an Excel spreadsheet. The spreadsheet has columns labeled A through V and rows numbered 5400 through 5500. A large black rectangular redaction box covers the left side of the spreadsheet, obscuring the data in columns A, B, and C. The rest of the spreadsheet, including columns D through V, is visible and contains data. The Excel interface, including the menu bar and ribbon, is visible at the top of the image.

NOTE: The black boxes on this page are not FOIA redactions. The information was blacked out to only provide the data relevant to this investigation.

(b) (3) - P.L. 86-36
(b) (6)

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APPENDIX C

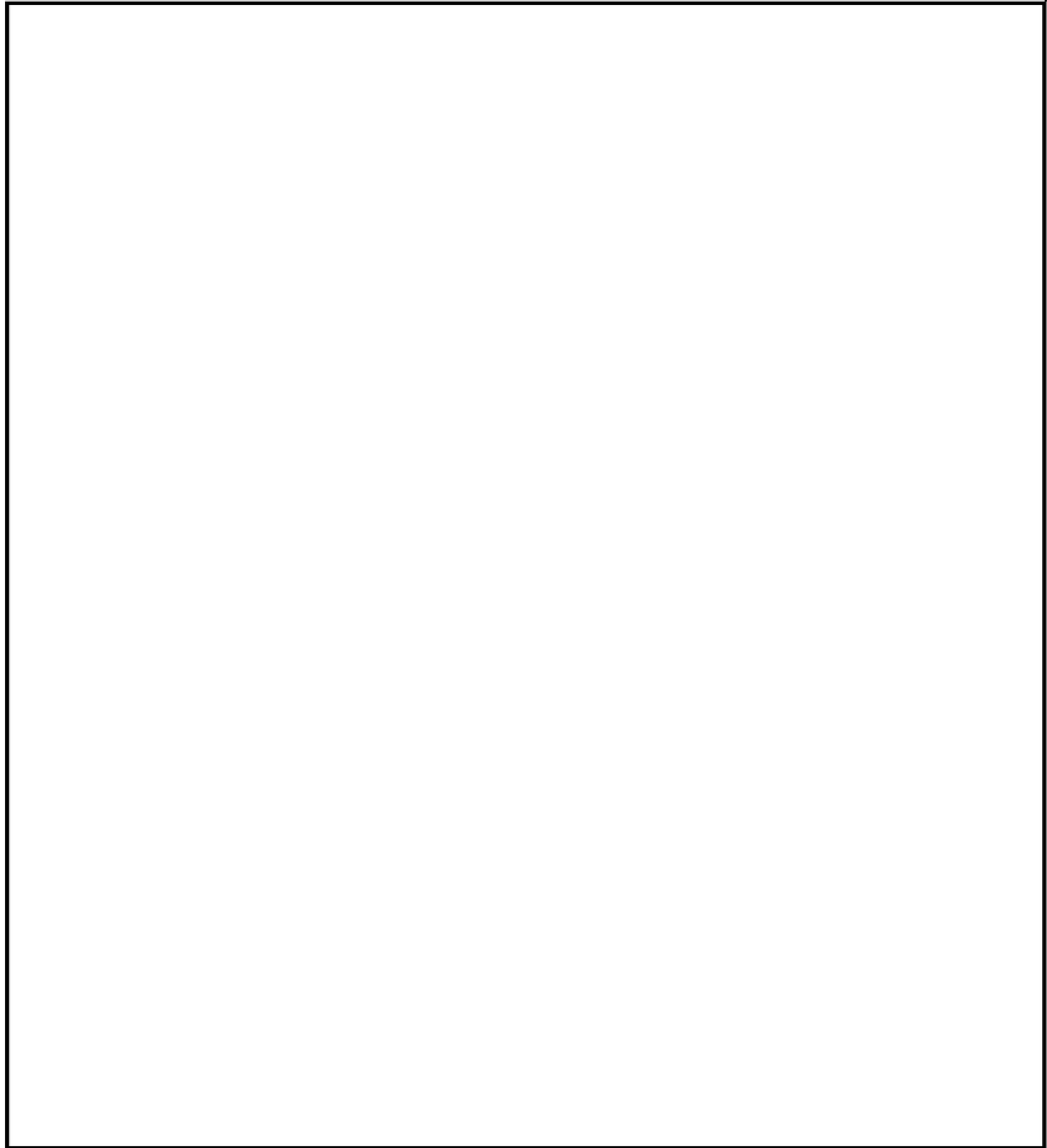
(U) **Reservation System**

(b) (3) - P.L. 86-36

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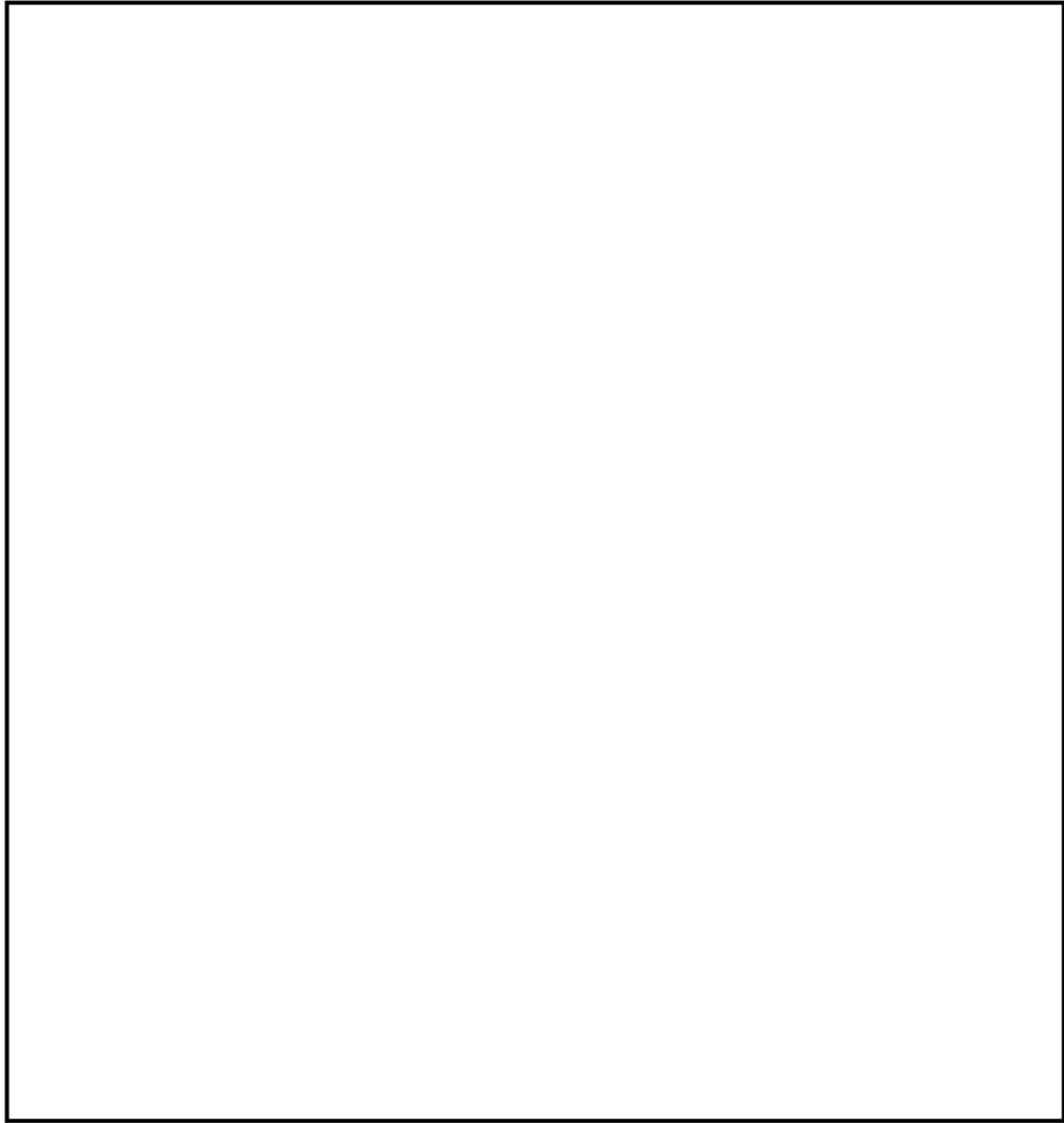
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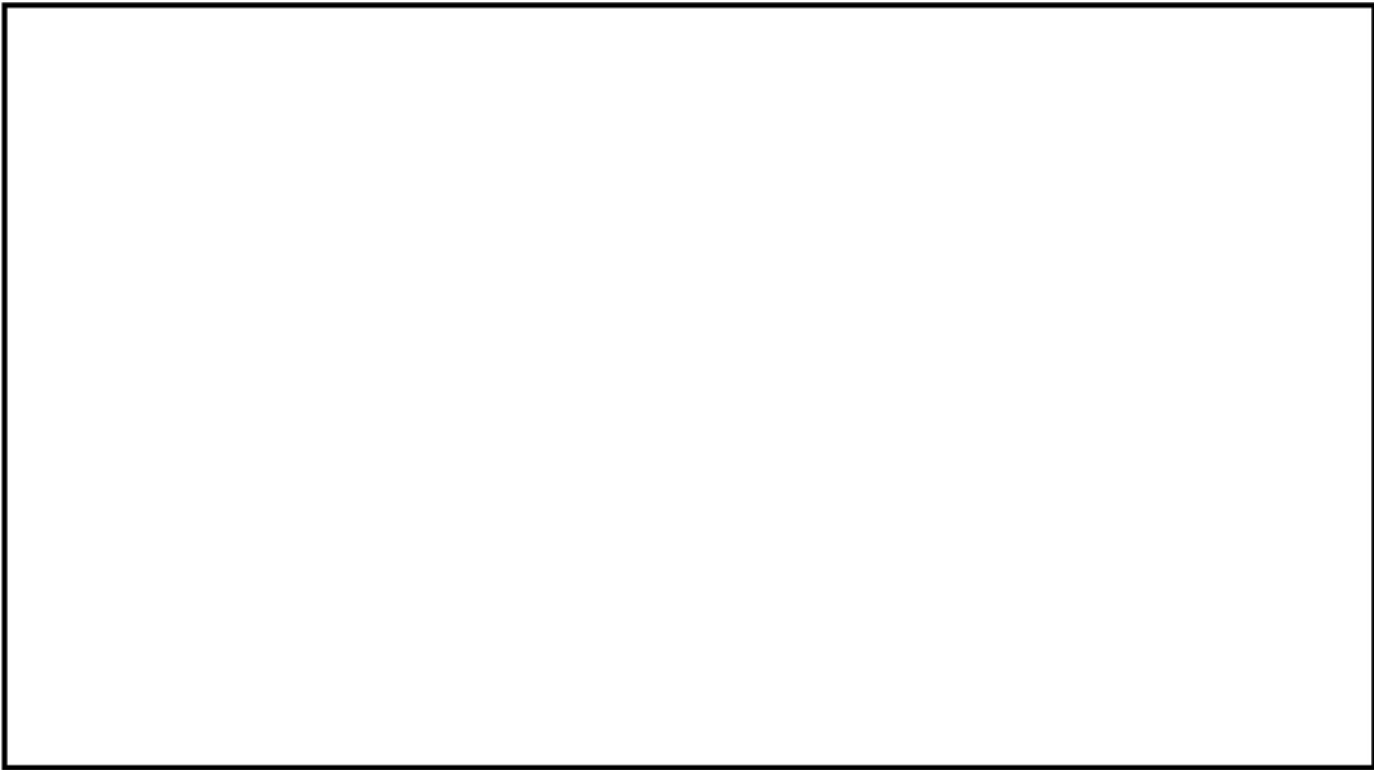
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APPENDIX D

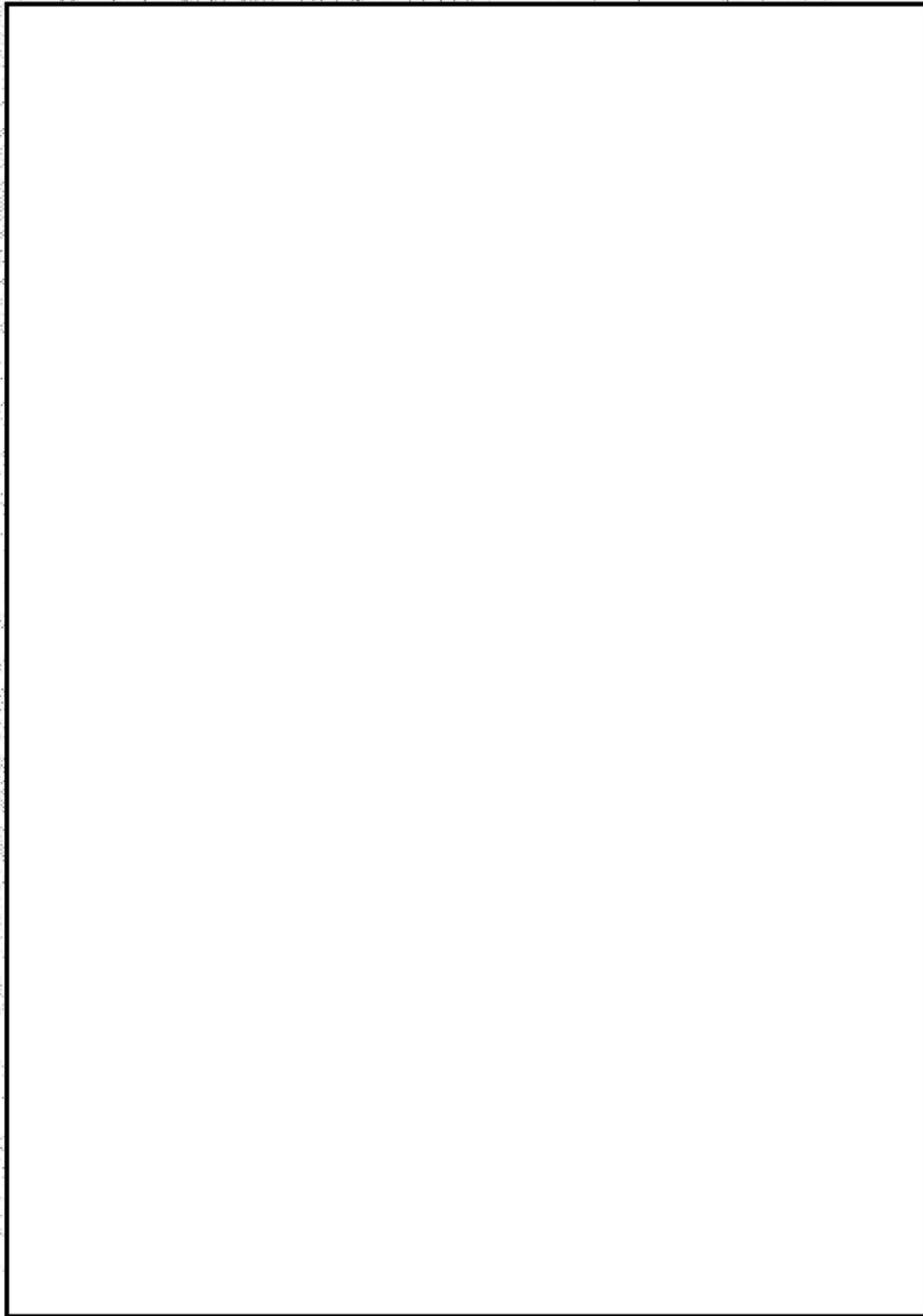
(U) Reservation Requests

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Manage Reservations: Schedule/View Request

Page 1 of 2



(b) (3) -P.L. 86-36
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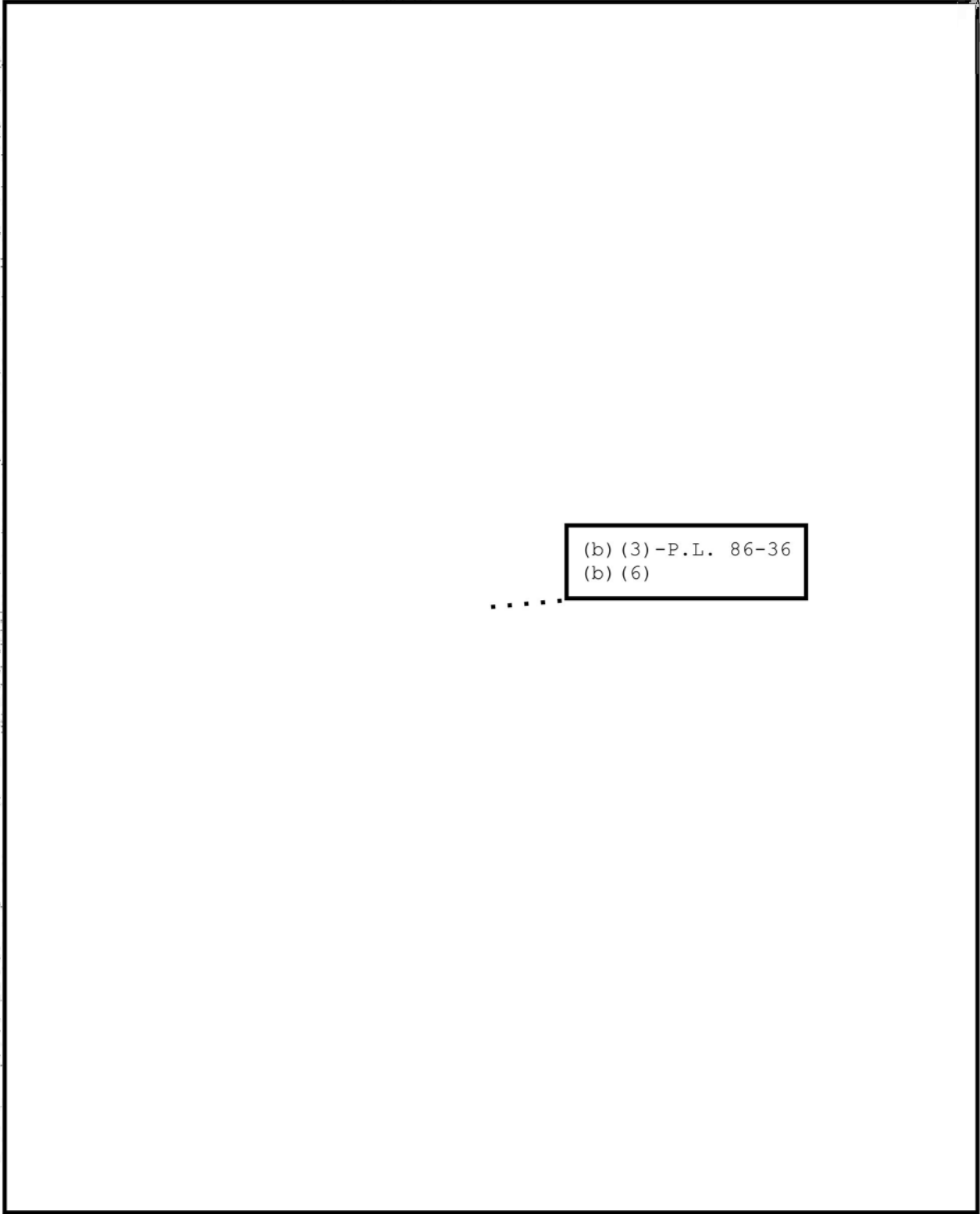


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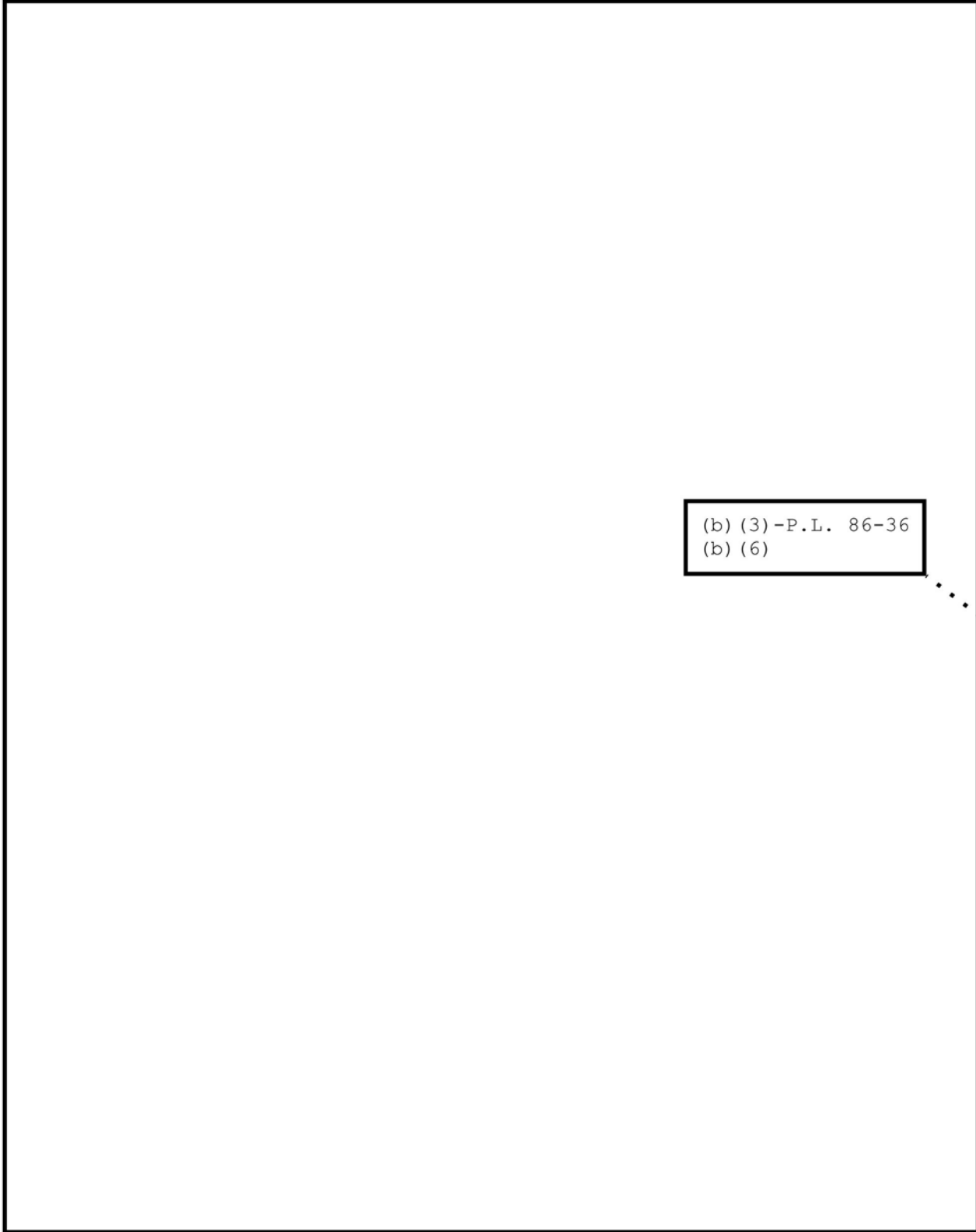
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(b) (6)

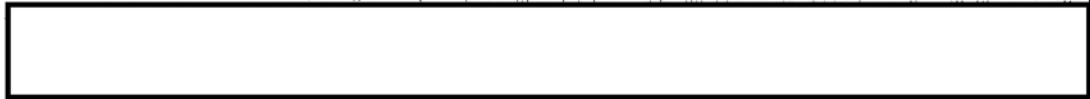
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Manage Reservations: Schedule/View Request

Page 1 of 2

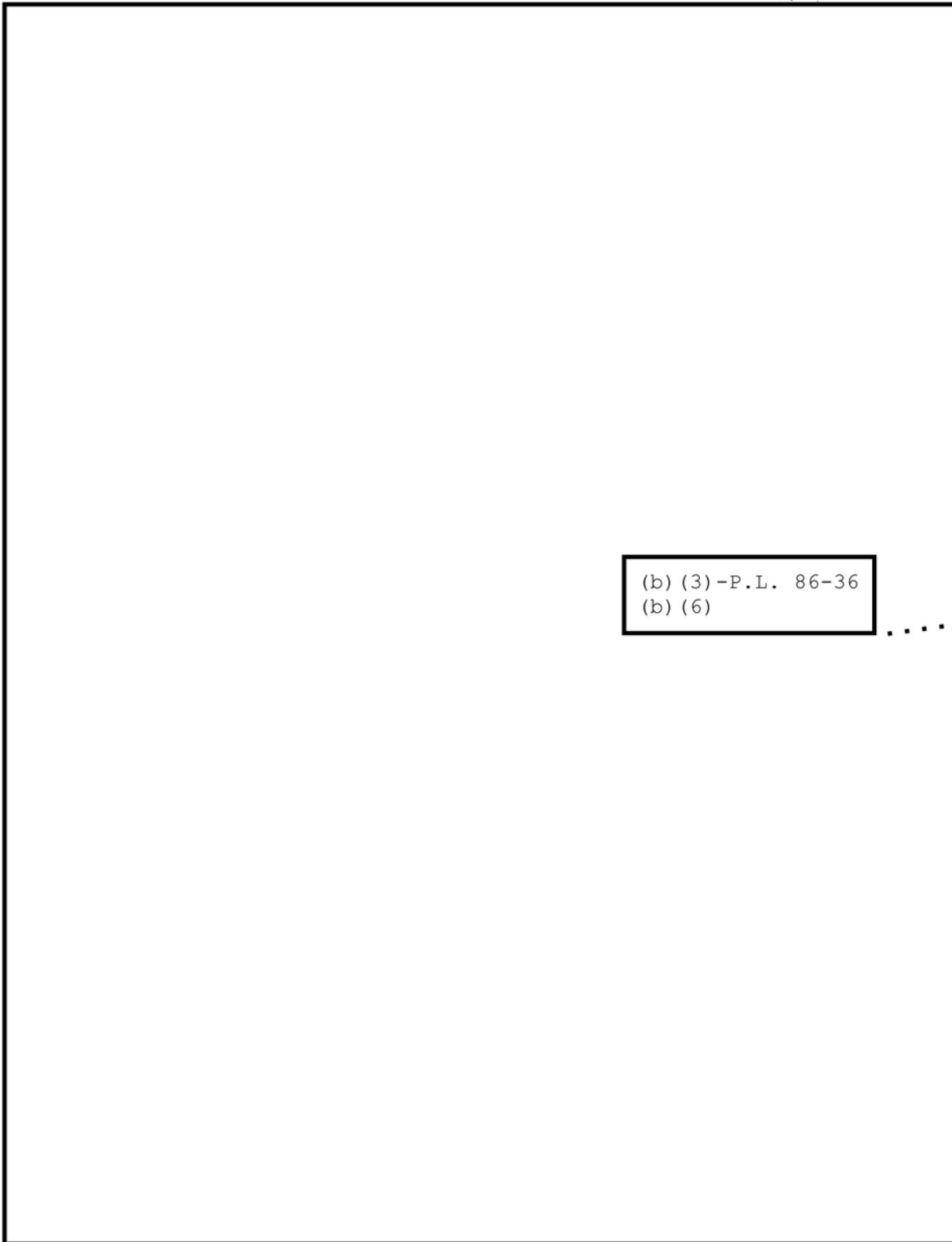
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Manage Reservations: Schedule/View Request

Page 1 of 2



(b) (3) - P.L. 86-36
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Manage Reservations: Schedule/View Request

Page 2 of 2



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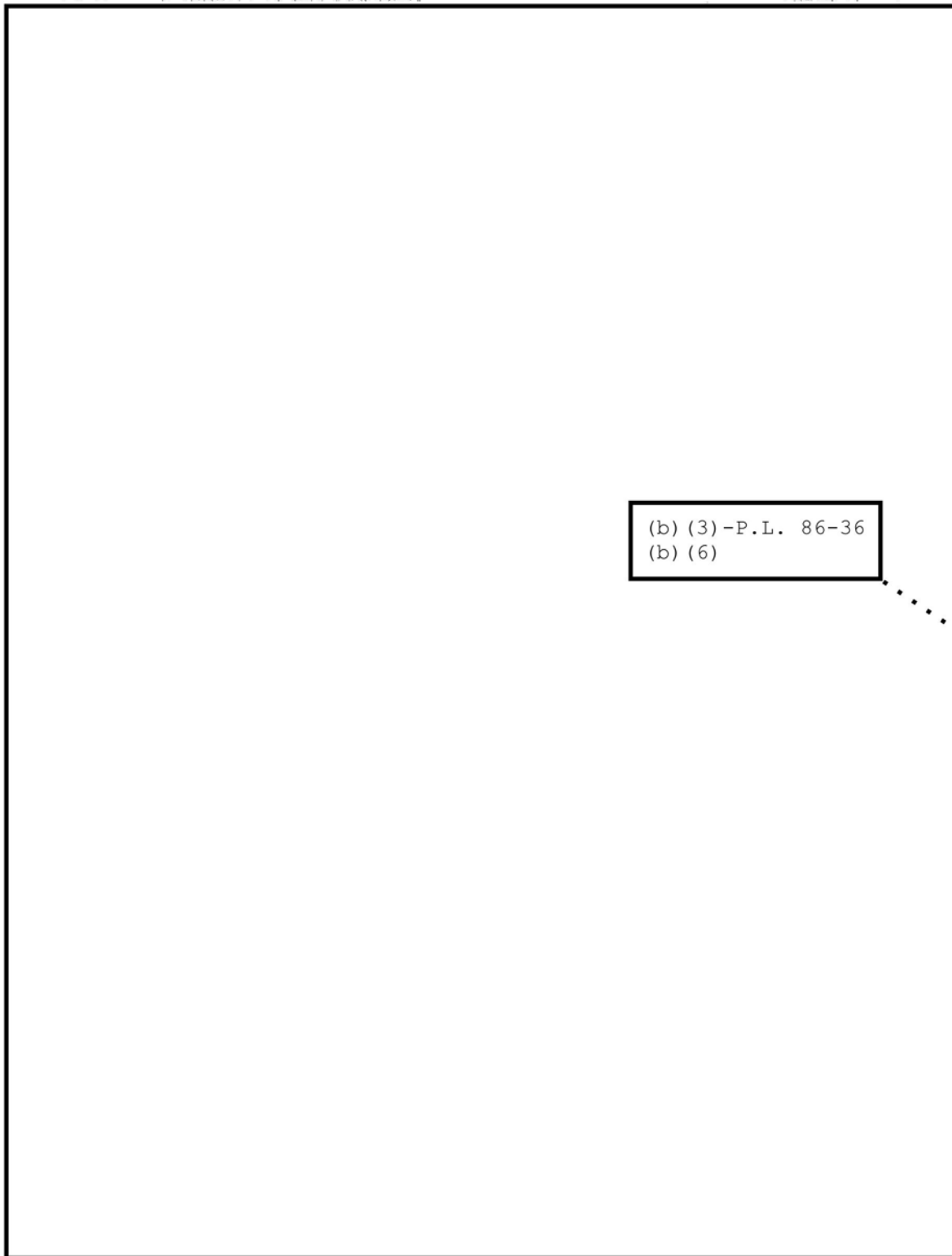


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Page 1 of 2



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Manage Reservations: Schedule/View Request

Page 2 of 2



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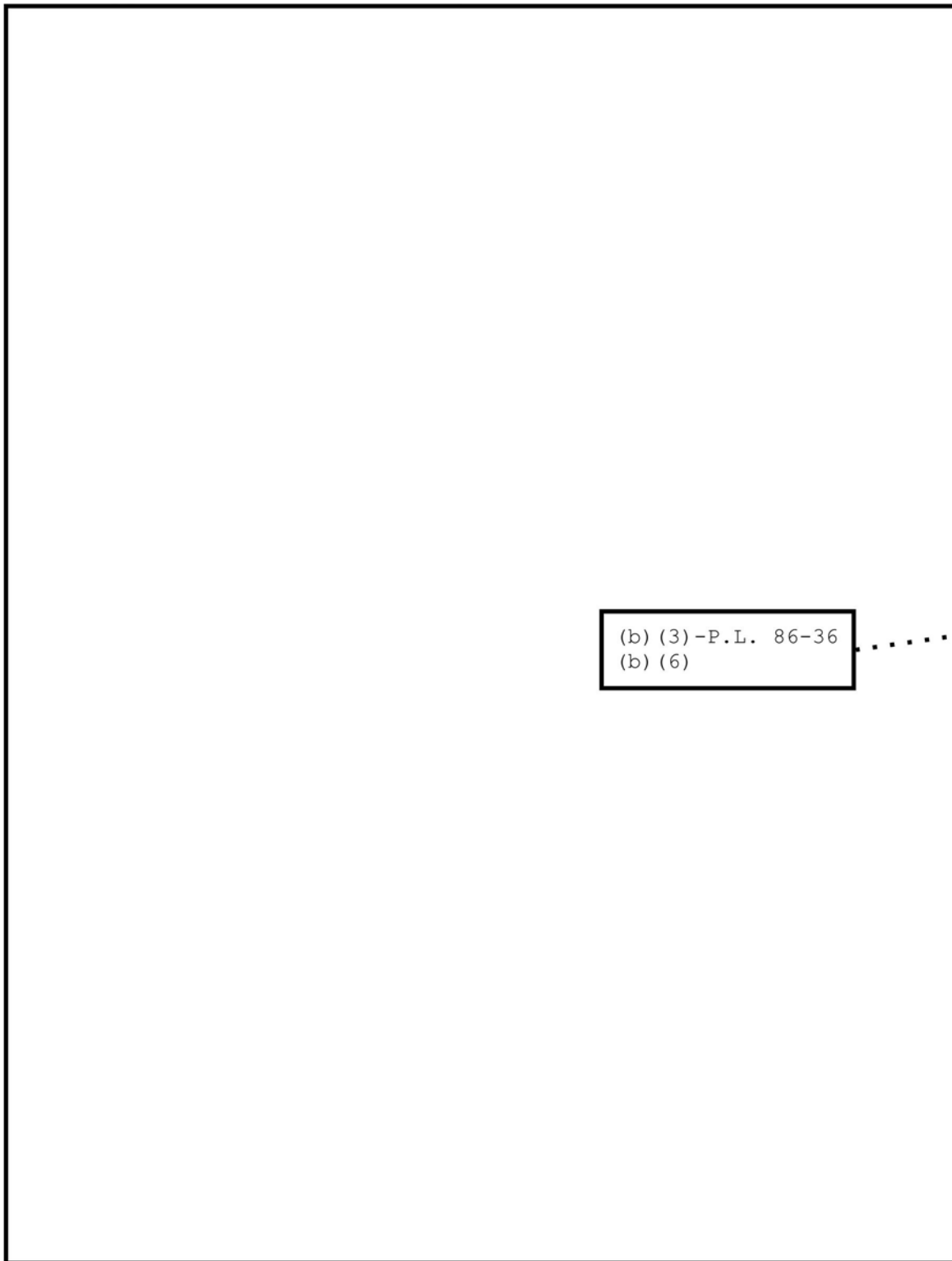


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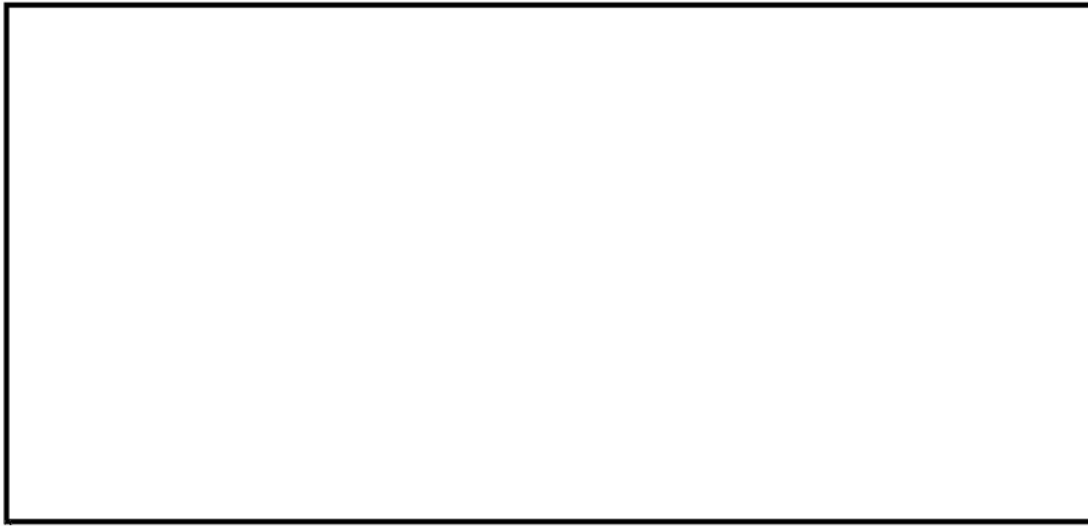
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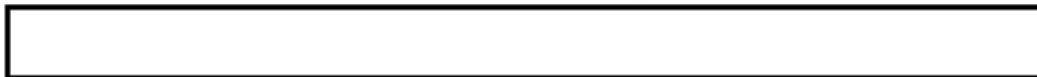
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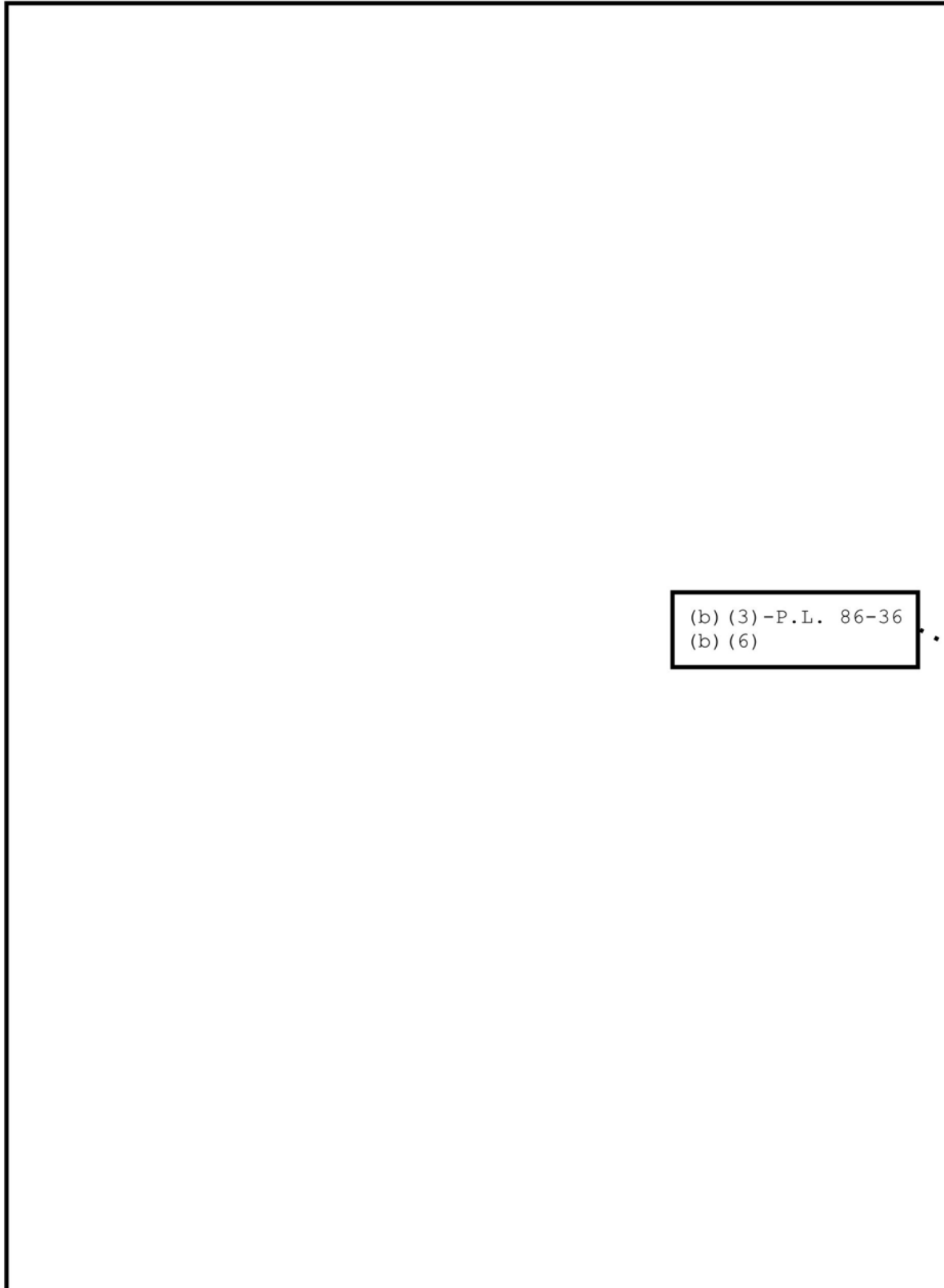


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Page 1 of 2



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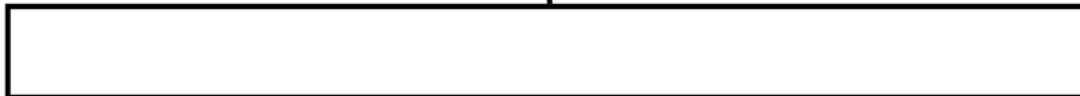
Manage Reservations: Schedule/View Request

Page 2 of 2



(b) (3) -P.L. 86-36
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Manage Reservations: Schedule/View Request

Page 1 of 2

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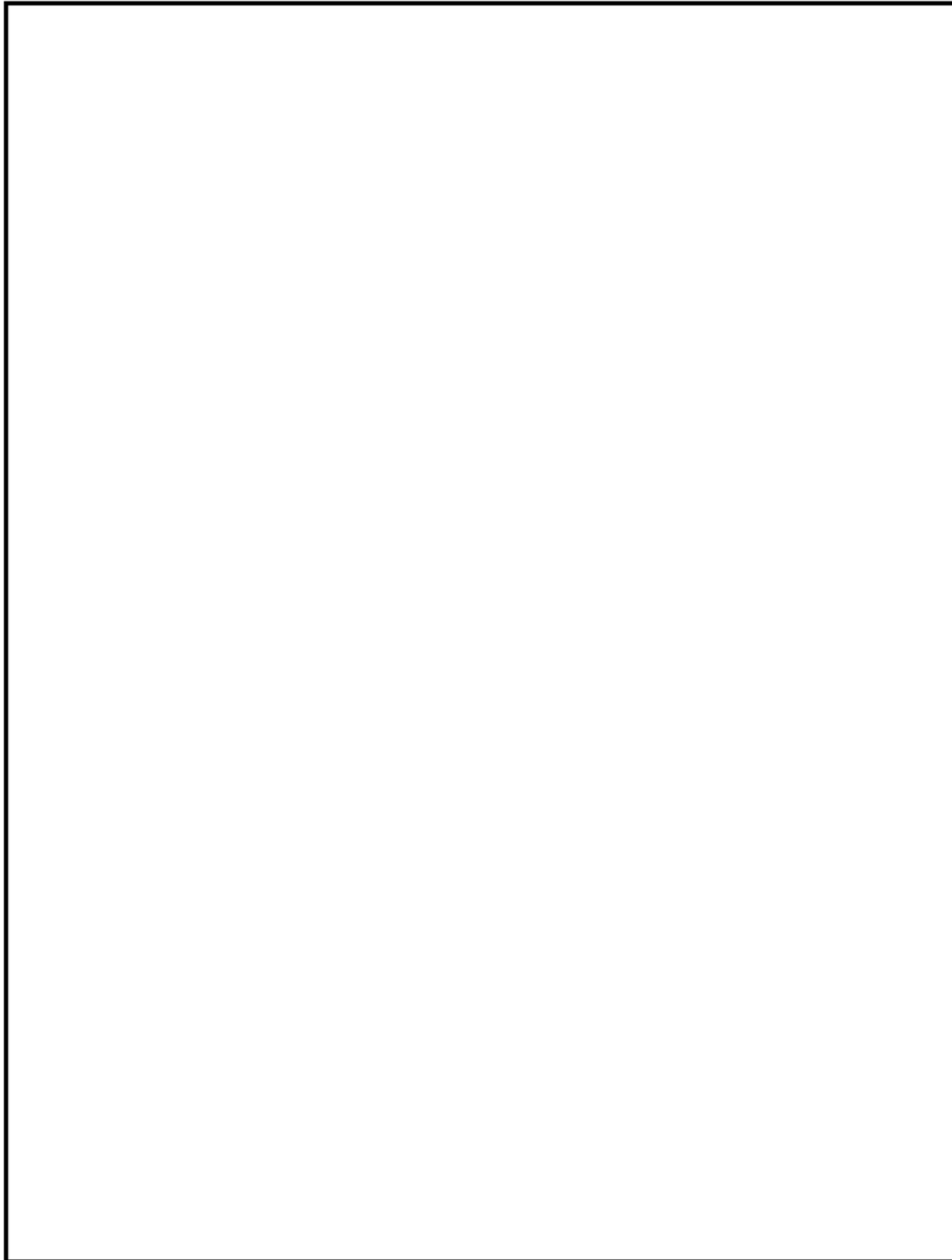
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Manage Reservations: Schedule/View Request

Page 1 of 2

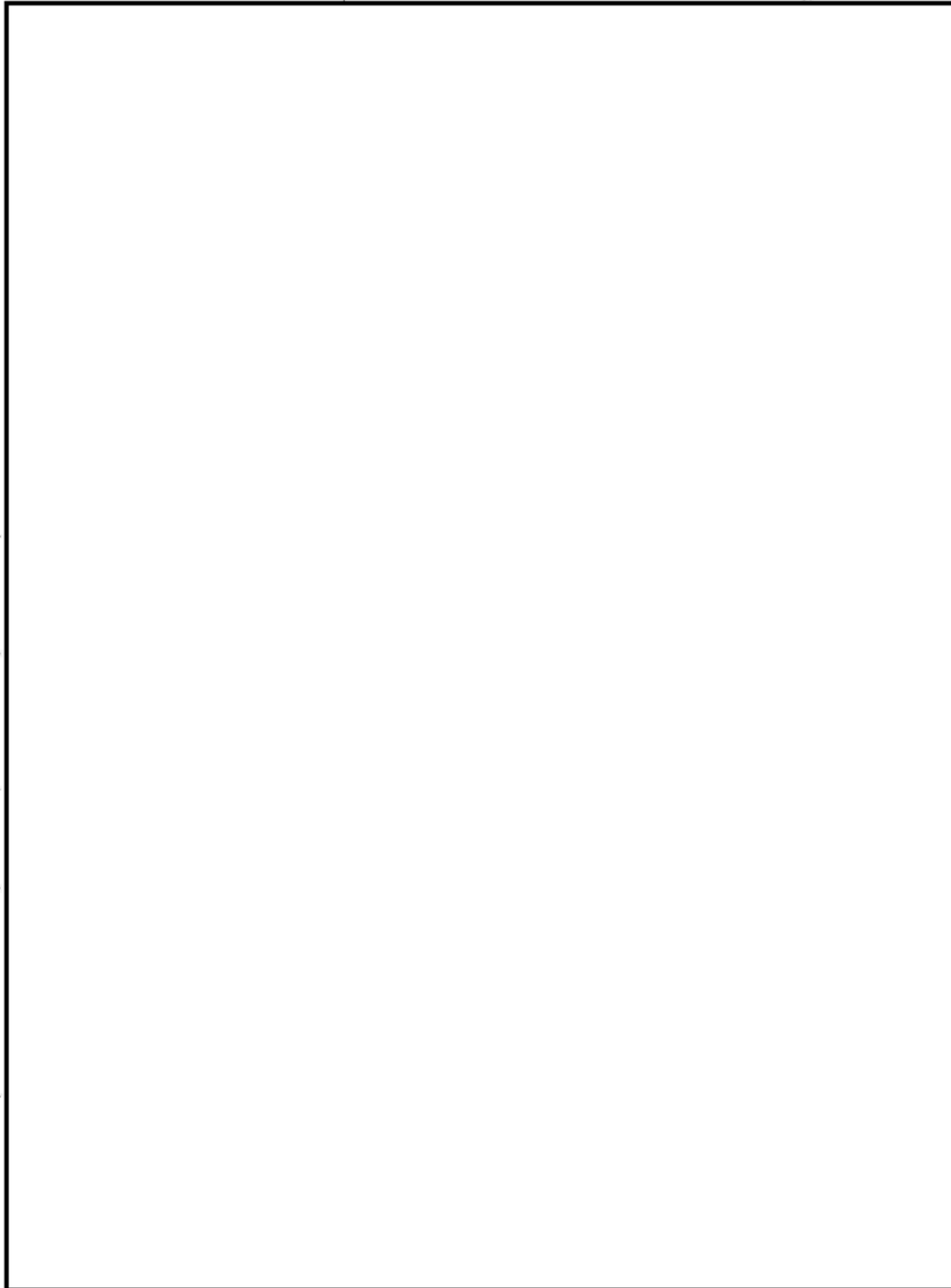


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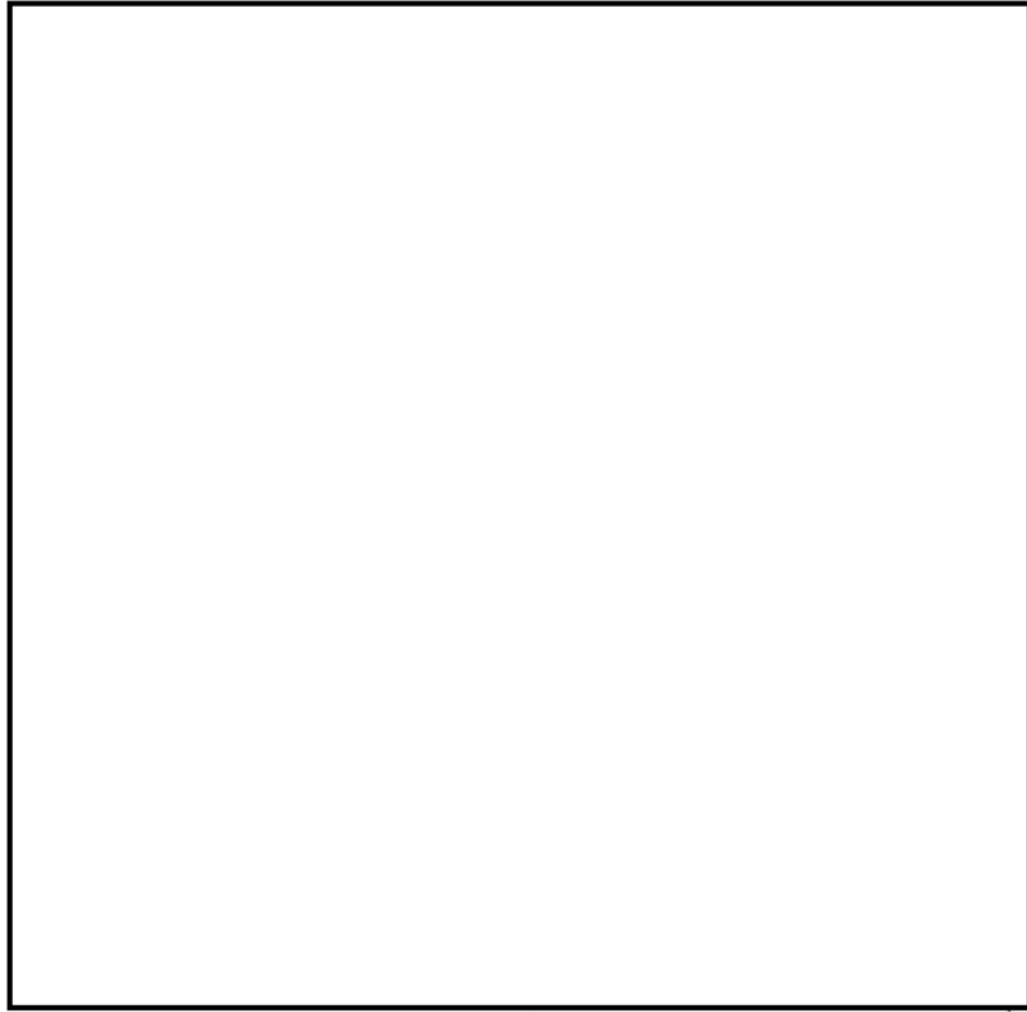
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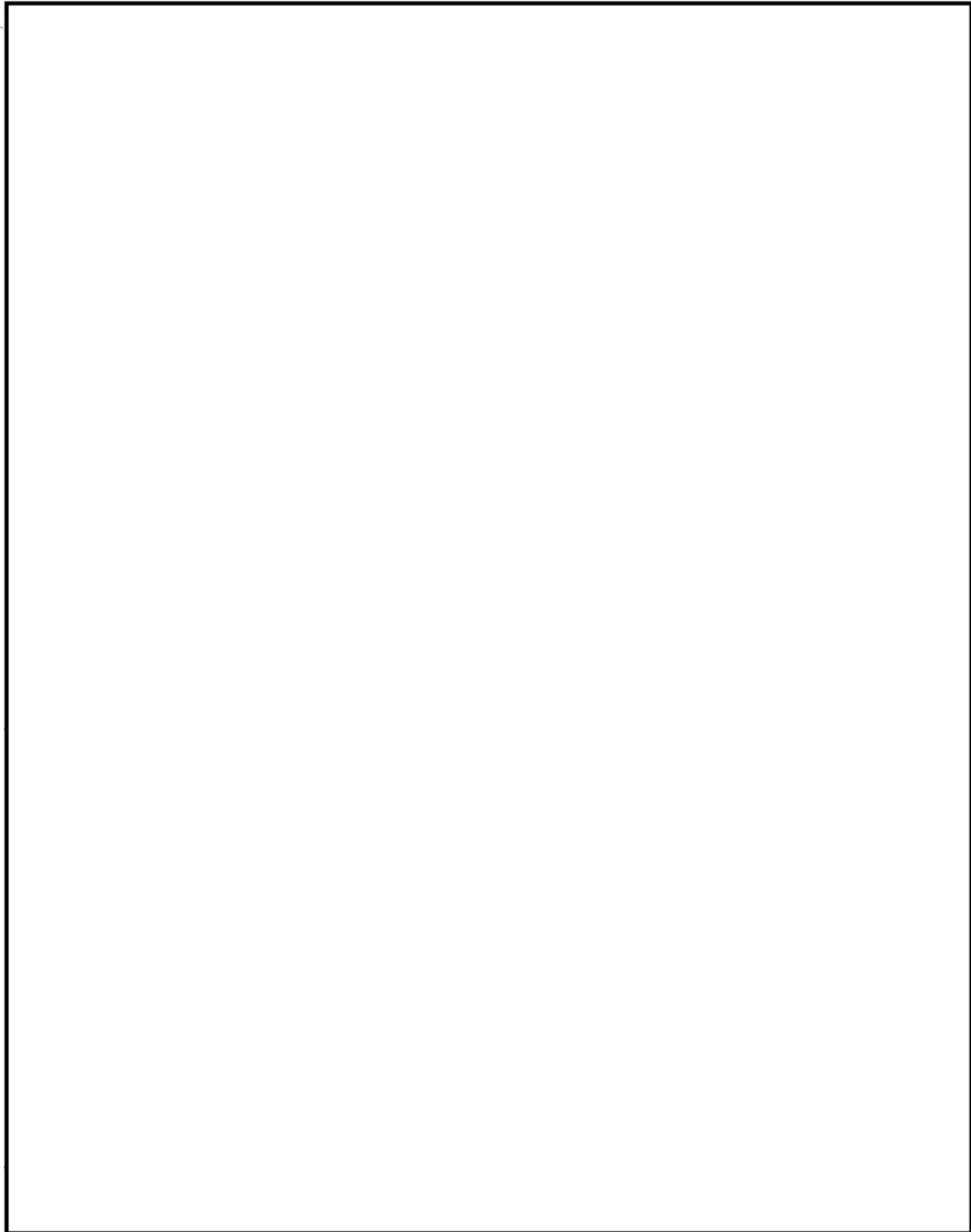
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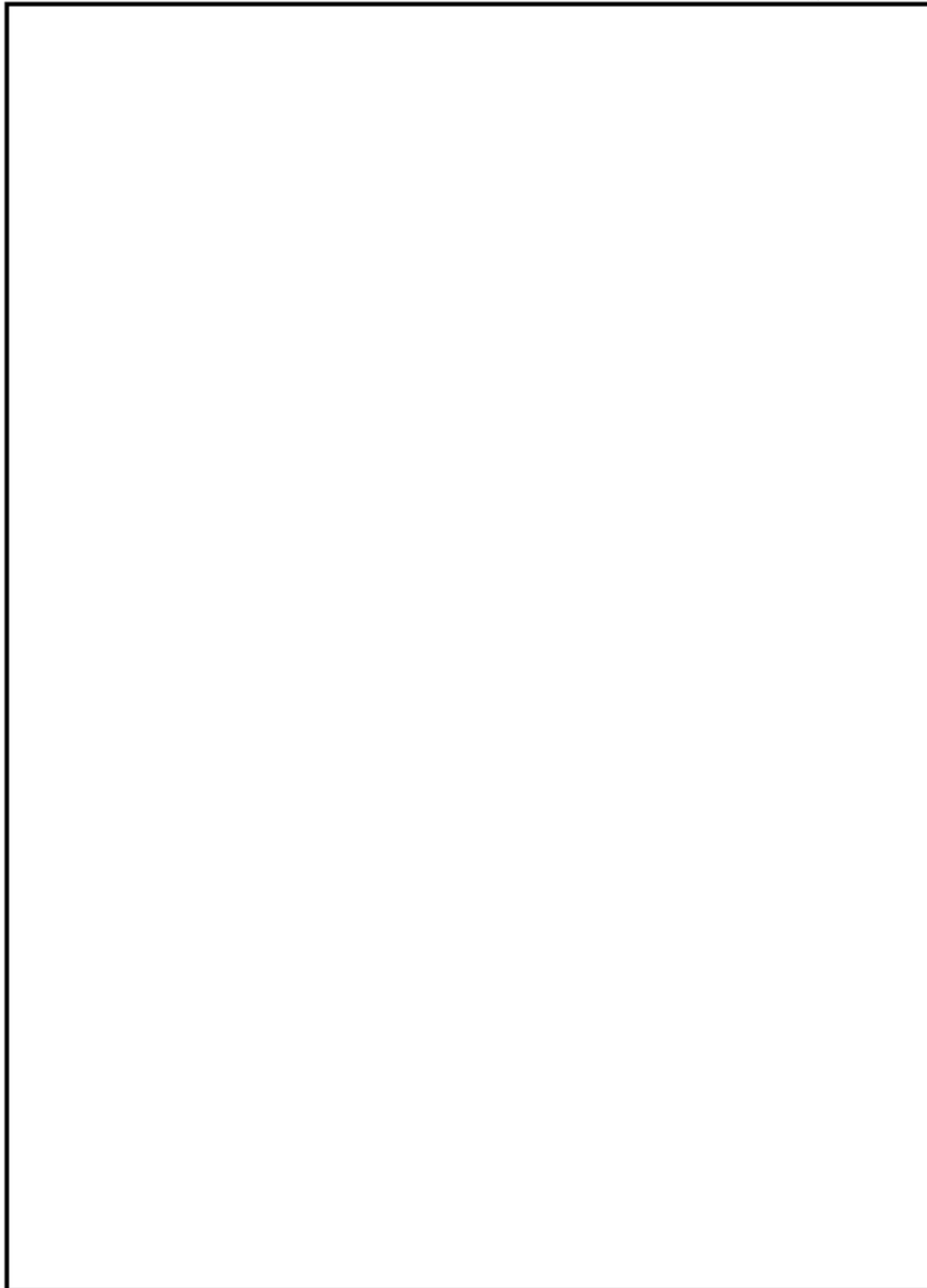
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Manage Reservations: Schedule/View Request

Page 1 of 2



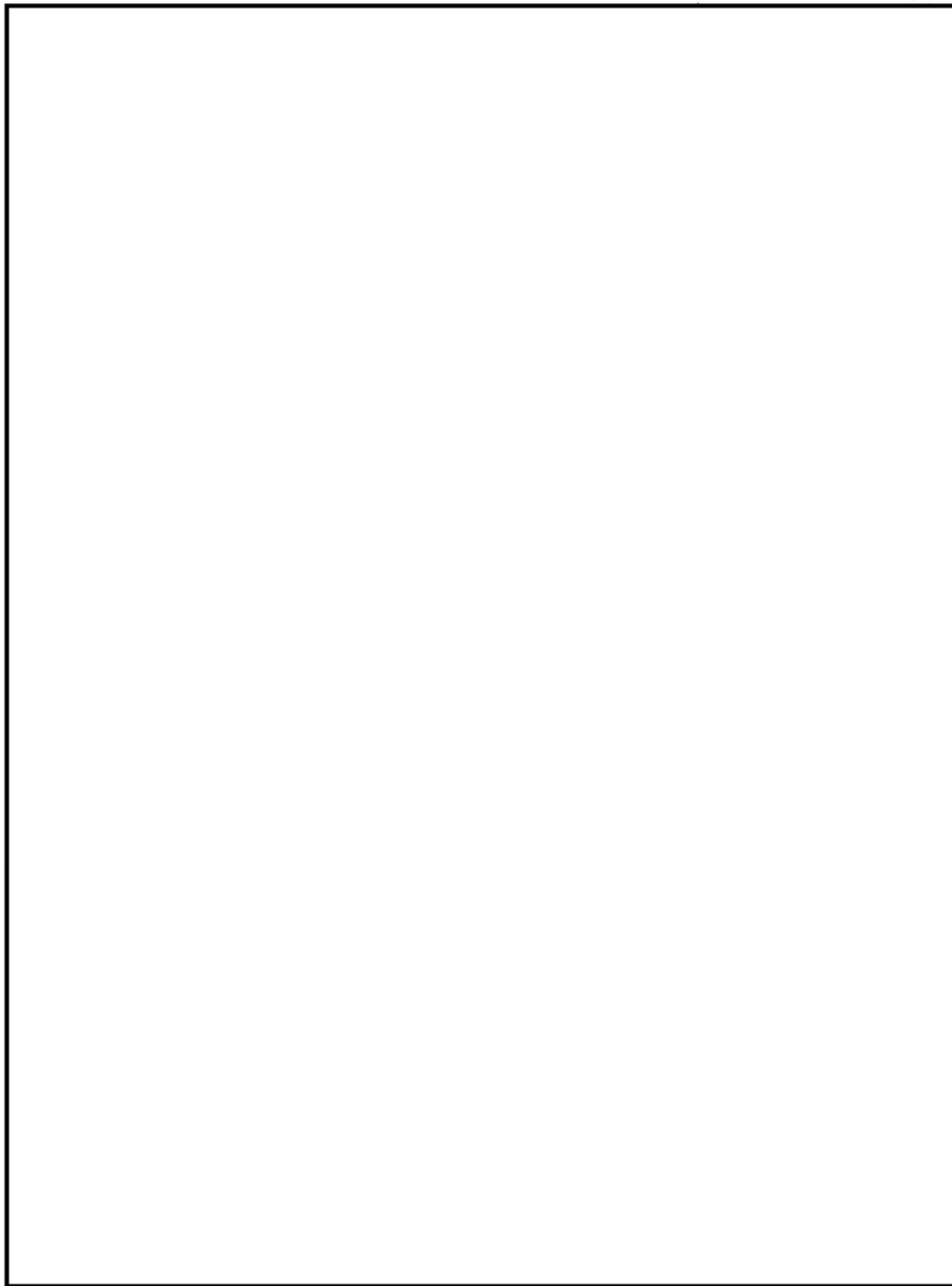
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Manage Reservations: Schedule/View Request

Page 1 of 2



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Release: 2019-09
NSA-10010

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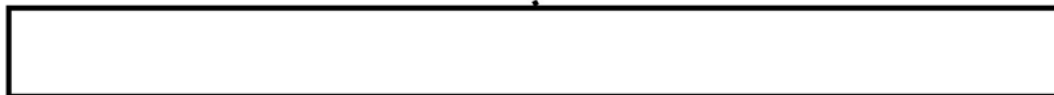
Manage Reservations: Schedule/View Request

Page 2 of 2



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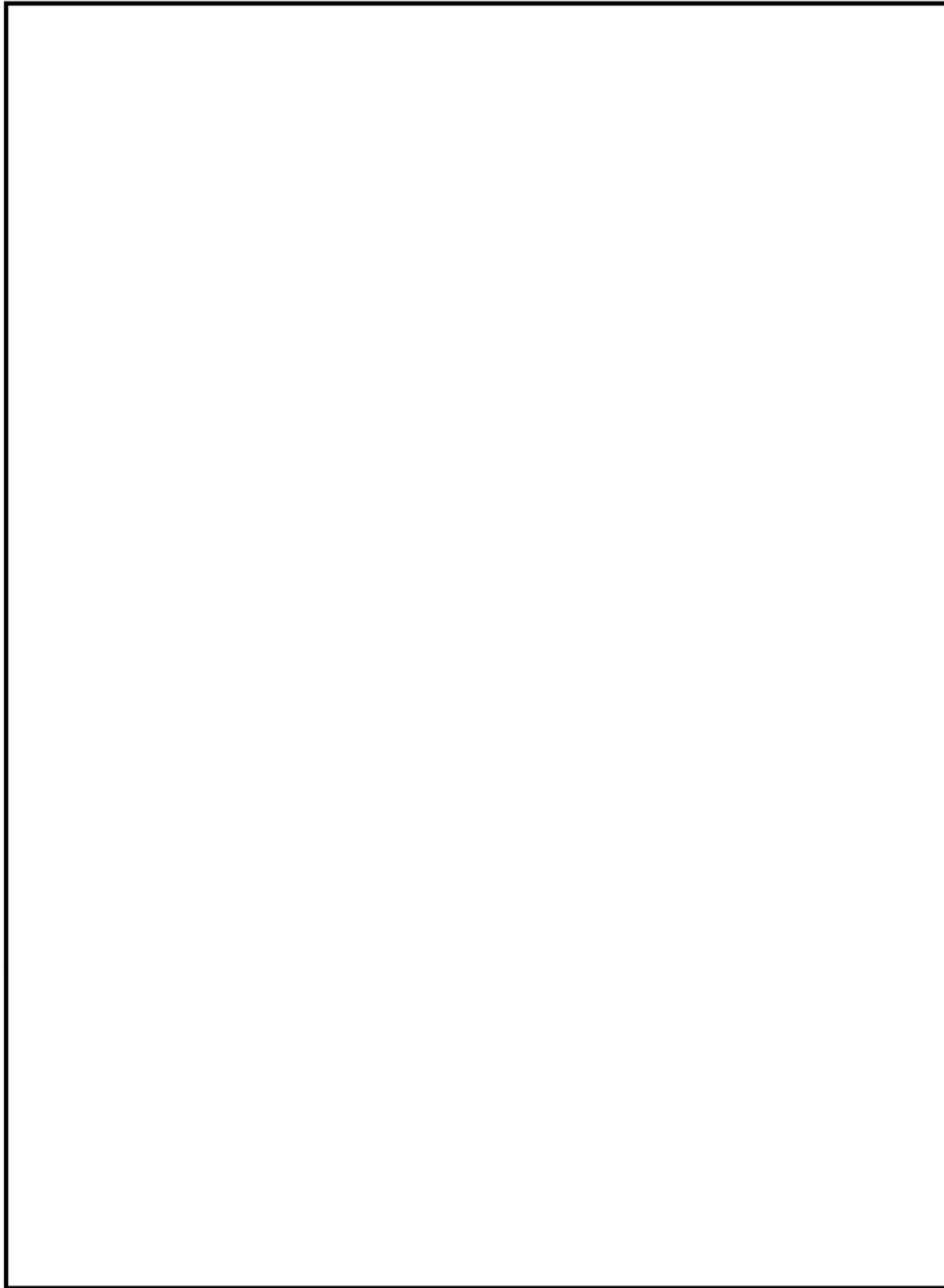


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Manage Reservations: Schedule/View Request

Page 1 of 2



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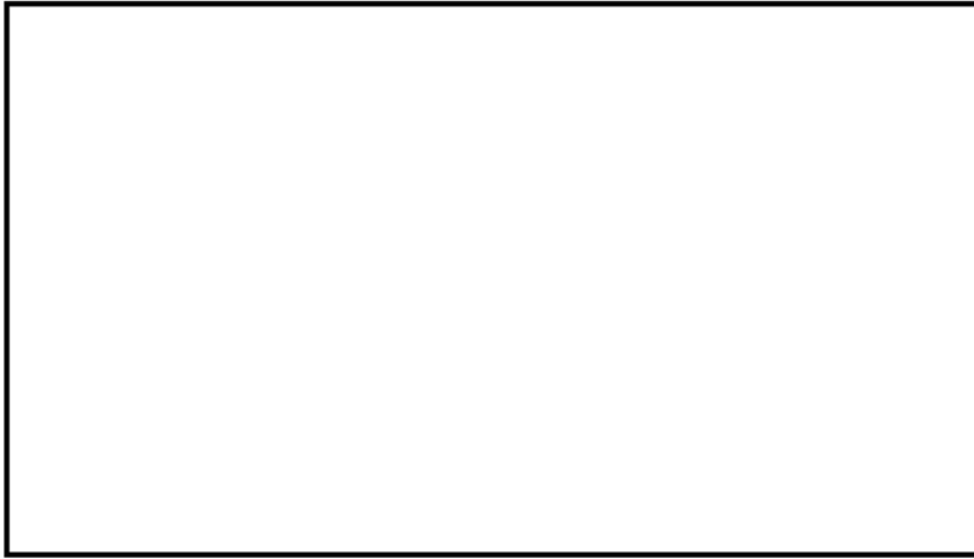
Release: 2019-09

NSA:10018

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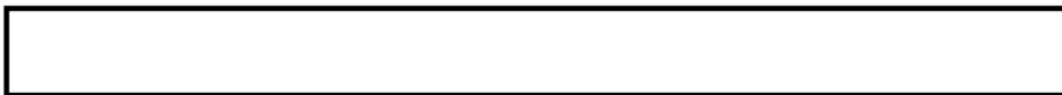
Manage Reservations: Schedule/View Request

Page 2 of 2



(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36



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APPENDIX E
(U) Training Records

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*** sponsored by another Intelligence Community Agency is listed. If a course from another Agency is listed, a request ***
*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name: [Redacted]

Learner ID: [Redacted]

Department: [Redacted]

(b) (3)-P.L. 86-36

Course Designator	Start Date	End Date	Title	Hours	Score
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1.5	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	W	
[Redacted]	[Redacted]	[Redacted]	[Redacted]	16	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	24	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	2	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	6	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	16	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	24	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	16	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	24	P
DODM1001	29-DEC-2015	29-DEC-2015	(U) CONTINUITY AWARENESS TRAINING	1	P
EEOD1120	29-DEC-2015	29-DEC-2015	(U) NO FEAR ACT TRAINING	1	P
OIAC1180	29-DEC-2015	29-DEC-2015	(U) CYBER AWARENESS CHALLENGE	1	P
SSET2000	29-DEC-2015	29-DEC-2015	(U) CI/OPSEC/UNAUTHORIZED DISCLOSURE REFRESHER	1	P
TIPAL001	29-DEC-2015	29-DEC-2015	(U) TRAFFICKING IN PERSONS AWARENESS REFRESHER	1	P
CLAS1000	29-DEC-2015	29-DEC-2015	(U) ELEMENTS OF CLASSIFICATION AND MARKING	1	P
PRIV1001	29-DEC-2015	29-DEC-2015	(U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES	1	P
SSET1101	29-DEC-2015	29-DEC-2015	(U) ANTITERRORISM AWARENESS LEVEL1 BRIEFING	1	P
CLAS1700	29-DEC-2015	29-DEC-2015	(U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING	1	P
OVSC1000	29-DEC-2015	29-DEC-2015	(U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	2	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	3	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	2	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	3	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	24	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	16	P
OIAC1180	22-SEP-2015	22-SEP-2015	(U) CYBER AWARENESS CHALLENGE	1	P
TIPAL001	22-SEP-2015	22-SEP-2015	(U) TRAFFICKING IN PERSONS AWARENESS REFRESHER	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	16	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	1	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	4	NE
[Redacted]	[Redacted]	[Redacted]	[Redacted]	4	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	4	NE
[Redacted]	[Redacted]	[Redacted]	[Redacted]	24	P
[Redacted]	[Redacted]	[Redacted]	[Redacted]	2	NE
[Redacted]	[Redacted]	[Redacted]	[Redacted]	32	B+
[Redacted]	[Redacted]	[Redacted]	[Redacted]	48	B-
[Redacted]	[Redacted]	[Redacted]	[Redacted]	48	A-

(b) (6)

* Indicates Embedded Course

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*** sponsored by another Intelligence Community Agency is listed. If a course from another Agency is listed, a request ***
*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name: [Redacted]
Learner ID: [Redacted]
Department: [Redacted]

(b) (3)-P.L. 86-36

Course Designator	Start Date	End Date	Title	Hours	Score
[Redacted]				48	B+
[Redacted]				48	A-
[Redacted]				32	B+
[Redacted]				1	NE
OIAC1180	20-AUG-2014	20-AUG-2014	(U) CYBER AWARENESS CHALLENGE	1	P
[Redacted]				32	A-
[Redacted]				1	P
[Redacted]				48	B-
[Redacted]				1	P
[Redacted]				1	P
CLAS1000	14-APR-2014	14-APR-2014	(U) ELEMENTS OF CLASSIFICATION AND MARKING	1	P
OVSC1000	14-APR-2014	14-APR-2014	(U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING	1	P
SSET1101	14-APR-2014	14-APR-2014	(U) ANTITERRORISM AWARENESS LEVEL1 BRIEFING	1	P
CLAS1700	14-APR-2014	14-APR-2014	(U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING	1	P
TIPA1001	14-APR-2014	14-APR-2014	(U) TRAFFICKING IN PERSONS AWARENESS REFRESHER	1	P
SSET2000	14-APR-2014	14-APR-2014	(U) CI/OPSEC/UNAUTHORIZED DISCLOSURE REFRESHER	1	P
PRIV1001	14-APR-2014	14-APR-2014	(U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES	1	P
EOD1120	14-APR-2014	14-APR-2014	(U) NO FEAR ACT TRAINING	1	P
DODM1001	14-APR-2014	14-APR-2014	(U) CONTINUITY AWARENESS TRAINING	1	P
[Redacted]				48	A
[Redacted]				48	B-
[Redacted]				48	A
[Redacted]				2	NE
SSET1101	04-NOV-2013	04-NOV-2013	(U) ANTITERRORISM AWARENESS LEVEL1 BRIEFING	1	P
OIAC1180	31-OCT-2013	31-OCT-2013	(U) CYBER AWARENESS CHALLENGE	1	P
[Redacted]				8	NE
TIPA1001	11-SEP-2013	11-SEP-2013	(U) TRAFFICKING IN PERSONS AWARENESS REFRESHER	1	P
SSET1101	11-SEP-2013	11-SEP-2013	(U) ANTITERRORISM AWARENESS LEVEL1 BRIEFING	1	P
OVSC1000	11-SEP-2013	11-SEP-2013	(U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING	1	P
PRIV1001	11-SEP-2013	11-SEP-2013	(U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES	1	P
OIAC1180	11-SEP-2013	11-SEP-2013	(U) CYBER AWARENESS CHALLENGE	1	P
DODM1001	11-SEP-2013	11-SEP-2013	(U) CONTINUITY AWARENESS TRAINING	1	P
CLAS1700	11-SEP-2013	11-SEP-2013	(U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING	1	P
CLAS1000	11-SEP-2013	11-SEP-2013	(U) ELEMENTS OF CLASSIFICATION AND MARKING	1	P
SSET2000	11-SEP-2013	11-SEP-2013	(U) CI/OPSEC/UNAUTHORIZED DISCLOSURE REFRESHER	1	P
[Redacted]				48	B+
[Redacted]				1	NE
[Redacted]				1	WN
[Redacted]				2	NE
[Redacted]				1	NE
[Redacted]				48	B
[Redacted]					WN

(b) (6)

* Indicates Embedded Course

---- Page 2 of 4 ----

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(b) (3) - P.L. 86-36
(b) (6)

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PERSONNEL PRIVILEGED

*** This document may be removed from NSA facilities, without a CAO review or prior approval, UNLESS a course that was ***
*** sponsored by another Intelligence Community Agency is listed. If a course from another Agency is listed, a request ***
*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name: [Redacted]
Learner ID: [Redacted]
Department: [Redacted]

(b) (3) - P.L. 86-36

Course Designator Start Date End Date Title

[Large redacted area covering the main table content]

Hours Score
24 P
24 P
48 A
1 P
1 P
40 P
32 P
32 P
0 P
1 P
8 NE
2 P
1 P
8 P
32 B
32 B-
WN
4 P
48 C
48 B
8 P
4 P
2 P
4 P
4 P
8 P
8 P
1 P
8 P
1 P
1 P
3 P
1 P
P
1 P
3 P
2.5 P
1 P
1 P
1 P
1 P
8 P

(b) (6)

* Indicates Embedded Course

---- Page 3 of 4 ----

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(b) (3) -P.L. 86-36
(b) (6)

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PERSONNEL PRIVILEGED

*** This document may be removed from NSA facilities, without a CAO review or prior approval, UNLESS a course that was ***
*** sponsored by another Intelligence Community Agency is listed. If a course from another Agency is listed, a request ***
*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name: [redacted] (b) (3) -P.L. 86-36
Learner ID: [redacted]
Department: [redacted]

Course Designator	Start Date	End Date	Title	Hours	Score
[redacted]				0	INPO
[redacted]				1.5	P
[redacted]				0.5	P
DODM1001	11-MAY-2012	11-MAY-2012	(U) CONTINUITY AWARENESS TRAINING	1	P
CLAS1700	11-MAY-2012	11-MAY-2012	(U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING	1	P
OIAC1180	11-MAY-2012	11-MAY-2012	(U) CYBER AWARENESS CHALLENGE	1	P
OVSC1000	11-MAY-2012	11-MAY-2012	(U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING	1	P
[redacted]				1	P
TIPA1001	11-MAY-2012	11-MAY-2012	(U) TRAFFICKING IN PERSONS AWARENESS REFRESHER	1	P
PRIV1001	11-MAY-2012	11-MAY-2012	(U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES	1	P
OPSE1301	10-MAY-2012	10-MAY-2012	(U) OPSEC FUNDAMENTALS	1	P
CLAS1000	10-MAY-2012	10-MAY-2012	(U) ELEMENTS OF CLASSIFICATION AND MARKING	1	P
EOD1120	10-MAY-2012	10-MAY-2012	(U) NO FEAR ACT TRAINING	1	P
[redacted]				64	NE

* Indicates Embedded Course

---- Page 4 of 4 ----

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APPENDIX F

(U) Access Control Records

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(b) (3) - P.L. 86-36
(b) (6)

(U) NSA Access Control Records- [Redacted]

Badge Type	SSN	Last Name	First Name	NSA Campus	DeviceName	EventDescription
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
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90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
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90	[Redacted]	[Redacted]	[Redacted]	NSAW	[Redacted]	Access Granted
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(b) (3) - P.L. 86-36

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(b) (3) -P.L. 86-36
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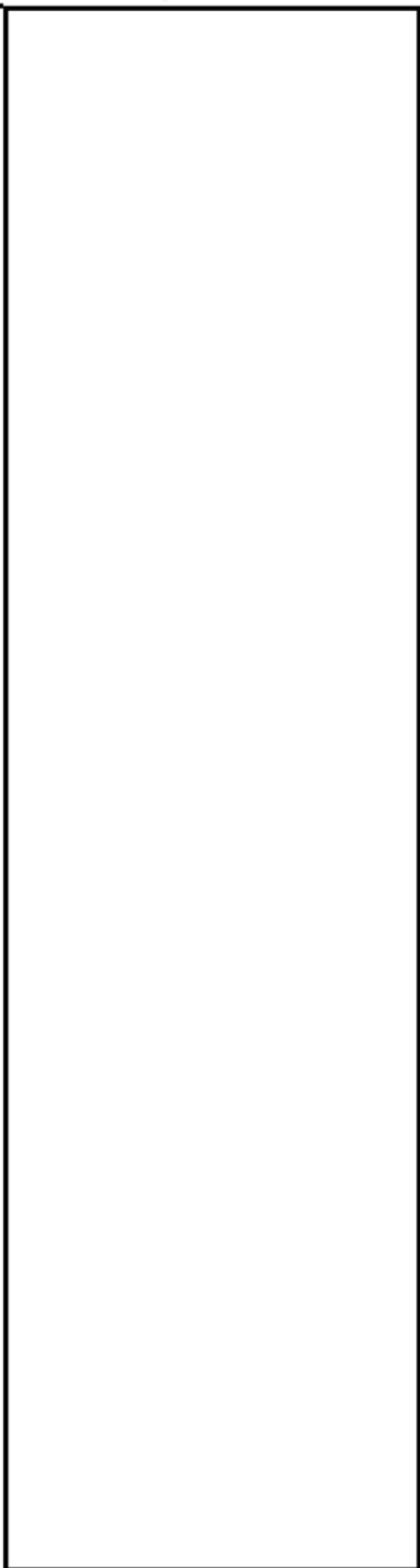
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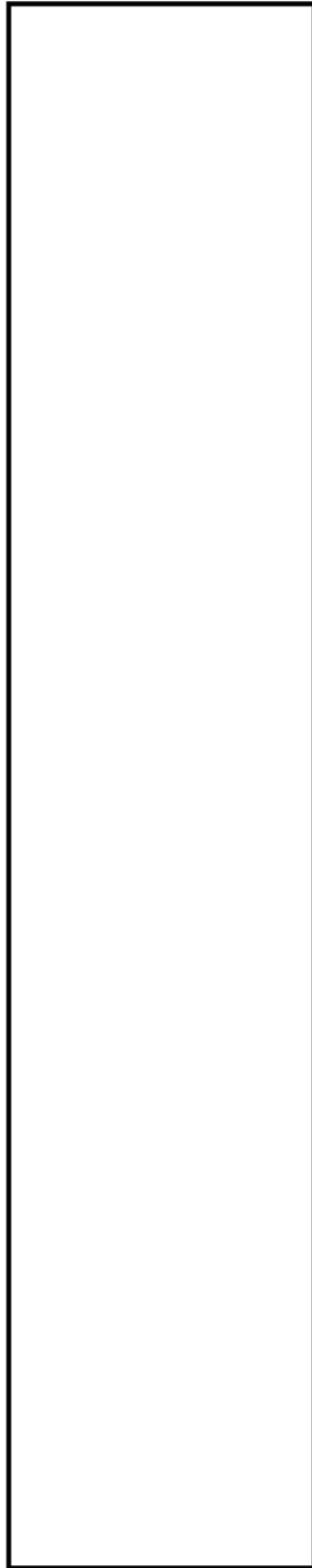
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(b) (3) -P.L. 86-36

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(b) (3) - P.L. 86-36
(b) (6)

90	NSAW	Access Granted
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90	NSAW	Access Granted

(U) ODNI Access Control Records -

Date/Time	Day	Badge Type	Action	Where	Description
2015-01-29 11:01:03	Thu	Agency Employee	ENTER	LX1 ENTRANCE	Access Granted
2015-01-29 11:04:16	Thu	Agency Employee	UNKNOWN	LX2 4B-109	Access Denied (Invalid Badge)
2015-01-29 12:40:55	Thu	Agency Employee	EXIT	LX1 ENTRANCE	Access Granted
2015-01-29 12:51:34	Thu	Agency Employee	ENTER	LX1 ENTRANCE	Access Granted
2015-01-29 15:44:37	Thu	Agency Employee	EXIT	LX1 ENTRANCE	Access Granted
2015-03-02 12:43:36	Mon	Agency Employee	ENTER	LX1 ENTRANCE	Access Granted
2015-03-02 16:06:39	Mon	Agency Employee	UNKNOWN	LX1 6E-300	Access Denied (Invalid Access Level)
2015-03-02 16:59:12	Mon	Agency Employee	EXIT	LX1 ENTRANCE	Access Granted
2015-03-25 12:50:43	Wed	ESCORT REQUIRED	ENTER	DD VISITOR CENTER ENTRANCE	Access Granted
2015-03-25 16:52:28	Wed	ESCORT REQUIRED	EXIT	DD VISITOR CENTER ENTRANCE	Access Granted
2015-04-30 07:28:24	Thu	IC_STAFF	ENTER	NHB ENTRANCE (ATRIUM)	Access Granted
2015-04-30 13:13:32	Thu	IC_STAFF	EXIT	NHB ENTRANCE (ATRIUM)	Access Granted
2015-06-22 13:53:31	Mon	Agency Employee	ENTER	LX1 ENTRANCE	Access Granted
2015-06-22 15:49:33	Mon	Agency Employee	UNKNOWN	LX1 6E-300	Access Denied (Invalid Access Level)
2015-06-22 16:03:32	Mon	Agency Employee	EXIT	LX1 ENTRANCE	Access Granted
2015-07-07 10:09:40	Tue	IC_STAFF	ENTER	OHB ENTRANCE (NORTHEAST)	Access Granted

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2015-07-07					NHB ENTRANCE	
11:33:01	Tue	IC_STAFF	EXIT		(ATRIUM)	Access Granted
2015-07-10						
09:52:38	Fri	Agency Employee	ENTER		LX2 ENTRANCE	Access Granted
2015-07-10						
11:58:19	Fri	Agency Employee	EXIT		LX2	Access Granted
2015-08-24						
11:31:29	Mon	IC_STAFF	ENTER		NHB ENTRANCE	Access Granted
2015-08-24						
12:24:44	Mon	IC_STAFF	EXIT		NHB ENTRANCE	Access Granted
2015-09-17						
08:56:45	Thu	IC_STAFF	ENTER		OHB ENTRANCE	Access Granted
2015-09-17						
09:01:21	Thu	IC_STAFF	EXIT		OHB ENTRANCE	Access Granted
2015-09-17						
12:35:56	Thu	IC_STAFF	ENTER		OHB ENTRANCE	Access Granted
2015-09-17						
13:31:00	Thu	IC_STAFF	ENTER		OHB 1G12	Access Granted
2015-09-17						
13:41:53	Thu	IC_STAFF	EXIT		OHB ENTRANCE	Access Granted
2015-10-22						
15:01:09	Thu	Agency Employee	ENTER		LX1 ENTRANCE	Access Granted
2015-10-22						
17:30:51	Thu	Agency Employee	EXIT		LX1 ENTRANCE	Access Granted

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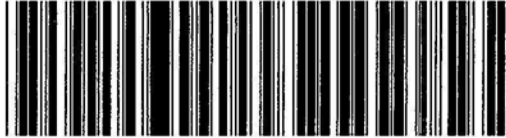
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APPENDIX G

(U) Timesheet Records

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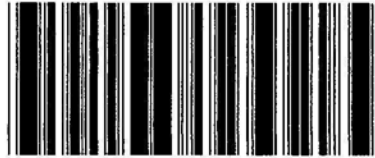
(b) (6)

TIMESHEET FORMAT 2 Privacy Act Statement: See 'Go E-Timesheets' for current statement

*SSN ** Required		NAME (Last, First, Middle) ** Required to apply Digital Signature				SID/AID ** Req		PP ENDING ** Req		PLT ROT SFT ROT					
TAG/BLK	ACT ID (Agency Use)	DIST (Org Req)				Timekeeper SID Tag		HOURS OF WORK (AM/PM) (To)		03/21/15					
STD JON															
	AW	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
TOUR Required															
TYPESHIFT															
*GRADED NITE DIFF															
JOB ORDER NUMBER / DESCRIPTION		TYPE TOTAL	TYPE HOUR	WEEK	SUN	MON	TUE	WED	THU	FRI	SAT				
Regular Hours -- Graded		59.5	RG	1	6.5	6	8	8	5.25						
Sick Leave		20.5	LS	2	4.5	6	8.00	4.50	8.00						
				1											
				2											
				1											
				2											
				1											
				2											
														(b) (3) - P.L. 86-36	
REG	59.5	OT	COMP/ CREDIT	HOL	SUN	2ND	3RD	ND	EAH	LV	20.5	NP/LV			
														CLEAR HOURS	
														CLEAR TIMES	
WEEK 1				WEEK 2											
	IN	OUT	IN	OUT	IN	OUT	HOURS WORKED	IN	OUT	IN	OUT	IN	OUT	HOURS WORKED	
SUN															
MON	0700	1330					6.5	0845	1415					4.5	
TUE	0900	1500					6	0900	1500					6	
WED	0615	1415					8								
THU	0600	1400					8	0800	1330					5.5	
FRI	0805	1320					5.25	0845	1830					9.75	
SAT															
REMARKS 5 USC 4109 - 6 hours in training per week								CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.							
								Certify Secure Phone ** Req Non-Secure Phone ** Required SID ** Req							
								969-3312							
EMPLOYEE'S SIGNATURE (Must be Classification, SSN, Name, PP End, ANS, OR SID, SAC, ORC, Agency in 299)								CERTIFIER'S SIGNATURE							
								Sent to pay roll on: 03/20/2015							

(b) (3) - P.L. 86-36
(b) (6)

Derived From: _____
 Dated: _____
 Declassify On: _____



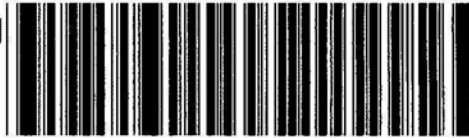
UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
 CLASSIFICATION ** Required to apply Digital Signature

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Classification

About
 Instructions
 Print Form
 Validate by Times
 Template Info



(b) (6)

TIMESHEET FORMAT 2 Privacy Act Statement: See 'Go E- Timesheets' for current statement

SSN: Required	NAME (Last, First Middle) * Required to apply Digital Signature	SID/UID * Req	PP ENDING * Req	P LT ROT SFT ROT															
TAG/BLK	ACTING Special Agent	DIST (Org) * Req	05/18/15																
STO JON		Theft/epst SD * Req	HOURS OF WORK (MAY 1, 2015) (From) (To) 0900 1700																
	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT					
TO HR Required	5													80.00					
Type/Shift																			
GRADED NITE DFF*																			
JOB ORDER NUMBER / DESCRIPTION	TYPE TOTAL	TYPE HOUR	WEEK	SUN	MON	TUE	WED	THU	FRI	SAT									
Regular Hours -- Graded	70.25	RG	1		9.5	9.5	11.5	8	10.25										
			2			8	13.5												
Credit Taken	1.75	CN	1				1.75												
			2																
Sick Leave	8	LS	1																
			2		8.00														
			1																
			2																
			1																
			2																
REG 70.25	OT	COMP/ CREDIT	HOL	SUN	2ND	3RD	ND	EH	LV	9.75	NPLV								
WEEK 1														WEEK 2					
	IN	OUT	IN	OUT	IN	OUT	H O L	M E D I A L	HOURS WORKED	IN	OUT	IN	OUT	IN	OUT	H O L	M E D I A L	HOURS WORKED	
SUN DAY 1																			
MON DAY 2	0950	1950							9.5										
TUE DAY 3	0700	1830					X	9.5	0945	1745								8.5	
WED DAY 4	0600	1730					X	11.5	0840	2010								13.5	
THU DAY 5	0955	1755					X	8											
FRI DAY 6	0945	2000					X	10.25											
SAT DAY 7																			
REMARKS 5 USC 4109 -- 8 hours in training per week										CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.									
EMPLOYER'S SIGNATURE										CERTIFIER'S SIGNATURE									
069-3312										05/18/2015									

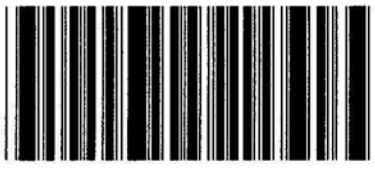
(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36

CLEAR HOURS
CLEAR TIMES

Derived From: _____
 Dated: _____
 Declared by: _____

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 CLASSIFICATION * Required to apply Digital Signature

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 Classification
 About
 Instructions
 Print Form
 Validate by Times
 Template Info



TIMESHEET FORMAT 2 Privacy Act Statement: See 'Go E- Timesheets' for current statement

(b) (6)

SSN * Req'd	NAME (Last First Middle) ** Req'd to apply Digital Signature		SID/UID * Req	PP ENDING * Req	PLT ROT SFT ROT														
TAG/BLK	ACT/UC (Agency) * Req	DIST (Org) * Req	Timekeeper SD * Req	HOURS OF WORK (AMSR) (L&D) (From) (To) 0900 1700															
STD JON																			
TO UR Required	SUN	MON	TUE	WED	THU	FRI	SAT	80.00											
Type/Shift																			
GRADED NITE DIFF																			
JOB ORDER NUMBER / DESCRIPTION	TYPE TOTAL	TYPE HOUR	WEEK	SUN	MON	TUE	WED	THU	FRI	SAT									
Regular Hours -- Graded	80	RG	1		8.5	4	9.5	7.5	7.75										
			2		10.5	6	12.75	6.5	7										
Cred Eamed	13.5	CD	1			3.50	2.00	2.00											
			2			4.00	2.00												
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REG	80	OT	COMP/ CREDIT	13.5	HOL	SUN	2ND	3RD	ND	EH	LV	NPA/LV							
WEEK 1			WEEK 2			WEEK 3			WEEK 4										
	IN	OUT	IN	OUT	IN	OUT	HOL	M NE OX L	HOURS WORKED	IN	OUT	IN	OUT	IN	OUT	HOL	M NE OX L	HOURS WORKED	
SUN DAY 1																			
MON DAY 2	1040	1840					X		8.5	0630	1700					X		10.5	
TUE DAY 3	0840	1610					X		7.5	0720	1720					X		10	
WED DAY 4	0910	2040					X		11.5	0715	2200					X		14.75	
THU DAY 5	0715	1845					X		9.5	0900	1530					X		6.5	
FRI DAY 6	0910	1655					X		7.75	0920	1620					X		7	
SAT DAY 7																			
REMARKS	(b) (3) - P.L. 86-36										CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.								
EMPLOYEE SIGNATURE (Ink) #ICLearNumber, SSN, h,ma, PP Exp, OWS, Th, SD, SD, ORG, 6 pers, 4 gth										CERTIFIER'S SIGNATURE									
										989-3312									
										07/27/2015									

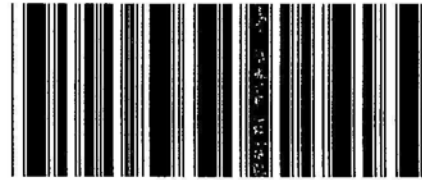
CLEAR HOURS
CLEAR TIMES

(b) (3) - P.L. 86-36
(b) (6)

FORM P3091B 5 APRIL 2015 REV 50 N EN: 7540-11-00 1-55-33
Supersedes All previous versions of P3091B which are obsolete

Derived From: _____
Dated: _____
Declassify On: _____

Print Form
Add Page



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CLASSIFICATION ** Req'd to apply Digital Signature

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UNCLASSIFIED//FOR OFFICIAL USE ONLY

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About Classification

Instructions

Print Form Validate by Times

Template info



TIMESHEET FORMAT 2 Privacy Act Statement: See 'Go E-Timesheets' for current statement

(b) (6)

SSN * Req'd	NAME (Last, First Middle) * Req'd to apply Digital Signature	SID/AUD * Req	PP ENDING * Req	PLT ROT SFT ROT														
TAG/BLK	ACT TIME	DIET (D) Req	08/08/15															
STD JON	Timekeeper BID	HOURS OF WORK (AM/PM) (From) (To)																
		0900	1700															
TOUR Req'd	5	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	80.00		
Type Shift																		
CHANGED TIME DIFF																		
JOB ORDER NUMBER / DESCRIPTION	TYPE TOTAL	TYPE HOUR	WEEK	SUN	MON	TUE	WED	THU	FRI	SAT								
Regular Hours -- Graded	80	RG	1		7	8.5	7.75	7.5	9									
			2		8.75	12.5	9.25	9.75										
Credit Earned	3.75	CD	1															
			2		3.75													
			1															
			2															
			1															
			2															
			1															
			2															
REG	80	OT	COMP/ CREDIT	3.75	HOL	SUN	2ND	3RD	ND	EM	LV	NP/LV						
WEEK 1				WEEK 2				WEEK 3				WEEK 4						
	IN	OUT	IN	OUT	IN	OUT	H O L	M E A L	HOURS WORKED	IN	OUT	IN	OUT	IN	OUT	H O L	M E A L	HOURS WORKED
SUN DAY 1																		
MON DAY 2	0940	1640							7	0715	1945							12.5
TUE DAY 3	1015	1845							8.5	0720	1950							12.5
WED DAY 4	0905	1650							7.75	0640	1555							9.25
THU DAY 5	1015	1745							7.5	0840	1825							9.75
FRI DAY 6	0820	1720							9									
SAT DAY 7																		
REMARKS	CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.																	
EMPLOYER'S SIGNATURE	969-3312																	
EMPLOYEE'S SIGNATURE																		
Sent to pay roll on:	08/10/2015																	

(b) (3) - P.L. 86-36
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(b) (3) - P.L. 86-36

OVERTIME

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 Instructions
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(b) (6)

SSN * Required	NAME (Last First Middle) ** Required to apply Digital Signature	SID/UID * Req	PP ENDING * Req	PLT ROT SFT ROT																																																																																																																																																																									
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	WEEK 1						H O L	M E T A L	HOURS WORKED	WEEK 2							H O L	M E T A L	HOURS WORKED																																																																																																																																																										
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CLEAR HOURS CLEAR TIMES

(b) (3) - P.L. 86-36

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(b) (6)

FORM P30918 5 APRIL 2015 REV 50 ISBN: 7540-FM-001-6638
Supersedes All previous versions of P30918 which are obsolete

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 Declared By: _____



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SSN * Required	NAME (Last, First, Middle) ** Required to apply Digital Signature	SID/UID * Req	PP ENDING * Req	PLT ROT SFT ROT
TAG/BLK	ACTING Agency Req	DEPT (Org) * Req	02/20/18	
STD JON	Timekeeper SD CRG	HOURS OF WORK (MINS) (SEE FROM 0900 TO 1700)		
	SUN * MON * TUE WED * THU * FRI SAT SUN MON TUE WED * THU * FRI SAT			
TO HR Required				80.00
Type/Shift				LH0
GRADED RATE DIFF				
JOB ORDER NUMBER / DESCRIPTION	TYPE TOTAL	TYPE HOURS	WEEK	SUN * MON * TUE WED THU * FRI+ SAT
Regular Hours -- Graded	66.5	RG	1 2	10.5 13.25 11 12.25
Comp Time Taken		CT	1 2	
Holiday Leave	8	LH	1 2	8.00
Administrative Leave	3	LN	1 2	3.00
Sick Leave	2.5	LS	1 2	2.50
REG 66.5	OT	COMP/ CREDIT	HOL	SUN 2ND 3RD ND EH LV 13.5 NPLV
WEEK 1		WEEK 2		
SUN DAY 1	IN OUT	IN OUT	IN OUT	HOURS WORKED
MON DAY 2				
TUE DAY 3	0845 1945			10.5
WED DAY 4	0635 1950			13.25 0850 1730 8.5
THU DAY 5	0730 1830			11 0610 1710 11
FRI DAY 6				0515 1730 12.25
SAT DAY 7				
REMARKS	20160216 - CODE YELLOW		CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.	
EMPLOYER'S SIGNATURE (Last, First, Middle, SSN, MFA, PP Exp, SMS, TR SD, SD, ORG, Agency - 4pt)		CERTIFIER'S SIGNATURE		02/19/2018

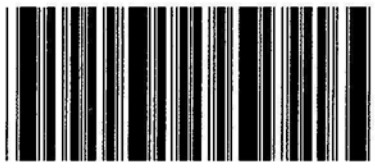
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Derived From: _____
Date: _____
Declared By: _____

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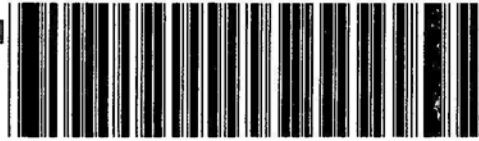
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(b) (6)

SSN * Required: [Redacted] NAME (Last, First Middle) ** Required to apply Digital Signature: [Redacted] SID/JID * Req: [Redacted] PP ENDING * Req: 04/16/16
 TAG/BLK: [Redacted] ACT/DIC: [Redacted] DIST (O/D) Req: [Redacted] Timekeeper SID: [Redacted] HOURS OF WORK (AM/PM) P.A.D. (From) (To) 0900 1700
 STD JON: [Redacted]

	AW	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
TOUR Required	5														80.00
Type/Shift															
GRADED RATE DIFF															

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(b) (6)

JOB ORDER NUMBER / DESCRIPTION	TYPE TOTAL	TYPE HOUR	WEEK	SUN	MON	TUE	WED	THU	FRI	SAT
Regular Hours -- Graded	70	RG	1		10.5	8.5	11	5.5		
			2		8.5	11.25	7.75	7		
Sick Leave	8	LS	1						8.00	
			2							
Credit Taken	2	CN	1					2.00		
			2							

CLEAR HOURS

REG	70	OT	COMP/ CREDIT	HOL	SUN	2ND	3RD	ND	EM	LV	10	NP/AV
WEEK 1				WEEK 2				HOURS WORKED		HOURS WORKED		
IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	
SUN DAY 1												
MON DAY 2	0700	1730				X	10.5	0720	1550		X	8.5
TUE DAY 3	0800	1630				X	8.5	0840	2000		X	11.25
WED DAY 4	0610	1710				X	11	0845	1630		X	7.75
THU DAY 5	1000	1530				X	5.5	1005	1705		X	7
FRI DAY 6												
SAT DAY 7												

CLEAR TIMES

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REMARKS: [Redacted]

CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.

EMPLOYEE'S SIGNATURE: [Redacted] CERTIFIER'S SIGNATURE: [Redacted]

966-2743 [Redacted]

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Credit Taken	14.75 CN	2	8.00																																																																																																																																																																												
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REMARKS						CERTIFICATION: Attendances and absences certified correct. Overtime approved in accordance with existing laws and regulations. For non-exempt FLSA, I did not suffer or permit any overtime work other than as reported for this pay period.				Certifier Secure Phone **Req		Non-Secure Phone **Required		SID **Req																																																																																																																																																																	
						986-2743																																																																																																																																																																									
EMPLOYER'S SIGNATURE						CERTIFIER'S SIGNATURE				Sent to payroll on: 05/2/2016																																																																																																																																																																					

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Derived From: _____
Dated: _____
Declassify On: _____



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APPENDIX H

(U) Microsoft Outlook Records

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March 11, 2015 Wednesday		March 2015 Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	April 2015 Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
11 Wednesday		Daily Task List	
7 am		Arrange By: Due Date	
8 00			
9 00			
10 00			
11 00			
12 pm			
1 00 teleconference 1230-1330 teleconference			
2 00			
3 00 (b) (3) - P.L. 86-36			
4 00			
5 00			
6 00			
		Notes	

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April 04, 2016 Monday		April 2016 Su Mo Tu We Th Fr Sa 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30		May 2016 Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	
4 Monday		To Apr 6		Daily Task List	
7 ^{am}				Arrange By: Due Date	
8 ⁰⁰				(b) (3) - P.L. 86-36 (b) (6)	
9 ⁰⁰					
10 ⁰⁰					
11 ⁰⁰					
12 ^{pm} Cancelled		Calendar		(b) (3) - P.L. 86-36	
1 ⁰⁰					
2 ⁰⁰					
3 ⁰⁰					
4 ⁰⁰					
5 ⁰⁰					
6 ⁰⁰					
				Notes	

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July 22, 2015

Wednesday

July 2015							August 2015								
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa		
			1	2	3	4							1		
5	6	7	8	9	10	11			2	3	4	5	6	7	8
12	13	14	15	16	17	18			9	10	11	12	13	14	15
19	20	21	22	23	24	25			16	17	18	19	20	21	22
26	27	28	29	30	31				23	24	25	26	27	28	29
									30	31					

22 Wednesday	
7 am	
8 00	
9 00	
10 00	Brown Bag Friedman
11 00	
12 pm	
1 00	
2 00	(U) [redacted] Online via Lync desktop sharing and
3 00	
4 00	
5 00	[redacted]
6 00	[redacted] (b) (6)

Daily Task List
Arrange By: Due Date

Notes
[redacted] (b) (3) - P.L. 86-36

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APPENDIX I

(U) Liberty Crossing Driving Distance

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YOUR TRIP TO:





9800 Savage Rd, Fort George G Meade, MD 20755-5999


1 HR 22 MIN | 35.6 MI


Trip time based on traffic conditions as of 5:28 PM on September 27, 2016. Current Traffic: Heavy


- 


1. Start out going northeast on Tysons McLean Dr.
Then 0.02 miles 0.02 total miles
- 


2. Take the 1st right onto Lewinsville Rd.
Then 0.25 miles 0.27 total miles
- 


3. Turn right onto Dolley Madison Blvd/VA-123.
Dolley Madison Blvd is just past Balls Hill Rd.
Then 0.07 miles 0.33 total miles
- 

4. Merge onto VA-267 W/Dulles Toll Rd toward Dulles Airport/I-495 N.
Then 0.45 miles 0.78 total miles
- 


5. Merge onto I-495 N/Capital Beltway N via EXIT 18 toward Baltimore
(Crossing into Maryland).
Then 6.54 miles 7.32 total miles
- 


6. Keep right to take I-495 E/Capital Beltway E toward Bethesda/Baltimore.
Then 11.55 miles 18.87 total miles
- 


7. Keep left to take I-495 S/Capital Beltway S toward Richmond.
Then 4.92 miles 23.79 total miles
- 


8. Take the Balt Wash Pkwy N exit, EXIT 22A, toward NORTH Baltimore.
Then 0.23 miles 24.02 total miles
- 

9. Merge onto MD-295 N/Baltimore Washington Pkwy N.
Then 10.19 miles 34.21 total miles

- 


10. Take the MD-32 E exit toward Ft Meade.
Then 0.44 miles **34.65 total miles**
- 


11. Keep left to take the Canine Rd ramp toward NSA.
Then 0.36 miles **35.01 total miles**
- 


12. Stay straight to go onto Canine Rd (Gate access required).
Then 0.15 miles **35.16 total miles**
- 

13. Take the 1st right onto Tower Rd.
Tower Rd is 0.1 miles past Colony Seven Rd.

If you reach Dennis Rd you've gone a little too far.

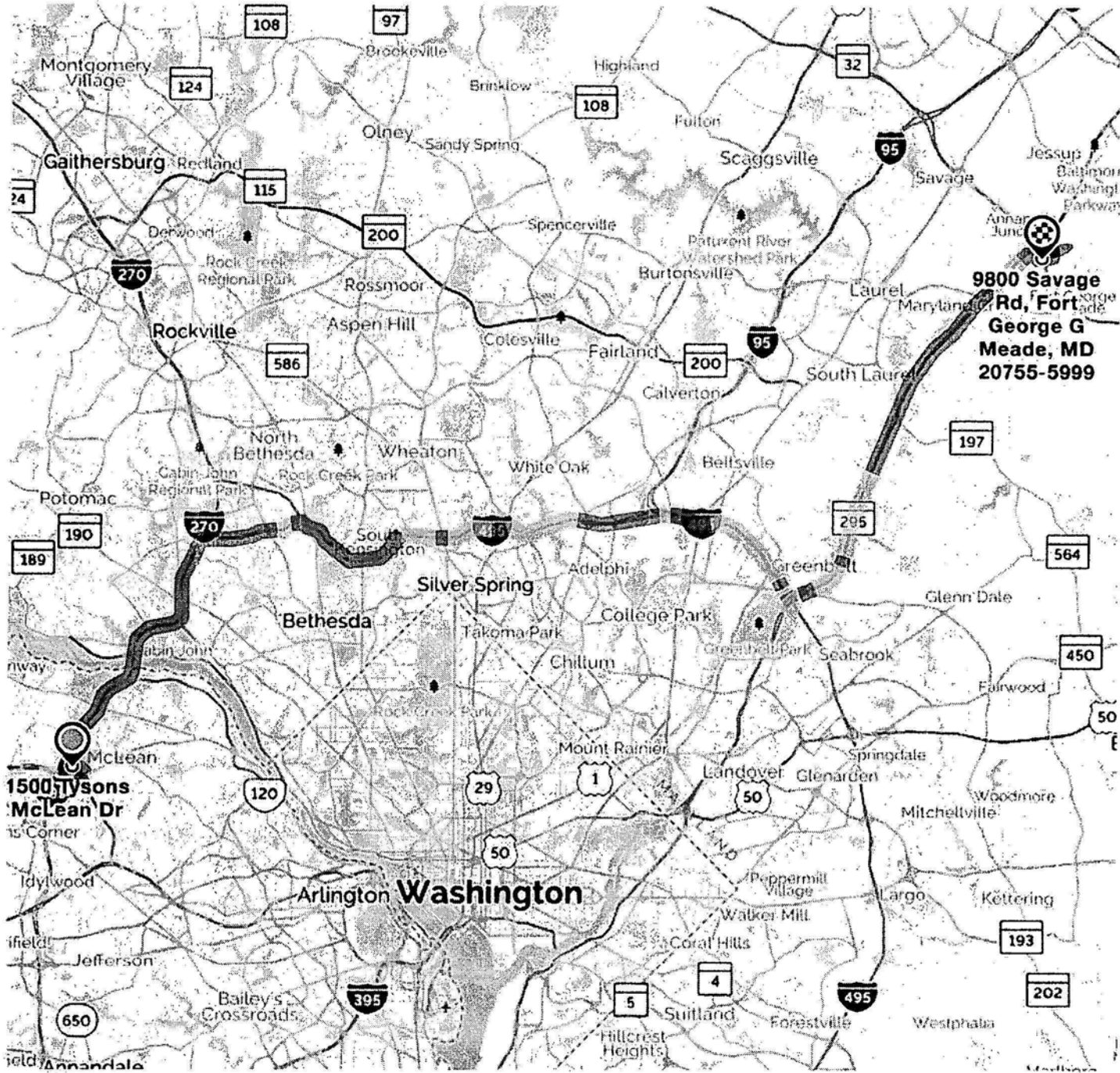
Then 0.15 miles **35.32 total miles**
- 

14. Turn right onto Wray Rd.
Then 0.14 miles **35.45 total miles**
- 

15. Take the 1st left onto Savage Rd.
Then 0.11 miles **35.57 total miles**
- 

16. 9800 SAVAGE RD is on the left.
If you are on Tower Rd and reach Emory Rd you've gone about 0.3 miles too far.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.



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APPENDIX J

(U) **Response to the Tentative Conclusions**

⋮

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(b) (6)

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(b) (6)

From: [REDACTED]
 Sent: Monday, December 05, 2016 7:43 AM
 To: [REDACTED]
 Subject: RE: (U) OIG Notification of Tentative Conclusions

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Please see my response to each of the allegations quoted from the report. I divided the allegation claims by each paragraph (excluding the introduction and summary) of the report.

Responses to Allegations:CLAIM ONE

(U//FOUO) [REDACTED] admitted that he reserved a GOV to attend a class at FANX and to facilitate his attendance at an office Morale Building Activity (MBA) during lunch on 19 April 2016. An office sponsored MBA is not considered an official use of a GOV. NSA/CSS Personnel Management Manual, Chapter 363 - Section 6-17, *Excused Absence for Morale Building Activities (MBA)*, March 2016, states that MBAs are defined as activities planned for the purpose of promoting employee morale. As MBAs are meant to contribute to a better work environment and are recorded as excused absences on timesheets, attending an MBA would not be an official purpose to use a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19 by using the GOV to attend the MBA.

I deny this accusation. Based on my review of my timesheet folder, I did not use any MBA hours this day, even though others may have used it as such. This event fell in the middle of my workday and I specifically left and returned to FANX from class to attend. I reserved a car, in part, to attend this event which I considered a work function. Just like in past workplace events where it is authorized to attend certain events off-site with on duty hours, I used this as such. I determined it as such because nearly the entire office was attending, I personally felt it necessary to attend, and I felt some indirect pressure to attend as this was an important send-off for our TD. If I would not have reserved a car, I would have not had any available means to attend this event. However, I took great lengths to ensure the time spent at that event was minimized, so I would miss minimal, if any, of my class at FANX. I left the restaurant just as everyone's food arrived at the table, only staying a fraction of the total allotted time (I estimate around 30 minutes), instead of staying and eating together with them. Further, based on MBA policy, I would not have been allowed to take an MBA for only a 30 minute allotted time. Lastly, I may have reserved the car, not just to attend this event and also maximize my work time and class time, but also to attend a meeting before/after the class. When I am in offsite meetings or class over a period of days, I will sometimes set up meetings that I would ordinarily miss before or after a class so that I stay abreast of my work while in class or off-site.

(b) (3) - P.L. 86-36

Additionally, it was widely known that I did not have a car and relied on government vehicles to attend work business. I was under the impression [REDACTED] vehicles were to be used for official work purposes such as those I used it for, and have every reason to believe colleagues and management new and supported my use of this car before, during, and after. Further, no one at any point approached me with concerns over the car or that a policy existed that countered the purpose for how I was using the vehicle.

In regards to the specific policy regarding car use for MBA: As an example of widespread confusion in regards to the policy, during the initial meeting with the IG, the investigator told me she did not know

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what the actual policy was and my actions may very well be policy compliant. I asked where to verify this, and I believe she suggested looking at rules on the IG web site, but that it would probably not be a conclusive guide.

Further, the MBA policy the report listed was updated within a month (activity occurred in April 2016, policy updated March 2016) of the "MBA" activity that you mention. I respectfully request a copy of the last version to add to the claim that with such a recent policy change confusion would arise and it should not be expected to understand all of the new rules so soon to the 'MBA' activity.

(b) (3) - P.L. 86-36
(b) (6)

CLAIM TWO

(U//FOUO) Additionally, on 20 April 2016, the date named in the initial complaint, [redacted] used a GOV to drive to a food establishment near the FANX facility. Use of a GOV to travel from FANX to a local food establishment is not an official use of a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19.

In reference to the claim that I used a government vehicle to travel to a food establishment on April 20, 2016, I do not believe I acted improperly by doing so because I did not stay at the restaurant, nor eat in the vehicle or at the restaurant, nor was aware of this policy. Policy also dictates that picking up food within a certain area may be appropriate. I minimized the time spent on picking up this food order by calling ahead to place the order and quickly picking up the 'to go' food items during this specific instance. I was not aware at the time this was in violation and as stated previously, there is an apparent widespread misconception on this rule, and there are different policy web pages and documents with differing information across NSA.

Also, note the additional CTC reference (not sure if this is official policy and would appreciate guidance for future cases):

"Q: Can I stop for food while using a government vehicle? A: If you are outside of a 10-mile radius of any NSA facility, you may stop to eat..."

CLAIM THREE/FOUR

(U//FOUO) Both DoD 4500.36-R and NSA/CSS Policy 9-19⁽¹⁾ state that the transportation between an employee's place of residence (domicile) and duty location is the sole responsibility of the employee and NSA/CSS motor vehicles shall not be used for domicile-to-duty transportation, or any portion thereof, unless an exception has been granted by the Secretary of Defense. [redacted] admitted that on at least one occasion, he took a vehicle home when a meeting in Virginia lasted too long to allow him to return to NSA and still make the MARC train/shuttle to commute home. This reasoning has no bearing on the fact that domicile to duty transportation is strictly prohibited. In reviewing GOV

⁽¹⁾ (U) 31 U.S. Code § 1344, *Passenger carrier use*, defines passenger carrier as a passenger motor vehicle or other similar means of transportation that is owned or leased by the United States Government. 31 U.S. Code § 1344 further states that transporting any individual other than the individuals listed in subsections (b) and (c) between such individual's residence and such individual's place of employment is not transportation for an official purpose. 31 U.S. Code § 1344 is implemented by DoD 4500.36-R and NSA/CSS Policy 9-19, *Management, Acquisition, and Use of Motor Vehicles*, July 2014.

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(b) (6)

records, the OIG identified five instances where [redacted] did not return the assigned GOV on the same day as it was checked out.

He was counseled by CTC on 13 May 2015 about the need to return vehicles or notify SOCC if they are not returned the same day. According to CTC records, he advised that his meeting "lasted through the night." This is untrue. In fact, [redacted] noted his ending work time as 1745 on his timesheet. Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times. Therefore, his use of GOVs for domicile-to-duty transportation violated DoD 4500.36-R and NSA/CSS Policy 9-19.

Invalid conclusions:

On May 13th, 2015, my timesheet is recorded as 0640-2010, although the timestamp in CTC for when the car was entered was 0604. I'm not sure why my timesheet lists a time later than the car was recorded, but this brings to mind two possible scenarios.

First, I entered the wrong time by accident, and worked more than I put on my timesheet. If this is the case, why is it absent in the findings that "OIG reviewed [redacted] timesheets for the days he used GOVs during the period of review" (of which May 13th, 2015 should be one) and "the error in time reporting is substantial and in his favor, leading to the conclusion that [redacted] made the overstatements deliberately." Wouldn't this day be one that is *not* in my favor of the days in question that were reviewed? I would also like to note that for the days where my timesheet and access control was reviewed, I requested full timestamps of confirm (that to the best of my knowledge I don't have access to myself). This was mostly ignored, limiting my ability to respond accurately, since this all happened many months ago.

The second scenario, would be that CTC failed to record the return of the vehicle until 0604 the day after it was actually returned. If this is the case, it calls into question all other returns to if the stated "return date" actually means this is when the driver returned the vehicle. If it just refers to the time when a CTC staff member happens to input the vehicle, I should not be held accountable for a vehicle overnight if it in fact was not.

Regardless, either option calls into account the validity of the conclusions based on potential misrepresentations in the IG report.

Allegation: 05/12/2015 meeting "lasted through the night"

I reject this claim was made to CTC. I believe I was acting rationally and logically in this case and did not intend nor feel that I broke any policies at the time, and while CTC may have come to their own assumptions separately without my input, I would not have made these statements to CTC.

Allegation: Using a government vehicle for duty to domicile to duty transportation

I have no recollection of CTC (or anyone) ever telling me I could not stop overnight on the way back to work at home if, for example, a meeting ran late and I had no means to get home.

I'm not sure if it was this 05/12/2015 reservation, but as the report stated, I do remember taking a vehicle home on the way back from a work meeting to my domicile, and directly afterward back to work. I did this for what I believed to be valid intentions without knowledge of it being against policy:

1. At the time, I would have had no way to get home from NSA
2. Safety risk to go back to work without a phone that late

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3. My home was on the route back to work and knew it would not add any undue expense to the government.

I felt this logic was rational, and in addition to the lack of clarity in policy as well as the lack of publication and advertisement of that policy, the widespread misunderstanding or ignorance of it, and my lack of knowledge of the policy at the time, I feel this was a reasonable action taken.

CLAIM FIVE: I should have known [redacted] vehicles were not to be used for locations with government shuttles

(U//FOUO) [redacted] was aware, or should reasonably have been aware, that [redacted] vehicles should not be used for locations where shuttle services were available, not only because it is prominently displayed on the [redacted] reservation website where he acknowledged his understanding of the policies, but also because he made comments justifying why he was unable to use shuttles on several reservations; justifications that in some cases were untrue. [redacted] stated that early morning and back-to-back meetings made the shuttle schedule "impossible" for him to reach his destinations in a timely fashion. Witnesses testified that he did not have a need for early morning meetings, as a rule, and access control records show that he did not enter other NSA facilities on several occasions when he documented a need to go to Emerson or other facility with inconvenient shuttle services. The OIG found that [redacted] excuses were just that, an excuse fabricated to allow him to use a GOV rather than a shuttle. [redacted] falsified his government records for the dates 20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016 by stating that he was attending a class at a facility where a shuttle was not available so that he could use a GOV to attend a class at FANX, where the Agency operates a shuttle service. Similarly, [redacted] falsified his government records on 4 April 2016 stating that he was required to attend a meeting and a class, and the shuttle would not be able to satisfy his mission requirements even though there is no evidence of another scheduled meeting on that day, or attendance at another NSA facility.

(b) (3) - P.L. 86-36
(b) (6)

There are several issues with these claims. First, I disagree that I should reasonably have known [redacted] vehicles were not be used when any type of shuttle exists for any reason. I most certainly did not know that until reading this, and continue to have doubts, that [redacted] vehicles are not supposed to be used in locations where shuttle services are available under any condition. I remember asking CTC this very fact, and I was counseled to reserve a vehicle if I would not be able to make a meeting or would have to miss class because of it. I did precisely this on multiple occasions (one in particular directly after being counseled of this and another when I put remarks as such in the justification field where it was successfully approved). Further, in the first IG meeting, I explained this logic, and I believe the investigator acknowledged this could be the case (if I should have been reasonably aware, I would think the investigator would have known). Lastly, after I inquired, the investigator sent instructions where to see about not reserving a vehicle if a shuttle exists, but they don't appear on the site (screenshot attached).

(b) (3) - P.L. 86-36

When I asked the investigator where the shuttle service notice was clearly marked, I received the following response. However, in following these instructions, the "clearly" marked policy rules are not present anywhere on the page (screenshot attached).

- (U//FOUO) Regarding the [redacted] reservation website"; Type "Go [redacted] in your browser, at the bottom of the page under "Note:" the third bullet states "Vehicles will not be issued for transportation to any facility in which shuttle services is available." Alternately, on the same page, a Click [redacted] link a Click "Make Reservation" a Click "This reservation is for me" a Click continue a Bold red font reads, [redacted] vehicles will not be issued for transportation to any facility where shuttle service is available."

As such, I dispute the claim that CTC policy information was "prominently displayed" and there are significant doubts and inaccuracies in the report concerning matters about [redacted] which show false conclusions were drawn.

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I have every reason to not believe the policies the report speaks of were displayed when I made the reservations for these allegations leading there to be no reasonable expectation I knew the policies. Additionally, I am unable to view my CTC vehicle reports on the CTC site because the links do not work [REDACTED] and am thus unable to verify additional information. I respectfully request that once the site works and I am able to pull up my information as listed by the IG that I can, I should be given time to read through my information and respond. I believe it is unfair to not be given the chance to view my full personal reservation vehicle request since some of these reservations occurred well over a year ago.

Second, there is no government or NSA shuttle between FANX and Fort Meade. There is a third party, completely separate shuttle entity that does exist between [REDACTED] and a few transit locations near and by FANX. However, to suggest the "Agency operates a shuttle service", is factually incorrect. If policy states that a government run shuttle service must be used over a CTC vehicle, I believe this specific shuttle would be a valid exception. In all other situations (and even at times with this shuttle), I utilize shuttles as much as possible, almost always multiple times each day of work.

In a volunteer capacity, I work extensively with CTC and have over the years encouraged NSA to own or operate a shuttle service between FANX and Fort Meade (happy to provide references). In fact, all shuttle services that frequent a mass transit location, CTC passes the new schedule for review before publication to me so I can do my best to make the transit schedules as efficient as possible for NSA employees. The separate third-party shuttle service that runs to FANX now is not built with the same intention to directly service NSA employees that the NSA/Government shuttles do, and as such, has extremely inefficient departure and arrival times, severely limiting its usage and applicability.

Regardless of even if the policy does also apply to instruct users to use non-governmental shuttles over a government vehicle in all circumstances, the variety of policies/FAQs/DoD documents that exist (most of which are very difficult to find) appear to include conflicting information, confusing and complex, and include broken links (such as the one the investigator sent in her email response). For example, the CTC FAQ on its web site includes no information covering driving to one's domicile and using a vehicle overnight. I believe this adds further evidence that I wouldn't have had a reasonable knowledge of these policies at the time. The lack of clarity is further exacerbated by the fact that there exists severe gaps in widespread understanding and belief in what actually is the correct policy.

Lastly, the CTC web site appears to have changed after my vehicle reservations in questions and perhaps before the investigation occurred. For example, I do not believe I ever had to physically accept a pop up window of vehicle policies (which by the way, still does not list the policies on this page) at the time of my reservations that this report questions. Additionally, the bookmark I often used to make CTC vehicle requests no longer works, meaning that the link has since been updated, potentially before the investigation was conducted. This would mean different information was used on the site to make accusations against me that I never saw. Because of this, the investigation should make sure it uses the correct archival web site, links, policies, etc. that I saw when using them or otherwise not conclusions based on this different information.

Third, the report states that "as a rule" I do not have early morning meetings. This statement baffles me, because when I am away at an off-site meeting or at a class at FANX, I regularly scheduled meetings before and/or after my scheduled work day in order to continue with my day-to-day business as uninterrupted as possible from my class or meeting. Even when I am working in my normal office without an off-site meeting or class, I will have early morning meetings with some regularity. I pride

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myself on working diligently, even if that means working longer or inconvenient hours. There have been times, as stated in the report, that I knew I had planned or would be planning meetings before or after work in which I would not be able to both make and attend my full class, if I used the third party non-governmental shuttle to FANX. An example of this would be if I had a class from 0800-1630 and I needed to have a teleconference with an individual who worked from 0700-1530. I would not be able to have a 25 minute phone call with that individual and make the non-governmental shuttle to my class on time. There have also been times that I have reserved a vehicle for a purpose like this, but the meeting is cancelled due to a colleague unexpectedly missing work or a simple reschedule request. In any of these situations, I am not able to attend the meeting, even though I would still have a valid vehicle reservation. Over the course of the investigation, I would estimate any given single, unique meeting would have up to a 50% chance of being rescheduled or cancelled, up to the last minute. This means that I was often needing to adjust my schedule, readjust my [redacted] reservations, or in some cases be stuck with a reservation that was too late or not worth canceling (GTC has said in some situations since the car had already been reserved it wouldn't be reassigned to anyone else that day). I have always prioritized mission over whether I had a car reservation when a meeting was cancelled (meaning I would much rather have a reservation available just in case a meeting did go through so I wouldn't miss it, rather than be stuck without a car and miss a meeting). Based on communication with the IG, this thinking may now be flawed, although I would appreciate further guidance.

Fourth, personal confirm access records for building and times on the dates referenced in the report were requested and denied, thus limiting my ability to respond to most individual claims, that I request to have the ability to do.

CLAIM SIX: Provided false information when reserving government vehicles

(b) (3) - P.L. 86-36

(U//FOUO) NSA/CSS Personnel Management Manual, *Chapter 366 Personal Conduct*, February 2014, states employees granted access to classified information and Sensitive Compartmented Information must be stable; trustworthy; reliable; of excellent character, judgment, and discretion; and of unquestioned loyalty to the United States. Conduct that brings into question these character traits specifically include deliberate misrepresentations, falsifications, or omission of material facts in any Agency document. Furthermore, NSA/CSS Personnel Management Manual, Chapter 366, *Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsifications, or omission of material facts in an Agency document. [redacted] repeatedly provided false information about his destinations when reserving GOVs. He knew that reporting his training at the [redacted] would allow for the use of a GOV, whereas training at FANX would not. On six occasions he entered deliberately false information into the [redacted] system in order to gain approval for the use of a GOV for his personal convenience. Likewise, when questioned about his failure to return a vehicle, [redacted] provided false information to CTC personnel. He told them his meeting "lasted through the night," when, in fact, he documented that his work day ended at 5:45 PM, at the conclusion of his eight hour work day.

(b) (3) - P.L. 86-36
(b) (6)

1st Allegation: False statements of reservation location at [redacted] for five class dates for personal convenience

I disagree and deny this assertion. As stated previously, requesting a car at FANX, with an appropriate justification was permissible by CTC as evidenced by at least one instance that the investigator found. If this is against written policy guidance, CTC's action in approving a reservation in addition to their counsel that it is permissible in certain situations (as described earlier - to make a meeting, to avoid missing class, etc.) is obviously confusing at best, and reinforces a system by which certain policies are permitted to be broken (or display a lack of ignorance) by approving officials, inviting false or misleading accusations.

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(b) (3) - P.L. 86-36

Specifically regarding choosing [redacted] instead of FANX when reserving a vehicle the handful of times (4), was done out of expedience, to the best of my knowledge. If I made a car reservation to attend a class, it was with the intention I was trying to make a meeting or appointment an NSA shuttle was unable to accommodate. I believe my thinking at the time was choosing [redacted] over FANX would be nearly interchangeable since they are the same distance, except that selecting [redacted] would use cars that are generally in less demand than the cars CTC would select for going to FANX. You can also see I did not request cars on many of the days I had classes during the same weeks, demonstrating that I selected car reservations when I specifically had mission need (like planning to attend a meeting).

2nd Allegation: Provided false information to CTC personnel, "lasted through the night"

I covered this earlier, but regarding the "through the night" comment, did not make this statement. As stated earlier, I believe I was acting rationally and logically in this case and did not intend nor felt I broke any policies at the time, and while CTC may have come to their own assumptions separately, I would not have made this statement to CTC. Additionally, I have no recollection of CTC (or anyone) ever telling me I could not stop overnight on the way back to work at home if, for example, a meeting ran late and I had no means to get home.

(b) (3) - P.L. 86-36
(b) (6)

CLAIM SEVEN: Timesheet inaccuracy

(U//FOUO) NSA/CSS Personnel Management Manual, Chapter 360, *Time and Attendance*, § 2-7(a), September 2003, states that employees must ensure that all information relevant to their time and attendance is recorded accurately. NSA/CSS Personnel Management Manual, Chapter 366, *Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsification, or omission of material facts in an Agency document. The OIG reviewed [redacted] timesheets for the days he used GOVs during the period of review. We found that seven days contained discrepancies in the arrival or departure times, net hours, incorrectly claiming "no lunch" or unexplained mid-day gaps, resulting in an overstatement of [redacted] work hours. On each of these seven days, the error in time reporting is substantial and in his favor, leading to the conclusion that [redacted] made the overstatements deliberately.

As mentioned earlier, this timesheet claim makes an incorrect statement. The report says OIG reviewed timesheets for the days using government vehicles in the period of review and found all seven days contained discrepancies that, net hours, resulted in an overstatement of hours worked. However, the one timesheet that I looked up and verified against the report's findings of returning a vehicle did not match up against my favor, leading to a peculiar omission and flawed conclusion (05/13).

Additionally as stated before, the investigator refused and/or ignored my request for full confirm locations and times for these seven days in question, but seemingly at random, answered parts of some or other requests. Thus, it is impossible for me to respond to these allegations in more detail for these handful of days many months ago that, for example, may be explained by having worked outside of a confirm access point.

Professionalism and Bias:

Since the first in person meeting, I felt the investigator exhibited bias against me and unprofessional behavior.

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I have had to ask several times for clarification on a rule or policy or even if one existed. Many times, the investigator expressed confusion or ignorance about these policies, some of which the investigator later claimed I should have had a reasonable knowledge of. Further, the investigator noted something to the effect that I could look at the IG web site for policy guidance on accusations being made about me, but that that information was vague and couldn't necessarily be used in practice, further adding confusion.

Unreasonable demands were made that questioned what happened on a specific times and days many months ago without allowing access to any resource like a calendar. Then, when I was not able to answer some of the questions without additional information, the investigator become frustrated and implied I was not cooperating multiple times.

Further, I was asked to give various information on specific dates and times, but no follow up was ever provided. After the tentative report was sent, repeated requests for clarification or understanding of what claims were being made were met with partial or no answers.

I would like to note that the investigator refused or ignored answering some of the questions and/or clarifications that were asked in order to appropriately and accurately respond to allegations made in the report. I list some unanswered questions in my responses below, but a few to highlight I request to see are: access control building/location/time stamps for associated dates aligning to those stated in the report, full vehicle reservation notes that are referred to in the report but that I am unable to view, and all policy documents used in the report. After requesting all policies used in conclusions drawn, I was sent one document and another link that led to a broken URL. In a review of the report, I see other policies listed that I am unable to find, and thus unable to fully respond. I respectfully request to even have a minimal time to review all policies used where an allegation is made against me and respond if appropriate.

What seems to be intentional vague and incomplete remarks as well as condescending language is concerning and adds to a demonstrated record of bias I have witnessed. Additionally, the report seems to create the perception of exaggerated claims without always including the associated evidence or examples, such as using a plural word to demonstrate examples of misconduct yet only including one example. I request the report only list and not omit all examples that are used to make the report's conclusions. Otherwise, the report exaggerates allegations and seemingly encourages the reader to draw additional false conclusions.

I believe the investigator has demonstrated a bias and I respectfully request to have another investigator CC'd on correspondence moving forward. I find it very strange that this correspondence has not included anyone else.

From: [redacted] (b) (3) -P.L. 86-36

Sent: Monday, November 28, 2016 3:08 PM

To: [redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions (b) (3) -P.L. 86-36 (b) (6)

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(b) (3) - P.L. 86-36
(b) (6)

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(U//FOUO) [redacted]

(U//FOUO) Per your request, you are granted an extension until COB 2 December 2016. The customary time allotted for response to tentative conclusions is 2 weeks. Friday's deadline will be 5 weeks from notification.

- What claim is being made in regards to timesheet inaccuracies (meaning what specific times were recorded in a database that don't match my timesheet)

(U//FOUO) As we investigated your misuse of GOVs, we reviewed corresponding timecards. We observed discrepancies between what you recorded on your timecards and your access control records. As stated in the Tentative Conclusion, we found that seven days contained discrepancies in the arrival or departure times, net hours, incorrectly claiming "no lunch" or unexplained mid-day gaps, resulting in an overstatement of work hours.

22 July 2015 - claimed 14.75 hours, within access control (includes reasonable travel time to NSAW locations for all listed instances) 10 hrs 40 min. Claimed 7:15 AM arrival, arrived in access control at 8:04 AM.

4 April 2016 - claimed 10.5 hours, within access control 8 hrs 15 min.

19 April 2016 - claimed 9 hours, within access control 7 hrs 12 min. Claimed luncheon as duty time.

20 April 2016 - claimed 10.5 hours, access control 9 hrs 21 min. Claimed "No lunch," left training location for 28 minutes from 11:43 AM to 12:11 PM.

22 October 2015 - claimed to work until 8:30 PM, departed access control at 5:30 PM.

23 October 2015 - claimed 7 hours, within access control 5 hrs 53 min.

19 February 2016 - claimed end time of 5:30 PM, departed access control at 4:45 PM.

- What was determined to be a "typical work day?" How many hours difference is determined to be made in order to return without being detected? What were the dates?

(U//FOUO) The dates that vehicles were returned the day after they were checked out were provided in my e-mail dated 21 November 2016. They are; 11-12 March 2015, 23-24 April 2015, 12-13 May 2015, 22-23 October 2015, 18-19 February 2016. A "typical work day" was determined by a review of your usual access control entry times, your testimony, and testimony of other witnesses.

(b) (3) - P.L. 86-36

[redacted]
Senior Investigator
Office of the Inspector General, D14

[redacted]
(s) 963-0927
[redacted]

From: [redacted]
Sent: Monday, November 21, 2016 4:10 PM

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To: [Redacted]

(b) (3) - P.L. 86-36

Subject: RE: (U) OIG Notification of Tentative Conclusions

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[Redacted]

I would like to request until the end of next week, 12/2. I won't have enough time to review and respond by Thanksgiving day (you said Wednesday, but the 24th is actually Thursday, Thanksgiving Day), the date you listed. I have barely had time to process this and the new information sent, and now that I have the policy guidance and some of the clarifying questions answered, I would at least like to review the claims being made so I can accurately respond. I think this is more than appropriate.

Further, I am concerned with the tone of your email, emblematic of a pattern from previous conversation. "Choosing to wait to read e-mails and documents.." I am currently responding to a very heavy request of mission requirements on top of being in the office very few days since your initial email. I am in the process of switching very different work roles, currently training a replacement, completing close out briefings, and working a full time second job with trainings as I transition offices. I believe I am responding as efficiently and accurately as possible, given the current situation, and I will schedule extra time to work next week so I can read through all of these documents, process it, and respond accurately.

This investigation has taken place over several months, mostly without my knowledge, and to now suddenly request an expedited request with a very limited amount of time I have actually been in the office office to respond to vague claims, especially given clarifying questions remain unanswered, makes it very difficult to submit an appropriate response. My priority is fulfilling mission to the best of my ability, which I believe I am doing. If this comes ahead of mission, please let me know and I will stop working my job to complete this task more quickly. Because this is the first time you have sent guidance on policies and rules that exist, I believe I have the need and right to read through them all, even if other information is not disclosed. Additionally, I have set up an appointment with counsel but am not able to confirm an appointment until next week.

I also want to document a few questions that remain ignored and unanswered:

- What was determined to be a "typical work day?" How many hours difference is determined to be made in order to return without being detected? What were the dates?
- What claim is being made in regards to timesheet inaccuracies (meaning what specific times were recorded in a database that don't match my timesheet)? You answered that I can request past timesheets but you specifically ignored this question.

From: [Redacted]

Sent: Monday, November 21, 2016 1:14 PM

To: [Redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions

Importance: High

(b) (3) - P.L. 86-36
(b) (6)

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(b) (3) - P.L. 86-36
(b) (6)

(U) [redacted]

(U//~~FOUO~~) We've already granted an extension, which you didn't request. I want to be clear, if we do not receive a response to the tentative conclusion by the deadline, which I will extend again to COB Wednesday 24 November 2016, we will close the case without your response and our report will be considered final. By "response" we are asking that you refute or accept the conclusions, and provide any necessary explanation and documentation, as well as witnesses and verifiers.

(U//~~FOUO~~) These answers serve as the final clarifications that will be provided.

- (U//~~FOUO~~) Our full report includes a summary, the authorities we analyzed, as well as all of the evidence we considered. Responses to tentative conclusions are attached as an appendix and they are forwarded as such to Employee Relations. Any further discussion of the case and any outcomes would be handled through Employee Relations. There is no set timeline for these processes, but to be clear, the OIG will close this case with or without a final response from you. If you do submit a response we will review it to determine whether it impacts our conclusions and whether additional investigative work is required. Choosing to wait to read e-mails and documents does not extend this timeline.
- (U//~~FOUO~~) You may release the tentative conclusion and clarifications to your personal attorney, should you choose to retain one.
- (U//~~FOUO~~) I cannot comment on the Employee Relations disciplinary process, as the OIG has no role in it.
- (U//~~FOUO~~) "CTC records" refers to reservations records obtained from the [redacted] database associated with your sid.
- (U//~~FOUO~~) "Two additional times" refers to GOVs you reserved on 22 October (and returned 23 October) and 18 February (and returned on 19 February.) Yes, if a vehicle was retained overnight and there was no mission reason (or approval, or work hours claimed) to retain a vehicle overnight, the conclusion is that the vehicle was used for transportation to one's home. GOVs were retained overnight on 11-12 March 2015, 23-24 April 2015, 12-13 May 2015, 22-23 October 2015, 18-19 February 2016.
- (U//~~FOUO~~) "20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016" records refer to vehicle reservation requests. The pertinent section is highlighted in the original e-mail.
- (U//~~FOUO~~) We did not quantify the inaccuracies of the timesheets. In our review, evidence supported the conclusion that you claimed more hours on your timesheets than you worked. We only looked at days that you used GOVs. You can request previous timesheets from the payroll office.

(U//~~FOUO~~) We look forward to your response.

(b) (3) - P.L. 86-36

Regards,

[redacted]

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~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

[Redacted]

Senior Investigator
Office of the Inspector General, D14

[Redacted]

(s) 963-0927

[Redacted]

(b) (3) - P.L. 86-36

From: [Redacted]

Sent: Friday, November 18, 2016 5:26 PM

To: [Redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions

(b) (3) - P.L. 86-36
(b) (6)

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Thanks – There are still some unanswered questions I wrote below in red. I also need to read these policy documents and will do so next week and respond (along with your provided response to these questions). Thanks!

From: [Redacted]

Sent: Tuesday, November 15, 2016 11:28 AM

To: [Redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions

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[Redacted]

(U//~~FOUO~~) In your response, it is necessary for you to specifically note what you claim to be inaccurate in the OIG Tentative Conclusions and provide the documents/evidence that demonstrate the inaccuracy in order for the report to be revised and/or any conclusions to be changed. Are you requesting an extension for your response? If so, you are granted a 7 day extension and any response-- inclusive of all necessary documents, should be submitted no later than COB 21 November 2016.

Some of these items, I'm not sure what the claim of inaccuracy is, and I thus don't know how I could even defend myself or know how to respond if I'm not sure what claim is being made.

(U//~~FOUO~~) In response to your questions:

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- (U//~~FOUO~~) The Report of Investigation is not finalized until the receipt (and inclusion) of the response to the tentative conclusion, or the passage of the deadline with no response. All substantiated reports are provided to Employee Relations, and summaries are provided to Security and the individual's supervisor. In the event that the case is substantiated, the individual is able to review the report with Employee Relations.
 - So to clarify, is there a more "full" report, since your original response said it was quoting from it, and what else is in it? Additionally, are my comments forwarded to employee relations or other groups, or is that just for the IG? If claims are deemed substantiated, do I have a further outlet to respond or comment on them in any way?
 - Secondly, I also asked about timeline. Is there a set timeline recommended or required after the submission of a response?
- (U//~~FOUO~~) You are free to seek counsel at any time by contacting a private attorney.
 - So to clarify, I can release all information to counsel without having to get it approved or anything else?
- (U//~~FOUO~~) Any disciplinary action is determined by Employee Relations.
 - And would this process, include comments from me? (see same question above)
- (U//~~FOUO~~) DoD4500.36-R is linked on the CTC website [here](#) under "Responsibilities of the Operator."
- (U//~~FOUO~~) PMM 363, Section 6-17 July 2015 is on the HR Policy and Guidance website [here](#).
 - Thanks, so I will assume these are all documents I need to read that you used in determinations? This will take a bit of time to go through.
- (U//~~FOUO~~) "CTC records" refers to vehicle reservations and notes entered in the vehicle registration system.
 - Again, I don't see any "CTC records" that state what you said. In my response I will state I have no recollection of this, but I am very curious of actually seeing these records because it wouldn't make sense that something like that would exist. Where or how do I see these records? I looked on the individual reservations and see no notes in that section.
- (U//~~FOUO~~) "Two additional times" refers to 22 October 2015 and 18 February 2016.
- Question unanswered: "Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times. Therefore, his use of GOVs for domicile-to-duty transportation violated..." I'm trying to understand this claim. What conclusion is this drawing – that the car was used for domicile-to-duty on these times? Which dates were these?
- (U//~~FOUO~~) Yes, our field work is complete unless you are able to provide additional evidence that would require additional investigative work or change our conclusions.
- (U//~~FOUO~~) Regarding the [redacted] reservation website"; Type "Go [redacted]" in your browser, at the bottom of the page under "Note:" the third bullet states "Vehicles will not be issued for transportation to any facility in which shuttle services is available." Alternately, on the same page, → Click [redacted] link → Click "Make Reservation" → Click "This reservation is for me" → Click continue → Bold red font reads; [redacted] vehicles will not be issued for transportation to any facility where shuttle service is available."
- (U//~~FOUO~~) The OIG does not release the identity of witnesses contacted in the course of our investigations.
 - You made a very big claim that as a rule I didn't have morning meetings, which is clearly false and I will state this later in my response. If I don't know who the witnesses are or

(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36

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even in what capacity (a supervisor, co-worker, etc.), how do I know if sufficient work was done to make this claim, that is false?

- (U//~~FOUO~~) "20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016" records refer to vehicle reservation requests.
 - The question was what times were falsified and when and what is this referring to on these dates?
- (U//~~FOUO~~) Timesheet inaccuracies were noted on 22 July 2015, 18 February 2016, 4 April 2016, 19 April 2016, 20 April 2016, 22 October 2015, and 23 October 2015.
 - What is the claim being made? What was the timesheet supposed to say or didn't say, how much was it off by, etc.? Can you please list all times and discrepancies? Otherwise, I have no idea what the claim of an "inaccuracy" means. Secondly, how do I request my past timesheets from years ago to verify this once knowing what the claim is being made here?
- Unanswered Question: "He altered his arrival routine, in order to return vehicles the next day without being detected; arriving much earlier than he does on typical work days." What was determined to be a "typical work day?" How many hours difference is determined to be made in order to return without being detected? What were the dates?

From:

[Redacted]

(b) (3) - P.L. 86-36

Sent: Tuesday, November 15, 2016 11:28 AM

To:

[Redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions

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(b) (6)

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

[Redacted]

(U//~~FOUO~~) In your response, it is necessary for you to specifically note what you claim to be inaccurate in the OIG Tentative Conclusions and provide the documents/evidence that demonstrate the inaccuracy in order for the report to be revised and/or any conclusions to be changed. Are you requesting an extension for your response? If so, you are granted a 7 day extension and any response-- inclusive of all necessary documents, should be submitted no later than COB 21 November 2016.

(U//~~FOUO~~) In response to your questions:

- (U//~~FOUO~~) The Report of Investigation is not finalized until the receipt (and inclusion) of the response to the tentative conclusion, or the passage of the deadline with no response. All substantiated reports are provided to Employee Relations, and summaries are provided to Security and the individual's supervisor. In the event that the case is substantiated, the individual is able to review the report with Employee Relations.
- (U//~~FOUO~~) You are free to seek counsel at any time by contacting a private attorney.
- (U//~~FOUO~~) Any disciplinary action is determined by Employee Relations.

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- (U//~~FOUO~~) DoD4500.36-R is linked on the CTC website [here](#) under "Responsibilities of the Operator."
- (U//~~FOUO~~) PMM 363, Section 6-17 July 2015 is on the HR Policy and Guidance website [here](#).
- (U//~~FOUO~~) "CTC records" refers to vehicle reservations and notes entered in the vehicle registration system.
- (U//~~FOUO~~) "Two additional times" refers to 22 October 2015 and 18 February 2016.
- (U//~~FOUO~~) Yes, our field work is complete unless you are able to provide additional evidence that would require additional investigative work or change our conclusions.
- (U//~~FOUO~~) Regarding the [redacted] reservation website"; Type "Go [redacted]" in your browser, at the bottom of the page under "Note:" the third bullet states "Vehicles will not be issued for transportation to any facility in which shuttle services is available." Alternately, on the same page, → Click [redacted] link → Click "Make Reservation" → Click "This reservation is for me" → Click continue → Bold red font reads, [redacted] vehicles will not be issued for transportation to any facility where shuttle service is available."
- (U//~~FOUO~~) The OIG does not release the identity of witnesses contacted in the course of our investigations.
- (U//~~FOUO~~) "20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016" records refer to vehicle reservation requests.
- (U//~~FOUO~~) Timesheet inaccuracies were noted on 22 July 2015, 18 February 2016, 4 April 2016, 19 April 2016, 20 April 2016, 22 October 2015, and 23 October 2015.

(b) (3) - P.L. 86-36

(U//~~FOUO~~) We look forward to your response.

Regards,

[redacted]

[redacted]

Senior Investigator

Office of the Inspector General, D14

[redacted]

(s) 963-0927

[redacted]

(b) (3) - P.L. 86-36
(b) (6)

From: [redacted]

Sent: Monday, November 14, 2016 6:42 PM

To: [redacted]

Subject: RE: (U) OIG Notification of Tentative Conclusions

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[redacted]

Thanks for your email. As mentioned earlier, I have been in class away from my office or on A/L nearly every day since this was first sent.

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There are several inaccuracies I would like to respond to and do plan on responding, but I have a few clarifying questions below that I need answered beforehand. In some cases, some of this information claimed or concluded doesn't afford me any opportunity to verify the information myself because the language is vague or unclear. Further, answers to these questions will help me better understand what is being concluded and how this process works.

- You state that this is the tentative conclusion of the report of investigation, quoted directly from the Report of Investigation. Where is the actual report that this is quoted from and why does this only include part of it? What other information is in the report? Which individuals have access to this report? Can I see this report?
- To better understand this OIG process, what further steps are there in this process? Once I submit a written response, what steps are taken and what is the rough timeline? When are other people notified, and who will be notified, and what is contained in the notification?
- Am I able to have counsel representation at this or later stage? How can that be arranged?
- If some kind of penalty is assessed, how is this done and are there previous examples from these claims? How does that process work?
- DoD 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007 is referenced. I believe this is the first I've heard of this regulation, and tried to find it unsuccessfully. Can you send a copy?
 - Can you also send NSA/CSS Personnel Management Manual, Chapter 363 - Section 6-17, *Excused Absence for Morale Building Activities (MBA)* and all other referenced documents/sites?
- For the statement "According to CTC records, he advised that his meeting.." what records does this refer to? I have no recollection of making this statement, and provided I knew the policy at the time would have called SOCC. Does SOCC have a record of me calling and notifying them of keeping the car overnight?
- "Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times." I just looked in [redacted] and see no record of checking out a car on the following day two additional times. What and when is this referring to?
- "Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times. Therefore, his use of GOVs for domicile-to-duty transportation violated..." I'm trying to understand this claim. What conclusion is this drawing - that the car was used for domicile-to-duty on these times? Which dates were these?
- I'm also confused what the investigation has or will incorporate and will other investigations be made? Is all field work completed?
- "displayed on the [redacted] reservation website" What web site is this? I don't see this "clearly" or even at all stated on the reservation site.
- "Witnesses testified that he did not have a need for early morning meetings, as a rule" I'm very confused by this statement and what "rule" means. In what manner is witness expressed? Supervisor, colleague, etc.? I have had countless early morning meetings, some that I have set, and some that I have joined, so it would be helpful to know who these 'witnesses' are and what time periods and in what context to see where gaps might exist in the investigation.

(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36

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- What are the falsified government records referring to for these dates listed: "20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016?"
- "He altered his arrival routine, in order to return vehicles the next day without being detected; arriving much earlier than he does on typical work days." I'm confused by this statement. What does much earlier than typical work days mean? My schedule is extremely variable, and I don't understand this statement or conclusion or the basis upon which it was judged.
- "knowingly submitted false and inaccurate timesheets" What days and times is this referring to?

Again, I would like to respond to this, and thanks for providing answers to these questions so I have the opportunity to do so.

From: [redacted]
 Sent: Tuesday, November 08, 2016 1:46 PM
 To: [redacted]
 Subject: RE: (U) OIG Notification of Tentative Conclusions

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I've been out or in class nearly every day since this was sent, and I haven't gotten a chance to read it yet. I'll also be away through the end of the week, but will respond next week.

Thanks.

(b) (3) -P.L. 86-36
(b) (6)

From: [redacted]
 Sent: Tuesday, November 08, 2016 10:53 AM
 To: [redacted]
 Subject: RE: (U) OIG Notification of Tentative Conclusions

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(b) (3) -P.L. 86-36

(U) Good Morning [redacted]

(U//~~FOUO~~) Last week, I sent the below e-mail notifying you of the tentative conclusions in the OIG investigation regarding the allegation that you misused a GOV on one or more occasions. As requested, please confirm receipt of the e-mail.

Regards,

[redacted]
 Senior Investigator
 Office of the Inspector General, D14
 [redacted]

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(s) 963-0927

From: [redacted] (b) (3) - P.L. 86-36
Sent: Tuesday, November 01, 2016 12:35 PM
To: [redacted]
Subject: (U) OIG Notification of Tentative Conclusions

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(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) [redacted]

(U//~~FOUO~~) We have completed the field work associated with the Office of the Inspector General (OIG) investigation regarding the allegation that you misused a government owned vehicle (GOV) on one or more occasions.

(U//~~FOUO~~) Prior to finalizing the Report of Investigation, we are notifying you of our tentative conclusions and extending an opportunity for you to provide a written response. We include this step in our investigative process to ensure that subjects are afforded the opportunity to review our findings and reply with any mitigation, facts, information, or evidence that might not have been considered in reaching our conclusions. The following is quoted directly from the Report of Investigation:

“(U//~~FOUO~~) DoD 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007, Section 2.5 and NSA/CSS Policy 9-19, which implements the DoD regulation, require that the use of all GOVs be restricted to official purposes only. These regulations also state that questions arising about the official use of a GOV shall be resolved in favor of strict compliance with statutory provisions and the implementing regulation.

(U//~~FOUO~~) [redacted] admitted that he reserved a GOV to attend a class at FANX and to facilitate his attendance at an office Morale Building Activity (MBA) during lunch on 19 April 2016. An office sponsored MBA is not considered an official use of a GOV. NSA/CSS Personnel Management Manual, Chapter 363 - Section 6-17, *Excused Absence for Morale Building Activities (MBA)*, March 2016, states that MBAs are defined as activities planned for the purpose of promoting employee morale. As MBAs are meant to contribute to a better work environment and are recorded as excused absences on timesheets, attending an MBA would not be an official purpose to use a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19 by using the GOV to attend the MBA.

(U//~~FOUO~~) Additionally, on 20 April 2016, the date named in the initial complaint, [redacted] used a GOV to drive to a food establishment near the FANX facility. Use of a GOV to travel from FANX to a local food establishment is not an official use of a GOV. Therefore, he violated DoD 4500.36-R and NSA/CSS Policy 9-19.

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(b) (6)

(U//~~FOUO~~) Both DoD 4500.36-R and NSA/CSS Policy 9-19^[1] state that the transportation between an employee's place of residence (domicile) and duty location is the sole responsibility of the employee and NSA/CSS motor vehicles shall not be used for domicile-to-duty transportation, or any portion thereof, unless an exception has been granted by the Secretary of Defense. [redacted] admitted that on at least one occasion, he took a vehicle home when a meeting in Virginia lasted too long to allow him to return to NSA and still make the MARC train/shuttle to commute home. This reasoning has no bearing on the fact that domicile to duty transportation is strictly prohibited. In reviewing GOV records, the OIG identified five instances where [redacted] did not return the assigned GOV on the same day as it was checked out. He was counseled by CTC on 13 May 2015 about the need to return vehicles or notify SOCC if they are not returned the same day. According to CTC records, he advised that his meeting "lasted through the night." This is untrue. In fact, [redacted] noted his ending work time as 1745 on his timesheet. Even after he was counseled by CTC, GOVs that [redacted] checked-out were logged in after his return to work on the following day two additional times. Therefore, his use of GOVs for domicile-to-duty transportation violated DoD 4500.36-R and NSA/CSS Policy 9-19.

(b) (3) - P.L. 86-36

(U//~~FOUO~~) [redacted] was aware, or should reasonably have been aware, that [redacted] vehicles should not be used for locations where shuttle services were available, not only because it is prominently displayed on the [redacted] reservation website where he acknowledged his understanding of the policies, but also because he made comments justifying why he was unable to use shuttles on several reservations; justifications that in some cases were untrue. [redacted] stated that early morning and back-to-back meetings made the shuttle schedule "impossible" for him to reach his destinations in a timely fashion. Witnesses testified that he did not have a need for early morning meetings, as a rule, and access control records show that he did not enter other NSA facilities on several occasions when he documented a need to go to Emerson or other facility with inconvenient shuttle services. The OIG found that [redacted] excuses were just that, an excuse fabricated to allow him to use a GOV rather than a shuttle. [redacted] falsified his government records for the dates 20 July 2015, 22 July 2015, 3 August 2015, 19 April 2016, and 20 April 2016 by stating that he was attending a class at a facility where a shuttle was not available so that he could use a GOV to attend a class at FANX, where the Agency operates a shuttle service. Similarly, [redacted] falsified his government records on 4 April 2016 stating that he was required to attend a meeting and a class, and

^[1] (U) 31 U.S. Code § 1344, *Passenger carrier use*, defines passenger carrier as a passenger motor vehicle or other similar means of transportation that is owned or leased by the United States Government. 31 U.S. Code § 1344 further states that transporting any individual other than the individuals listed in subsections (b) and (c) between such individual's residence and such individual's place of employment is not transportation for an official purpose. 31 U.S. Code § 1344 is implemented by DoD 4500.36-R and NSA/CSS Policy 9-19, *Management, Acquisition, and Use of Motor Vehicles*, July 2014.

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(b) (6)

the shuttle would not be able to satisfy his mission requirements even though there is no evidence of another scheduled meeting on that day, or attendance at another NSA facility.

(U//~~FOUO~~) NSA/CSS Personnel Management Manual, *Chapter 366 Personal Conduct*, February 2014, states employees granted access to classified information and Sensitive Compartmented Information must be stable; trustworthy; reliable; of excellent character, judgment, and discretion; and of unquestioned loyalty to the United States. Conduct that brings into question these character traits specifically include deliberate misrepresentations, falsifications, or omission of material facts in any Agency document. Furthermore, NSA/CSS Personnel Management Manual, *Chapter 366, Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsification, or omission of material facts in an Agency document. [redacted] repeatedly provided false information about his destinations when reserving GOVs. He knew that reporting his training at the [redacted] would allow for the use of a GOV, whereas training at FANX would not. On six occasions he entered deliberately false information into the [redacted] system in order to gain approval for the use of a GOV for his personal convenience. Likewise, when questioned about his failure to return a vehicle, [redacted] provided false information to CTC personnel. He told them his meeting "lasted through the night," when, in fact, he documented that his work day ended at 5:45 PM, at the conclusion of his eight hour work day.

(U//~~FOUO~~) NSA/CSS Personnel Management Manual, *Chapter 360, Time and Attendance*, § 2-7(a), September 2003, states that employees must ensure that all information relevant to their time and attendance is recorded accurately. NSA/CSS Personnel Management Manual, *Chapter 366, Personal Conduct*, §§ 2-1(K) and 2-2(B), state employees will not knowingly make or present a false or fraudulent statement or claim, and deliberate misrepresentations, falsification, or omission of material facts in an Agency document. The OIG reviewed [redacted] timesheets for the days he used GOVs during the period of review. We found that seven days contained discrepancies in the arrival or departure times, not hours, incorrectly claiming "no lunch" or unexplained mid-day gaps, resulting in an overstatement of [redacted] work hours. On each of these seven days, the error in time reporting is substantial and in his favor, leading to the conclusion that [redacted] made the overstatements deliberately.

(b) (3) - P.L. 86-36

(U//~~FOUO~~) [redacted] pattern of GOV use reflects an individual who has used GOVs for his personal convenience repeatedly. He has falsified records in order to gain approval for use of GOVs, and he has provided false information to [redacted] administrators when questioned about failure to return a vehicle. After being questioned by [redacted] personnel, he again failed to return a vehicle at the end of the day on two more occasions with no explanation. He altered his arrival routine, in order to return vehicles the next day without being detected; arriving much earlier than he does on typical work days. The OIG finds that [redacted] misuse of GOVs was willful.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusions that:

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(b) (3) -P.L. 86-36
(b) (6)

- (U//~~FOUO~~) From 1 January 2015 through 20 April 2016, [redacted] willfully misused GOVs, in violation of NSA/CSS Policy 9-19, *Management, Acquisition, and use of Motor Vehicles*, July 2014, and Department of Defense Regulation 4500.36-R, *Management, Acquisition, and use of Motor Vehicles*, March 2007.
- (U//~~FOUO~~) From 1 January 2015 through 20 April 2016, [redacted] knowingly provided false information when reserving government vehicles. His actions violated NSA/CSS Personnel Management Manual (PMM), Chapter 366, § 2-1(K) and 2-2(B).
- (U//~~FOUO~~) [redacted] knowingly submitted false and inaccurate timesheets in violation of NSA/CSS PMM Chapter 360, § 2-7(a), and Chapter 366, §§ 2-1(K) and 2-2(B)."

(U//~~FOUO~~) Please take the following actions:

- 1) (U//~~FOUO~~) Immediately confirm receipt of this e-mail.
- 2) (U//~~FOUO~~) Although you are not required to provide any input, if you choose to do so, please provide your input by **15 November 2016**. Your reply can be in the form of an e-mail, memo, or any format you choose. Please provide as much detail as possible, including dates, facts, names, and supporting documentation.
- 3) (U//~~FOUO~~) If you choose not to provide any input, please let us know that as soon as practicable, but **no later than 15 November 2016**.

(U//~~FOUO~~) Thank you in advance for your cooperation.

[redacted] (b) (3) -P.L. 86-36

[redacted]
 Senior Investigator
 Office of the Inspector General, D14

[redacted]
 (s) 963-0927

[redacted]

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