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NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE



INSPECTOR GENERAL

REPORT OF INVESTIGATION

2 September 2015

IV-15-0009

Alleged Misuse of Government Resources

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Approved for Release by NSA on 05-03-2021, 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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I. (U) SUMMARY

(U//~~FOUO~~) On 7 October 2014, the NSA/CSS Office of the Inspector General (OIG) received an allegation regarding [redacted] and [redacted] employees. The allegation stated that [redacted] and [redacted] on more than one occasion, were engaging in inappropriate conduct, specifically sexual activity in a [redacted] during the workday.[1] On 19 September 2014, [redacted] supervisor confronted the two about their conduct after observing them in a [redacted]

(U//~~FOUO~~) In addition to obtaining sworn testimony from [redacted] and [redacted] the OIG conducted interviews of seven witnesses. The OIG also reviewed "chat" traffic between [redacted] and [redacted] from 1 November 2013 through 30 November 2014.

(U//~~FOUO~~) The OIG found that from November 2013 until October 2014, [redacted] engaged in sexual activity in the workplace with [redacted] during duty hours once or twice per week. On those occasions, [redacted] would leave her office and meet [redacted] in a [redacted] typically for about fifteen or twenty minutes. Additionally, during the same time period, while on duty, [redacted] misused her NSA computer to conduct non mission-related chats of a sexual nature with [redacted] for two to four hours per day. In the mornings, [redacted] chatted about, among other things, the upcoming meetings in [redacted] often graphically discussing the anticipated sexual encounters. After the meetings, the two would engage in further chatting regarding their relationship and sexual activity.

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(U//~~FOUO~~) Additionally, [redacted] inappropriately disclosed personnel privileged information regarding one co-worker's Annual Contribution Evaluation (ACE) score, as well as the fact that another co-worker filed an EEO complaint, to [redacted][2]
(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted]

- made sexual advances and engaged in physical conduct of a sexual nature in the workplace, in violation of PMM Chapter 366, Section 2-1(B);

- failed to give thorough, efficient and industrious service in the performance of her assigned duties, in violation of PMM Chapter 366, Section 1-3(E);

[1] (U//~~FOUO~~) [redacted] involvement in this matter is addressed in a separate report of investigation.

[2] (U//~~FOUO~~) Personnel privileged information is any information or records concerning an individual which are maintained and used in the personnel management or personnel policy setting process (NSA/CSS Policy Manual 6-3, Chapter 2).

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- used her federal government communication system to conduct non-mission-related "chats" of a sexual nature, in violation of DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301 and NSA/CSS Policy Manual 6-3; and

- inappropriately disclosed personnel privileged information to an unauthorized recipient, in violation of PMM Chapter 366, Section 2-4.

(U//~~FOUO~~) A copy of this report will be provided to Employee Relations (MR) for information and appropriate action. A summary of the findings will be provided to the Associate Directorate for Security and Counterintelligence, Special Actions (Q242), and [redacted] supervisor.

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II. (U) BACKGROUND

(U) Introduction

(b) (6)

(U//~~FOUO~~) worked at NSA from 1991 until 2001 before voluntarily resigning. She re-entered on duty with NSA on She currently works in as a GS012

(U//~~FOUO~~) Her employee profile is attached as Appendix B.

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(U) Applicable Authorities

(U//~~FOUO~~) The investigation looked at possible violations of the following authorities.

(U) DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301: Use of Federal Government Resources

(U) NSA/CSS Policy Manual 6-3, Chapter Two, Information System User and Supervisor Responsibilities

(U) NSA/CSS PMM Chapter 366, Section 1, 1-3, General Principles for on the Job Conduct.

(U) NSA/CSS PMM, Chapter 366, Section 2, Personnel and Security Standards, 2-1, Work Environment

(U) NSA/CSS PMM, Chapter 366, Section 2, Personnel and Security Standards, 2-4, Safeguarding Information

(U//~~FOUO~~) Full citations are contained in Appendix A.

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III. (U) FINDINGS

(U//~~FOUO~~) *ALLEGATION 1*: ***Did [redacted] make sexual advances and engage in physical conduct of a sexual nature in the workplace, in violation of PMM Chapter 366, Section 2-1(B)?***

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

(U//~~FOUO~~) *ALLEGATION 2*: ***Did [redacted] fail to give thorough, efficient, and industrious service in the performance of her assigned duties, in violation of PMM Chapter 366, Section 1-3(E)?***

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

(U//~~FOUO~~) ALLEGATION 3: Did [redacted] use her federal government communication system to conduct non-mission-related "chat" of a sexual nature, in violation of DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301 and NSA/CSS Policy Manual 6-3?

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

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(U) Documentary Evidence

(U//~~FOUO~~) **Appendix C** – Chat conversations between [redacted] and [redacted][3]

(U//~~FOUO~~) Twenty-one sample conversations, dated between December 2013 and October 2014, are included. The conversations typically start prior to 0600 hours, and last for an extended period. The conversations are often resumed later in the morning and again are lengthy. Their conversations contain numerous sexual innuendos, vulgar language, and otherwise inappropriate content for the workplace.

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[3] (U//~~FOUO~~) [redacted] is nicknamed [redacted] in the conversations.

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(U) Testimonial Evidence

(U//~~FOUO~~)

(U//~~FOUO~~) On 22 October 2014, Chief, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) has known for about 15 years, and has directly supervised her for the past two years.

(U//~~FOUO~~) Co-workers recently told that a few times a week, has been going in the with who works in On a recent Tuesday, he noticed the key to was missing. He went back in the and saw near approached him and said "I know what you are watching. it happens all the time. We all know it. You are early. It usually does not happen until 0900."

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(U//~~FOUO~~) At around 0900, while in observed and go into together. After about five minutes, he listened by the door. He could hear shuffling and movement in the room. He waited about 20 minutes but when they did not come out, he went back to his office. When returned to the office, he sent her and a message that he wanted to talk to them in the cafeteria. He subsequently met with them and told them they could not "have sex in leaned back and nonchalantly patted on the back. was red-faced and embarrassed. Neither person said anything; it was a one way conversation. went into afterwards and saw a small metal table that he did not see before; he had the table removed from

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(U//~~FOUO~~) After left, asked how long the behavior had been going on, and she said about a year. He told her she needed to take a half hour of leave to cover the time the two spent in on that Tuesday.

(U//~~FOUO~~) About a week ago, apologized to appearing very remorseful. Her apology came after another incident in which an employee told that he saw the two come out of near the office, at 0530 or 0600 in the morning. The employee wondered what the two were doing in that area because the office was not opened for the day yet. A few days later, Office Manager, reported that was in the men's room with reported the matter to Chief of Staff, who referred the matter to Office Chief, and Employee Relations Counselor, then separately counseled both individuals.

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(U//~~FOUO~~) [redacted] is an outstanding worker, the best in the office. [redacted] has never had any issues with her and does not want to lose her. She is dynamic and an almost perfect employee.

(U//~~FOUO~~) Personnel in [redacted] told [redacted] that the two have been meeting in the [redacted] a few times a week for about a year. [redacted] who works in the [redacted] told him he saw [redacted] poke her head out of [redacted] on one occasion to make sure the "coast was clear" before she left [redacted]

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(U//~~FOUO~~) [redacted] is irritated by their behavior, particularly because other people in his office have to access and use [redacted]

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

(U//~~FOUO~~) On 23 October 2014, [redacted] Office Manager, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] sees [redacted] a few times a week at work, and [redacted] about once every two weeks. She recently heard "hallway talk" from another [redacted] employee that the two were having a relationship and "messing around" at work. The employee told [redacted] she heard the information from someone else and did not have direct knowledge of it.

(U//~~FOUO~~) A week or two ago, [redacted] was in the bathroom of [redacted] and could hear two voices in the men's room next to her. She deduced from the voices that the two were [redacted] and [redacted] She heard them talking for a minute or two, but they were gone before she left the women's room.

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(U//~~FOUO~~) [redacted] reported the matter to [redacted] supervisor. Subsequently, [redacted] was asked to schedule meetings for [redacted] the Office Chief, to counsel each individual. She thinks [redacted] told them to "knock it off" and "do it somewhere else."

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

(U//~~FOUO~~) On 29 October 2014, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] has known [redacted] and [redacted] since sometime in the 1990s. Working in [redacted] he heard rumors that the two were going in [redacted] together early in the morning for extended periods, but he has not personally observed them. He first heard the rumors a few months ago from colleagues.

(U//~~FOUO~~)

(U//~~FOUO~~) On 30 October 2014, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) has known for a few years. He does not know who "keeps pretty quiet." works in the in a SCIF area within . Since personnel are always in and out of the SCIF, they keep a rolled up door open most of the time. From the SCIF, personnel can see everyone coming in and out of the where is located.

(U//~~FOUO~~) was coming in and out of about three times a day and going to there. noticed would walk in, and then would come in to about five minutes later. She would leave about 25 minutes later, and again, he would leave about five minutes after her. This occurred almost daily, generally around 0700 or 0715. There is a lot of talk about the two in has been discussing the matter with a co-worker: "We kind of figured out what was going on right away, because we were both in Security before." Two other colleagues, and are aware of the behavior as well.

(U//~~FOUO~~) thinks they started noticing the two going into in about May or June 2014. He has not seen or in the for a few weeks.

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(U//~~FOUO~~)

(U//~~FOUO~~) On 31 October 2014, Team Lead, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) has been immediate supervisor for the past two and a half years.

(U//~~FOUO~~) About a month ago, told that for the last six months or more, "something was going on" between and who is responsible for told him the two were allegedly caught in a back room together. He was surprised to hear it; he thought the two were just friends.

(U//~~FOUO~~) heard that supervisor, looked into it. A few weeks ago, Deputy Chief, told him the front office needed to see who was at lunch. from MR then called him and asked for cell phone number. did not explain why she needed to talk to but she apparently counseled him that day. When returned from ER, he was

called into [redacted] office. Subsequently, [redacted] brought [redacted] into his office and informed him that [redacted] and [redacted] needed to avoid future contact at work.

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(U//~~FOUO~~) [redacted] did not discuss the issue with [redacted] since upper management already addressed it with [redacted]

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

(U//~~FOUO~~) On 31 October 2014, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) For an extended period, the bathroom in the main floor of the [redacted] was closed for maintenance. As a result, [redacted] and his co-workers would notice more when people came into the area near their office.

(U//~~FOUO~~) Beginning in August or so, almost every day, at approximately 0730 in the morning, [redacted] would see [redacted] walking towards [redacted]. A few minutes later, [redacted] would walk back in the same direction. [redacted] never saw either of the two enter or exit [redacted] directly. However, there was considerable talk among civilians and contractors in [redacted] that the two were going in [redacted] together for extended periods. As far as [redacted] knows, [redacted] did not have any work-related reason to be in [redacted] has a legitimate reason to be in [redacted], given her job duties.

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(U//~~FOUO~~) [redacted] is not sure what they have been doing, but would guess that "something has been going on" between the two.

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

(U//~~FOUO~~) On 7 November 2014, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) Beginning in 2013, [redacted] would meet [redacted] for walks for fifteen to twenty minutes at lunchtime as well as in the mornings at [redacted]. When they met in the mornings, he would rinse his coffee cup, they would talk about their home problems, and then they would go back to their respective offices. In late 2013, they became more than friends. One day, [redacted] slapped [redacted] butt and she did not object. Sometime later, in November, 2013, they kissed each other for the first time. They then began meeting almost every morning around 0530 or 0600 and kissing in the stairway.

(U//~~FOUO~~) In approximately January 2014, until September, 2014, they began touching and "groping" each other, either in the stairway or in the [redacted]. They did not have time to engage in full intercourse on even one occasion, saying it was more sexual teasing, sometimes

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to the point of ejaculation.[4] would also in the mornings once every few weeks. They would meet every morning in the stairway to rinse his cup and talk; about once or twice a week they went into and engaged in touching and sexual activity for about ten or twenty minutes. Two or three times, they would go to Perry's for lunch, for about an hour each time.

(U//~~FOUO~~) In August or September 2014, supervisor, met with and and told them that people were saying they were coming out of together, and that they should not be going in the room together any more. told to put herself down for a half hour leave, since he knew she was in with that particular day for an extended time. and ceased going in after talked to them; they continued to meet in the mornings to talk and wash coffee cup. On occasion, they went back in a [al]cove area and kissed on the second floor of which she knows was inappropriate.[5]

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(U//~~FOUO~~) In the mornings, would go to the men's room door and talk to while he washed his cup out, but did not ever fully enter the bathroom. She did not go beyond the front door of the men's room at any point. from MR called over to her office and told her that people were reporting the two were having sexual relations in the bathroom of the told both parties to avoid contact with each other in the workplace. Office Chief, and Chief of Staff, also told the two the same thing. and have complied with the order, and now keep their relationship outside of the workplace.

(U//~~FOUO~~) was not thinking when she engaged in what she knows is "inappropriate behavior." The environment in the is "blue collar", and more like a locker room, with sexual innuendos, etc. Though not an excuse, she has had a lot of personal stress, such as The encounters with made her happy, and things just got out of hand. She does not think she misused much work time, because she often works from 0430 until at least 1330 without claiming extra time.

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(U//~~FOUO~~) She has chatted with a few times on "Lync" since they were counseled. Prior to that, they would chat sporadically every day at work for anywhere from one hour to two hours total per day. Some days they might have chatted as much as three hours. In a given 40 hour week, the most they chatted was about ten hours on average. The chatting started in November, 2013, when the two started walking together, and continued until they were counseled. Now, they restrict their chatting to a "hi or bye", a minute or two at a time.

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[4] (U//~~FOUO~~) denied having full intercourse with However, she later emailed the OIG and said "With regard to your question about intercourse, we tried but could not complete the full act of intercourse because he could not keep an erection which is why I said no, we did not have the time. However, if you believe that trying is the actual act of intercourse then my response should have been yes. . ."

[5] (U//~~FOUO~~) The physical area described is referenced in testimony. He told the OIG that an employee told him about seeing and coming from a

(U//~~FOUO~~) indicated that she understood the policies regarding use of official time and avoiding inappropriate conduct in the workplace and agreed to comply with those policies in the future.

(U//~~FOUO~~)

(U//~~FOUO~~) On 7 November 2014, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) met in about 2006. For approximately the past nine months, the two have been involved in a relationship.

(U//~~FOUO~~) At some point, said her legs were "silky smooth" and said he wanted to feel them. One day, the two were walking and "whacked" her on the behind. was not offended and as a result, thought she might be interested in him.

(U//~~FOUO~~) Beginning in late spring or early summer 2013, and would see each other at work each day for five to ten minutes in the morning. He would wash his coffee cup out and she would talk to him from just outside the bathroom. At some point, maybe about seven months ago, they "made out" in the parking lot. They then met in parking lots or a hotel room on occasion.

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(U//~~FOUO~~) mentioned she had where they could get away from it all and talk more. About once a week or so, they would meet in there for about ten to fifteen minutes, around 0900, and engage in kissing, hugging, oral sex and groping.[6] Once every few weeks, she would in which only took about ten minutes. On three occasions, they had "full intercourse" in while standing up. They never engaged in sexual activity in the bathroom.

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(U//~~FOUO~~) In probably August 2014, people told that he was being watched. He told they had to be careful. supervisor, "had a thing" for her, and used to tell he would like to "get at that" before he knew about their relationship.

(U//~~FOUO~~) In September 2014, brought the two to the cafeteria and told them he knew what was going on and that "it stops today." from MR then called them over to her office and said MR was getting calls that the two "were having sex every day," to include in the bathroom of Apparently someone told MR that she overheard the two having sex in the men's room from the adjacent women's room. The two were simply talking, though acknowledges should not have been standing at the men's room

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[6] (U//~~FOUO~~) Following the interview, emailed the undersigned and said, "... now that I had time to clear my head I do believe we were in the room twice a week for a good 3 to 4 month stretch, but like I said not every week was about what we talked about."

door. [redacted], Office Chief, [redacted] then called the two in and told them to stay apart from each other at work at all times. [redacted] and [redacted] have complied with his directive. When he sees her at work now, he heads the other way.

(U//~~FOUO~~) [redacted] has met [redacted] for lunch about four or five times over the past nine months, being away from work for about an hour or so. [redacted] works 0530 to 1400 and four out of five days, he does not go to lunch. He feels like the extra time he puts in covers any time he spent with [redacted]

(U//~~FOUO~~) [redacted] and [redacted] chatted about personal issues for approximately one half hour a day. At times, the conversations had a sexual tone, with fantasy talk; symbols such as kiss signs, and occasionally suggestive images. He has consistently had sexual chats with different women off and on ever since the chat capability was established at the Agency. [redacted] and [redacted] were engaging in these conversations every day on the "high side." He has not accessed pornography or child pornography at work.

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

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(U//~~FOUO~~) [redacted] was interviewed for a second time on 2 June 2015 and provided the following sworn testimony.

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(U//~~FOUO~~) In September 2013, [redacted] kissed [redacted] for the first time. The two were in his office. They continued to meet and kiss in the mornings in either his office or the stairway until approximately November 2013, when they took their relationship further.

(U//~~FOUO~~) From November 2013 until October 2014, she met [redacted] every workday morning while he washed his coffee cup. The two would kiss and spend about ten to fifteen minutes together. About twice a week, the two would meet in a [redacted] and engage in sexual activity for about fifteen minutes or so. "It's a fair assumption" that some days the two would spend most of the morning chatting about their meeting, then would meet and have sexual activity, and later would chat more about their meeting.

(U//~~FOUO~~) [redacted] and [redacted] would spend considerable work time chatting, typically exchanging content of a sexual nature. Some days they "maybe" spent five or six hours chatting. On average, [redacted] estimates they were chatting four hours a day for about a year before their sexual activity in the workplace was discovered. "I did do some work." In November 2014, after the first interview with the OIG, [redacted] deleted her chat account. She printed out all the conversations with [redacted] prior to deleting the account because she wanted to keep them as mementos. She did so at the end of a work day, using a "ream of paper…250 to 500 sheets." Some of the conversations contained "sexual type" emoticons which she either downloaded from the low side or received from other Agency employees. There were maybe 50 to 100 emoticons available on the chat site. She would use some of the emoticons – a teeter totter, sticking out a tongue, a devil - for sexual connotations. After a while, [redacted] disposed of the printed conversations. She said she did so because she did not want the temptation: "If you were locked up for drugs, do you want to keep drugs in your house?...If the

temptation to drink's not there, then hopefully you don't drink. That was my thinking…." The two have not had any physical contact at work since the November interview, and only spend a few minutes each day in non-sexual chats via Lync.

(U//~~FOUO~~) Regarding the graphic nature of several of their chats, [redacted] said, "It was inappropriate in the workplace to say that stuff…you just got caught into it like a drug. If your parents told you don't eat that candy in the jar, you want to eat the candy…it made me happy. You wanna do something that makes you happy…."

(U//~~FOUO~~) [redacted] came to the Agency as a High School Work Study and through her various jobs developed a knack for information technology (IT). She is a Systems Administrator, basically loading scanners and different software on the computer for [redacted]. She has the special access PRIVAC. She did not think about misuse of the system when she was engaged in the sexual chats: "Misusing the system is putting a USB drive in, taking information you shouldn't be taking…messing with your computer…." She was not thinking about being monitored on the system either, or the chats being discovered.

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(U//~~FOUO~~) [redacted] can do multiple things at a time, and is very fast with her job, quicker than most. "I can do ten hours of work in a couple hours." It is fair to say she can perform her job in a lot less than eight hours a day. The chats and meetings with [redacted] have not impacted her performance; she just received a 4.2 score on her ACE. Nobody has told her that her work has declined or need to improve.

(U//~~FOUO~~) [redacted] said her inappropriate conduct was "acting like a child." She thinks the Agency should retain her as an employee because she does good work quickly and makes things happen for people, as evidenced by her strong ACE score.

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(U//~~FOUO~~) From the top down, a lot of things are accepted in [redacted] that should not be tolerated. It's a blue collar environment, and things like "hey sexy" are tolerated, much more than they would be in other places.

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

(U//~~FOUO~~) [redacted] was interviewed for a second time on 2 June 2015 and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] and [redacted] have stayed apart from each other at work since they were interviewed by the OIG in November 2014. "I am scared straight." They chat via Lync maybe four times a day, probably for less than a half hour total, keeping the brief conversations clean: "We are in love with each other."

(U//~~FOUO~~) The chats between the two prior to the interview were "maybe more than a half hour" as [redacted] estimated in the first interview. "If I had to go five days a week, if I had to guess, let's say ten hours a week. That could be high or it could be low." Some days he was

looking for work and did not have enough to do. He has not allowed the chats to affect his performance.

(U//~~FOUO~~) Regarding the graphic nature of the conversations and the fact that they were taking place daily, [redacted] said he wasn't thinking. He was not aware that his conversations could be monitored or retrieved, despite the consent to monitoring sticker on his computer screen. "I wasn't thinking, just blind." He does not sign in on the chat account [Pidgeon] he used to use any more.

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(U//~~FOUO~~) Every day the two would meet in the morning for ten to fifteen minutes while he washed his coffee cup and then would kiss. They would meet later in the day once or twice a week and engage in sexual activity in work spaces, for fifteen minutes or so. [redacted] cannot remember when exactly, but thinks they began meeting in the [redacted] in early 2014. "The room thing started in '14.. [redacted] suggested that she had keys to a room and wanted to meet. I said sure…if I had to guess, I'd say that was in May or June 2014…."

(U//~~FOUO~~) "I just didn't think. I apologize. It's embarrassing to hear that stuff [the chat conversations]…I am ashamed."

(U//~~FOUO~~) "I've been a loyal employee for 28 years…I'm a hard worker, a good worker." The chats were a "poor use of judgment…good people make mistakes…I don't know what else to say…." He has not talked about his chats or meetings with [redacted] with his supervisor, [redacted]

(U//~~FOUO~~) "My image has been tarnished…I'll do whatever it takes to restore that." People are looking at him differently now, which hurts. He will accept whatever punishment is deemed appropriate.

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

(U) Analysis and Conclusions

(U//~~FOUO~~) NSA/CSS Policy PMM Chapter 366, section 2-1 states that employees will not engage in conduct that disrupts the workplace or interferes with work performance, and that employees will not make sexual advances or engage in physical conduct of a sexual nature, whether welcome or not, in the workplace. From November 2013 until October 2014, [redacted] met with [redacted] twice a week on average during the workday and engaged in sexual activity in a [redacted] had access to the [redacted] and suggested to [redacted] that the two begin meeting there. The meetings were during duty hours, and in NSA/CSS spaces, specifically [redacted] that belonged to the [redacted] organization.

(U//~~FOUO~~) NSA/CSS Policy PMM Chapter 366, section 1-3, states that employees should give thorough, efficient, and industrious service in the performance of their assigned duties. The DoD JER 5500.7-R states that "Federal Government communication systems and equipment…shall be

for official use and authorized purposes only…." Additionally, NSA/CSS Policy Manual 6-3, Chapter 2, section 3.b states that all NSA/CSS IS users shall "Use Information Systems for official government and/or mission related purposes."

(U//~~FOUO~~) [redacted] estimated he spent two hours a day (on average over a one year period) on his government computer in non-work related chatting with [redacted] surmised that the two were spending on average four hours per day chatting. The chat conversations (Appendix C) were filled with sexual teasing, sexual innuendos and suggestive or vulgar remarks. The OIG review of the graphic chats revealed that many days, [redacted] would continuously chat for hours at a time with [redacted] about their relationship and their upcoming meeting in [redacted] She would then meet him in [redacted] and engage in inappropriate sexual activity. She would then return to her work space and spend additional extended time chatting about the meetings in [redacted] and discussing their relationship and next meeting. [redacted] told the OIG it was a "fair assumption" that she was spending most of her mornings chatting with or meeting [redacted] Given the extended and continuous nature of the conversations and meetings, the time and effort [redacted] was performing work was clearly impacted, regardless of her assertions to the OIG, and supported by her supervisor's testimony, that her performance remained stellar. [redacted] admitted to the OIG that the extended chat conversations and meetings she was having with [redacted] were inappropriate in the workplace.

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

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

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted]

- made sexual advances and engaged in physical conduct of a sexual nature in the workplace, in violation of PMM Chapter 366, Section 2-1(B);
- failed to give thorough, efficient and industrious service in the performance of her assigned duties, in violation of PMM Chapter 366, Section 1-3(E); and
- used her federal government communication system to conduct non-mission-related "chat" of a sexual nature, in violation of DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301 and NSA/CSS Policy Manual 6-3.

(U//~~FOUO~~) ALLEGATION 4: Did [redacted] inappropriately disclose personnel privileged information to an unauthorized recipient, in violation of PMM Chapter 366, Section 2-4?

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

(U) Documentary Evidence

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(U//~~FOUO~~) **Appendix C** – Chat conversations between [redacted] and [redacted]

(U//~~FOUO~~) Sample conversations, dated between December 2013 and October 2014, are included. In conversations with [redacted] makes reference to an ACE score for [redacted], an employee's EEO complaint and the cut off for bonuses. [redacted] was able to access the information via her role as the [redacted] with privileged access to information systems.

(U) Testimonial Evidence

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

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

(U//~~FOUO~~) [redacted] was interviewed for a second time on 2 June 2015 and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] does not supervise her and does not provide input into her ACE score. She could not explain a chat comment to [redacted] on 15 October 2014 where she said "I gave f-ing [redacted] a 4.0 [ACE score]." She probably was just saying [redacted] got a 4.0. [redacted] is a "drama queen" who cries and screams and still gets good scores and got promoted this year. She does not really care for [redacted] who did not deserve a 4.0.

(U//~~FOUO~~) When asked about a 15 October 2014 chat comment on the cutoff for bonuses, she said she "hears things" working in the [redacted] front office. She stated that "[i]t's not from going on someone's computer and looking for information, it's from hearsay…usually, I hear it from [redacted]…I have never ever gotten on anyone's computer to look at personnel information…." [redacted] denied looking at anyone's conversations or emails.

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

(U//~~FOUO~~) When asked how she knew [redacted] ACE score, [redacted] said [redacted] showed her the scores in a folder on a shared drive. [redacted] gave her access to the shared folder. [redacted] stated: "I have access to all the folders…[and I tell others that] if you have trouble with it, I can help." [redacted] admitted she looked at people's ACE scores on the [redacted] restricted folder, and that telling someone like [redacted] another person's score was "inappropriate." She does not think doing so was a misuse of her system administrator privileges: "I wasn't on someone's computer…I don't feel that it was a misuse of system administration purposes…[redacted] said it was fine that I had access to it. To share that information was not the correct thing to do…I've sat at [redacted] desk…he approved access to it…I am like a co-person of his." He does not expect her to tell other people the scores "but he does too….He gives out a lot of information that he shouldn't…." [redacted] said permission for access to the shared folder is not limited to system administrators, just to those with a need for it.

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

(U//~~FOUO~~) [redacted] who works next to [redacted] is an employee in [redacted] was also chatting with [redacted] about [redacted] score and the fact that [redacted] submitted an EEO complaint. [redacted] told her about her score and the complaint, and [redacted] saw paperwork on it on the office fax machine. At one point, [redacted] supervisor, asked [redacted] to scan information about it in so that he could send it to somebody. [redacted] probably did not think [redacted] would tell [redacted] about the EEO complaint but [redacted] told [redacted] because "I trust [redacted] ..he found out anyway (through the fax)…I don't know if he saw it on the fax after or before I told him…whether she told him or not, I don't know…."

(U//~~FOUO~~) [redacted] helped [redacted] with re-consideration of his ACE score because he received a 3.8 and did not get a bonus. For years, he was getting a 3.9 and she was trying to help him get his score raised. She thinks [redacted] told her that 3.9 was a "cut-off" score, although some people with that score did not get bonuses. She did not consider knowing everyone's scores and the cutoff score and helping [redacted] with his reconsideration a conflict of interest.

(U//~~FOUO~~) All the [redacted] managers tell people personnel privileged information about their employees. They tell [redacted] these things, but "not just me…it depends on who's in the room.. [redacted] is on that spreadsheet all the time and he doesn't really need to be.." [redacted] thinks the personnel privileged information has been handled inappropriately for years by branch and division chiefs and team leaders. The issue was raised at a recent [redacted] town hall, but nothing changed. The talk about promotions and scores across the 250-300 person organization is widespread.

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

(U//~~FOUO~~) Regarding the personnel privileged information she shared, [redacted] hopes that everyone, to include the managers that have been sharing information, will be held to the same standard as she is being held. She should not be singled out just because she is "under investigation."

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

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

(U//~~FOUO~~) [redacted] was interviewed for a second time on 2 June 2015 and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] is a co-worker who is "a Jekyll and Hyde…flies off the handle too quick." [redacted] told him about her ACE score one day, which was a 4.0. [redacted] does not like [redacted] "I think the two of them had a run in about an order because [redacted] orders for her office." [redacted], who is not a supervisor, has no input into [redacted] or anyone else's ACE, so he does not understand why she would be saying she gave [redacted] a 4.0. [redacted] has told [redacted] some ACE scores and relayed promotion news about others to him. "She gets some inside scoops here and there…it's no big deal because everyone knows everyone's scores…" [redacted] must have been told by someone about the scores because she does not have access to ACE information. She is well-

respected by people in [redacted] so maybe someone confided in her. She has never shown him a list of scores or anything of that nature.

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

(U//~~FOUO~~) On 27 August 2015, [redacted] Purchaser, [redacted] was interviewed regarding information provided by [redacted] in her response to the OIG tentative conclusions (Appendix D). [redacted] provided the following sworn testimony.

(U//~~FOUO~~) [redacted] has known [redacted] and [redacted] for about the past three years. [redacted] acts as the "IT person" for her office, helping out when there is a problem with the computers or phones. [redacted] is a Purchaser in [redacted] has a friendly relationship with both [redacted] and [redacted]

(U//~~FOUO~~) [redacted] supervisor, [redacted] gave [redacted] her ACE score for 2014. Following the presentation of ACE scores, there was "two weeks of fuel and gossip" about the scores within the [redacted] branch.[7] Subsequently, [redacted] Chief [redacted] met with the branch members and admonished them, emphasizing that ACE scores and bonuses were private matters that should not be discussed. After [redacted] meeting, the branch members stopped talking about the ACE scores: "[redacted] squelched it. You don't mess with [redacted]

(U//~~FOUO~~) [redacted] only shared her ACE score with her boyfriend, [redacted] and a good personal friend, [redacted] both of whom are Agency employees.

(U//~~FOUO~~) [redacted] has never discussed her ACE score with [redacted] or [redacted]

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

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

(U) Analysis and Conclusions

(U//~~FOUO~~) NSA/CSS PMM Chapter 366 Section 2-4 states that employees will protect all unclassified sensitive, personnel privileged, and Privacy Act information in accordance with all applicable laws, regulations and procedures.

(U//~~FOUO~~) The chat logs indicate that on at least one occasion, [redacted] disclosed an ACE score of another employee to [redacted] She also told him that a second employee in the [redacted] organization filed an EEO complaint. Additionally, she commented to [redacted] about the "cut-off" score for bonuses. The employees [redacted] chatted about with [redacted] potentially compete with him for bonuses, promotions and awards. [redacted] testified to the OIG that [redacted] "gets some inside scoops here and there", and that he thinks people confide in her because she is "well-respected."

[7] (U//~~FOUO~~) [redacted] said the people that may have been involved in the ACE discussions were [redacted] and [redacted] all employees in [redacted]

(U//~~FOUO~~) [redacted] job as a Systems Support Specialist provides her the ability to view privileged information such as performance data on other [redacted] employees. She admitted: "I have access to the folders…[and that she tells others] if you have trouble with it, I can help." Nonetheless, she told the OIG she did not access anyone's computer or files to look at personnel privileged information. She testified that [redacted] revealed the ACE scores to her and also admitted looking at the scores in a shared folder. She also said that the [redacted] managers regularly reveal personnel privileged information to unauthorized recipients.

(U//~~FOUO~~) [redacted] testimony about the [redacted] managers, although alarming, does not excuse her inappropriate disclosures of personnel privileged information to [redacted] Whether she accessed the personnel privileged information through the access she has, or was told the information by an [redacted] manager, she should not have disclosed it to [redacted] Her disclosures are particularly concerning given her continued trusted work role as a Systems Support Specialist with access to PRIVAC.[8]

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] disclosed personnel privileged information to an unauthorized recipient, in violation of PMM Chapter 366, Section 2-4.

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

[8] (U//~~FOUO~~) Privileged access – Privileged access is that access which is above that required for normal data acquisition or operation of U.S. government information systems, such as is required for system maintenance and operations. Individuals possessing root passwords, "super user" privileges or similar capability to manipulate or modify data to a degree greater than that of an individual system user are considered to have privileged access. PRIVAC is an access that allows a privileged user to complete the work required as part of individual job responsibilities (NSA/CSS Policy Manual 6-3, Chapter 2)..

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IV. (U) RESPONSE TO TENTATIVE CONCLUSIONS

(U//~~FOUO~~) On 17 August 2015 the OIG sent [redacted] the tentative conclusions reached in the investigation. In her 24 August 2015 response, [redacted] objected to the OIG's conclusion that she had failed to properly protect personnel privileged information. To address [redacted] comments, the OIG reviewed her sworn testimony, reviewed the chat logs, and interviewed an additional witness, [redacted]

(U//~~FOUO~~) [redacted] wrote that no manager has ever shared [sensitive personnel] information with her, and that no information was placed on a shared drive to which she had access. However, this statement is inconsistent with the testimony she provided under oath. On 2 June 2015, [redacted] testified that [redacted] showed her a list of the ACE scores in a shared folder (Appendix E). Later in the interview, she admitted she had looked at people's scores on the shared drive:

OIG: Have you looked at people's scores on the shared drive?

[redacted]: Yes, on the [redacted] restricted folder. Correct.

OIG: Okay. Why?

[redacted]: It was just. I don't know, just have.

OIG: Just for your information?

[redacted]: Mmm, hmmm.

OIG: What do you think about telling somebody like [redacted] about somebody's score?

[redacted]: That's probably inappropriate.

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

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

(U//~~FOUO~~) Additionally, during their chat conversations, (Appendix page 159), [redacted] and [redacted] had this exchange:

[redacted]: how long should I wait to hear about the ace

[redacted]: I guess u could check with [redacted] what's going on

[redacted]: ok

[redacted]: and I guess [redacted] is the final approver

(b)(6)

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[redacted] Damn I could be in trouble

[redacted] and I saw in the system that u did get a 3.9 and they were told to change it back to a 3.8

[redacted] really

[redacted] they randomly choose a lot of people so don't feel targeted

(U//~~FOUO~~) [redacted] also claimed in her response to the OIG tentative conclusions that [redacted] told her and [redacted] her ACE score. However, this statement is inconsistent with [redacted] testimony. [redacted] stated that she never discussed her ACE score with [redacted] or [redacted]

(U//~~FOUO~~) [redacted] testimony, [redacted] 2 June 2015 testimony, and a review of the chat logs all support the OIG conclusion that [redacted] inappropriately disclosed personnel privileged information to an unauthorized recipient. As a result, the tentative conclusions became final. A copy of [redacted] full response is included as Appendix D.

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

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

V. (U) CONCLUSION

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

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted]

- made sexual advances and engaged in physical conduct of a sexual nature in the workplace, in violation of PMM Chapter 366, Section 2-1(B);

- failed to give thorough, efficient and industrious service in the performance of her assigned duties, in violation of PMM Chapter 366, Section 1-3(E);

- used her federal government communication system to conduct non-mission-related "chats" of a sexual nature, in violation of DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301 and NSA/CSS Policy Manual 6-3; and

- inappropriately disclosed personnel privileged information to an unauthorized recipient, in violation of PMM Chapter 366, Section 2-4.

V. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) A copy of this report of investigation will be provided to Employee Relations (MR). Also, a summary memorandum will be provided to the Associate Directorate for Security and Counterintelligence, Special Actions (Q242), and [redacted] supervisor.

[redacted]
(b)(3)-P.L. 86-36
(b)(6)

[redacted]
Senior Investigator

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

Concurred by:

[redacted]
Assistant Inspector General
for
Investigations

Doc ID: 6724685

APPENDIX A

(U) Applicable Authorities

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NSA 15185

Doc ID: 6724685

(U) DoD Joint Ethics Regulation (JER) 5500.7-R Subpart 2-301: *Use of Federal Government Resources*

A. Communication Systems. Federal Government communication systems and equipment (including Government owned telephones, facsimile machines, electronic mail, internet systems, and commercial systems when use is paid by the Federal Government) shall be for official use and authorized purposes only.

(U) NSA/CSS Policy Manual 6-3, Chapter Two, Information System User and Supervisor Responsibilities

3. (U) All NSA/CSS users shall:

b. (U) Use Information Systems for official government and/or mission related purposes.

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

Section 1-3 — (U) *General Principles for On-The-Job Conduct*

E. Give thorough, efficient, and industrious service in the performance of assigned duties including presenting oneself for duty in a condition to perform work effectively; exercising courtesy and respect in dealings with fellow workers and the public; and exercising reasonable care in carrying out one's assigned duties.

Section 2-1 — (U) *Work Environment*

Employees will not engage in any conduct that creates a hostile work environment and/or interferes with an individual's work performance.

B. Sexual Harassment – Employees will not: 1) make sexual advances or engage in physical conduct of a sexual nature (whether welcome or not) in the workplace…3) engage in conduct that interferes with work performance or creates an intimidating, hostile or offensive work environment, including sexual teasing (repeated offensive or unwelcome comments, advances, propositions, remarks, gestures, touching, or questions of a sexual nature); degrading words used to describe an individual; and the display in the workplace of sexually offensive writings, objects or pictures, including the use of software or computers for such display.

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Section 2-4 – *(U) Safeguarding Information*

Employees will protect all…unclassified sensitive, personnel privileged, Privacy Act…information in accordance with all applicable laws, regulations and procedures….

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NSA 15187

Doc ID: 6724685

APPENDIX B

(U) Employee Profile – [redacted]

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

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

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EMPLOYEE PRIVACY ACT
PERSONAL DATA: Dissemination or reproduction is limited to that authorized by the privacy act. Users may be subject to civil or criminal penalties and disciplinary action for failure to comply with privacy act provisions. Furthermore, document may not be removed from NSA facilities without specific approval of the Freedom of Information & Privacy Office.

Employee Profile - Generated 07-OCT-2014

[redacted]

Employee ID: [redacted]

[redacted]

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(b)(3)-P.L. 86-36
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(b)(3)-P.L. 86-36
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Employee Profile - Generated 07-OCT-2014

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Employee Profile - Generated 07-OCT-2014

[redacted]

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

BENEFITS

Retirement:
Health Plan:
FEGLI Life Insurance:
Thrift Savings Plan:

[redacted]

TSP investment allocations are now maintained by the TSP Office.
Please refer to the Agency TSP Home Page for further information

LOCATOR INFORMATION

HOME INFORMATION:

Address:

[redacted]

Phones
Home:
Mobile:

(b)(6)

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PERSONNEL PRIVILEGED

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Employee Profile - Generated 07-OCT-2014

[redacted] Employee ID: [redacted]

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

EMERGENCY INFORMATION:

Contact
Name:
Relationship:
Address:

Phones
Home:
Other:

[redacted]

(b)(6)

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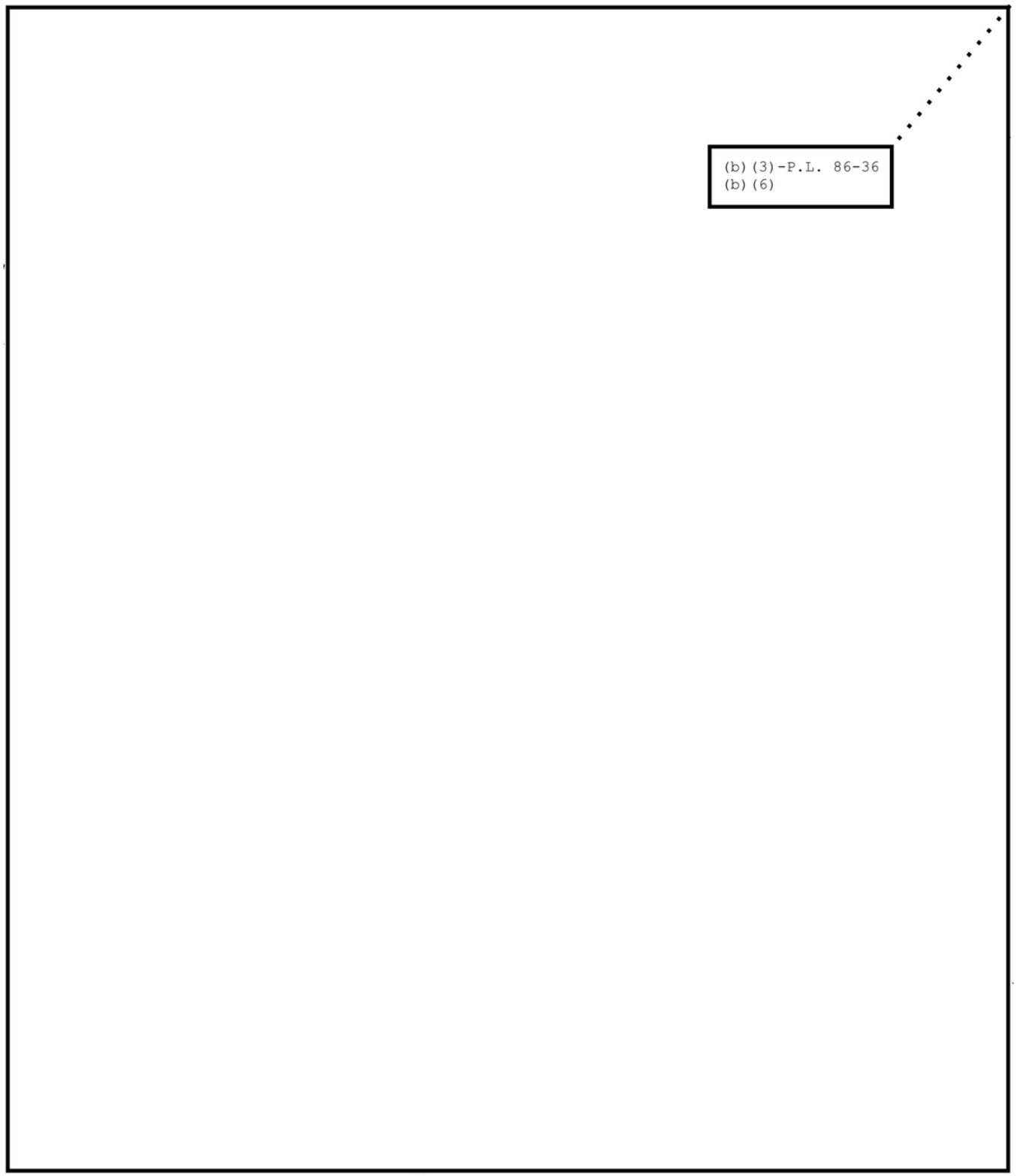
APPENDIX C

(U) Sampling of Chat Conversations between [redacted] and [redacted]

December 2013 - October2014

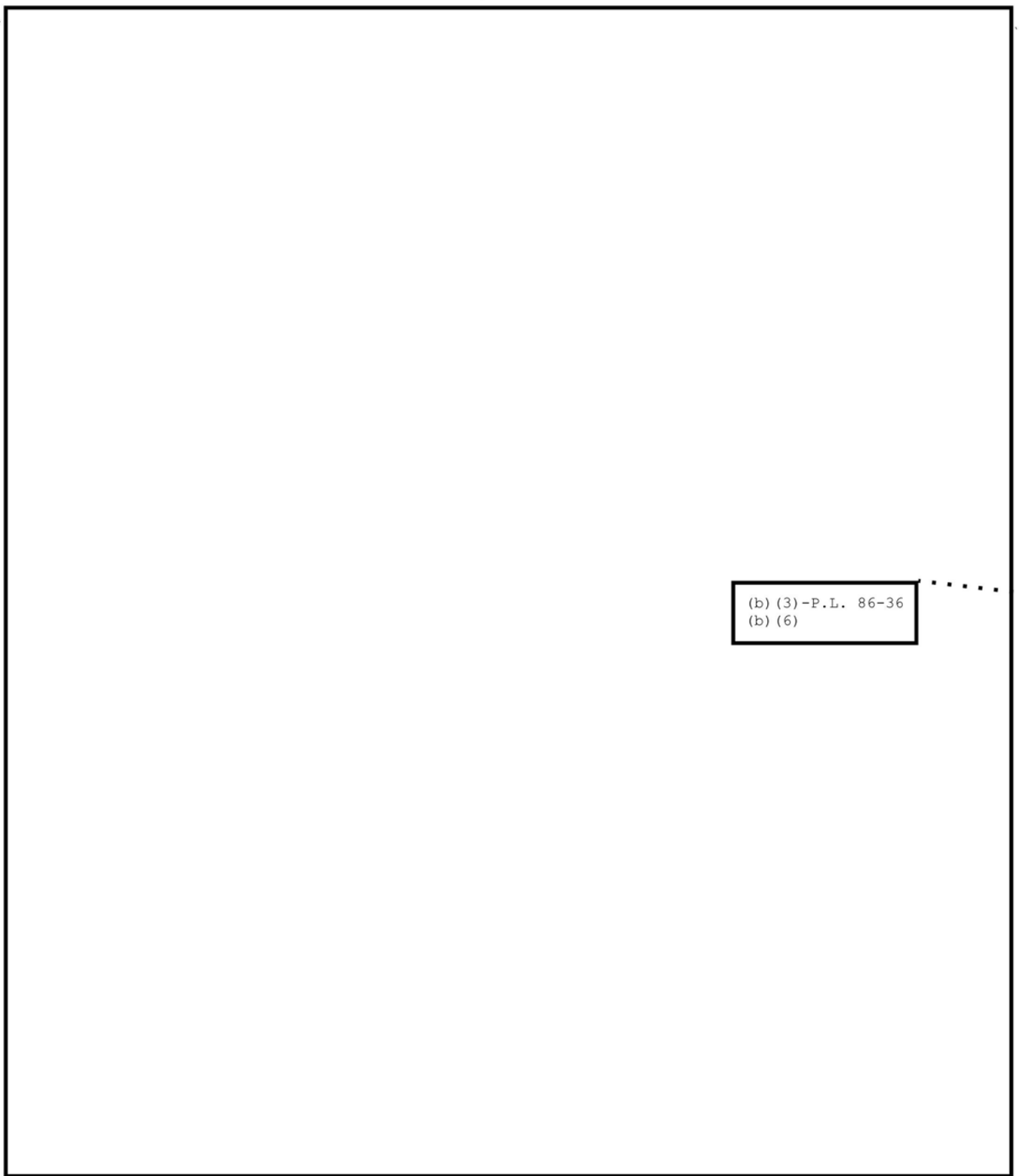
(b) (3)-P.L. 86-36

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

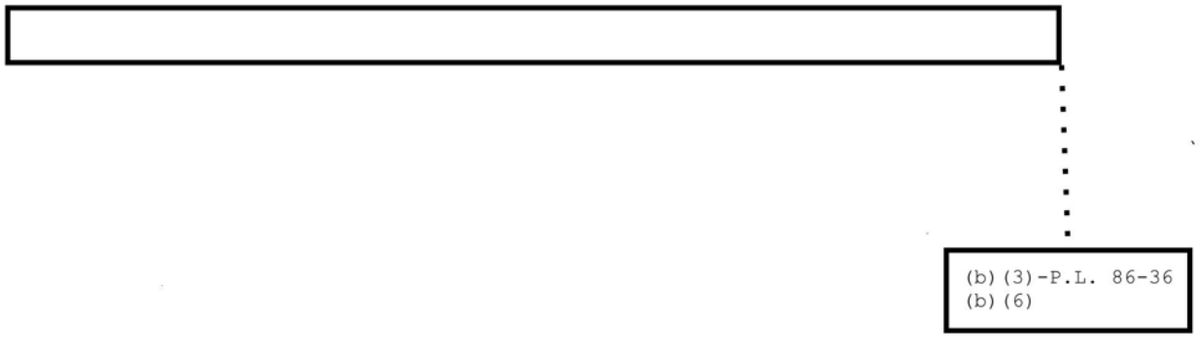


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NSA 15198

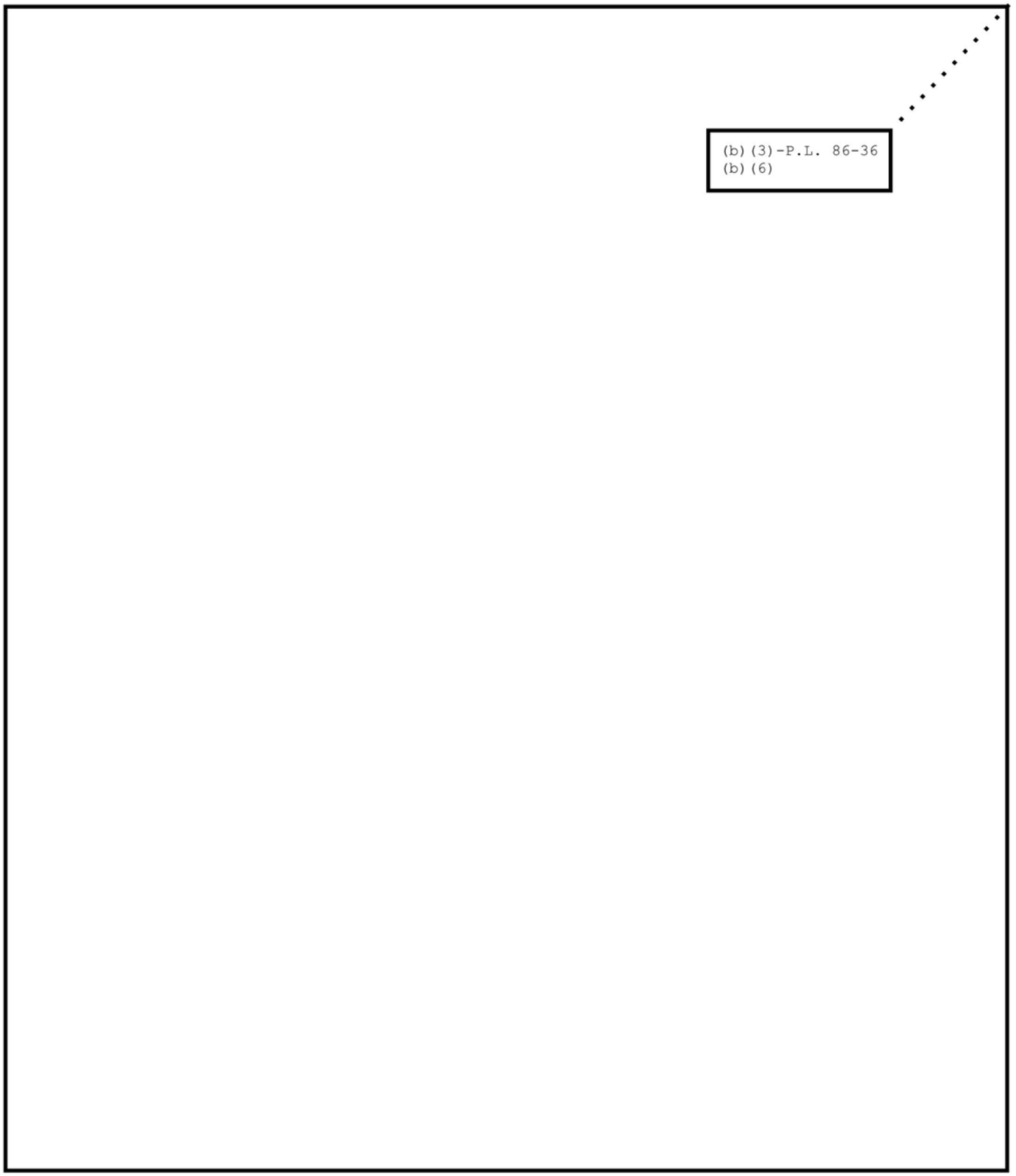
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NSA 15200



Release 2021-5
NSA 15201



Release 2021-5
NSA 15202

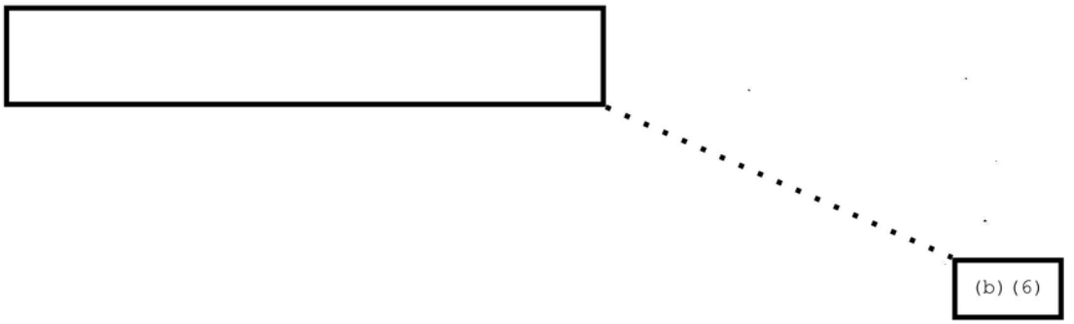
[redacted]

(b)(3)-P.L. 86-36
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NSA 15203

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

Release 2021-5
NSA 15204

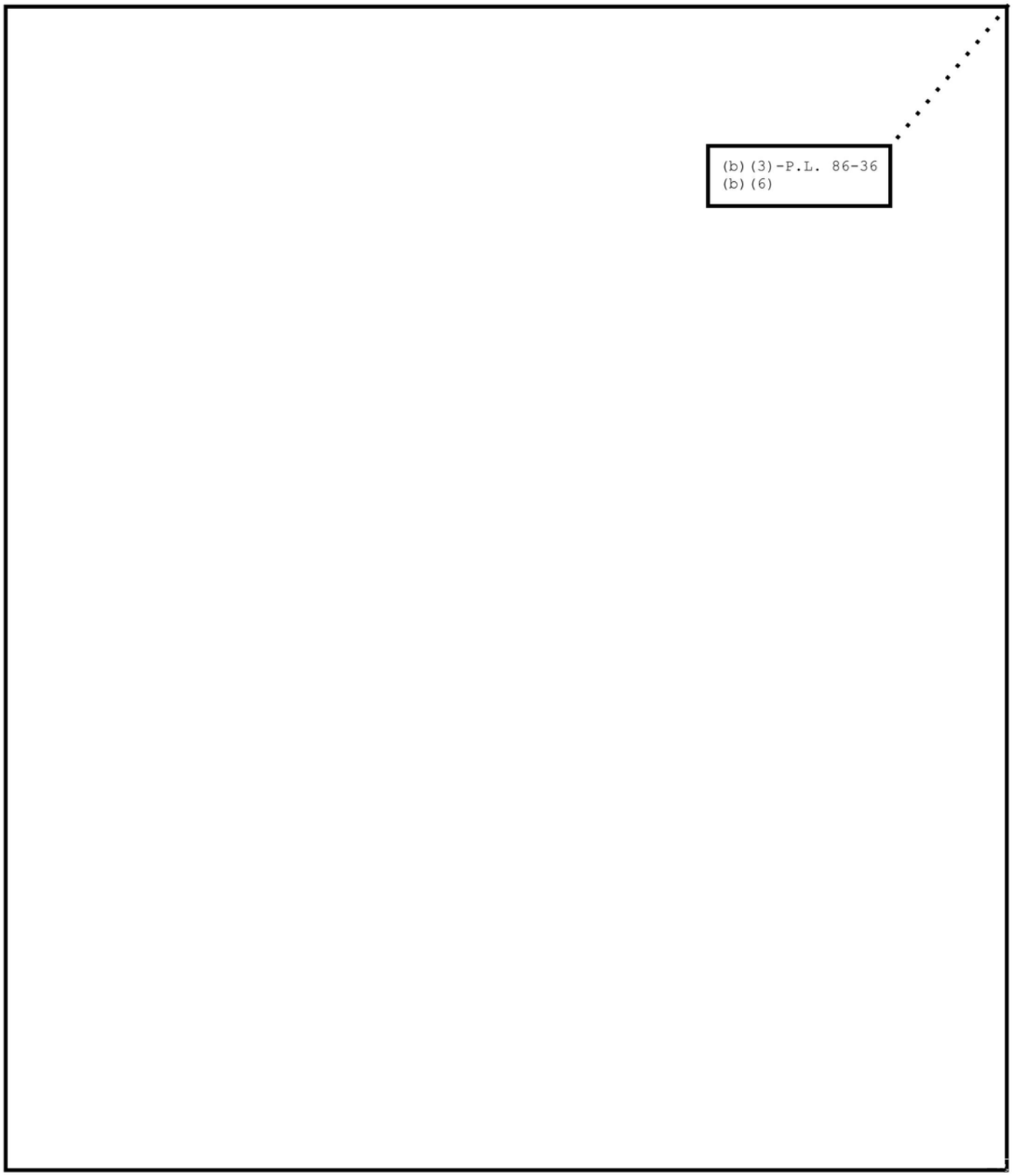


Release 2021-5
NSA 15205



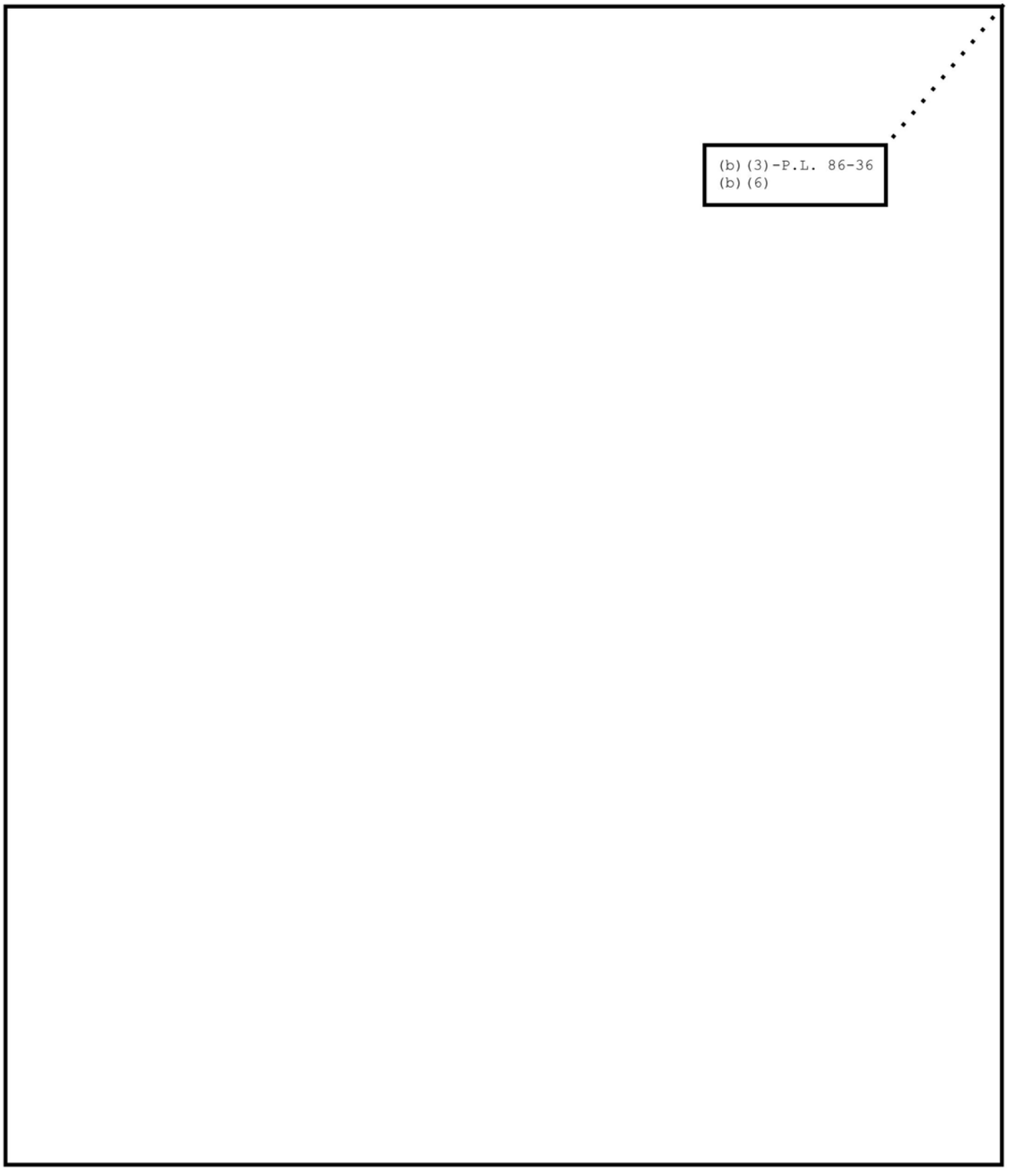
(b)(3)-P.L. 86-36
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Release 2021-5
NSA 15206

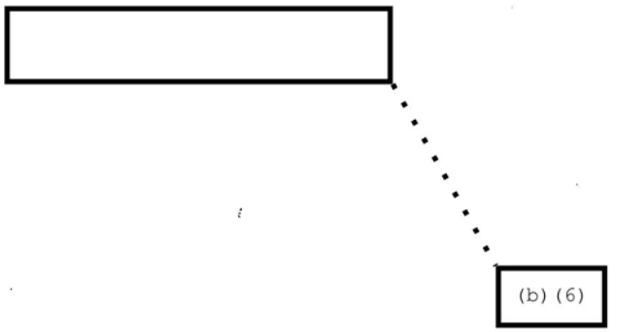


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NSA 15207

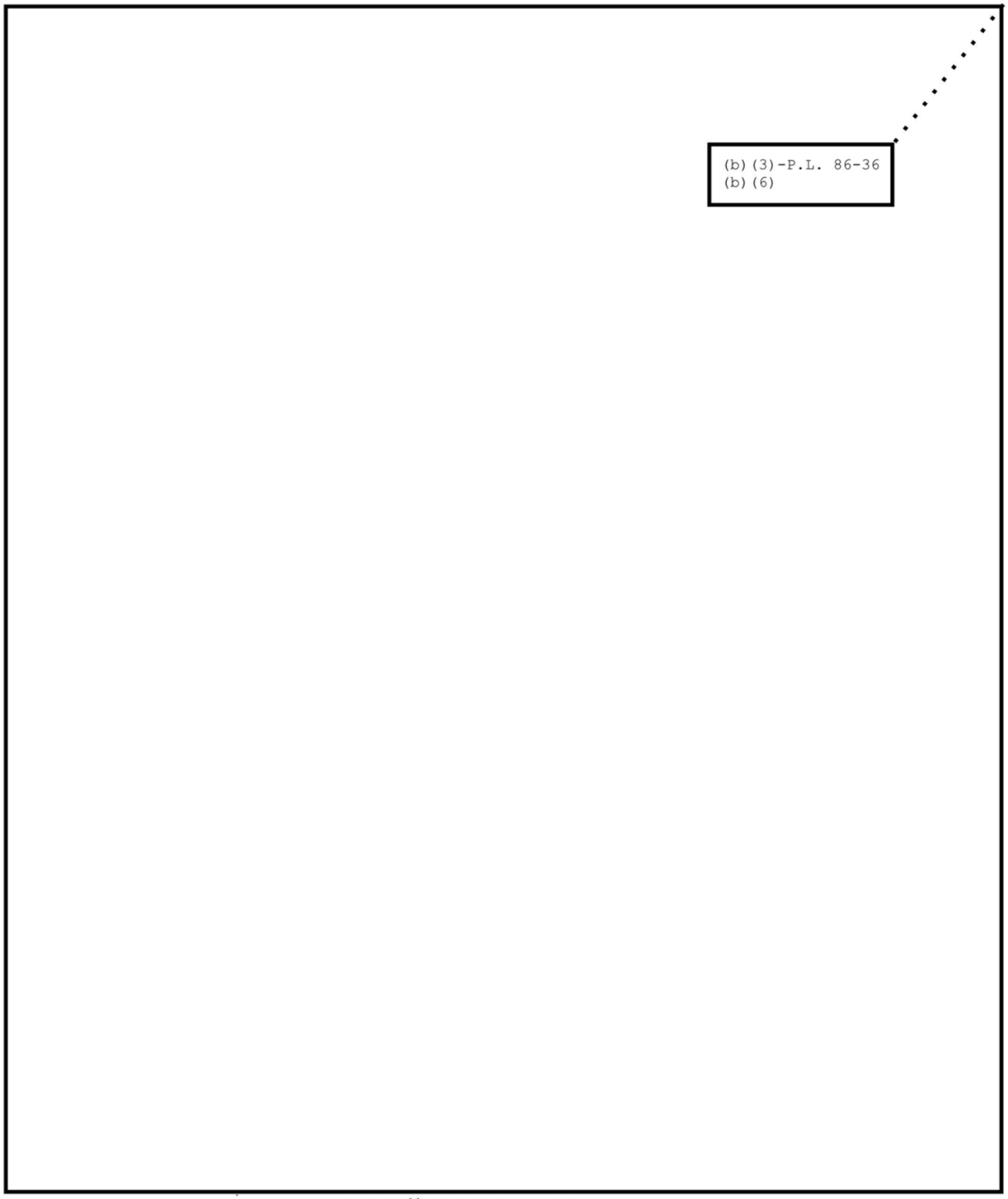
(b)(3)-P.L. 86-36
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NSA 15209



Release 2021-5
NSA 15210



Release 2021-5
NSA 15211

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(b)(6)

Release 2021-5
NSA 15212

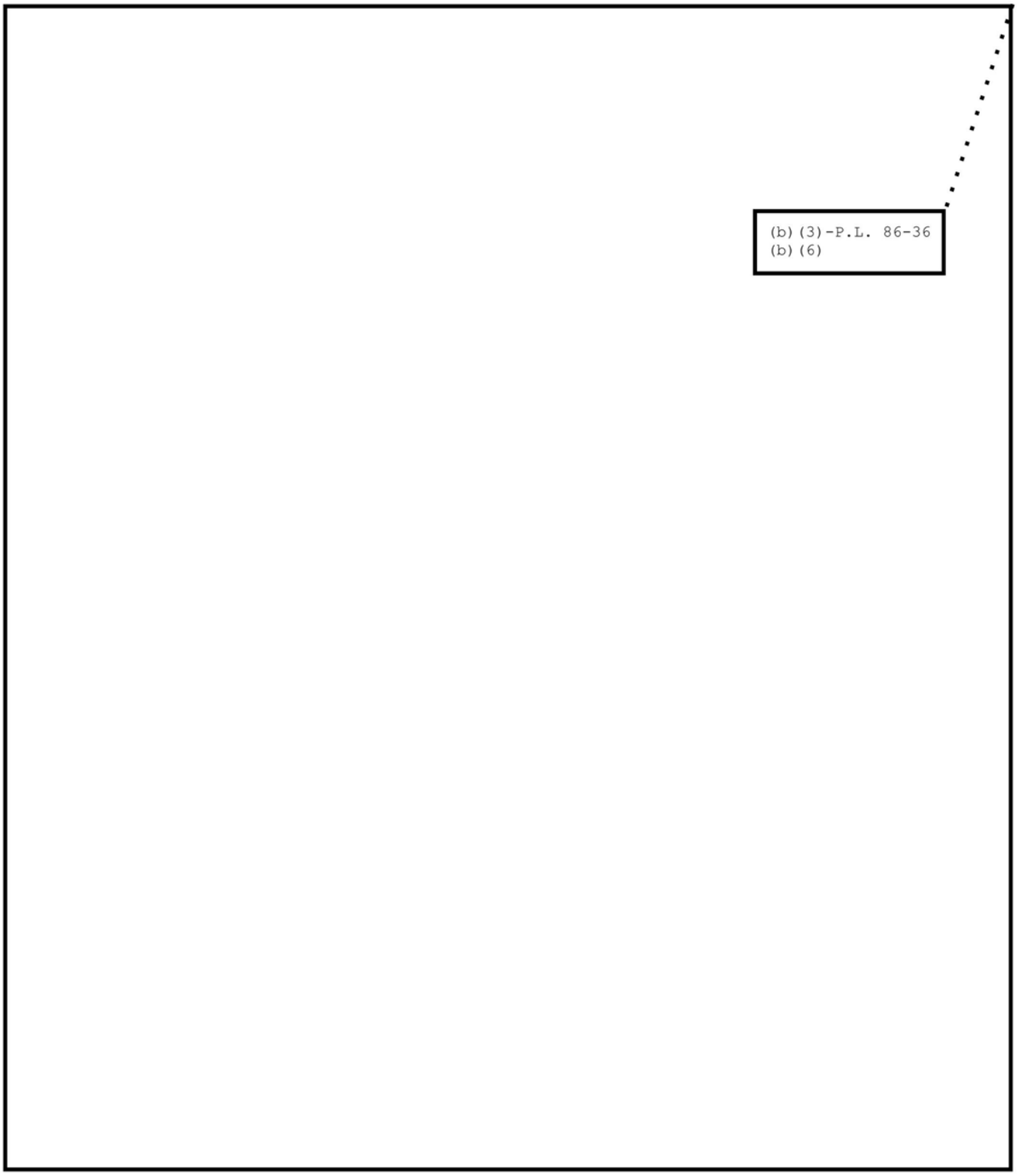
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(b)(3)-P.L. 86-36
(b)(6)

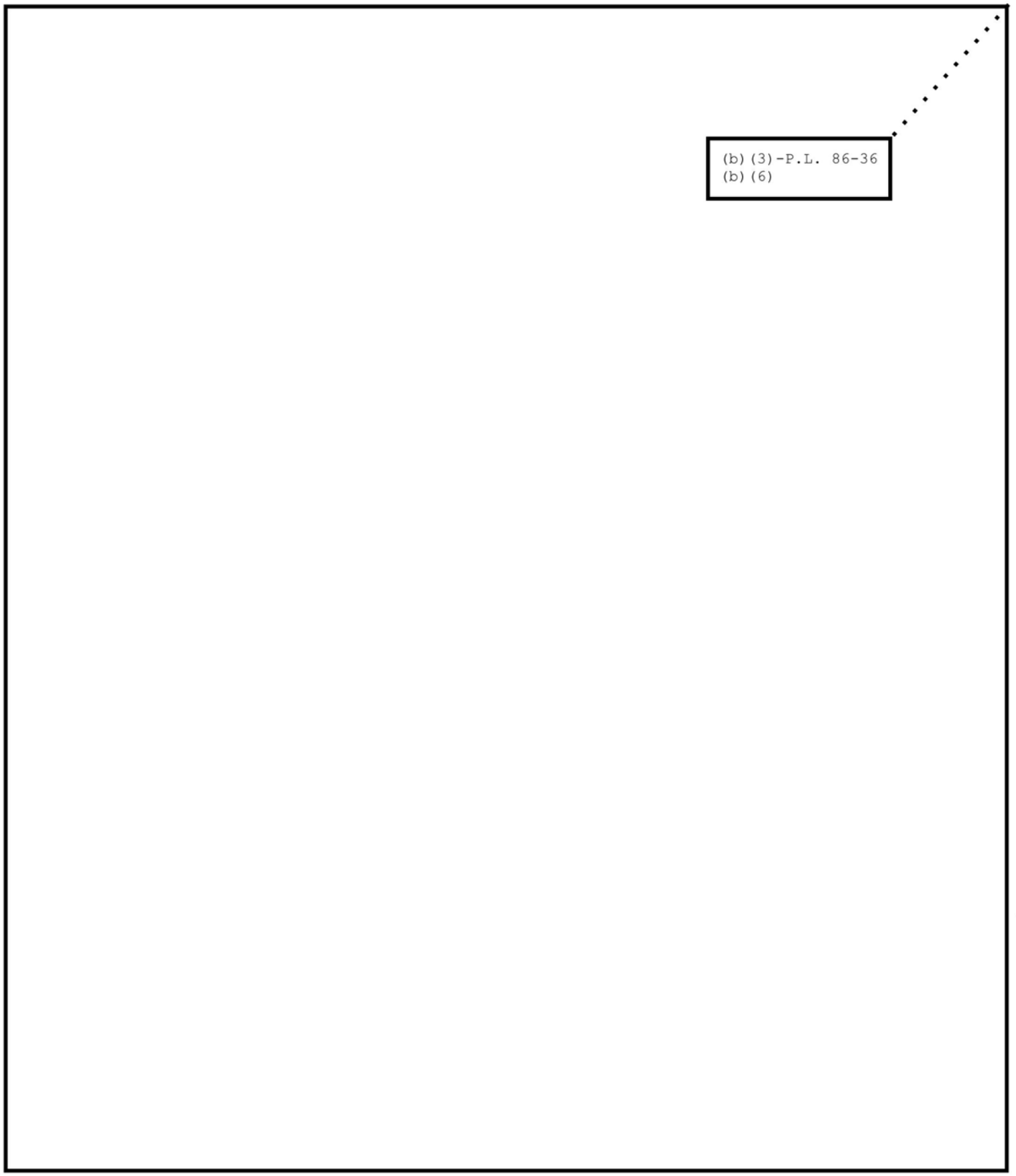
Release 2021-5
NSA 15213

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

Release 2021-5
NSA 15215



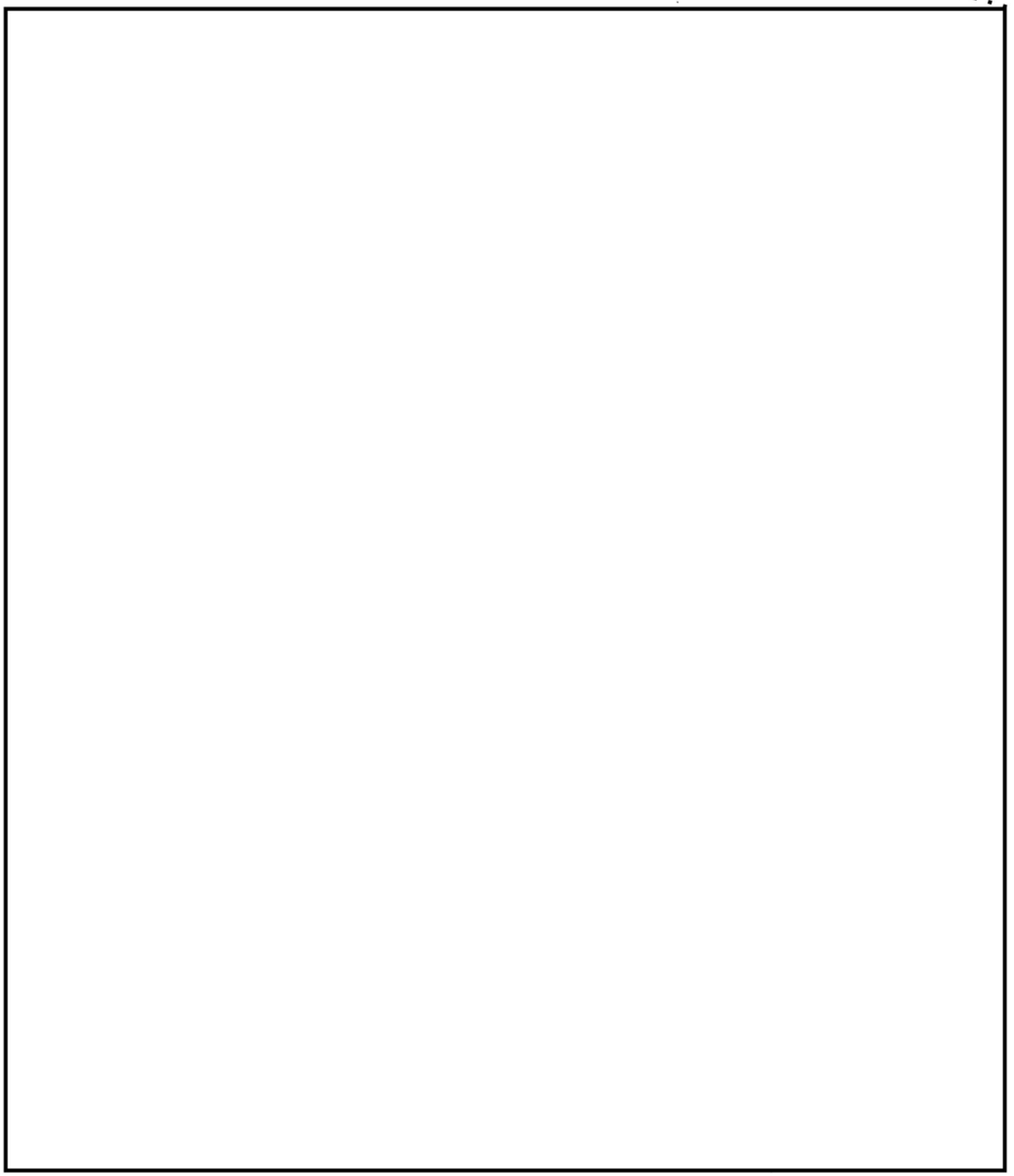
Release 2021-5
NSA 15216


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

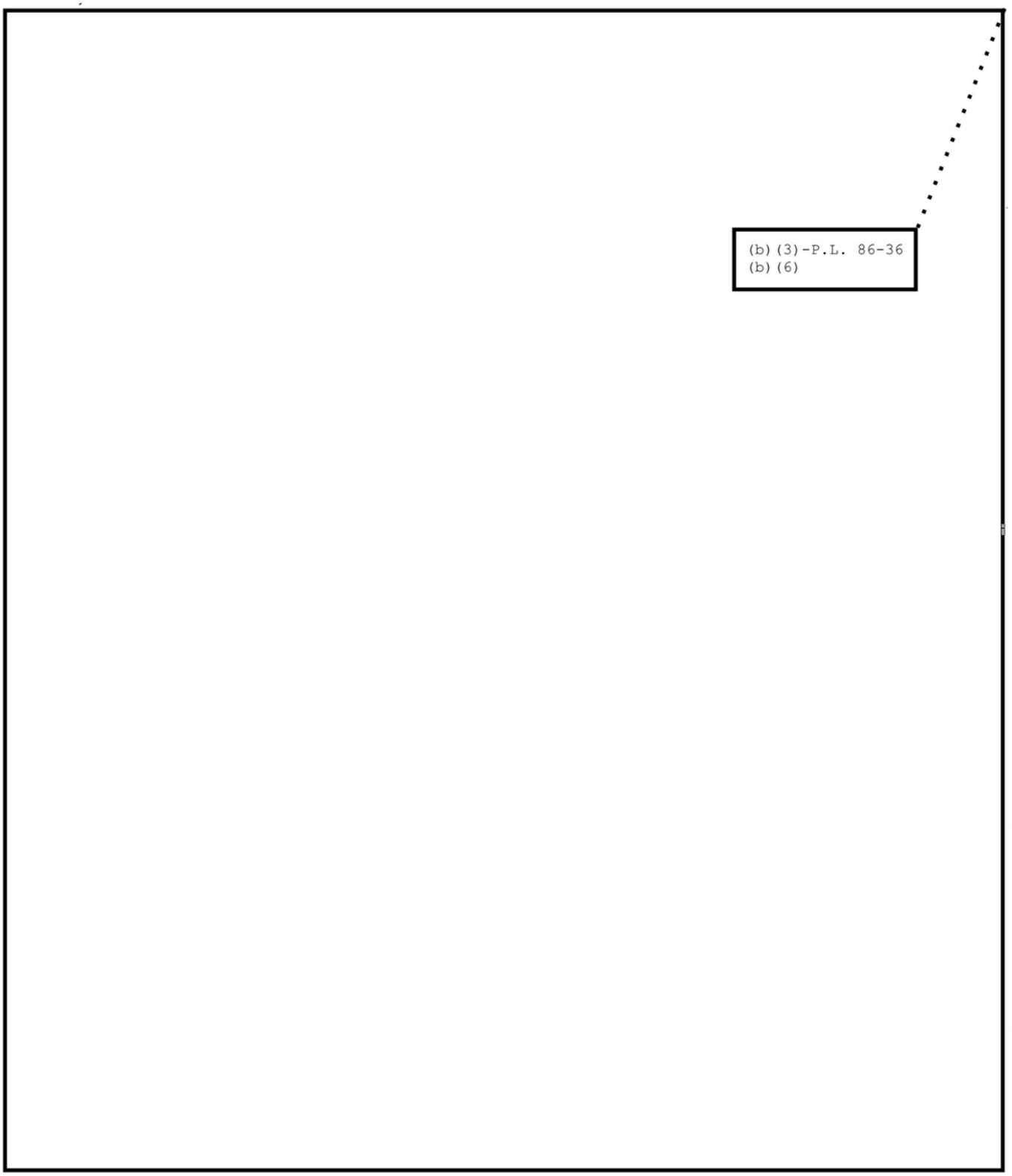
(b)(3)-P.L. 86-36
(b)(6)

Release 2021-5
NSA 15218

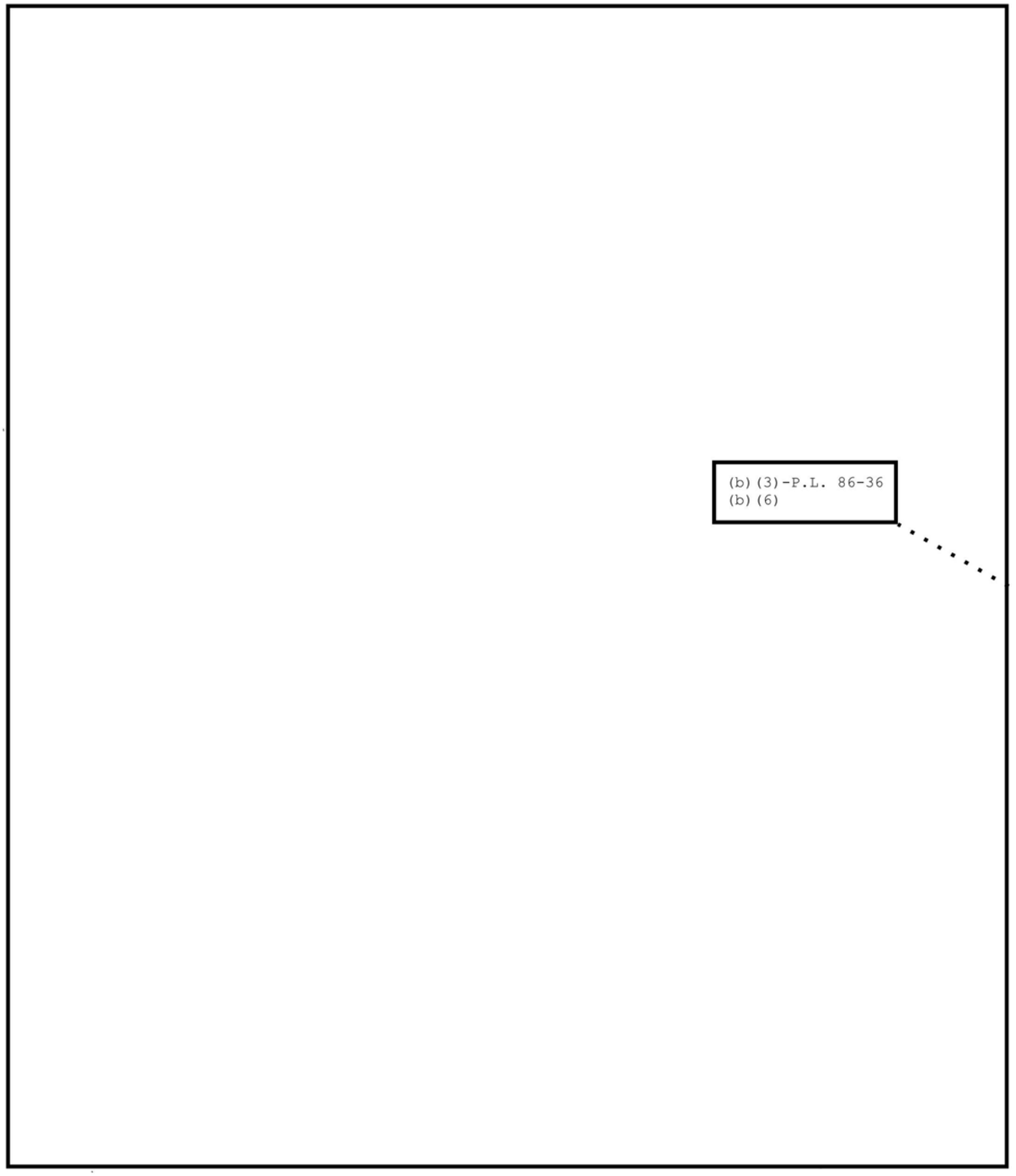
(b)(3)-P.L. 86-36
(b)(6)



Release 2021-5
NSA 15219



Release 2021-5
NSA 15220


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

[redacted]

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

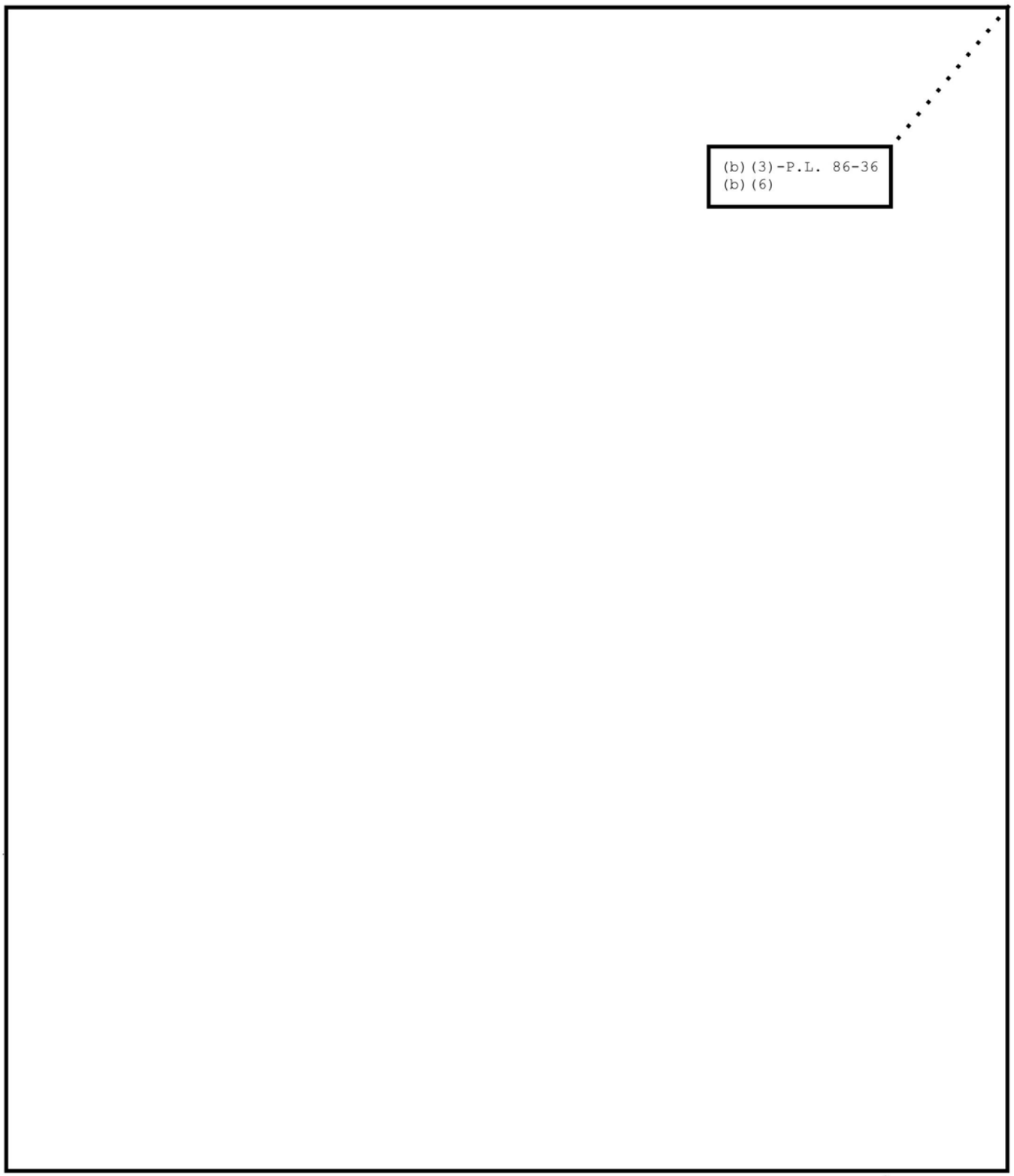
Release 2021-5
NSA 15222

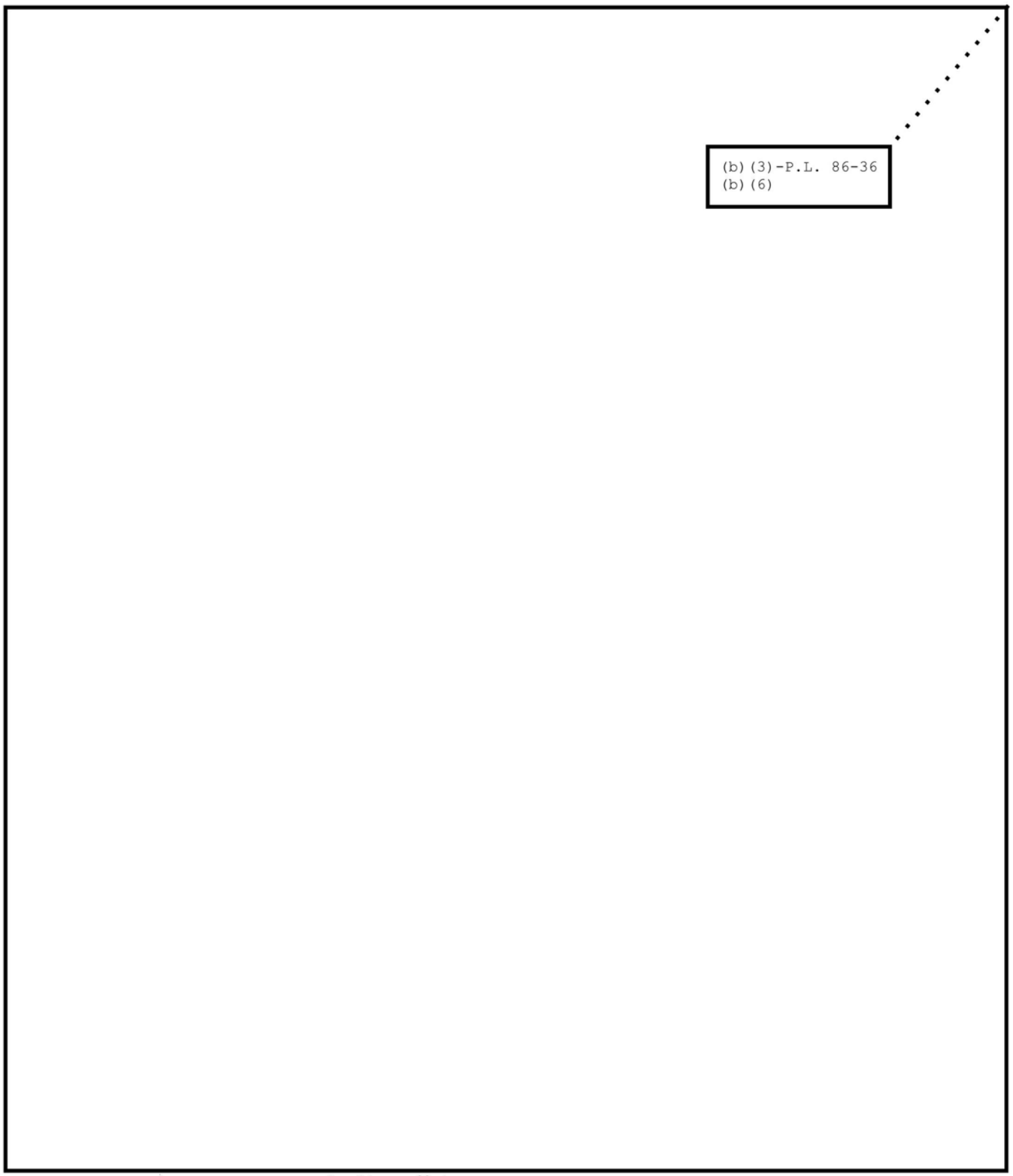
(b)(3)-P.L. 86-36
(b)(6)

Release 2021-5
NSA 15223

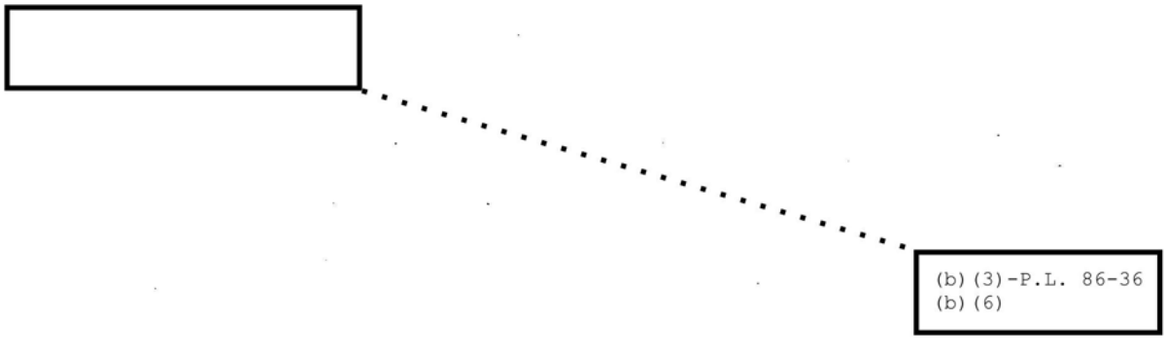
(b)(3)-P.L. 86-36
(b)(6)

Release 2021-5
NSA 15224

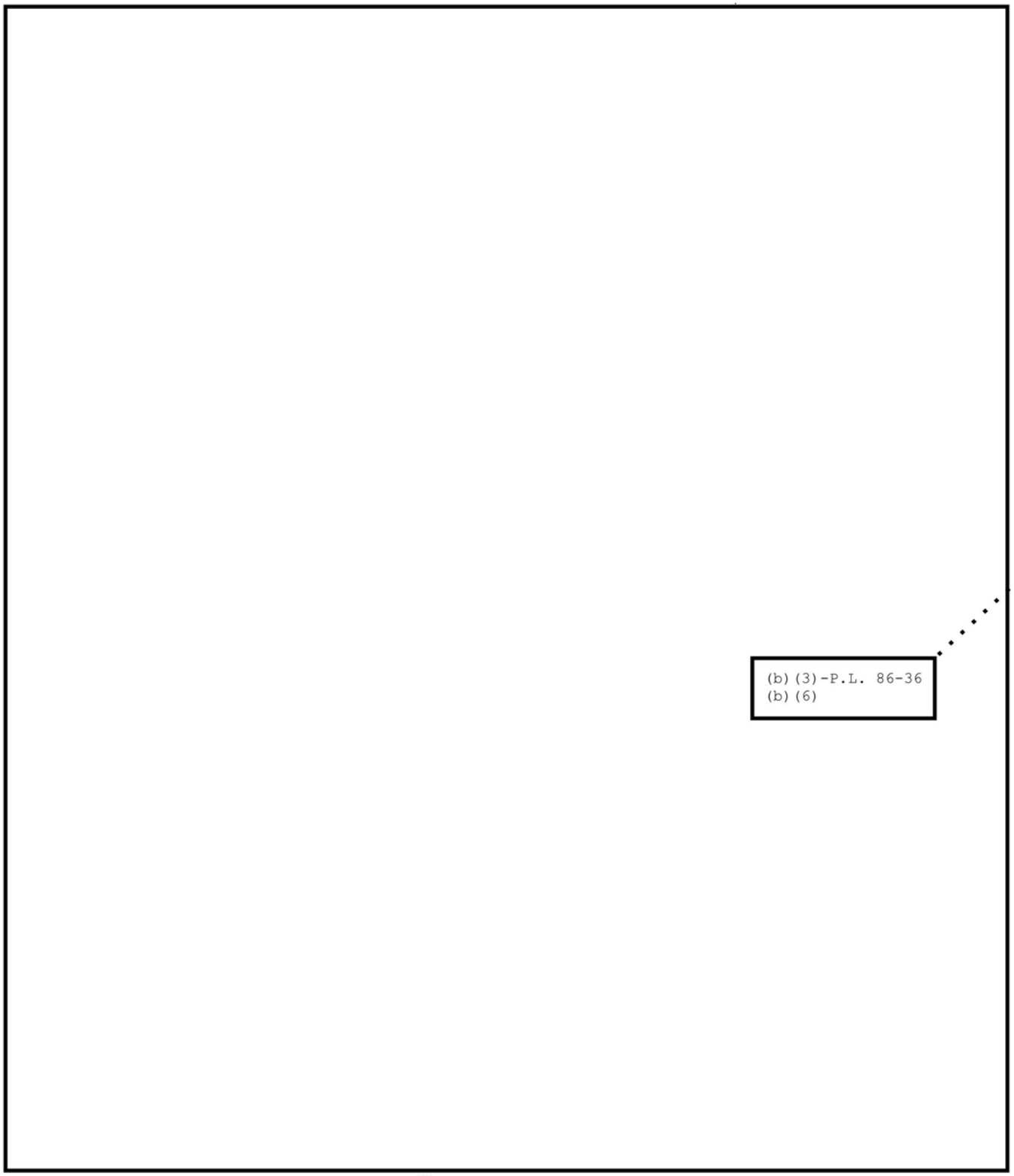

(b)(3)-P.L. 86-36
(b)(6)



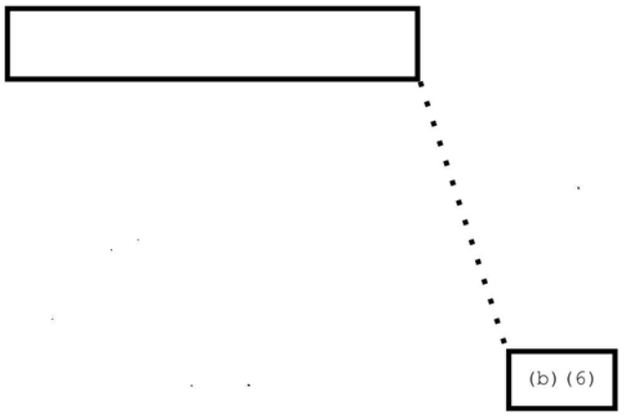
Release 2021-5
NSA 15226



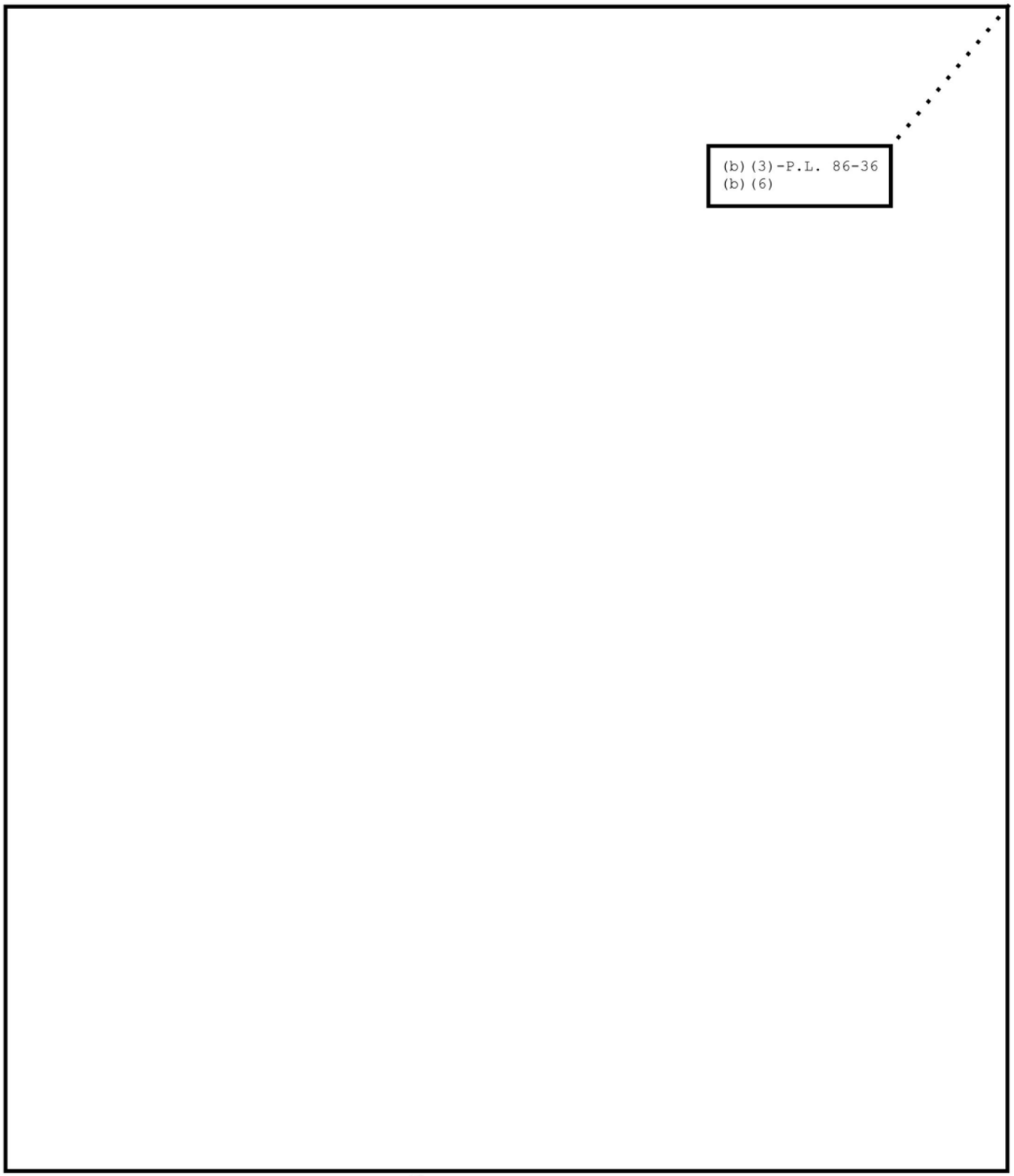
Release 2021-5
NSA 15227



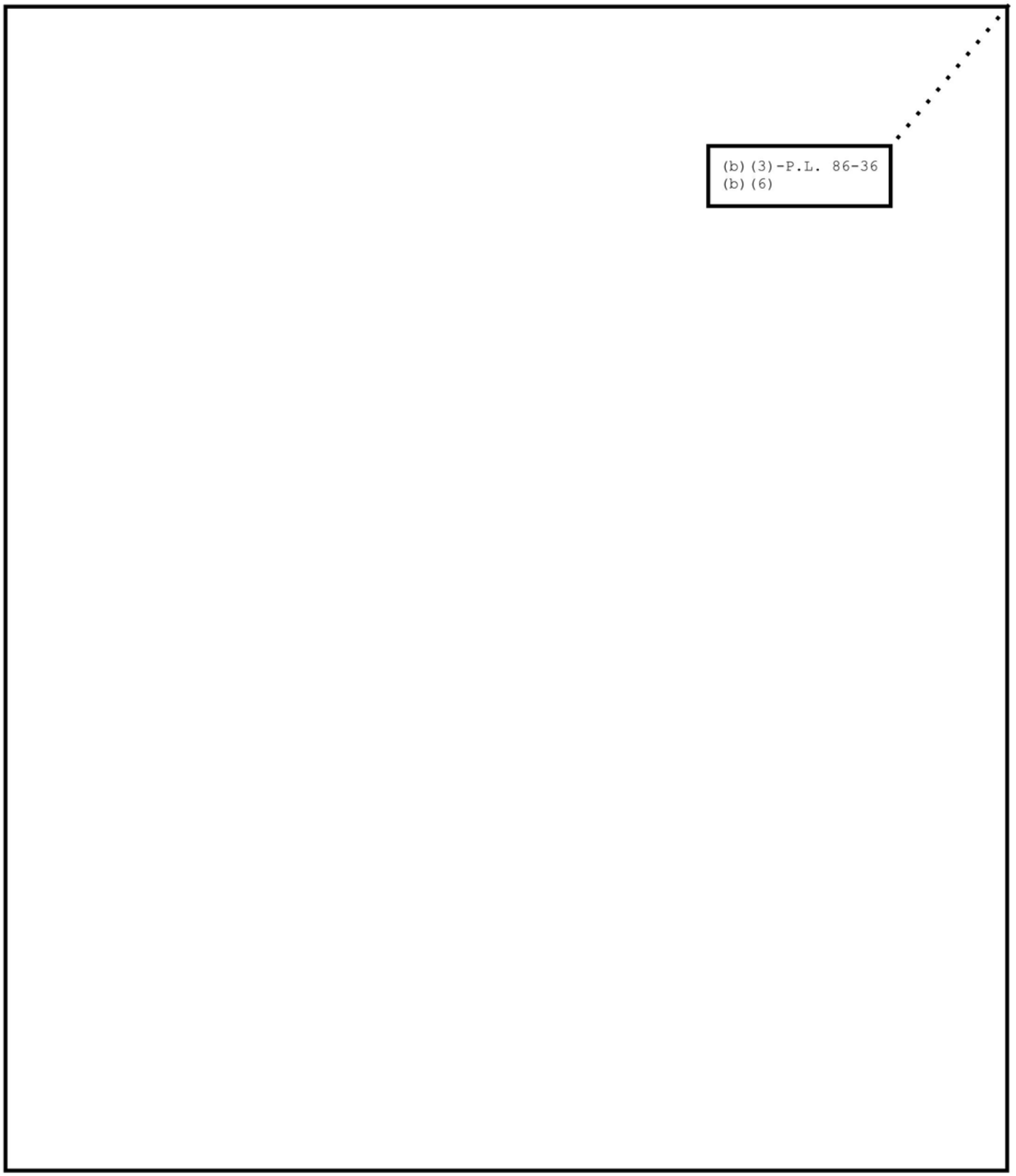
Release 2021-5
NSA 15228



Release 2021-5
NSA 15229



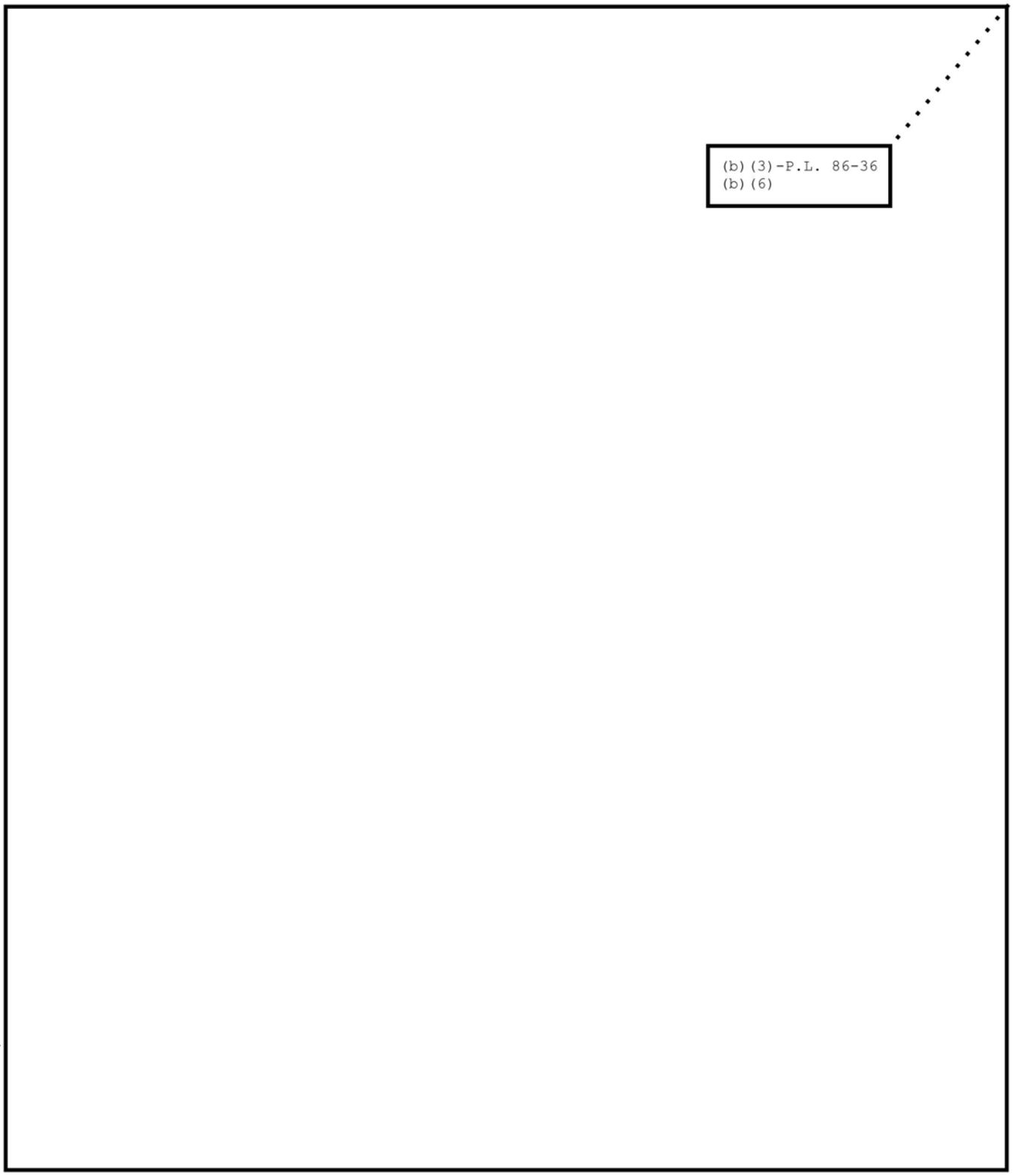
Release 2021-5
NSA 15230



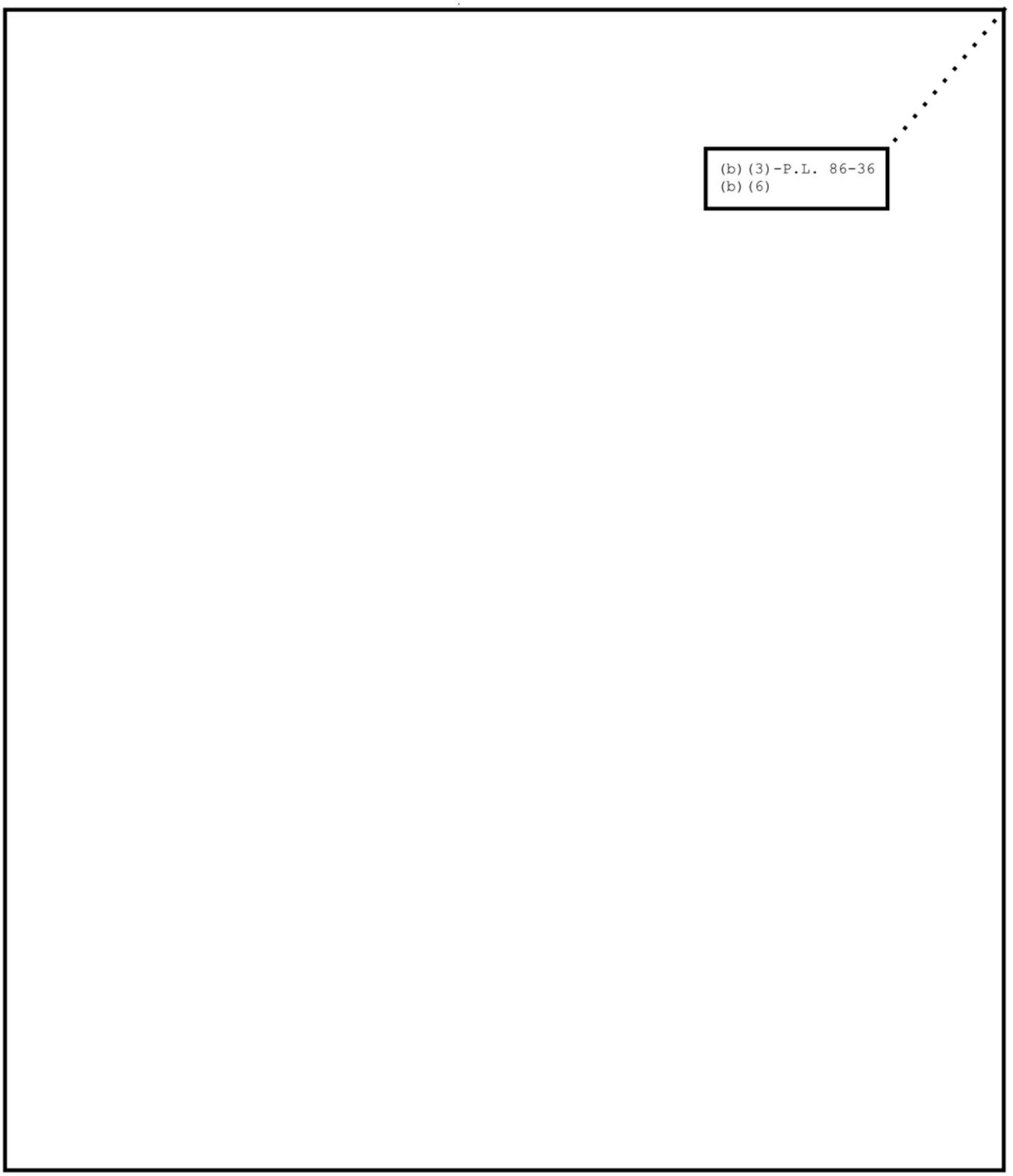
Release 2021-5
NSA 15231

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

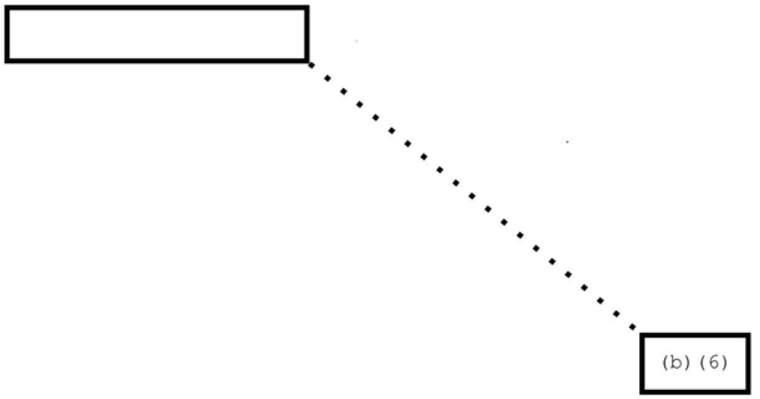
Release 2021-5
NSA 15232



Release 2021-5
NSA 15233



Release 2021-5
NSA 15234



Release 2021-5
NSA 15235

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

Release 2021-5
NSA 15236

[redacted]

(b) (6)

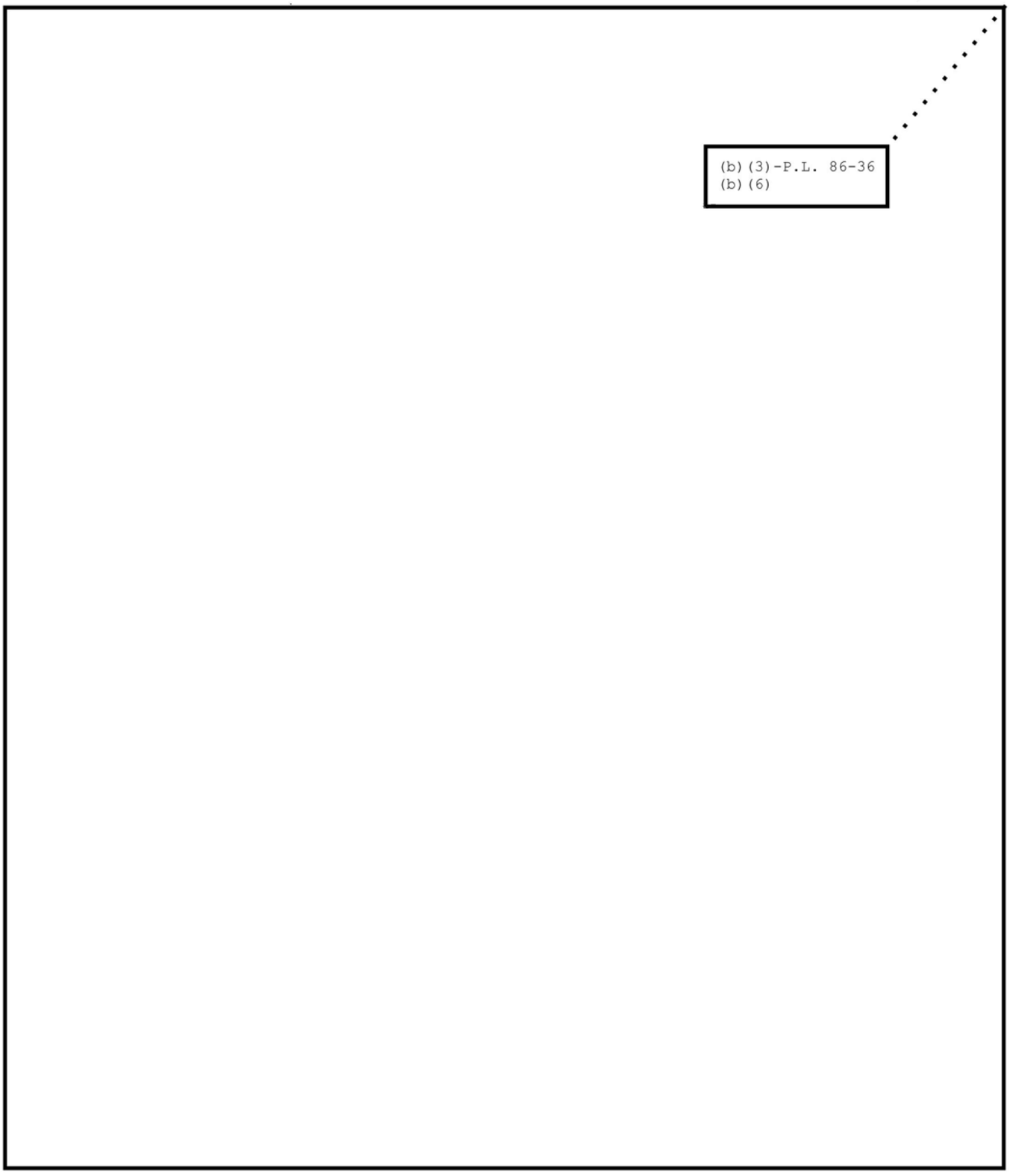
Release 2021-5
NSA 15237

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

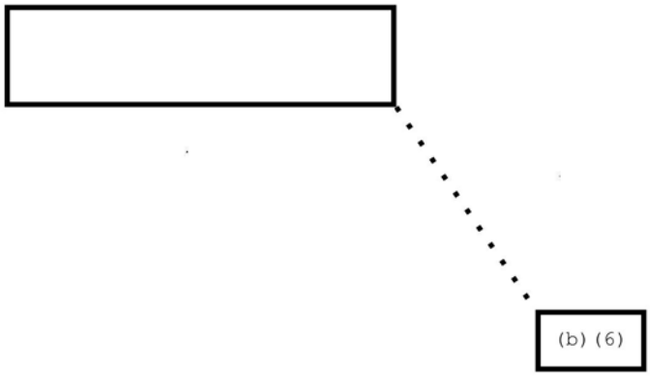
Release 2021-5
NSA 15238

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

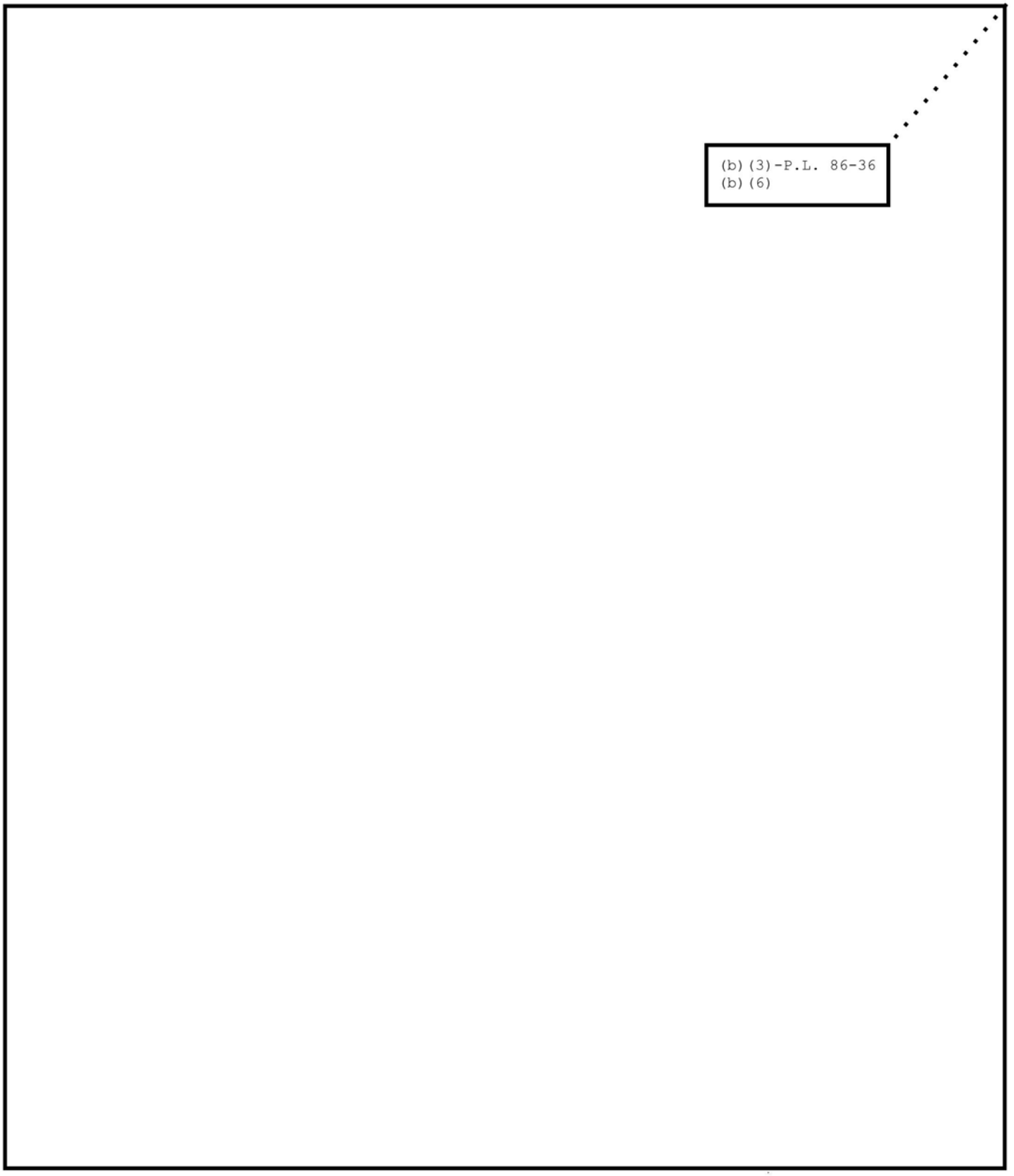
(b)(3)-P.L. 86-36
(b)(6)



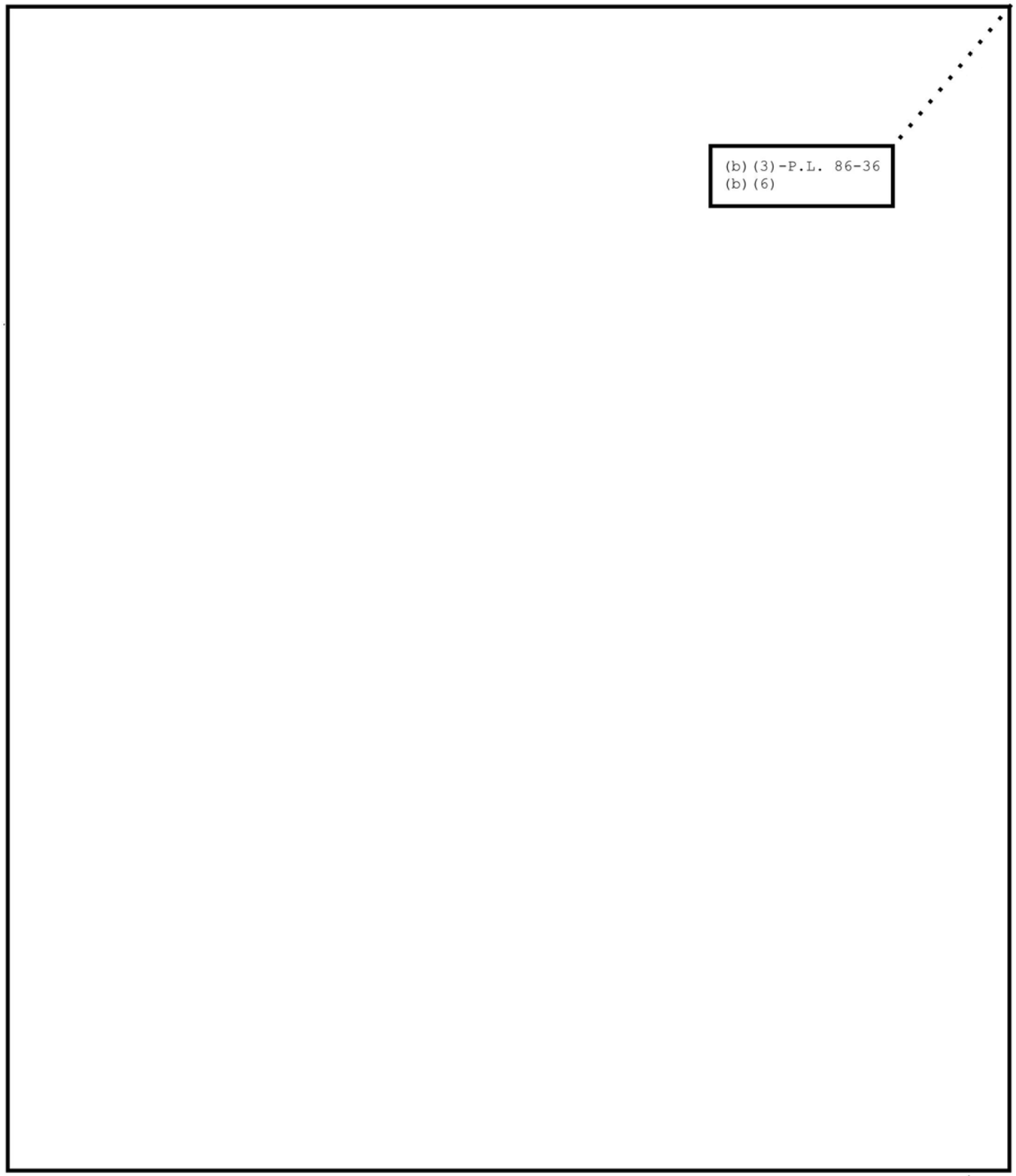
Release 2021-5
NSA 15241



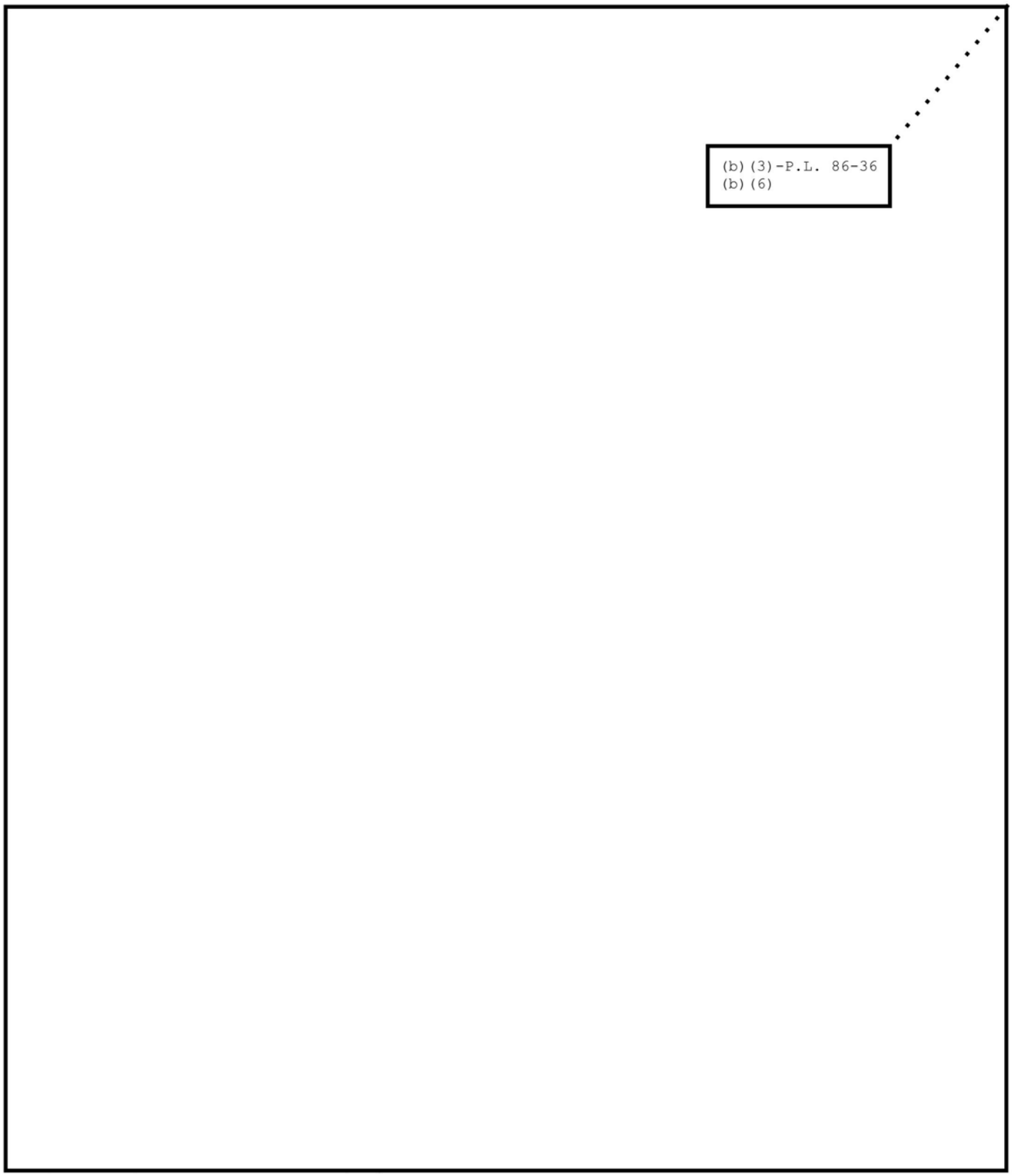
Release 2021-5
NSA 15242



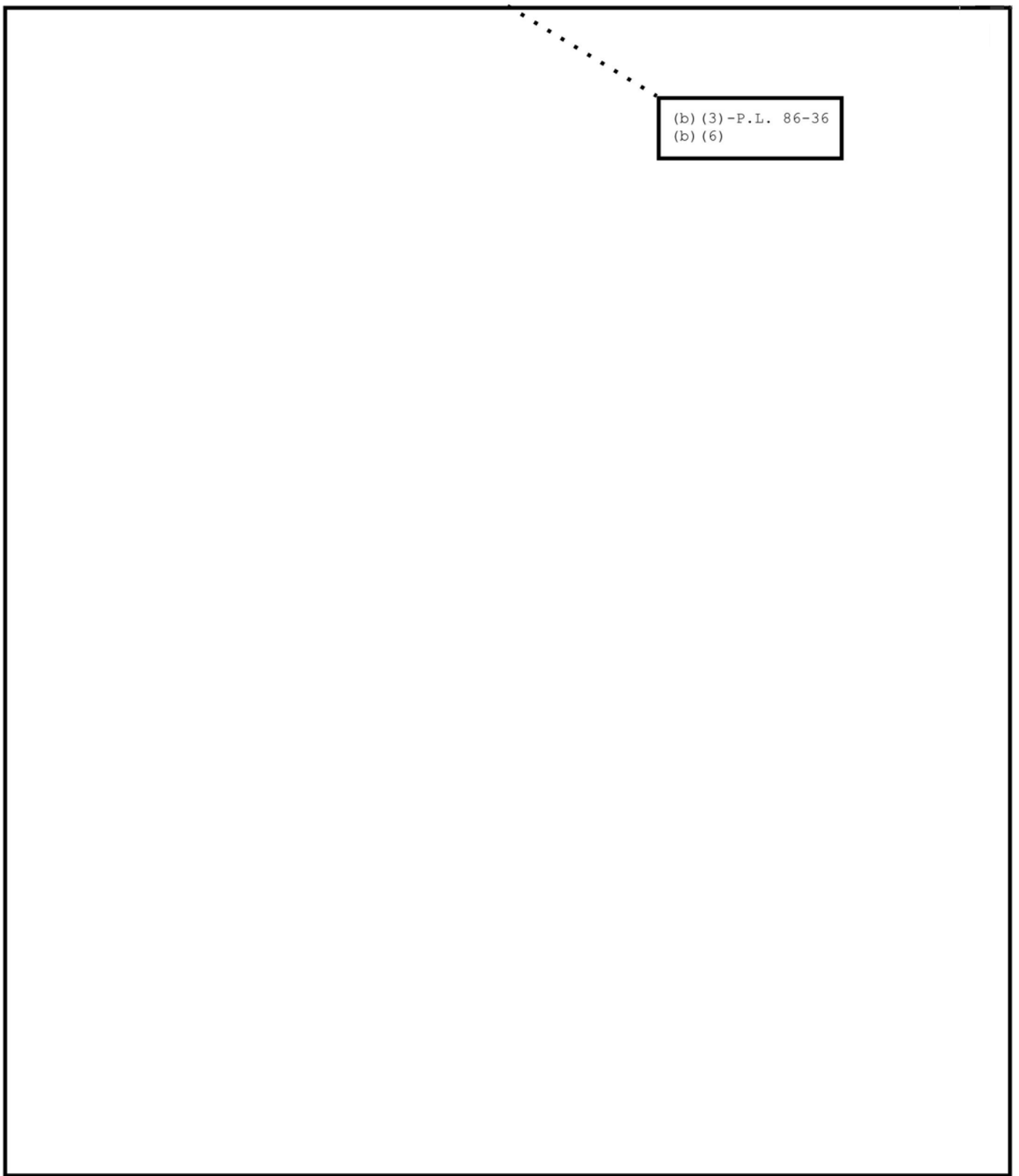
Release 2021-5
NSA 15243



Release 2021-5
NSA 15244



Release 2021-5
NSA 15245



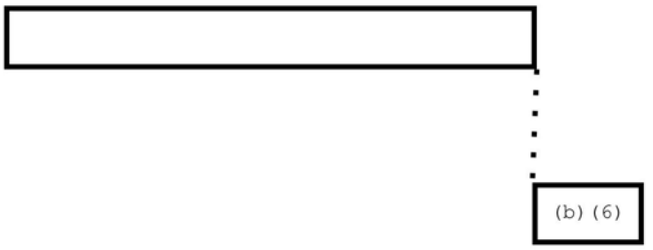
Release 2021-5
NSA 15246

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

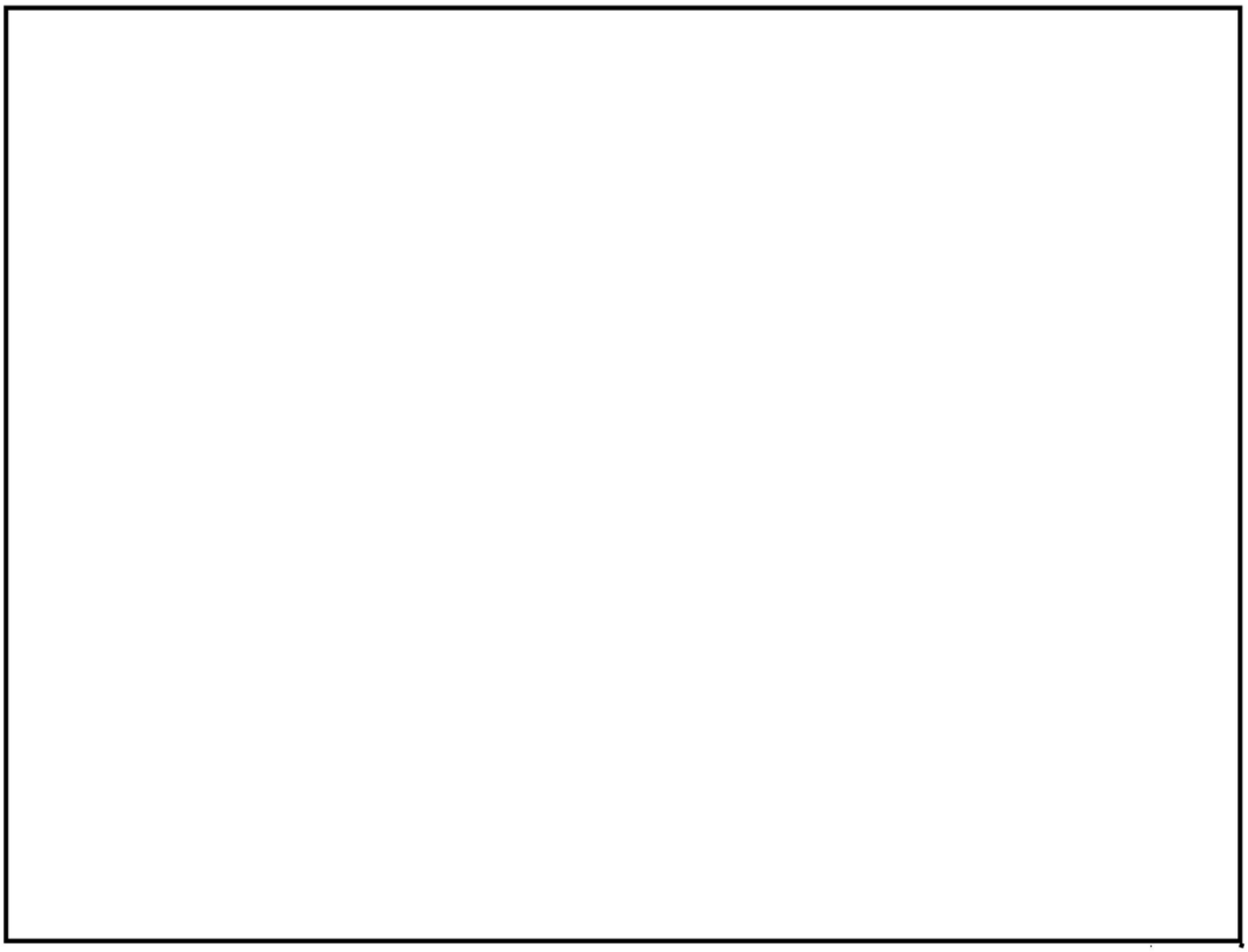
Release 2021-5
NSA 15247

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

Release 2021-5
NSA 15248

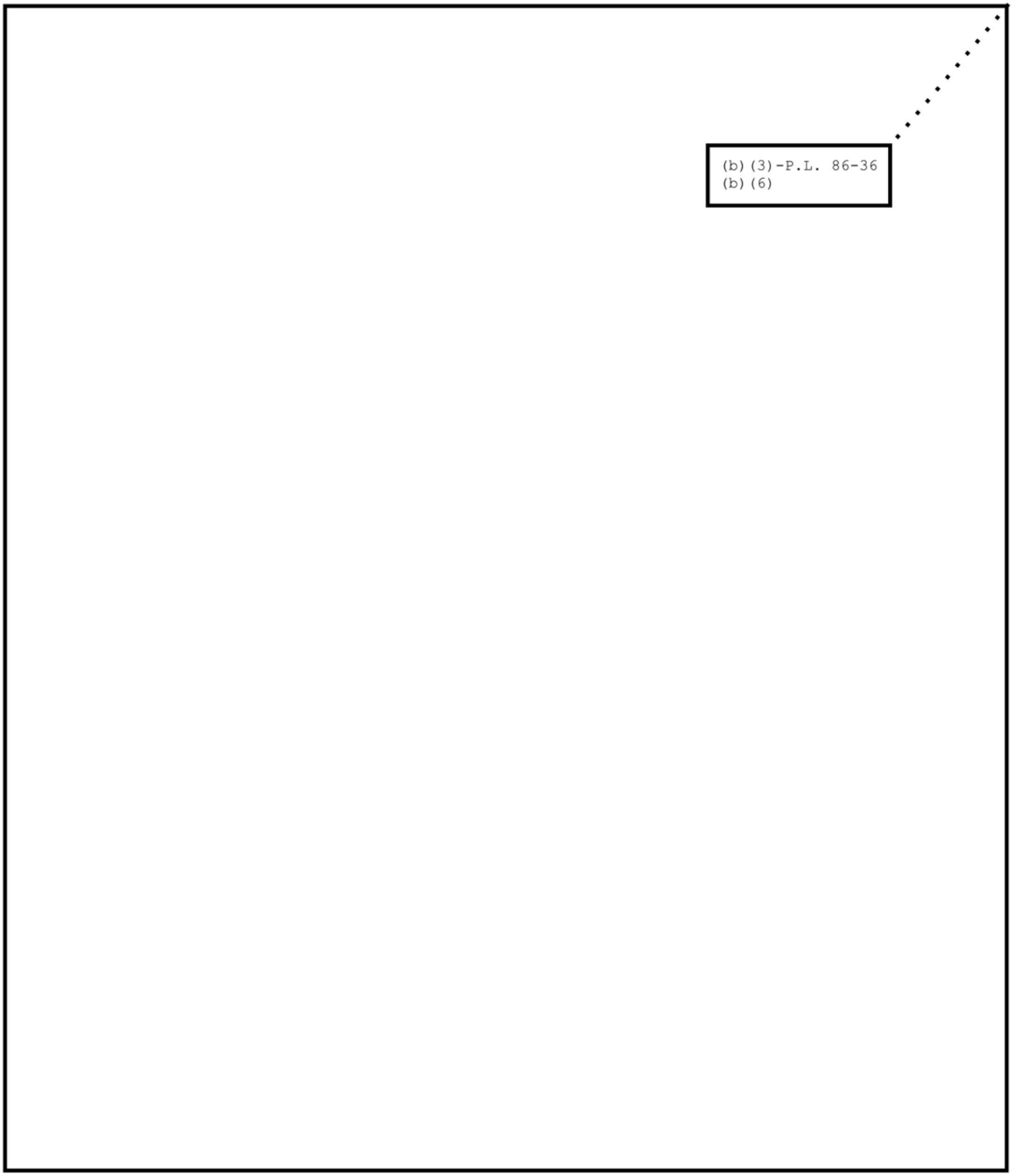


Release 2021-5
NSA 15249

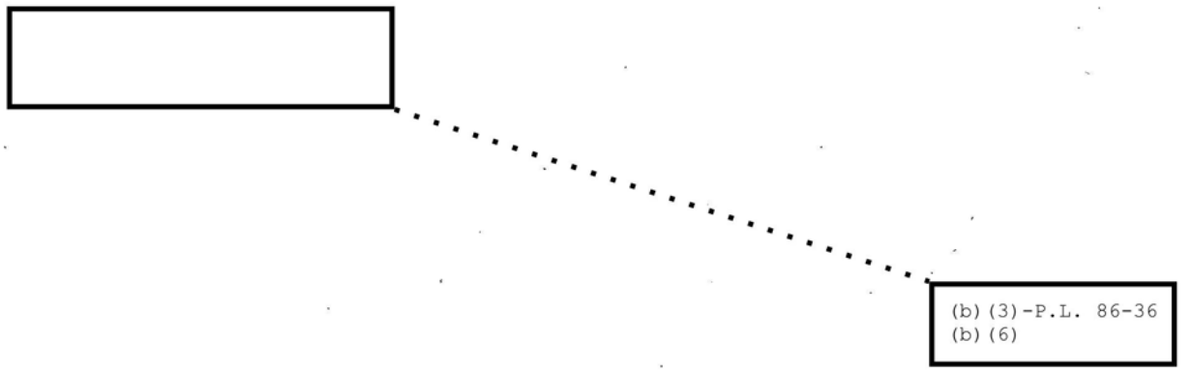


(b)(3)-P.L. 86-36
(b)(6)

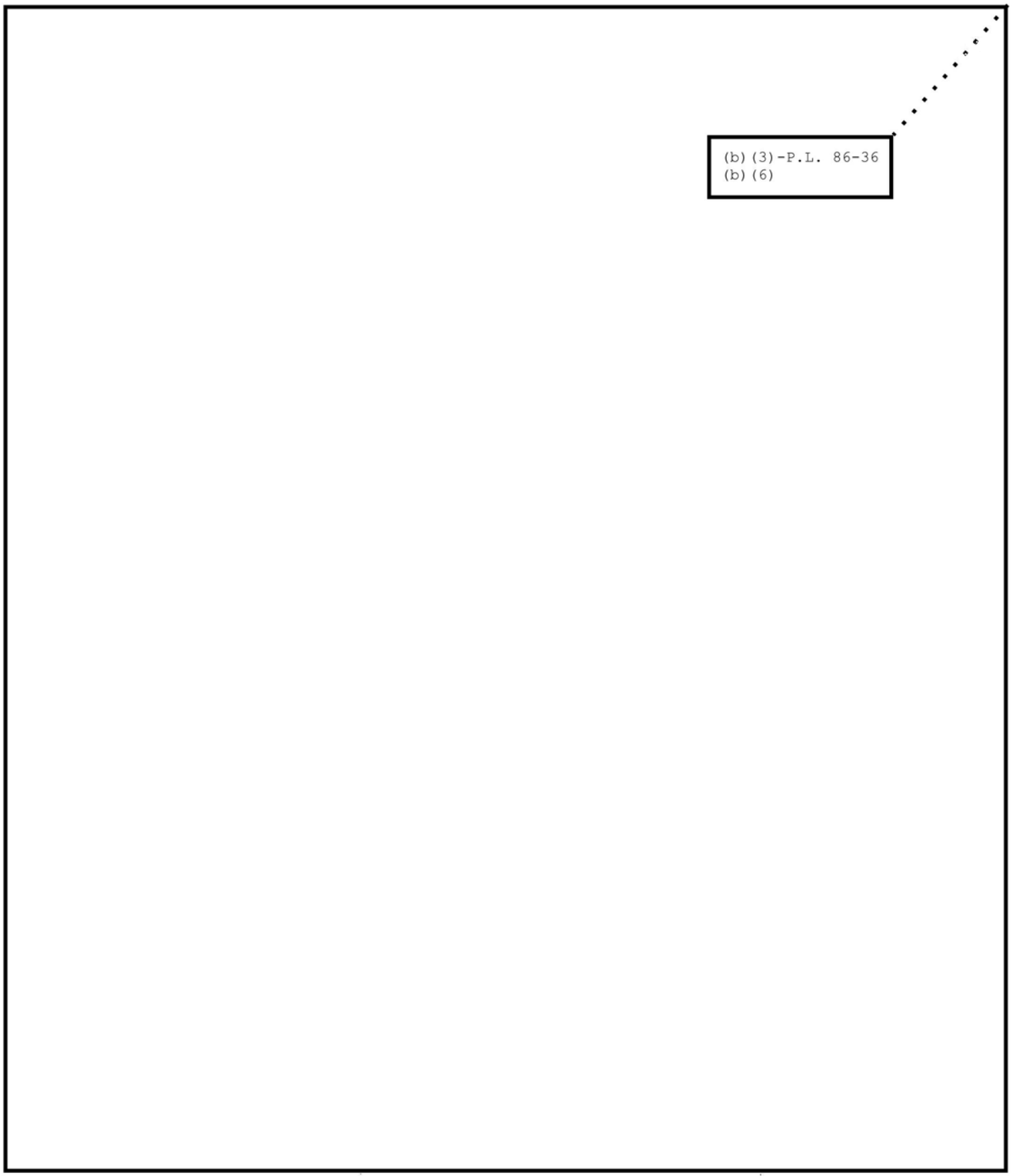
Release 2021-5
NSA 15250



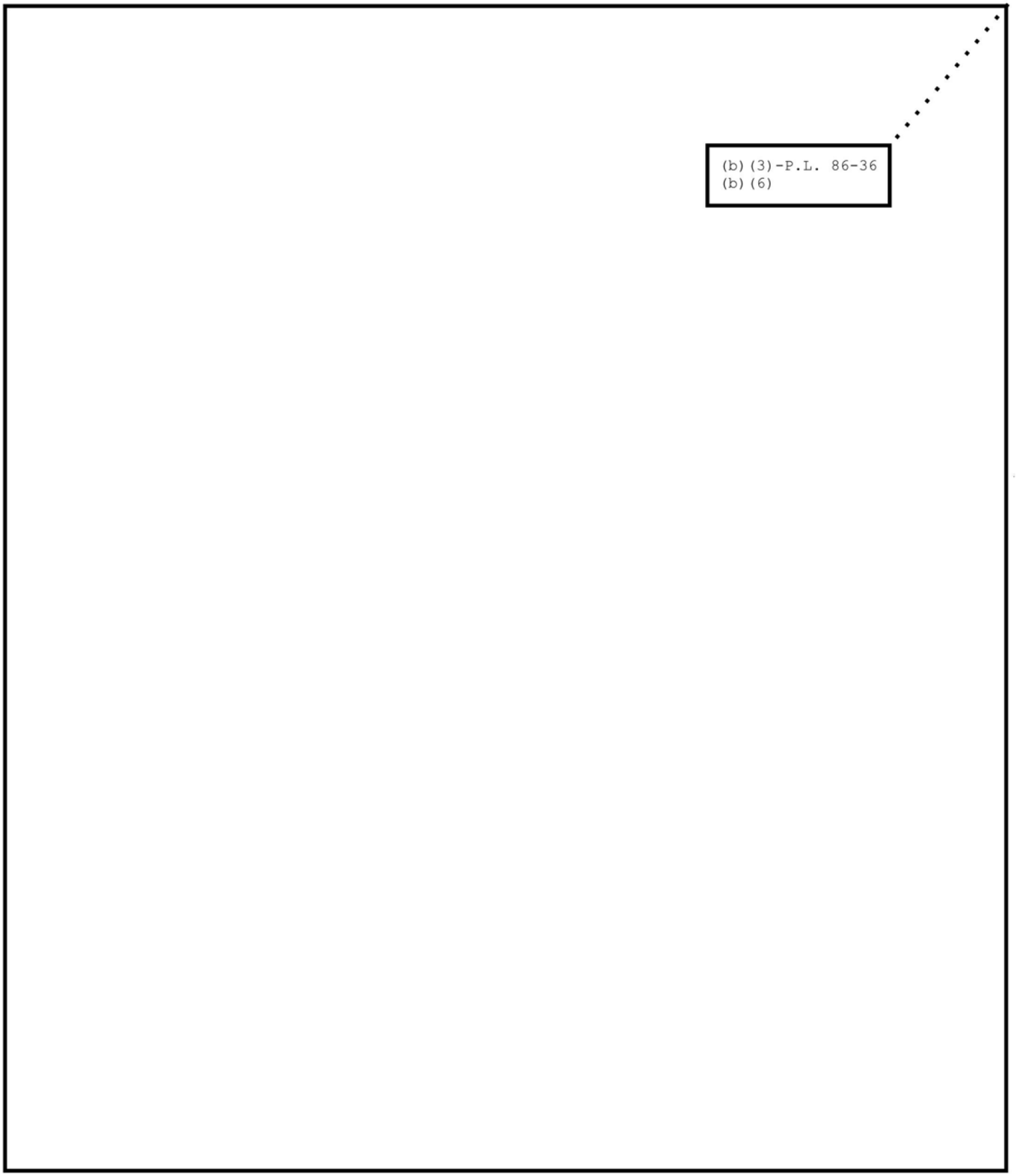
Release 2021-5
NSA 15251



Release 2021-5
NSA 15252



Release 2021-5
NSA 15253

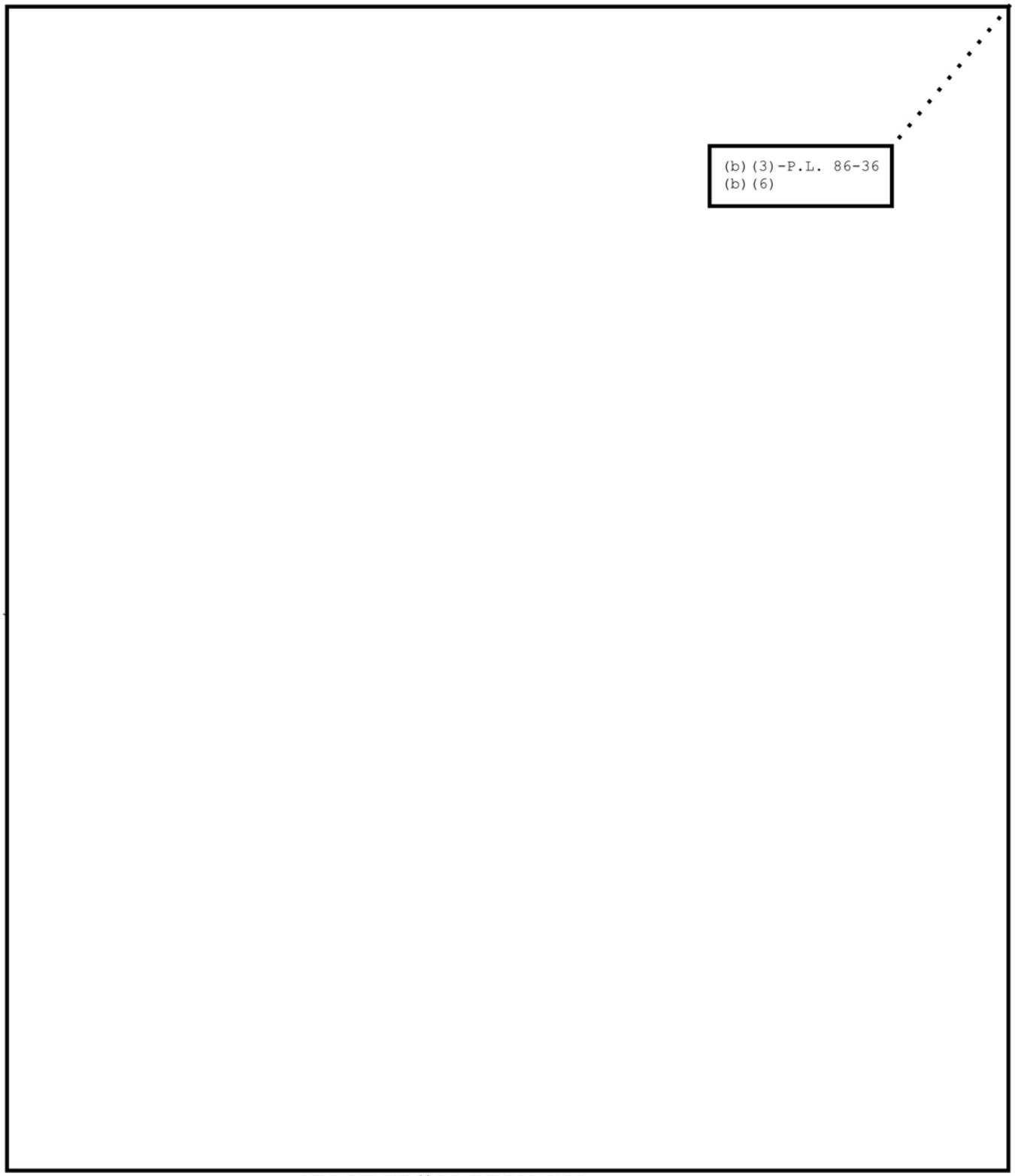


Release 2021-5
NSA 15254

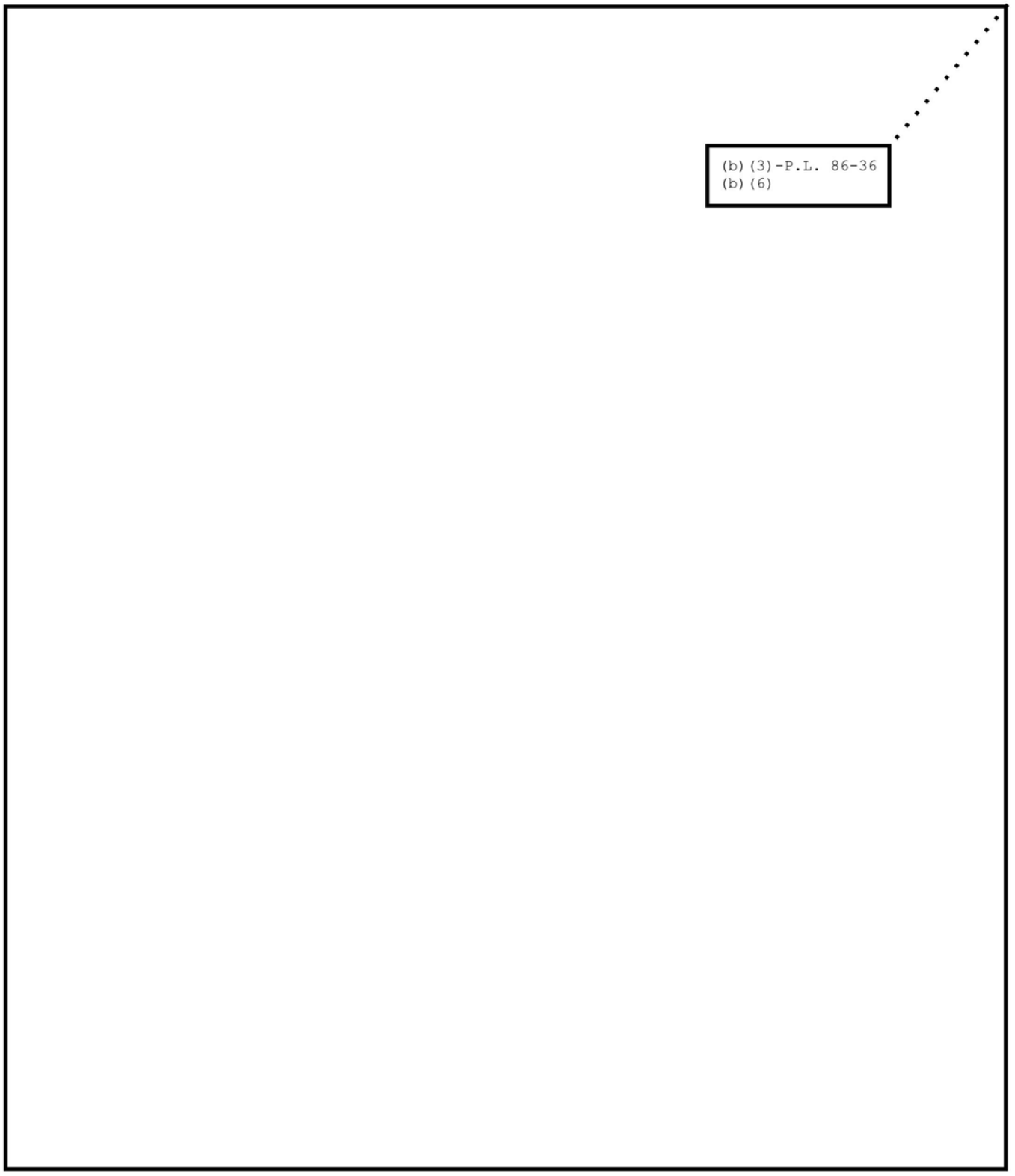
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(b)(3)-P.L. 86-36
(b)(6)

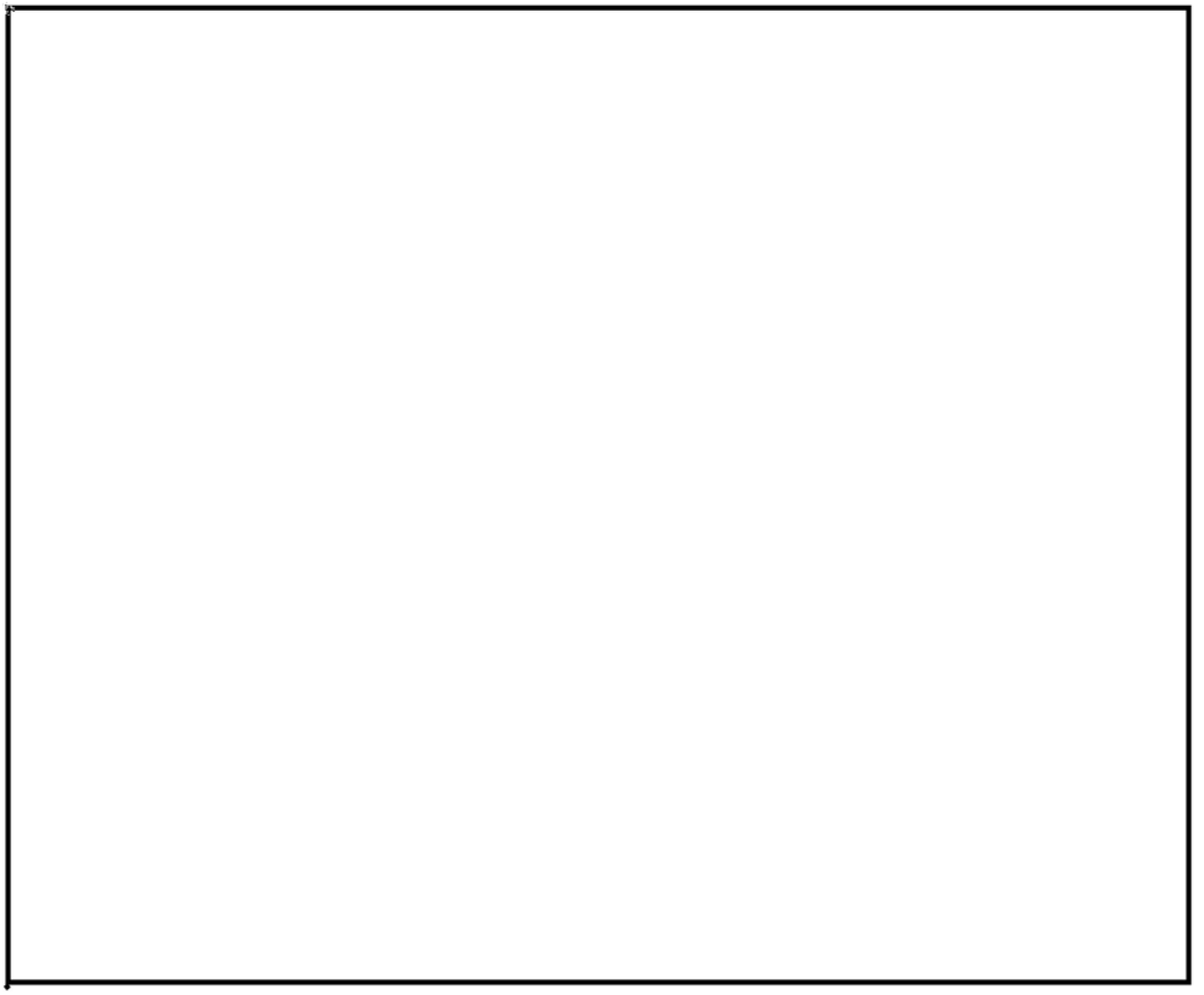
Release 2021-5
NSA 15255



Release 2021-5
NSA 15256

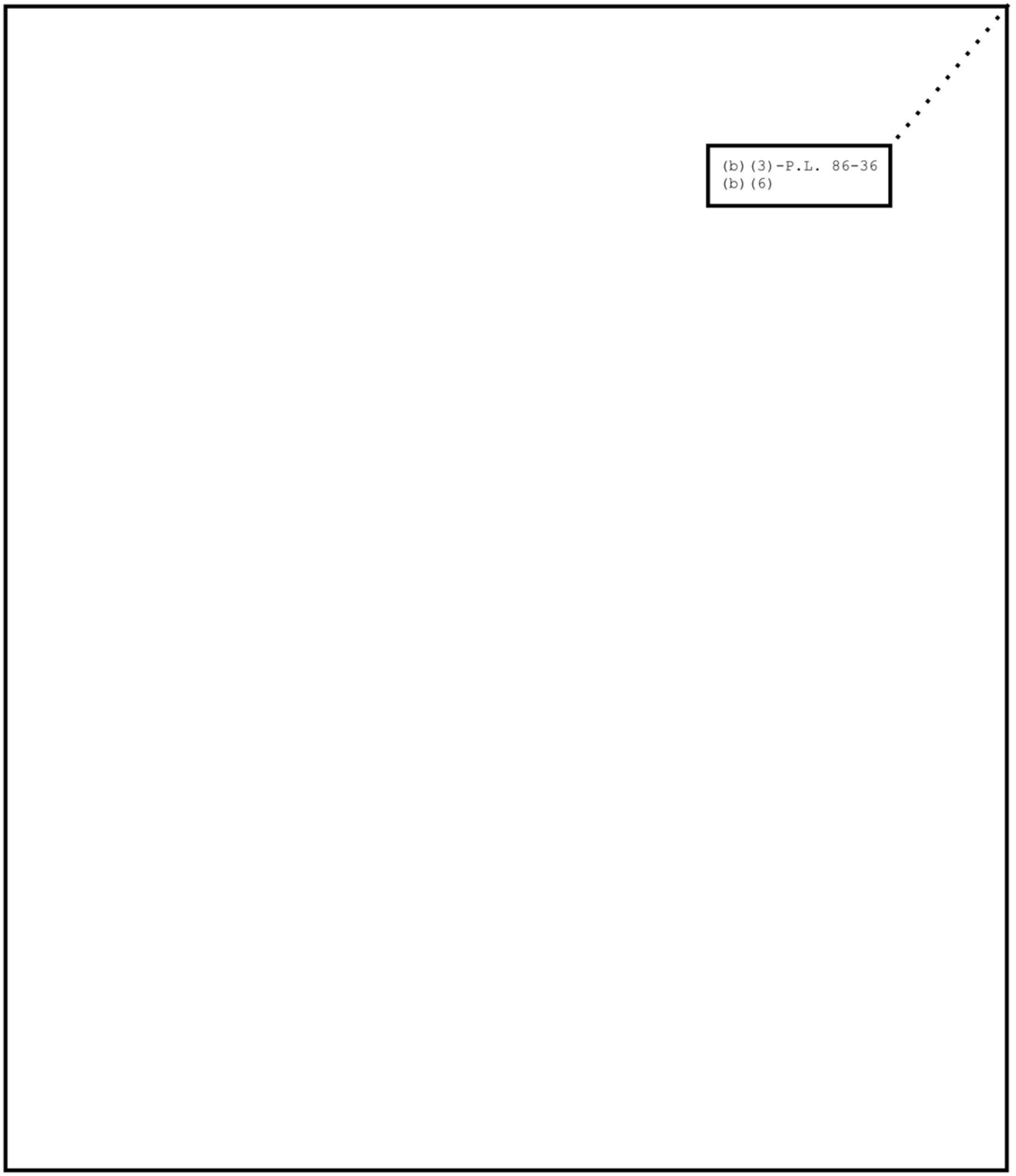


Release 2021-5
NSA 15257



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

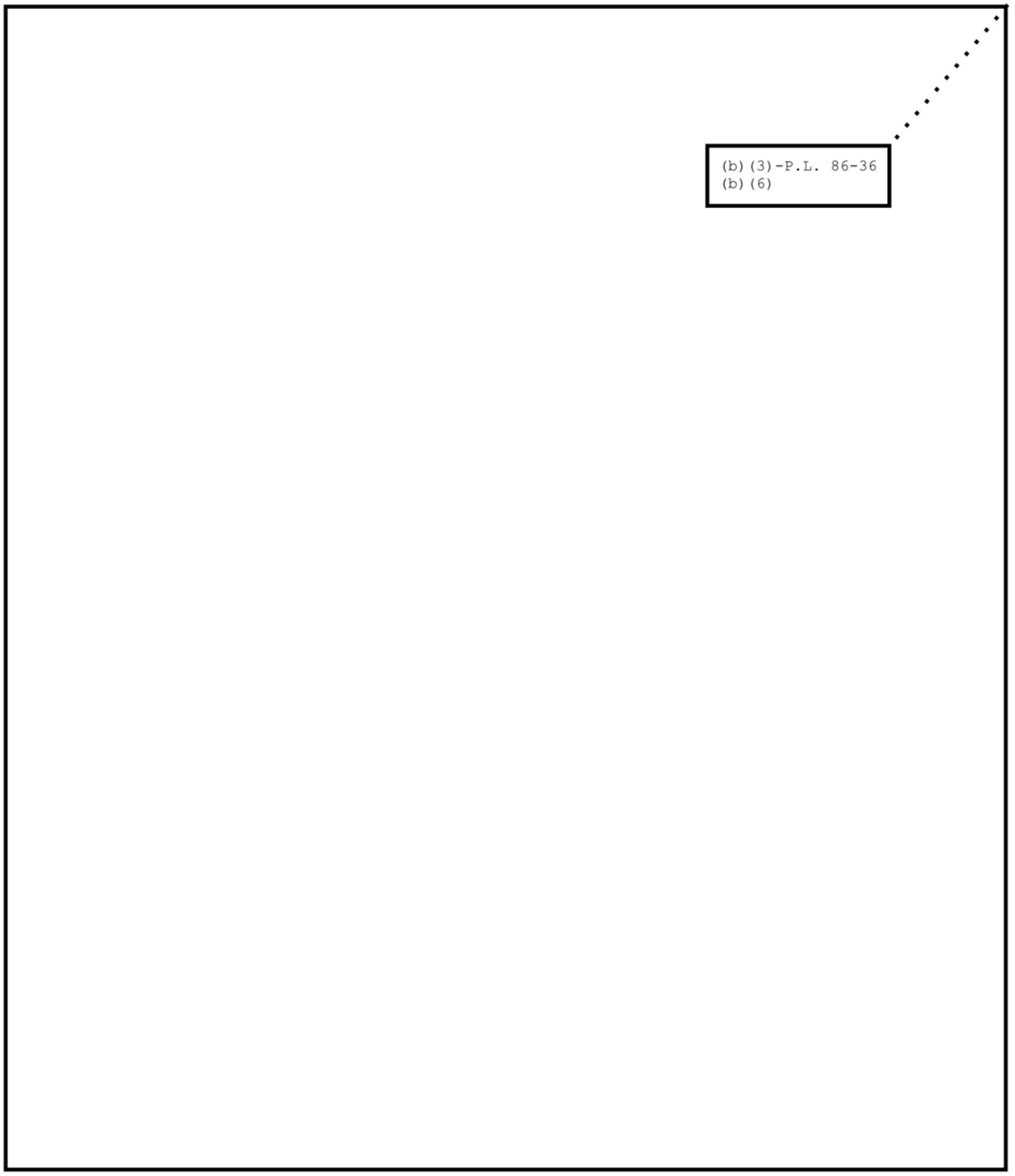
Release 2021-5
NSA 15258



Release 2021-5
NSA 15259

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

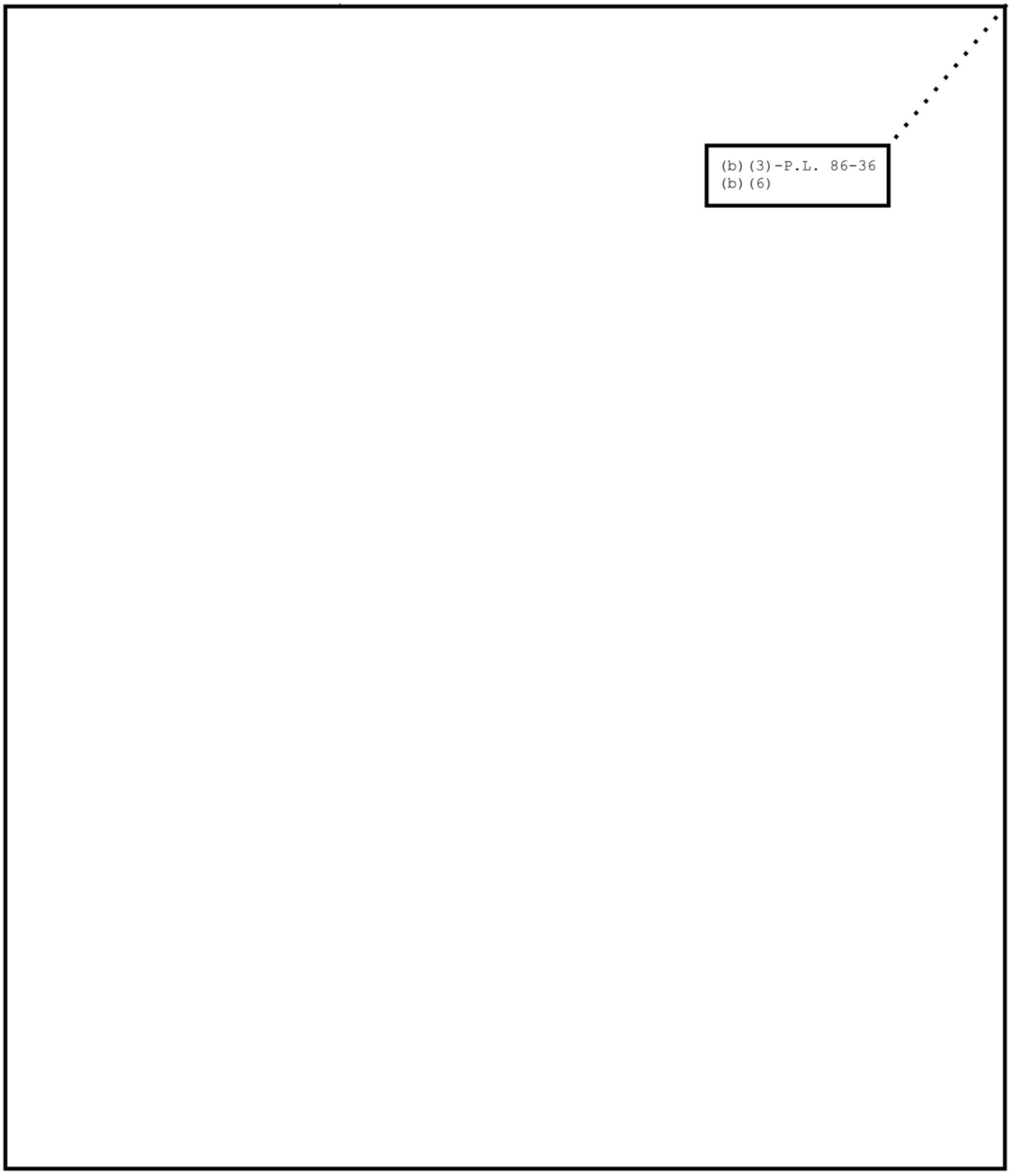
Release 2021-5
NSA 15260



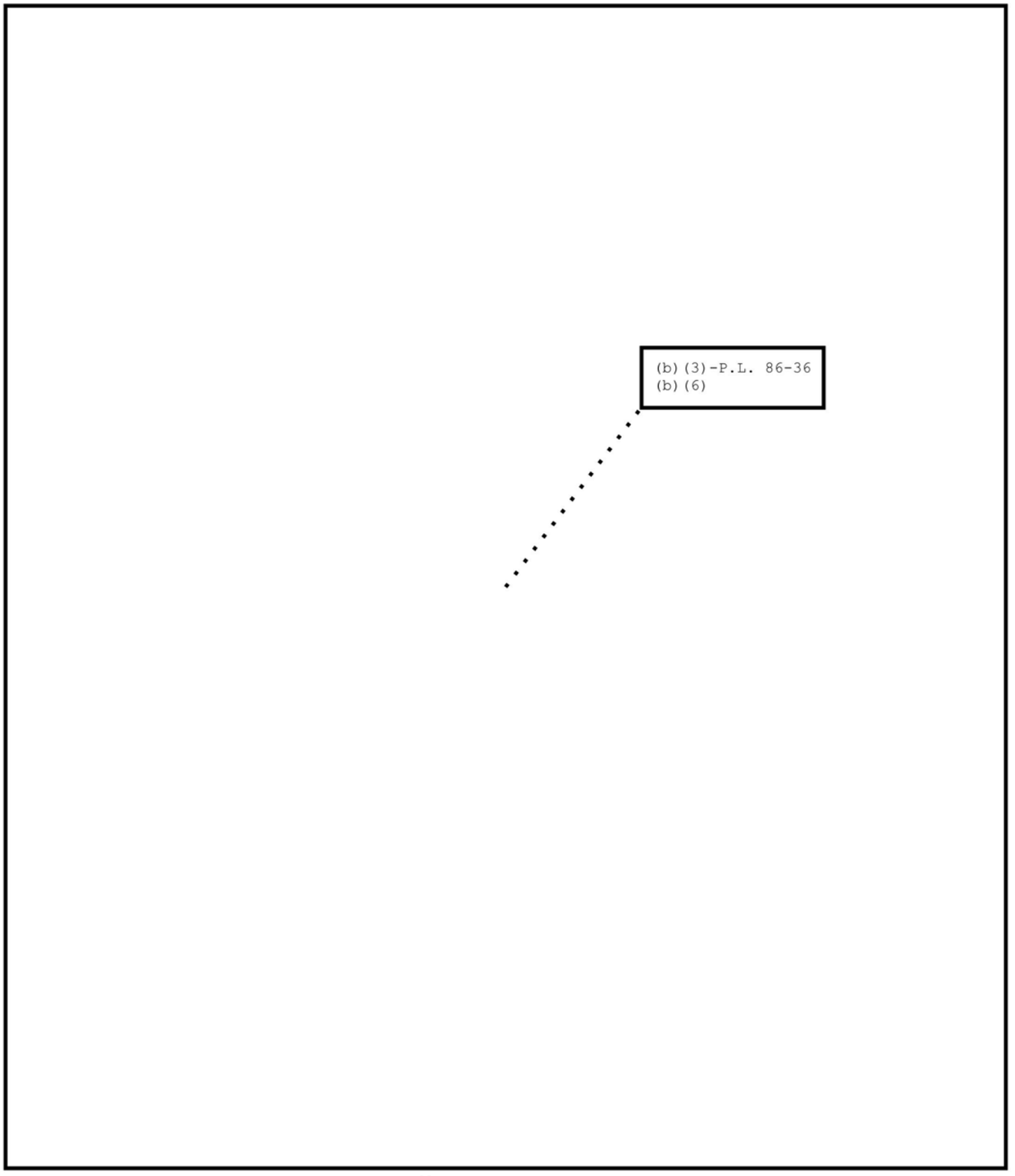
Release 2021-5
NSA 15261

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

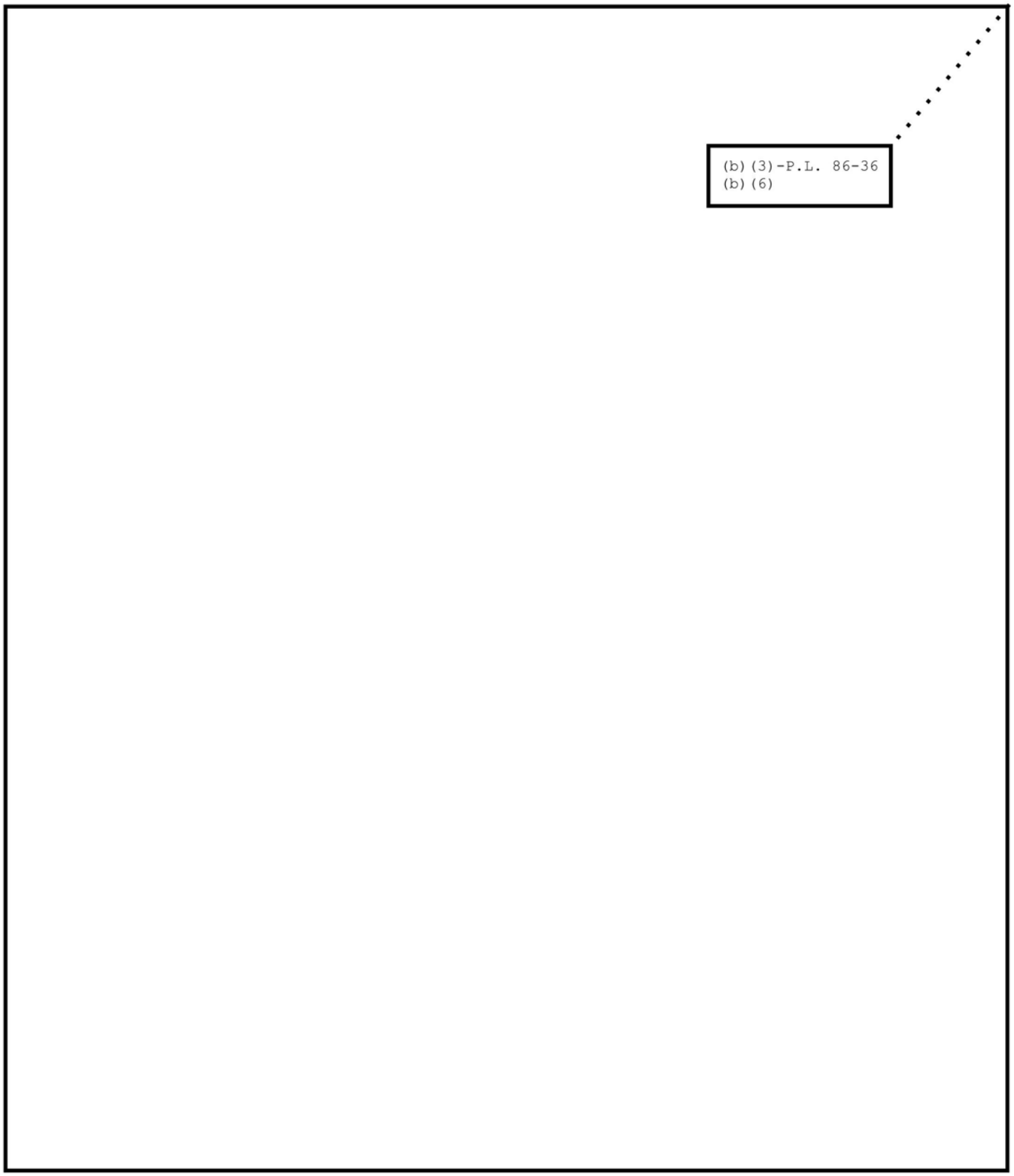
Release 2021-5
NSA 15262



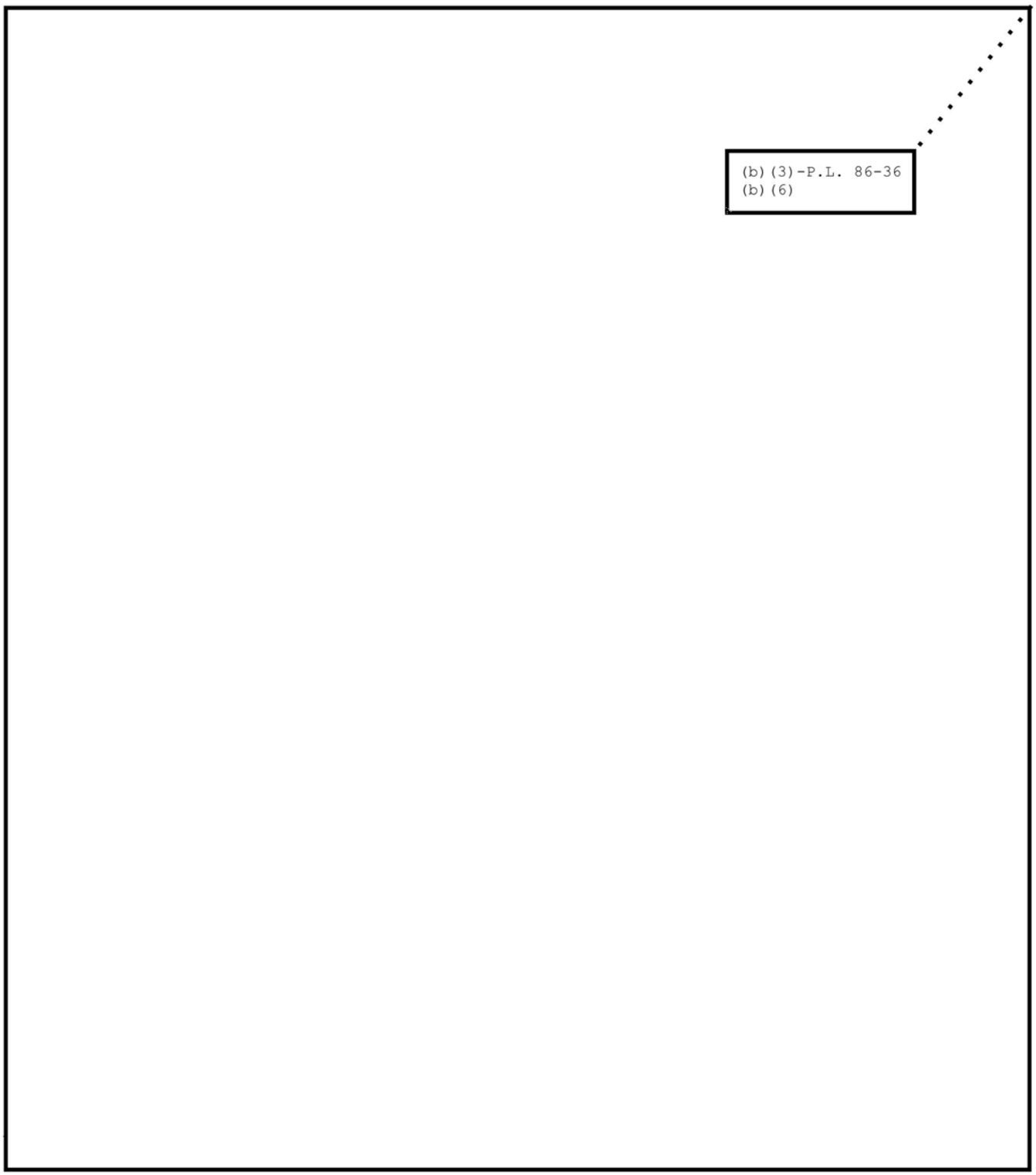
Release 2021-5
NSA 15263



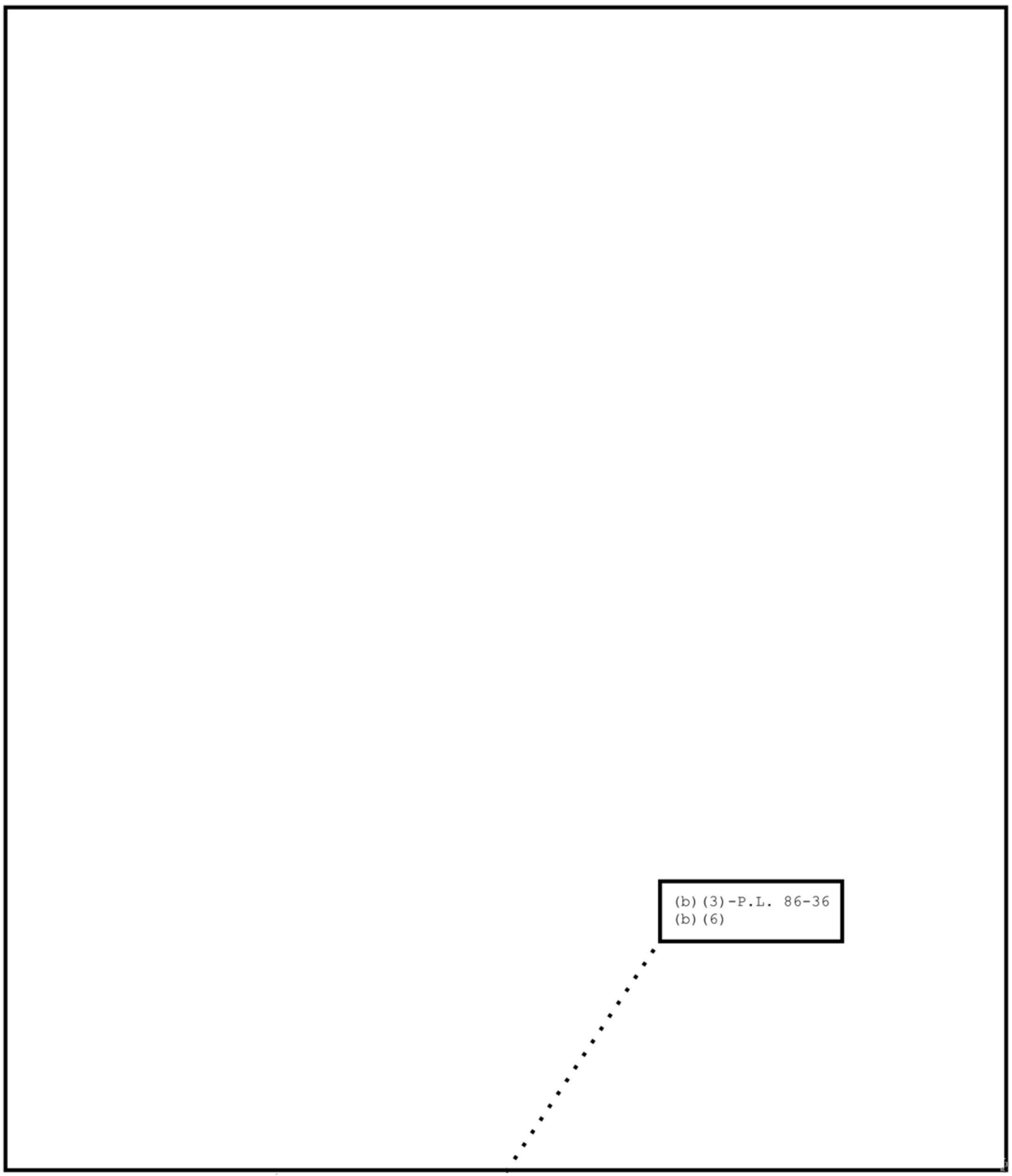
Release 2021-5
NSA 15264



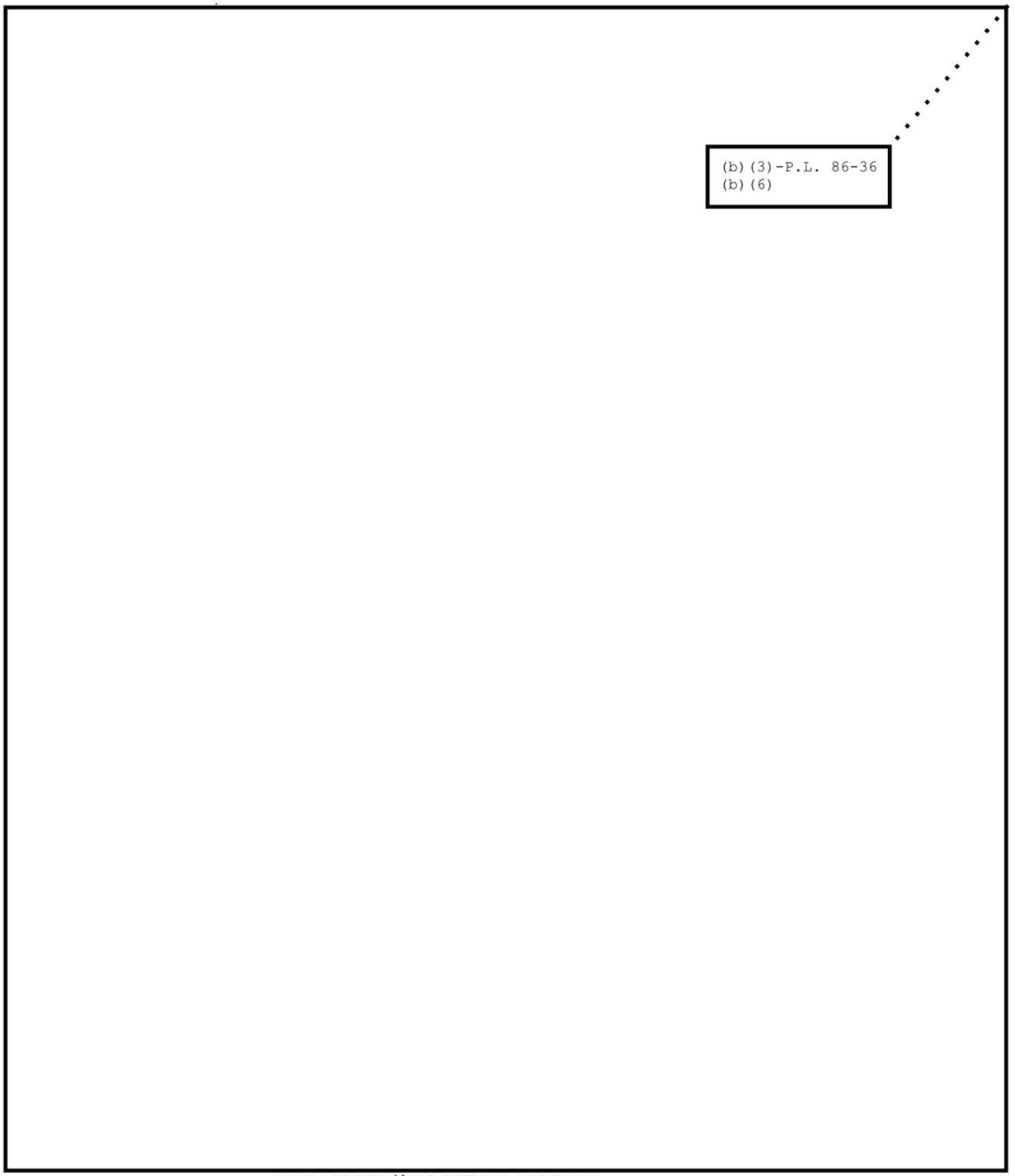
Release 2021-5
NSA 15265



Release 2021-5
NSA 15266



Release 2021-5
NSA 15267



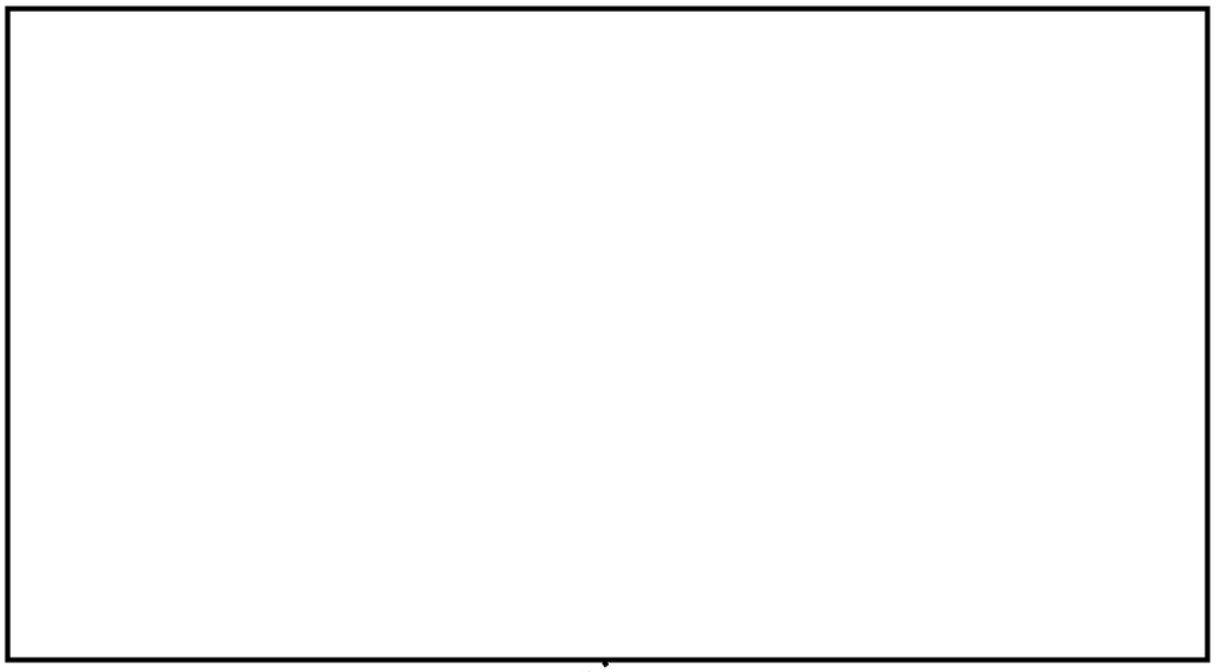
Release 2021-5
NSA 15268

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

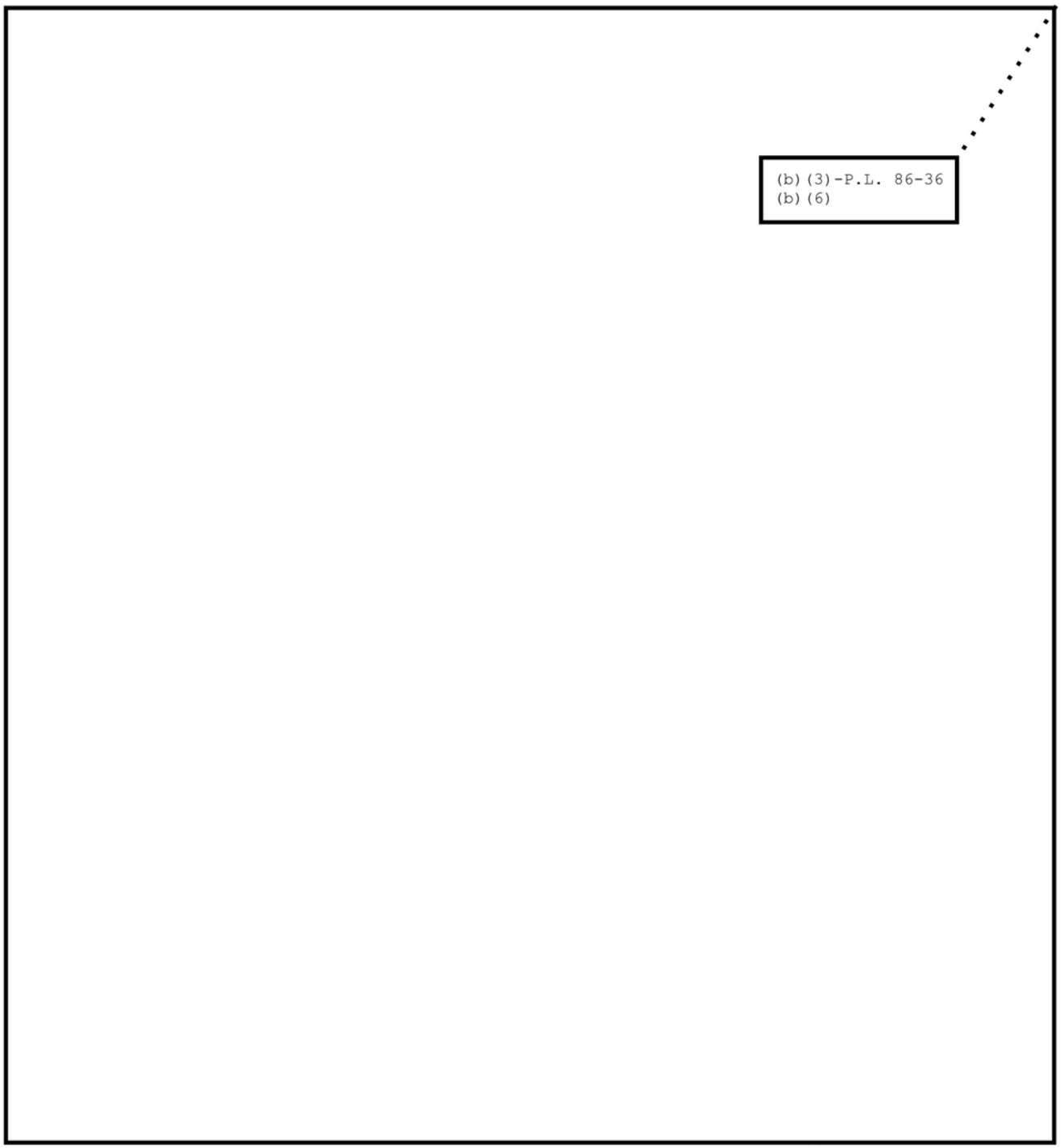
Release 2021-5
NSA 15269

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

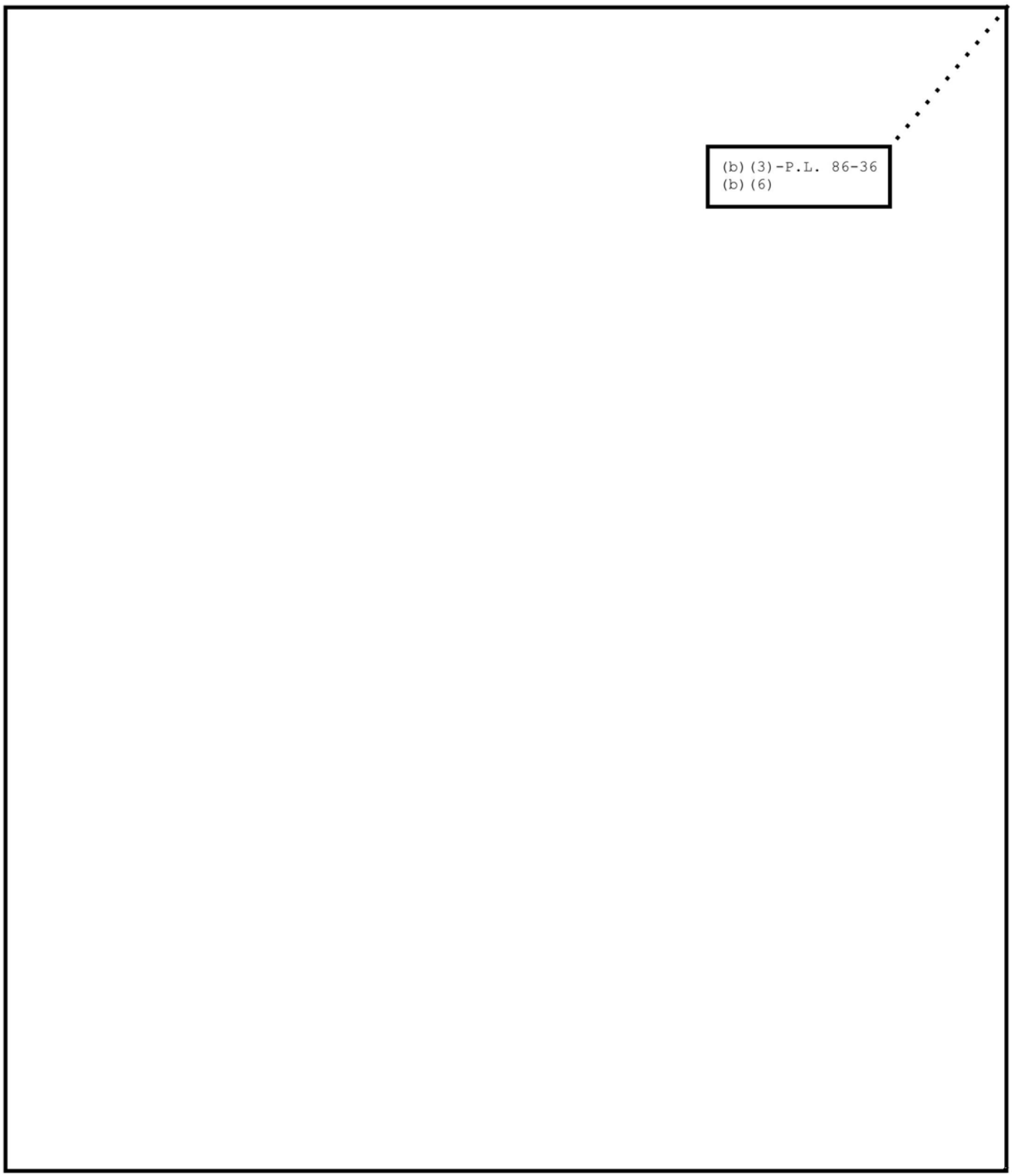
Release 2021-5
NSA 15270



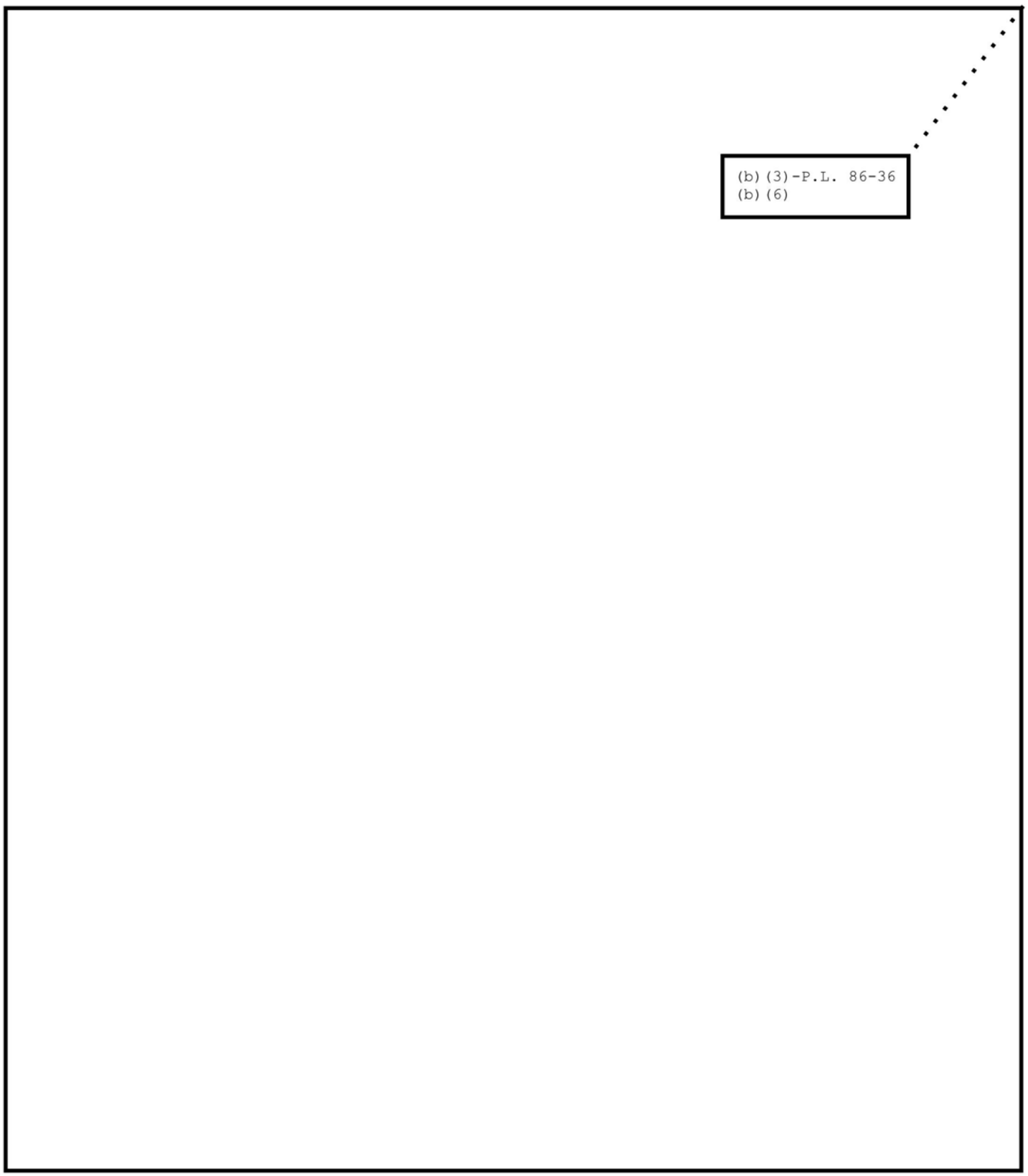
(b)(3)-P.L. 86-36
(b)(6)



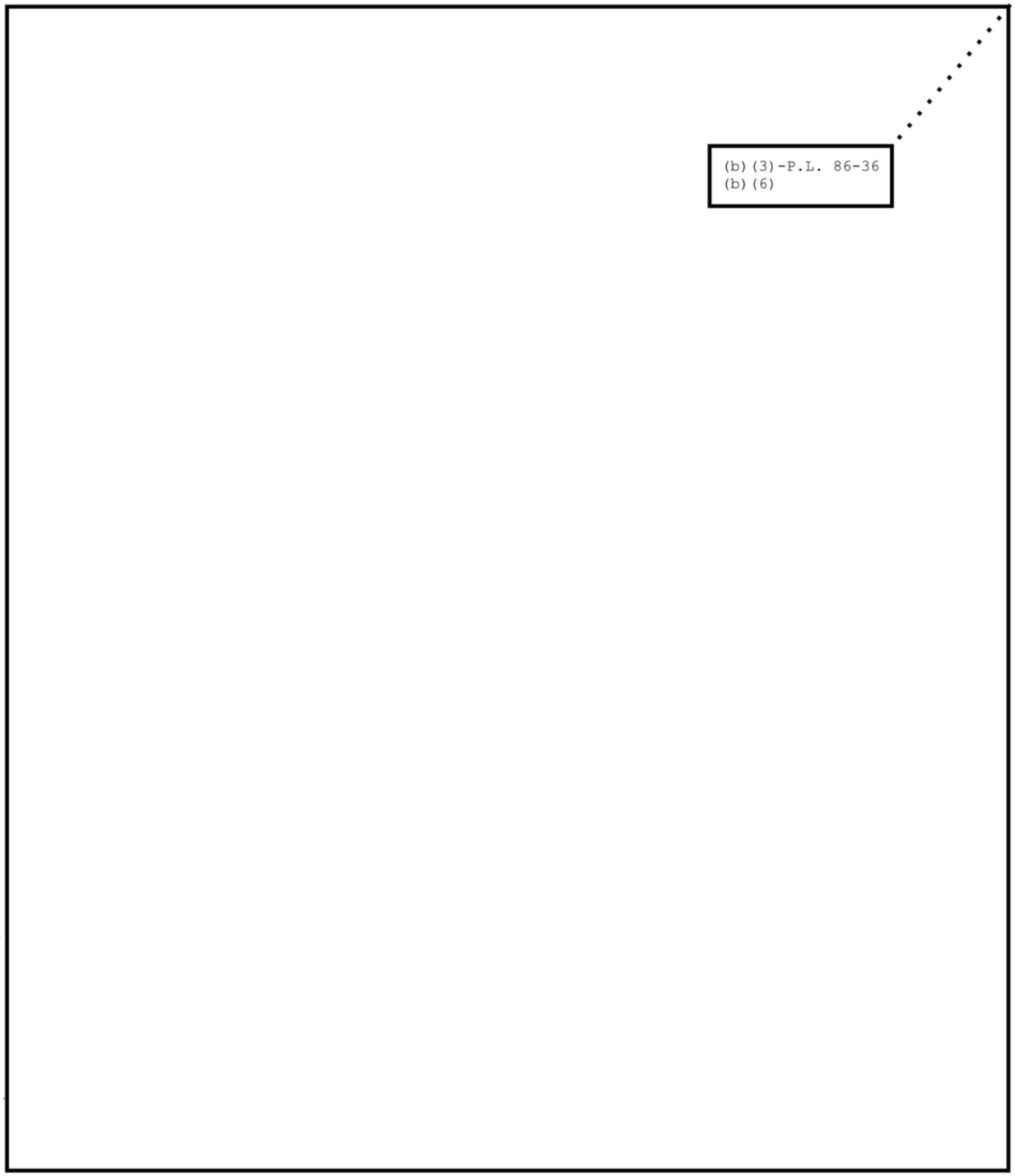
Release 2021-5
NSA 15272



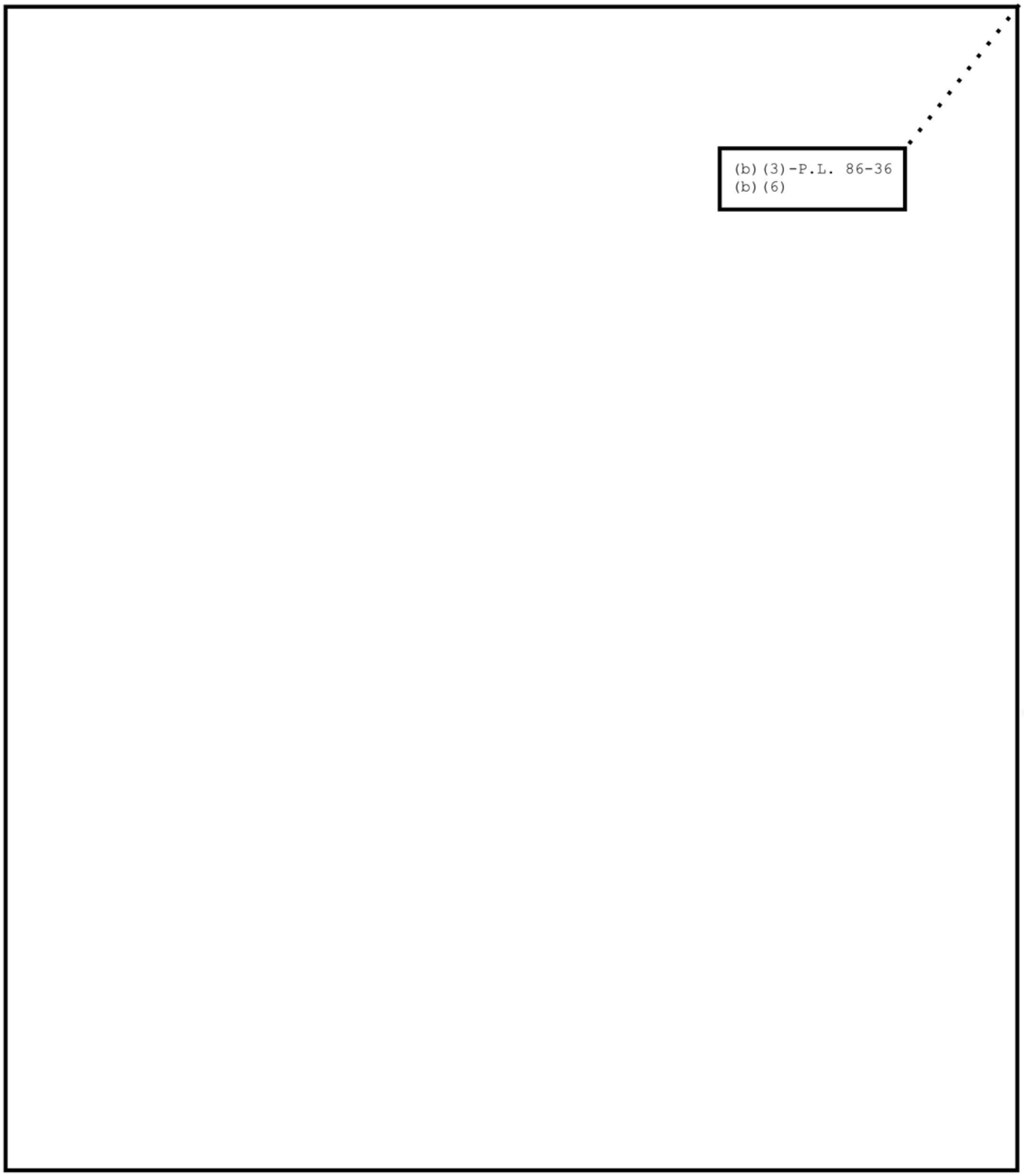
Release 2021-5
NSA 15273



Release 2021-5
NSA 15274



Release 2021-5
NSA 15275

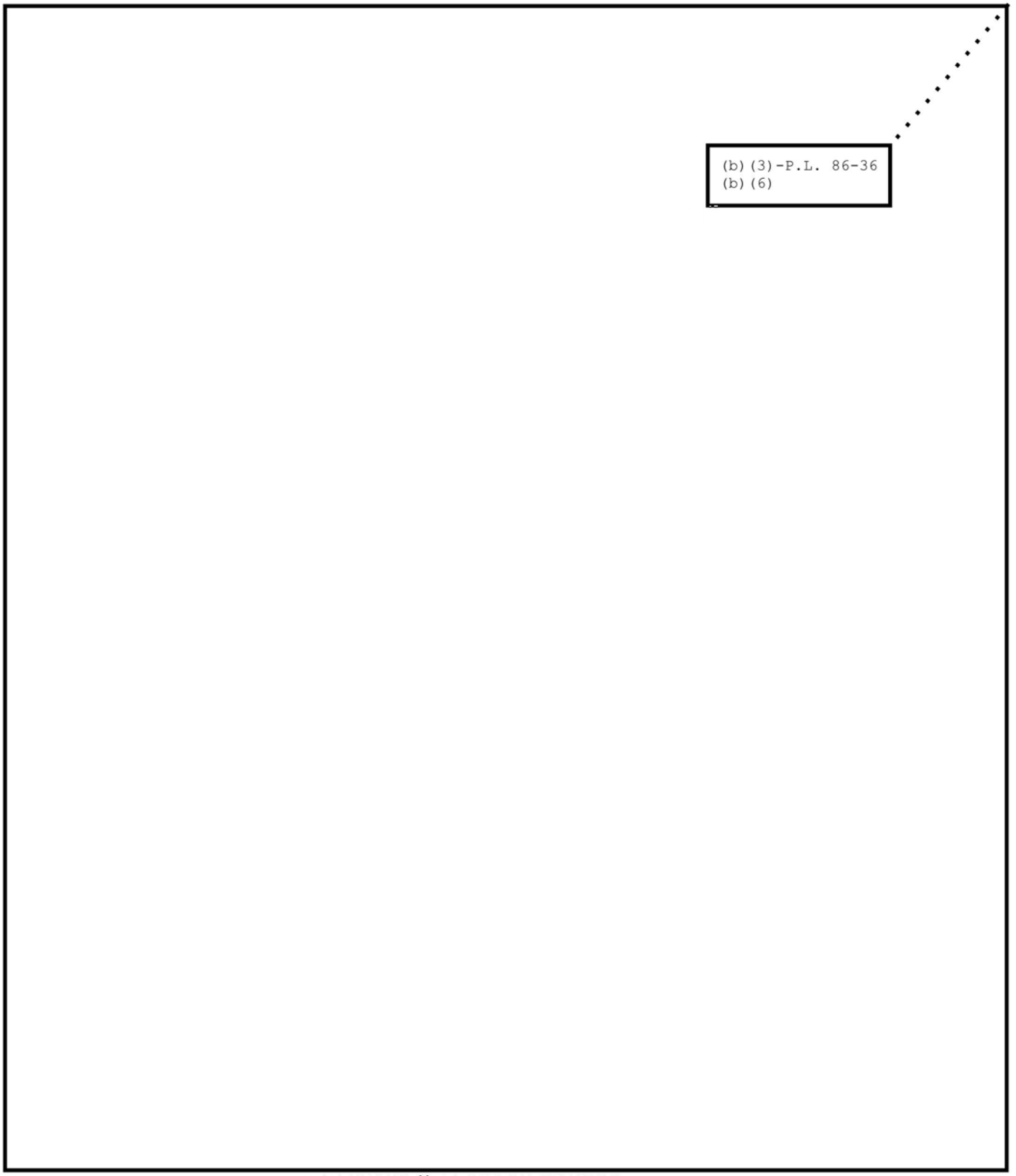


Release 2021-5
NSA 15276

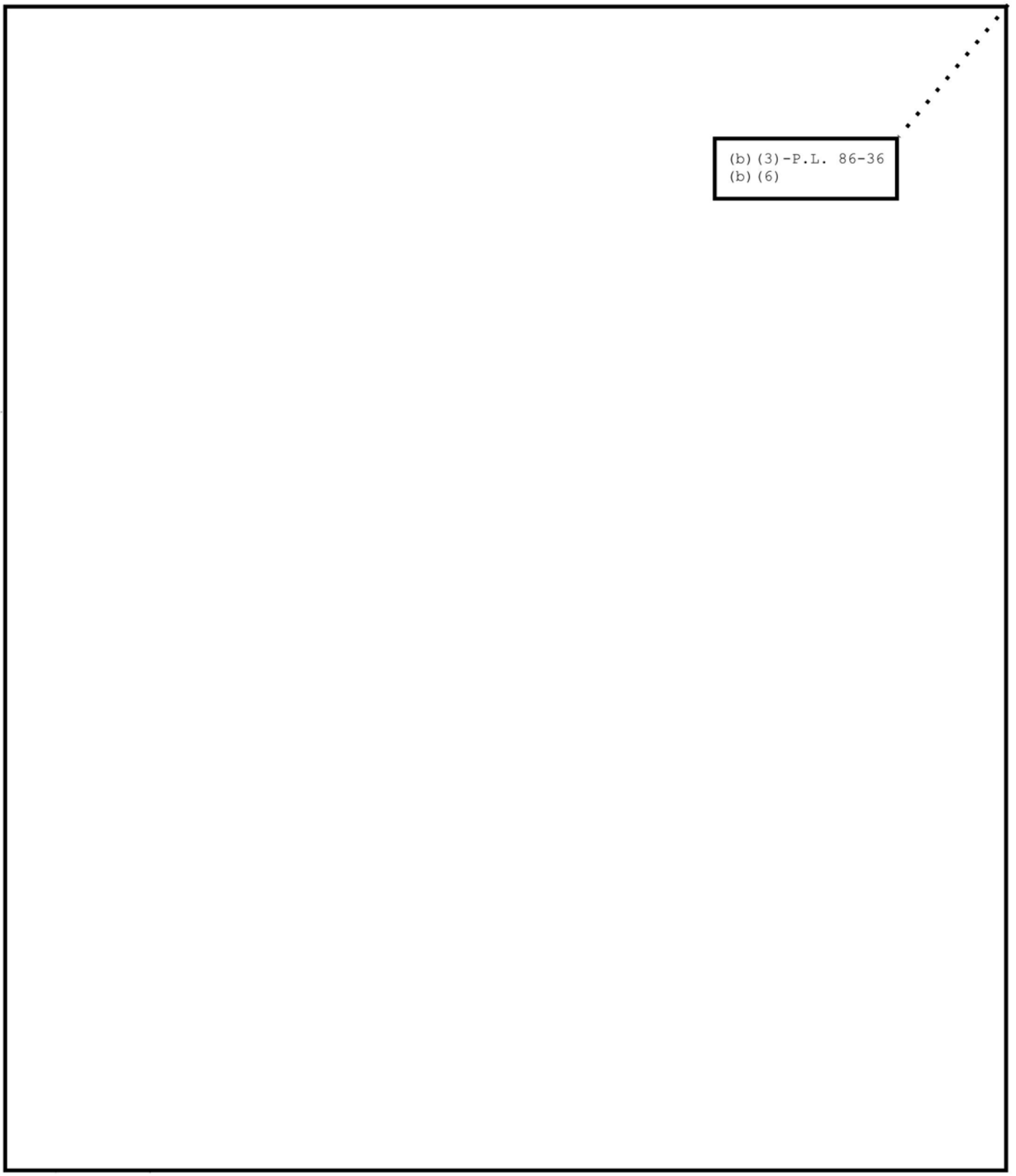
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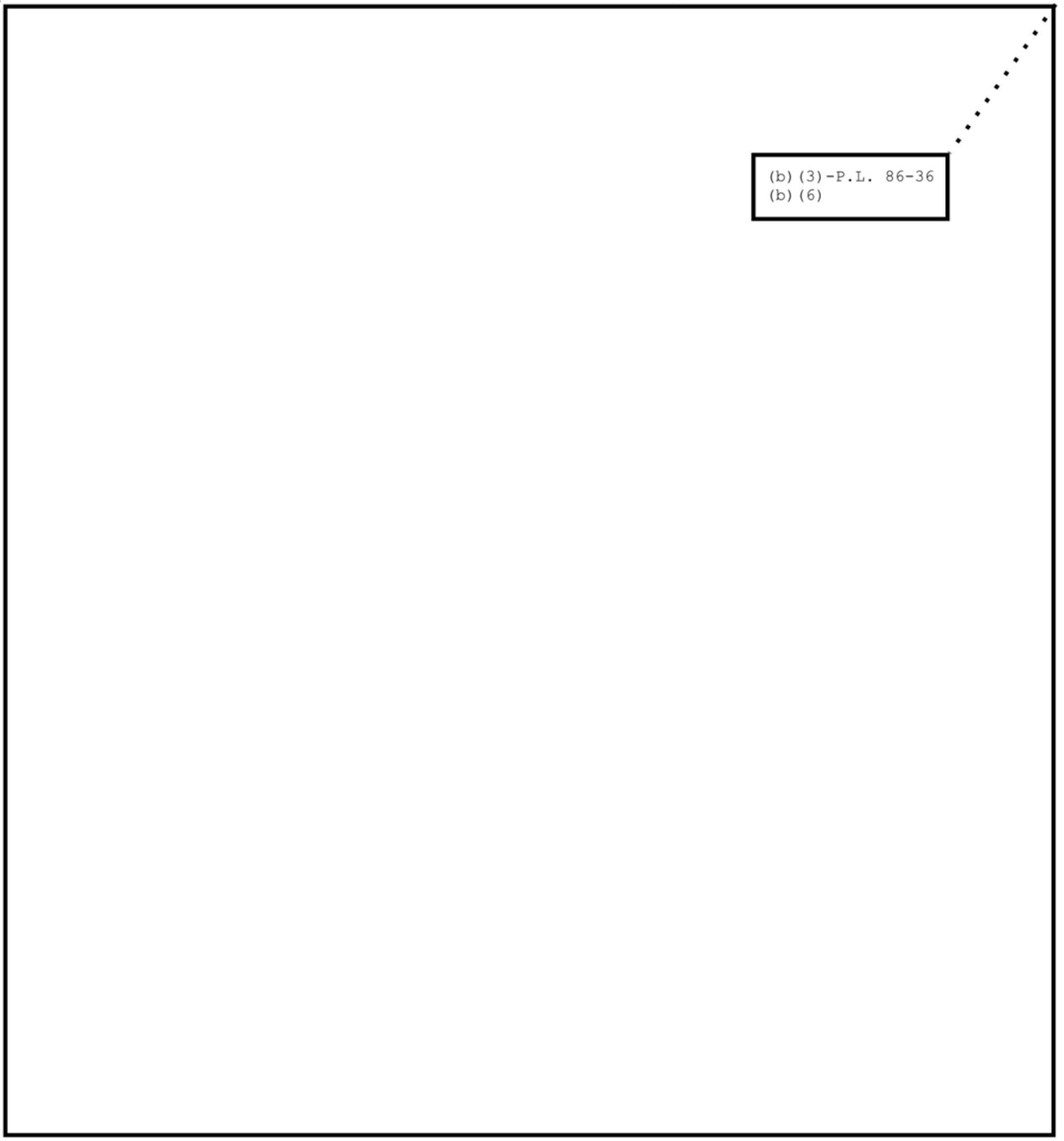
(b)(3)-P.L. 86-36
(b)(6)

Release 2021-5
NSA 15277



Release 2021-5
NSA 15278

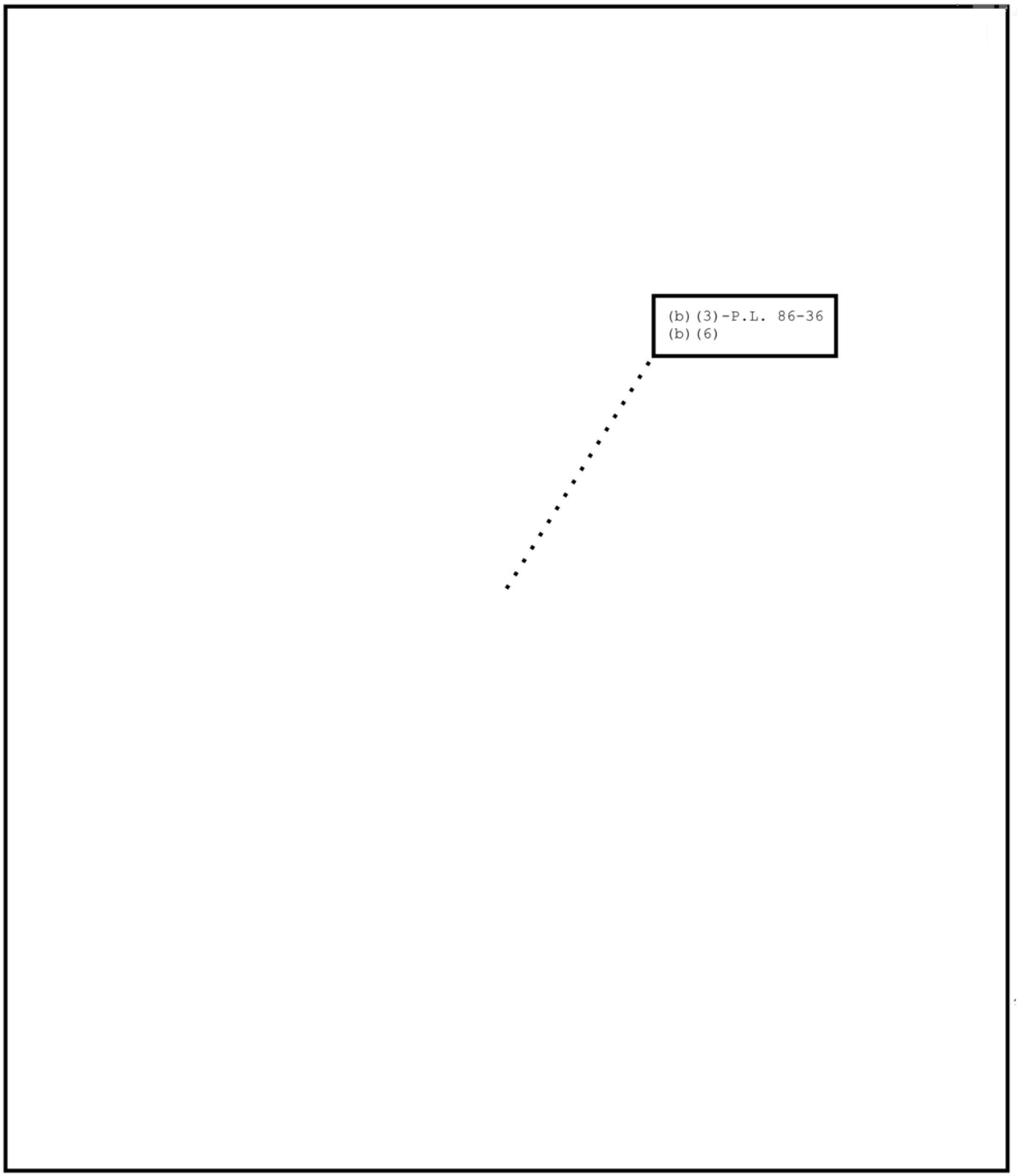

(b)(3)-P.L. 86-36
(b)(6)



Release 2021-5
NSA 15280

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

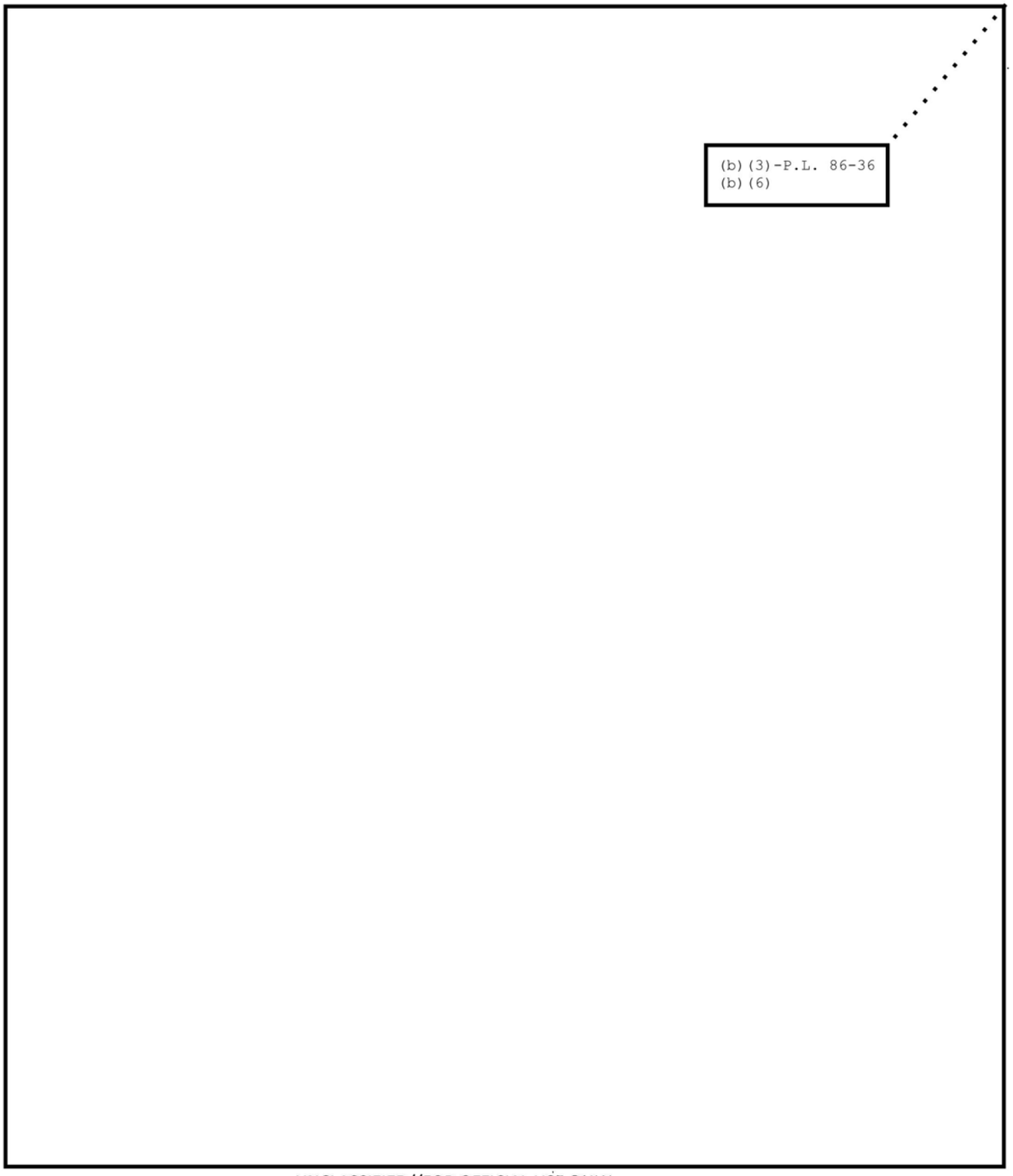
Release 2021-5
NSA 15281



Release 2021-5
NSA 15282



Release 2021-5
NSA 15283



Release 2021-5
NSA 15284

[redacted]

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

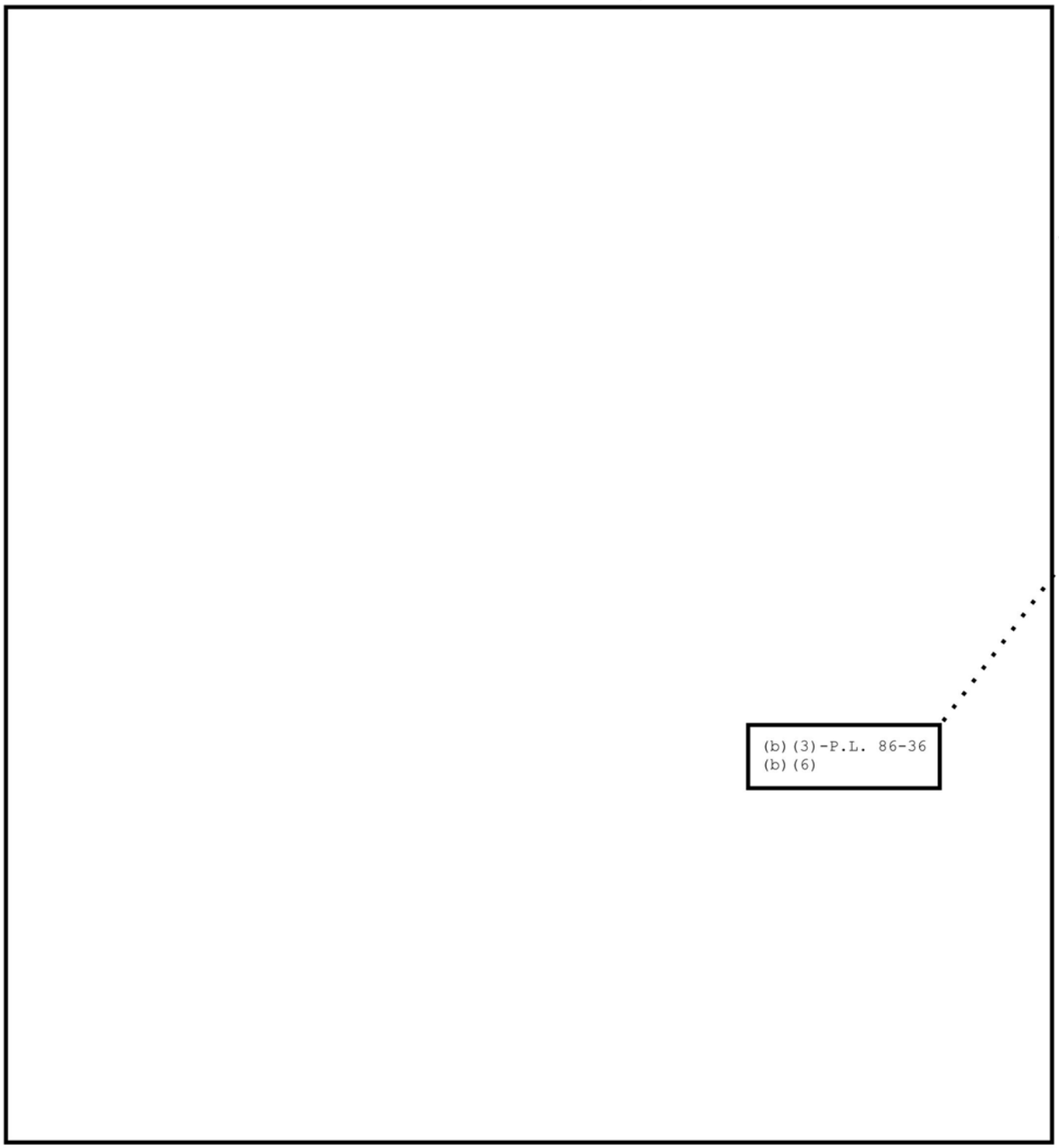
Release 2021-5
NSA 15285

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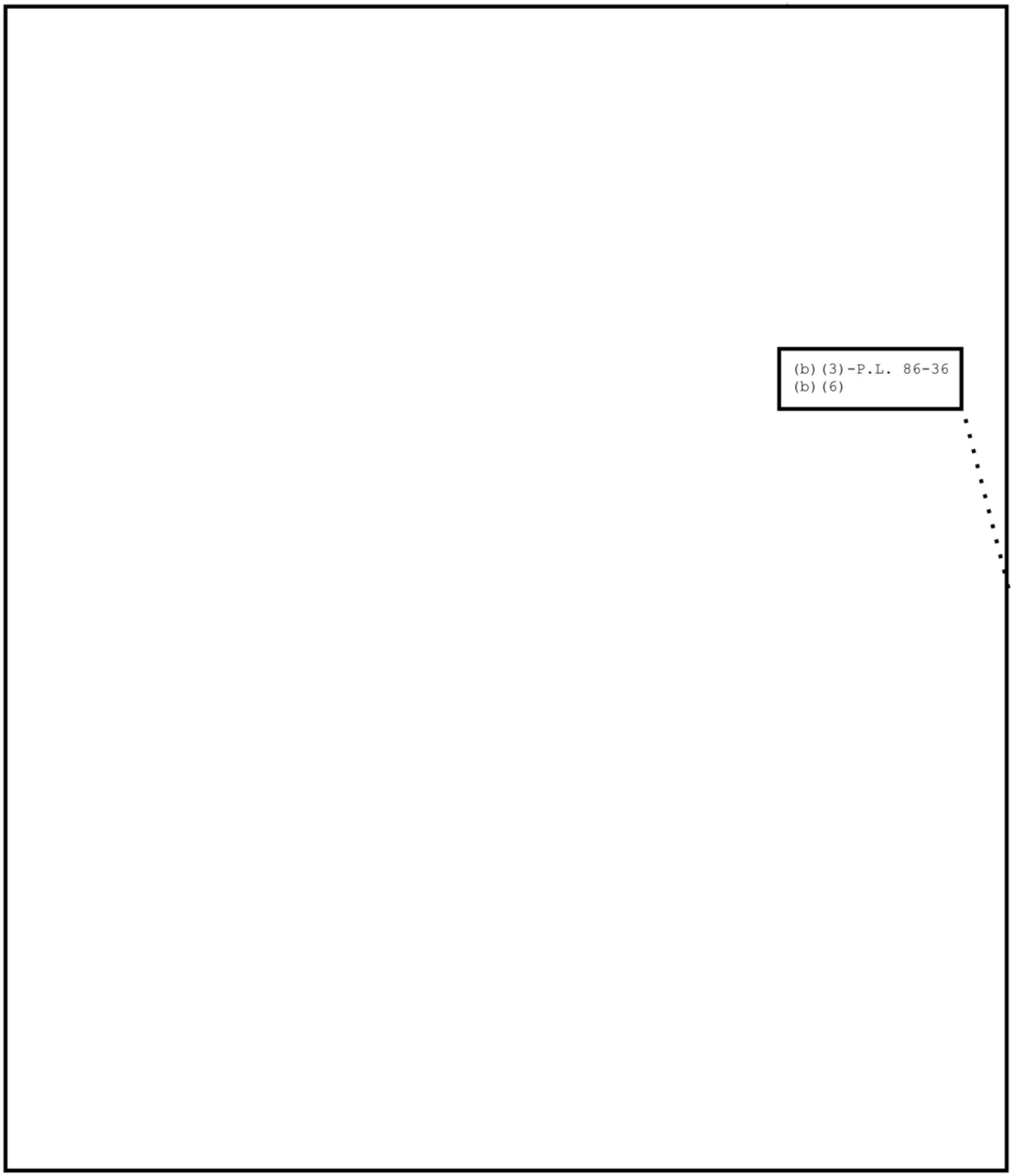
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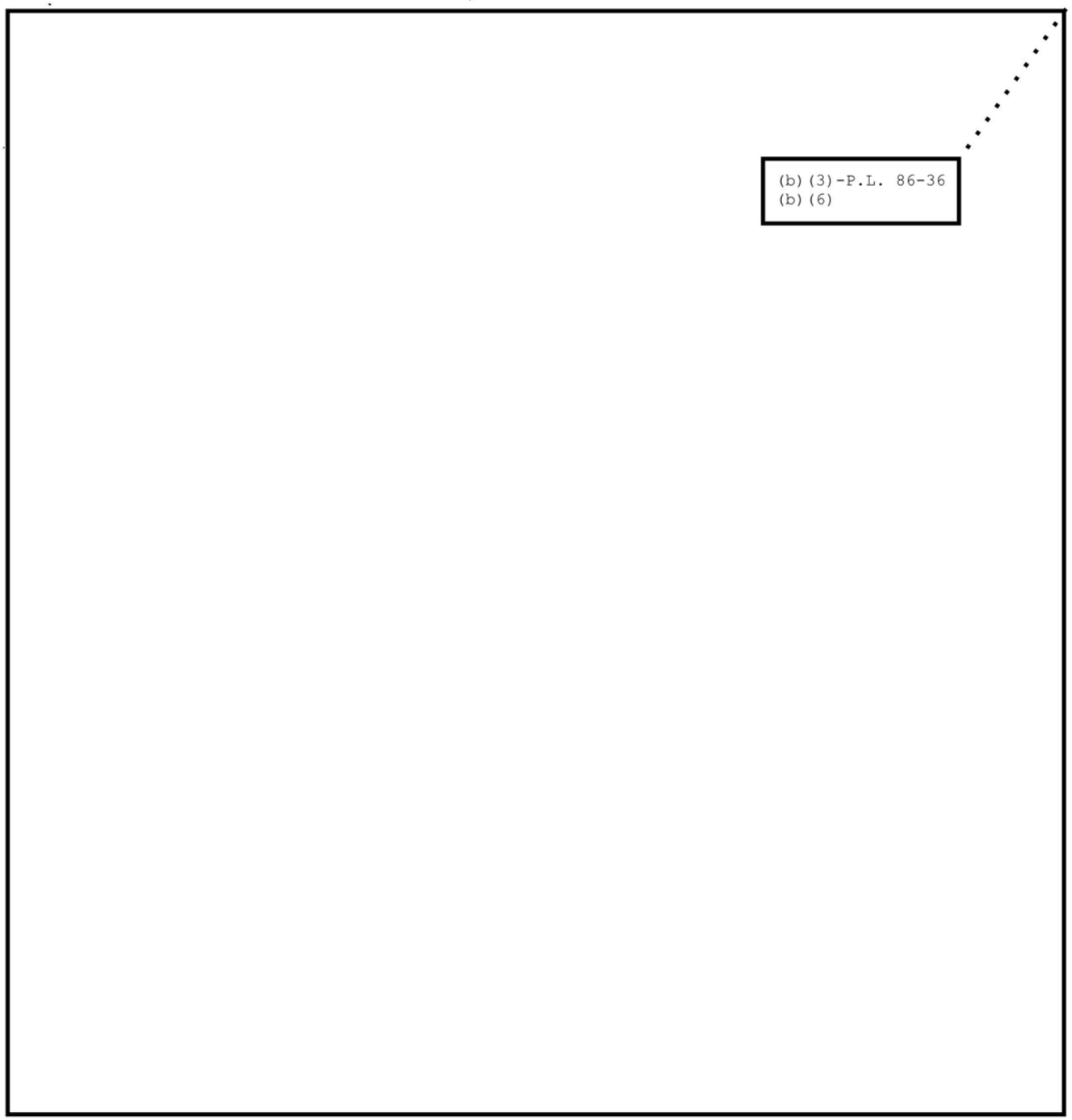
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Release 2021-5
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Release 2021-5
NSA 15288

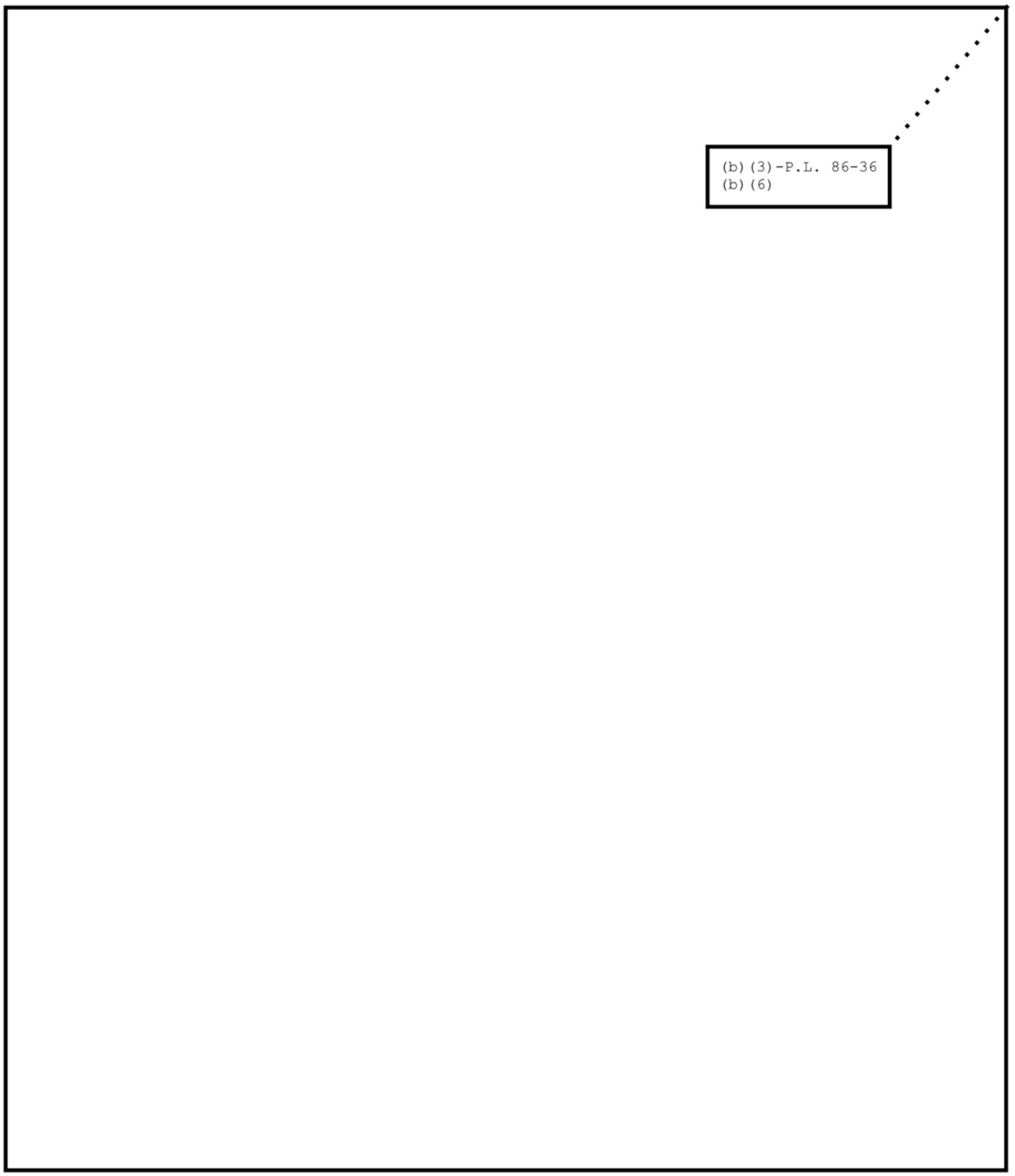

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(b)(6)



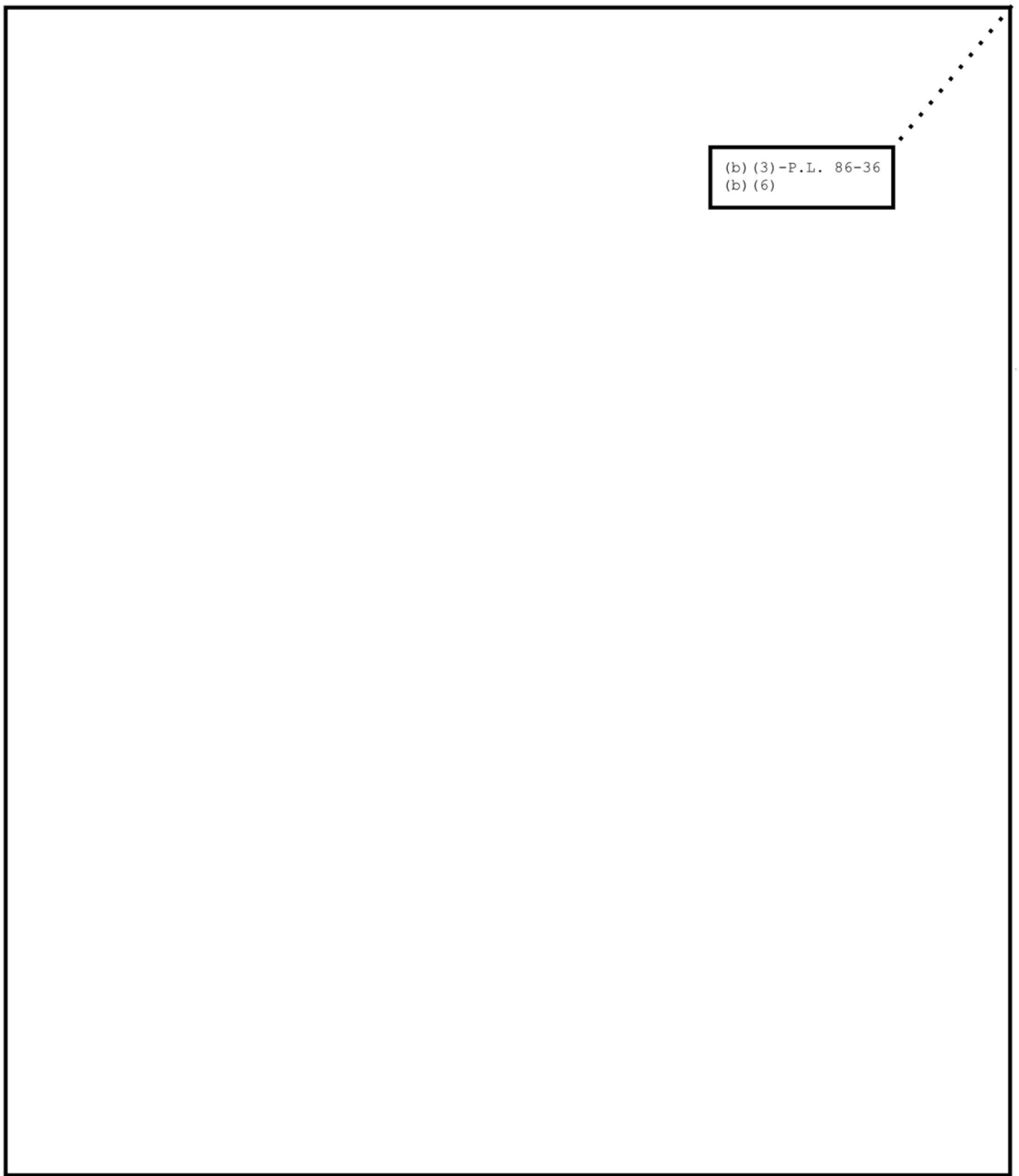
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(b)(6)



Release 2021-5
NSA 15293



Release 2021-5
NSA 15294

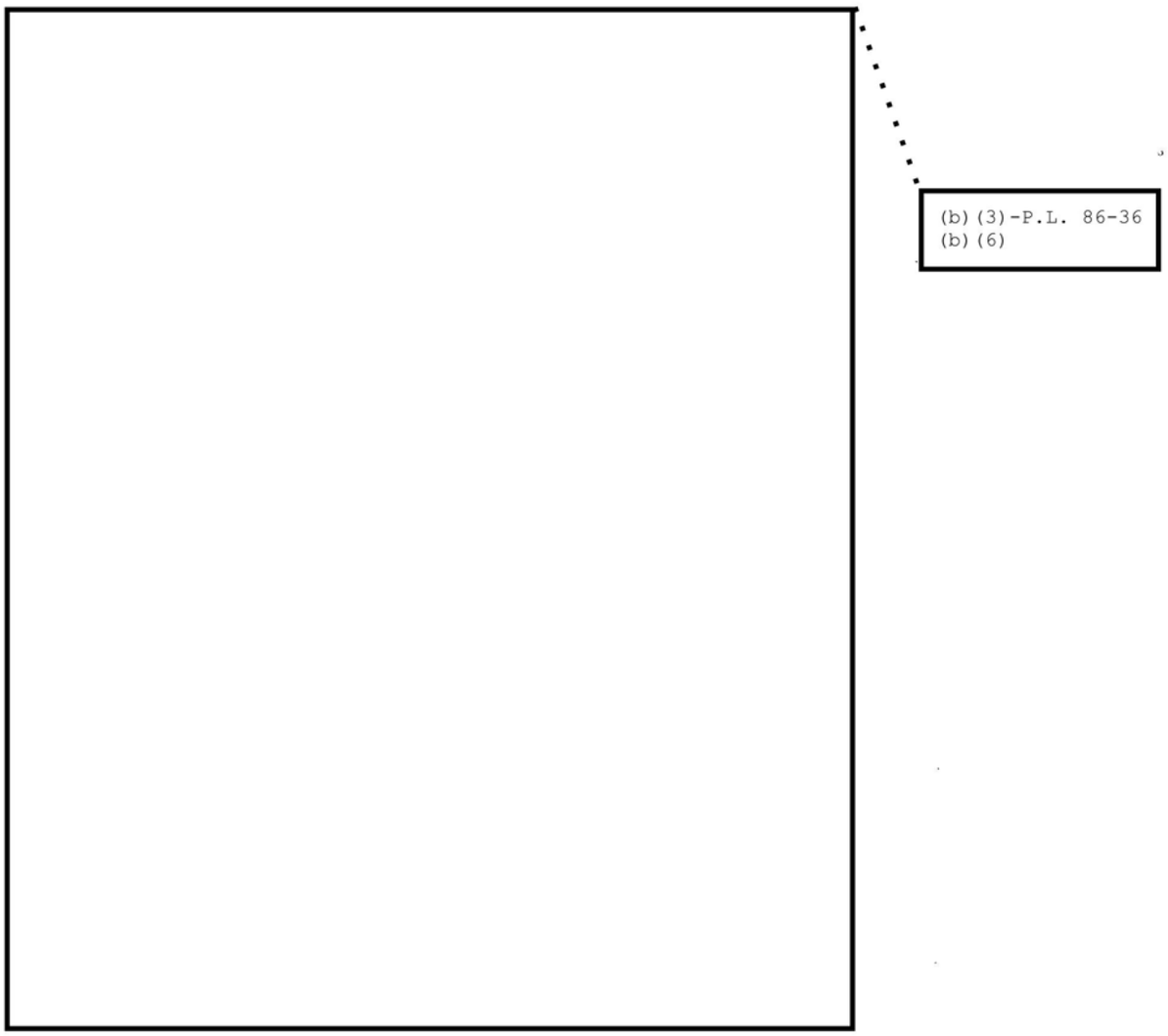
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Release 2021-5
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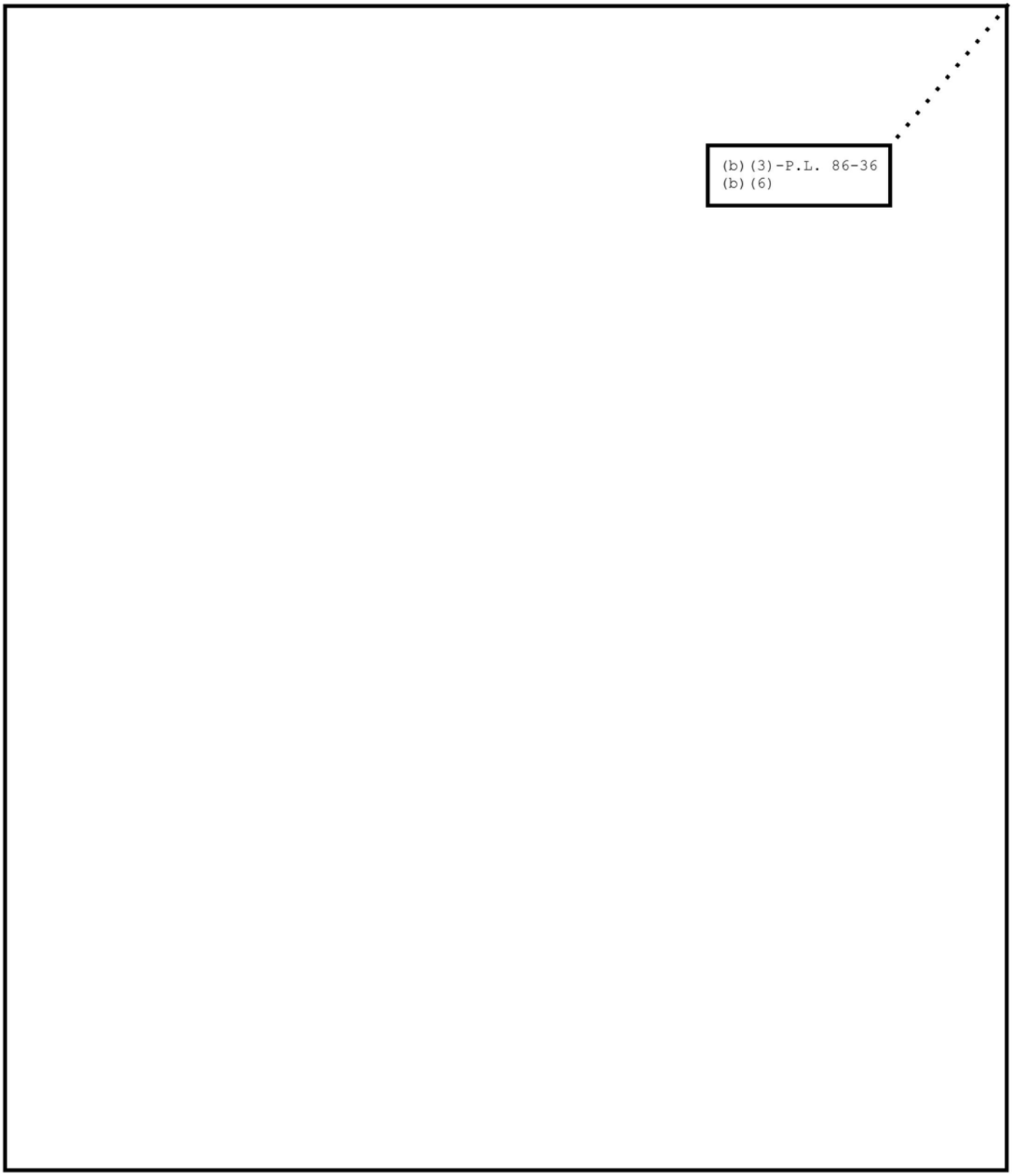
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Release 2021-5
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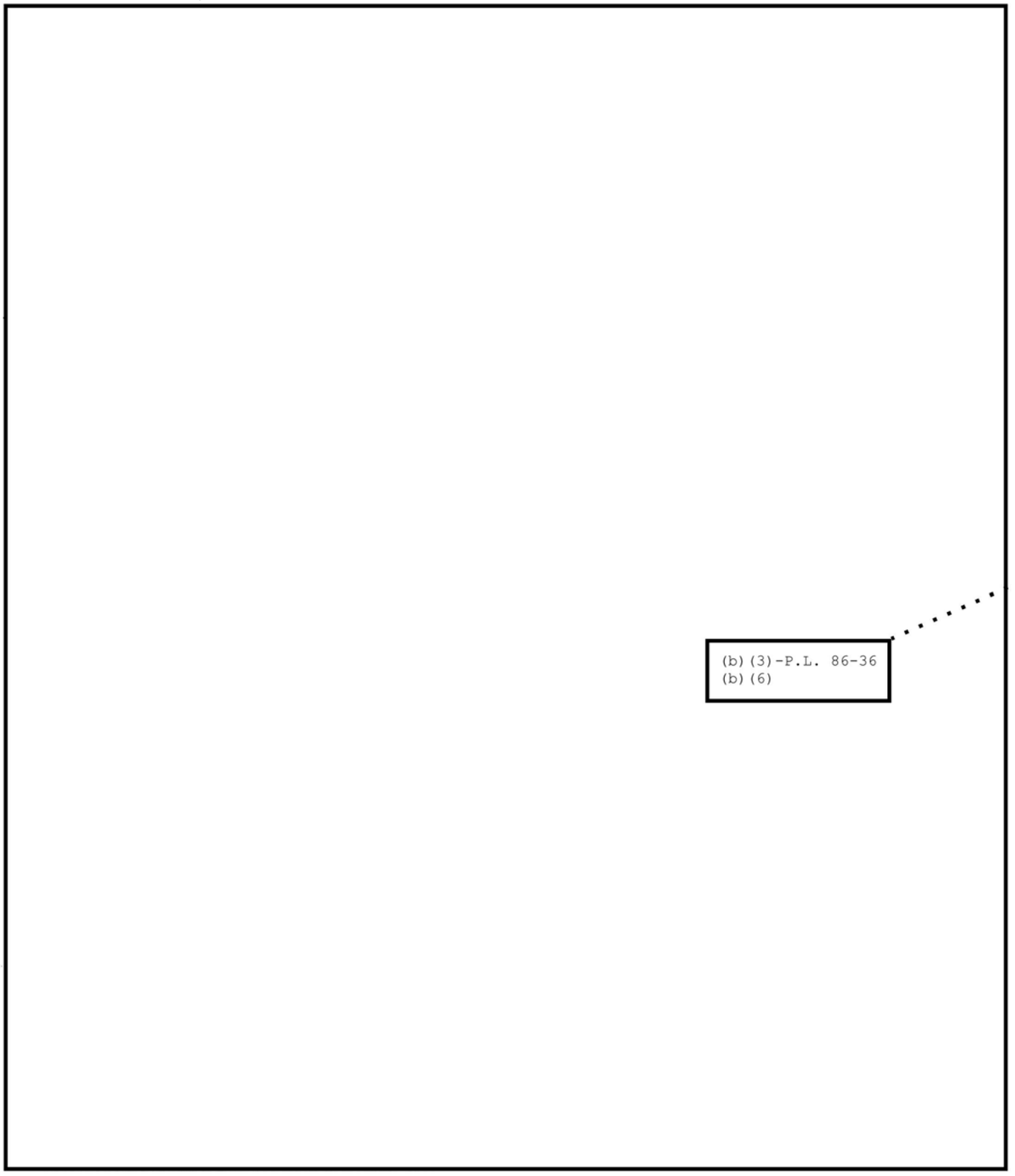
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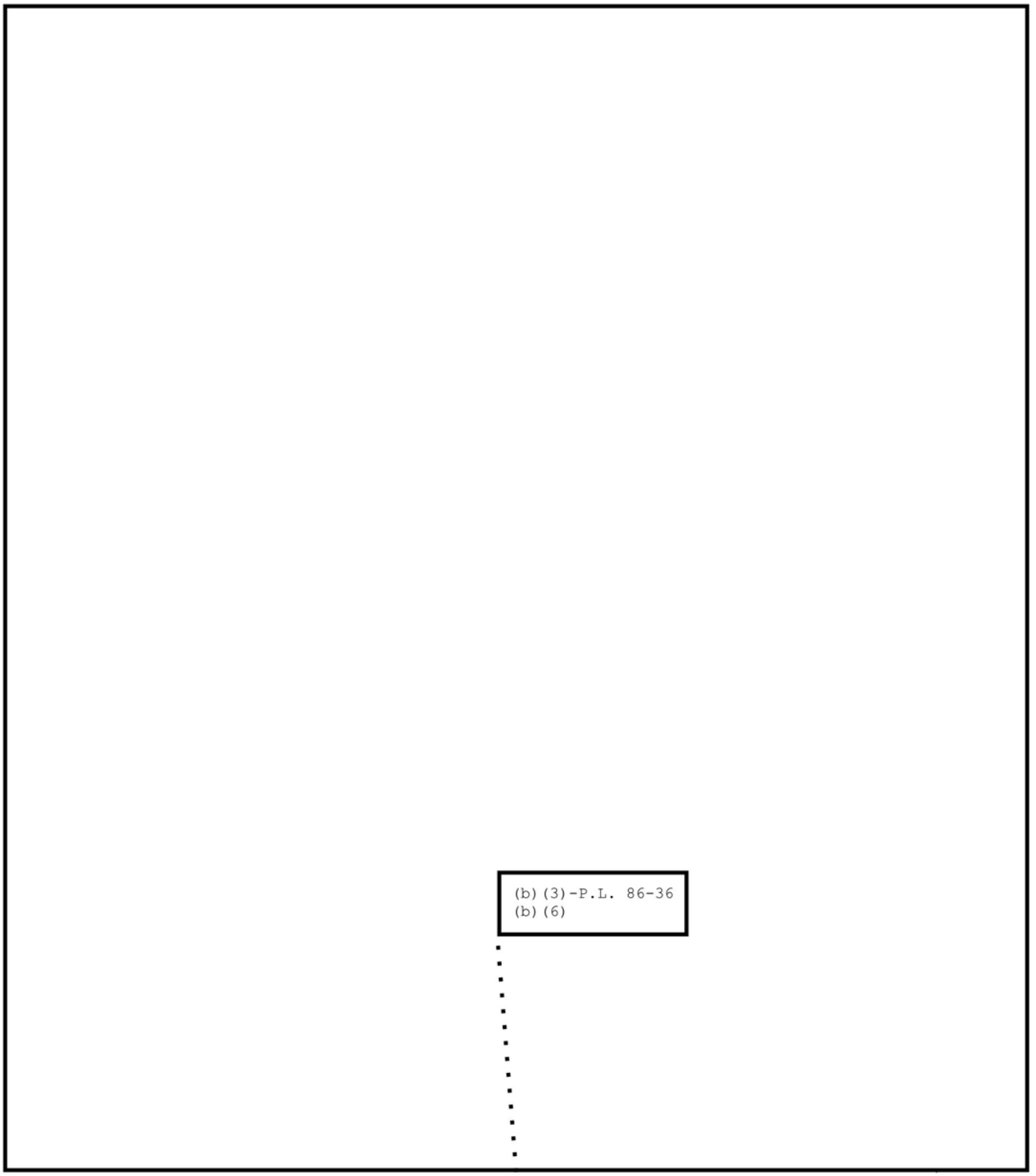

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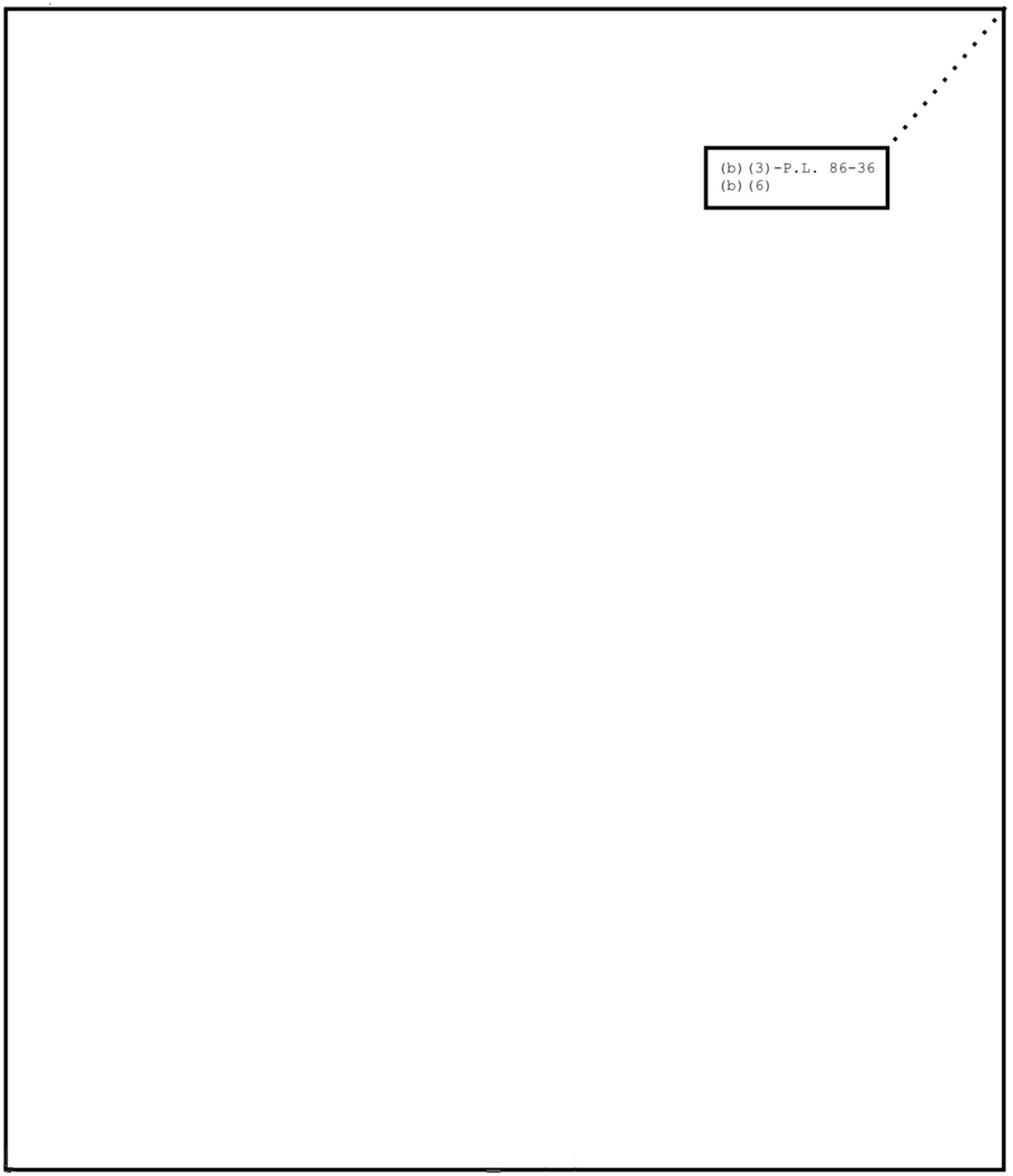
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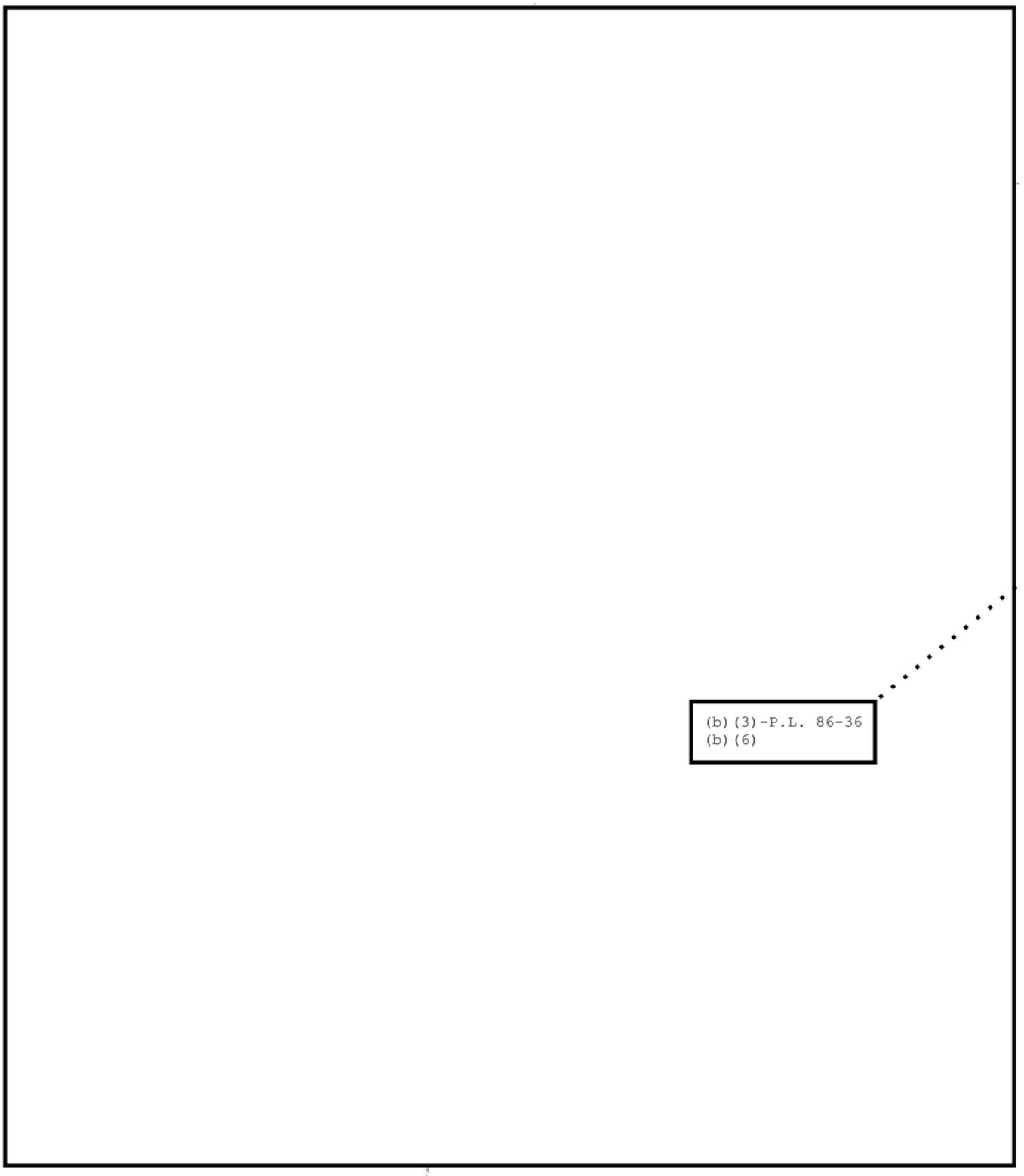
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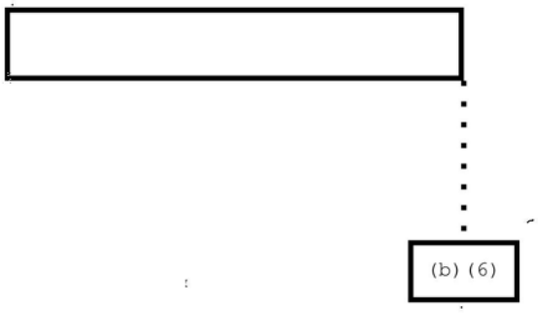
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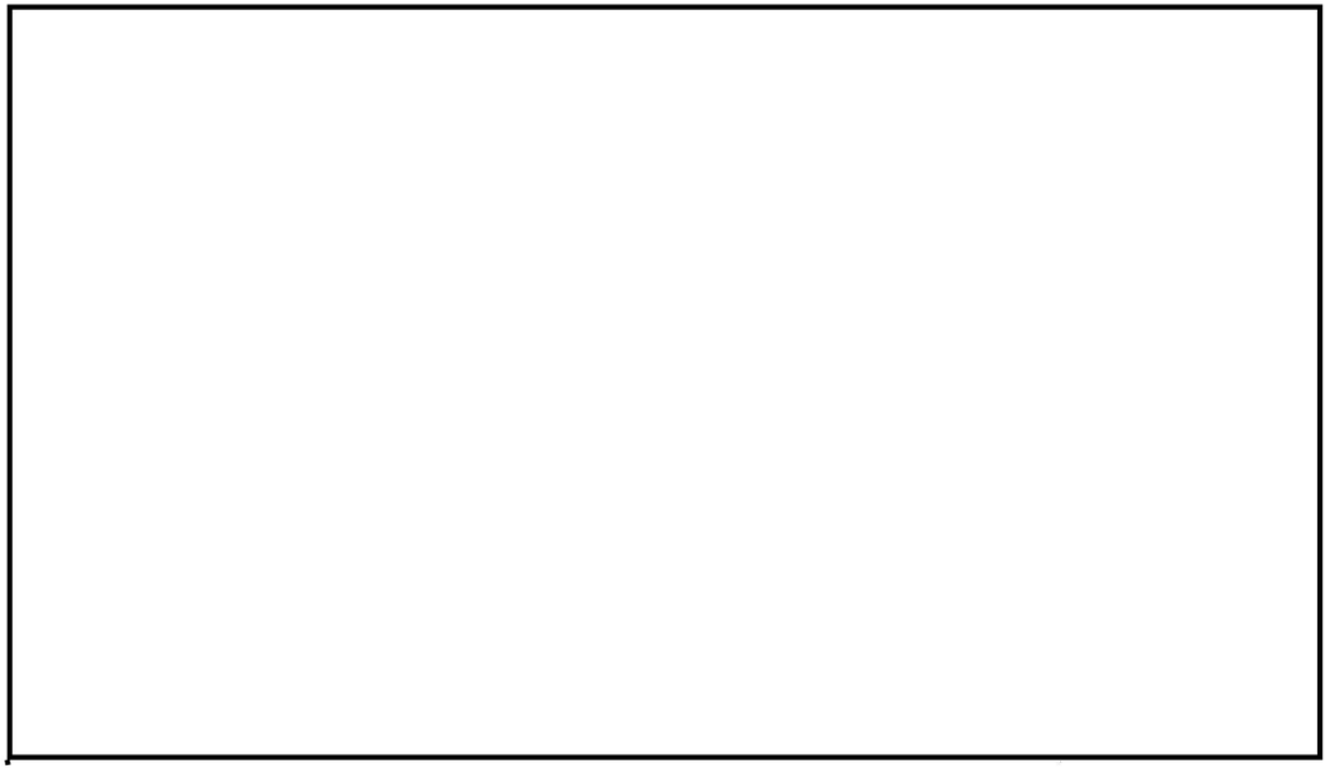
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Release 2021-5
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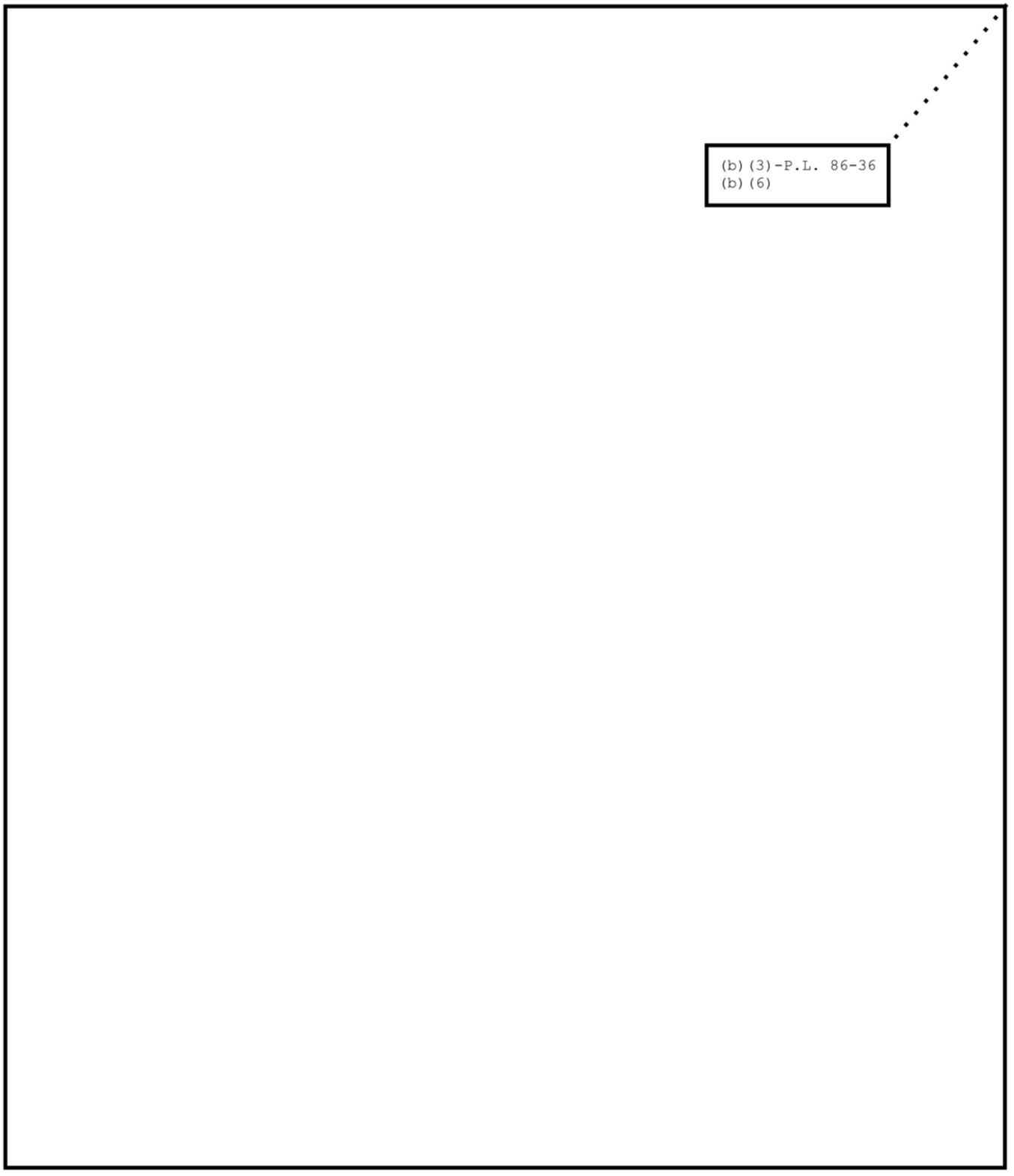


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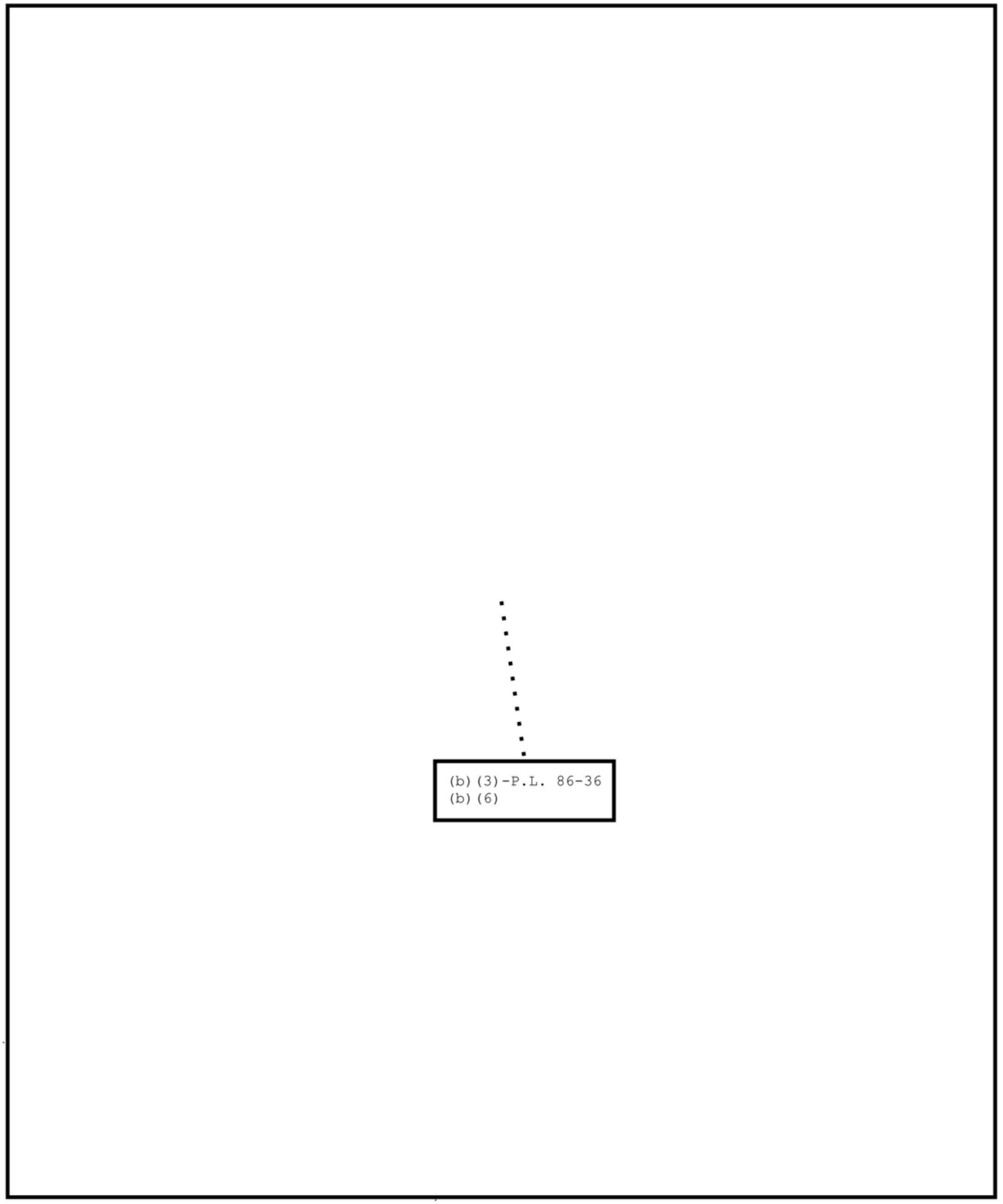
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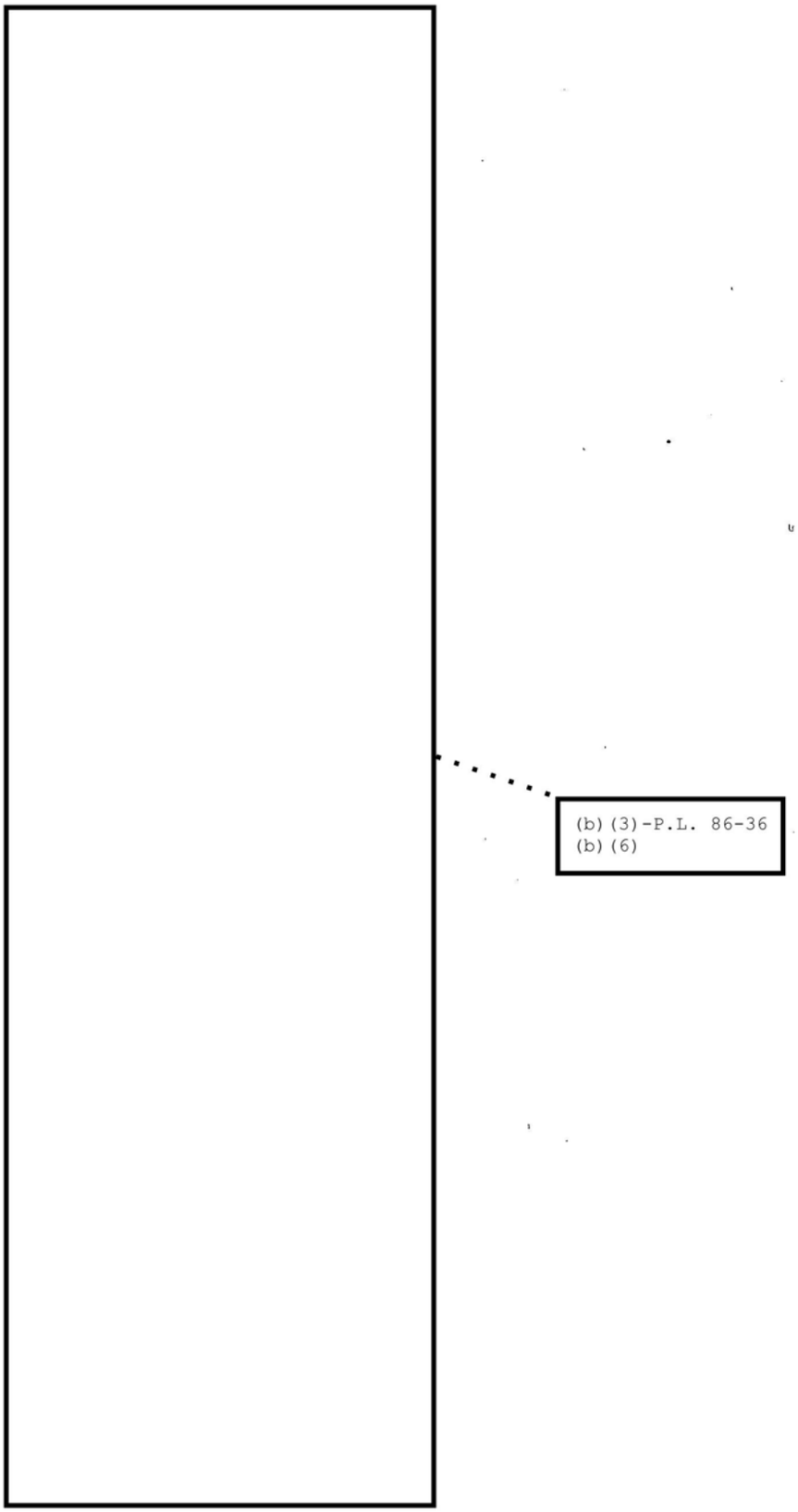


Release 2021-5
NSA 15307

Doc ID: 6724685



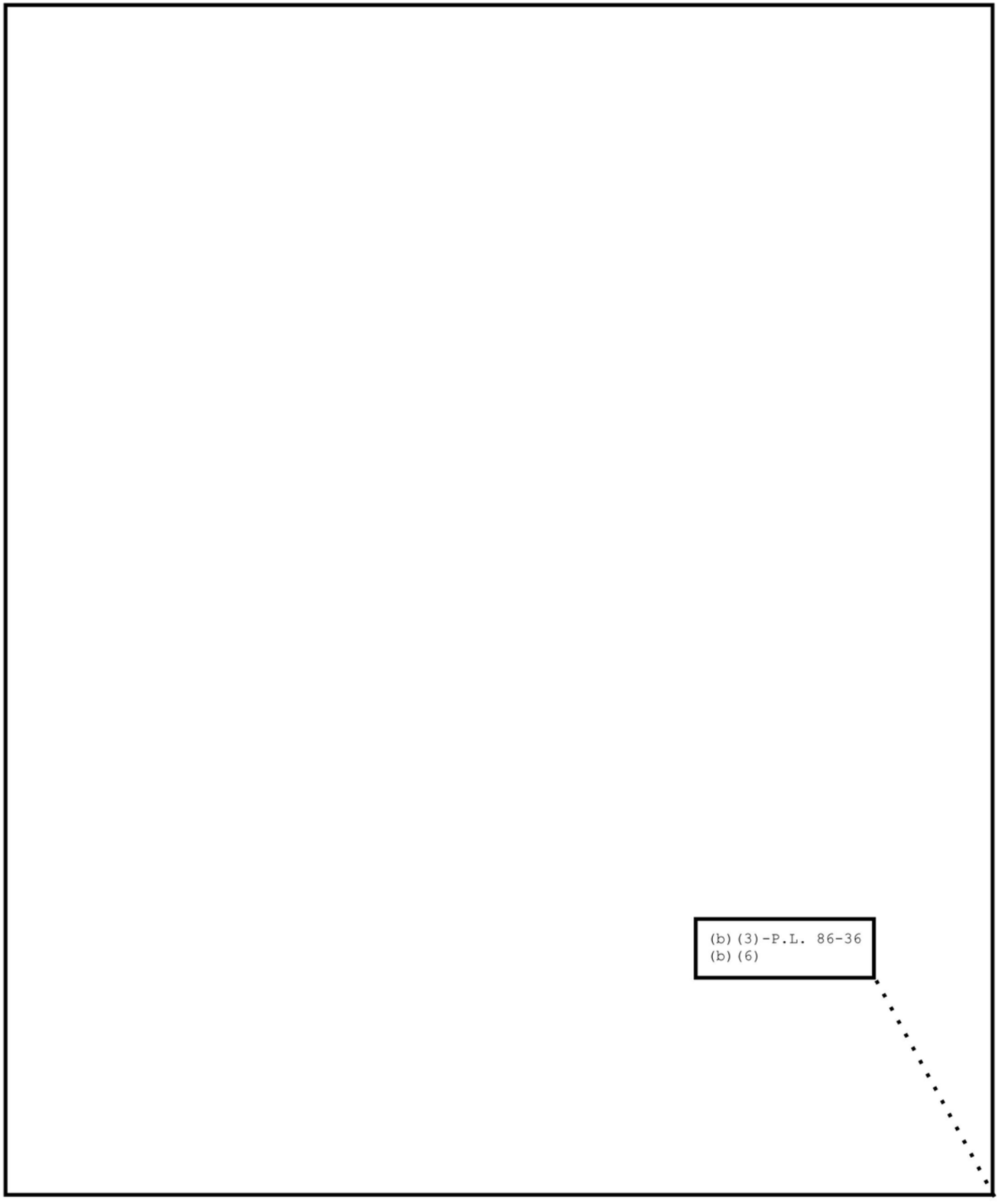
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Release 2021-5
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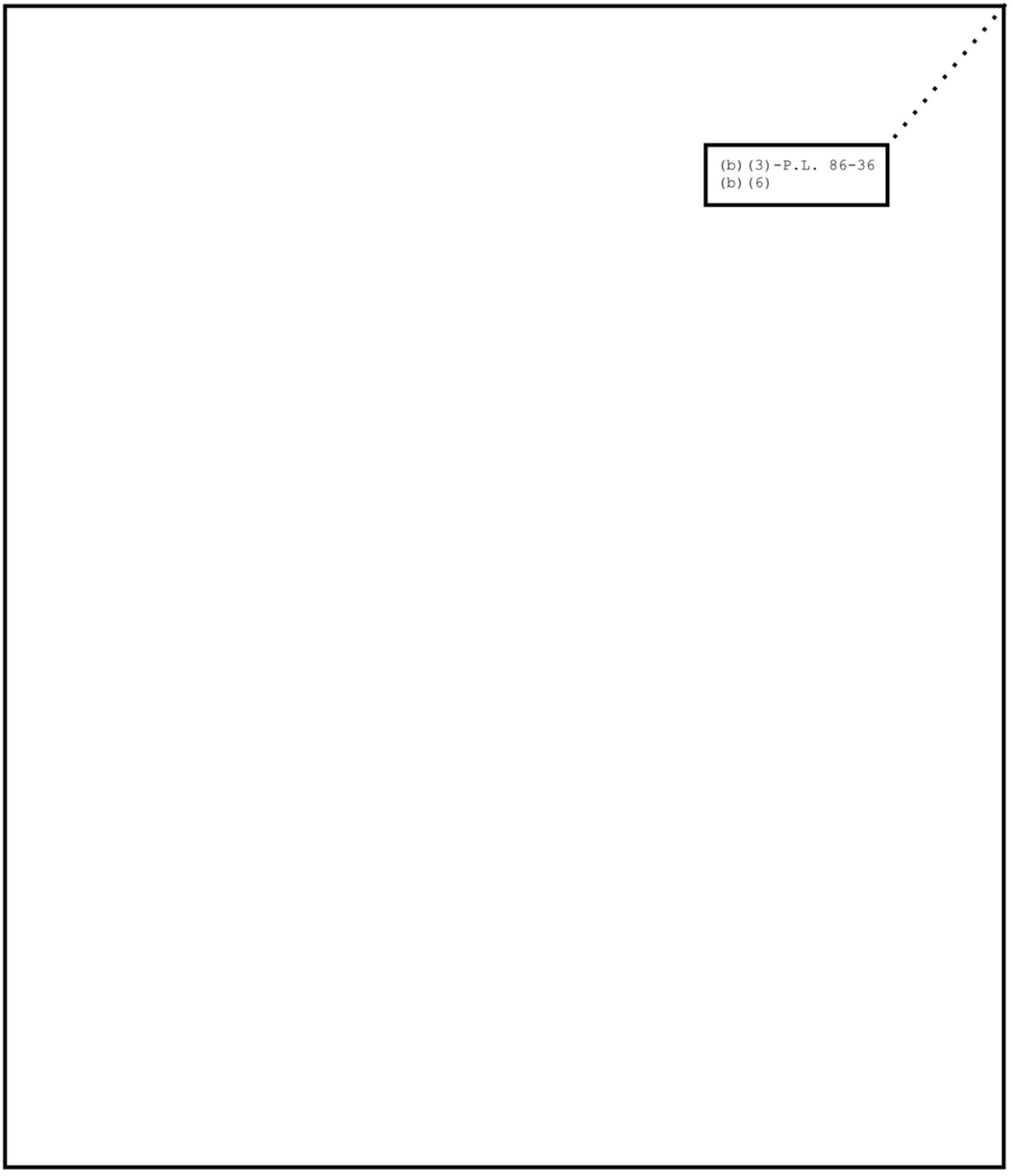

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Doc ID: 6724685

(b)(3)-P.L. 86-36
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Release 2021-5
NSA 15312

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Doc ID: 6724685

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Release 2021-5
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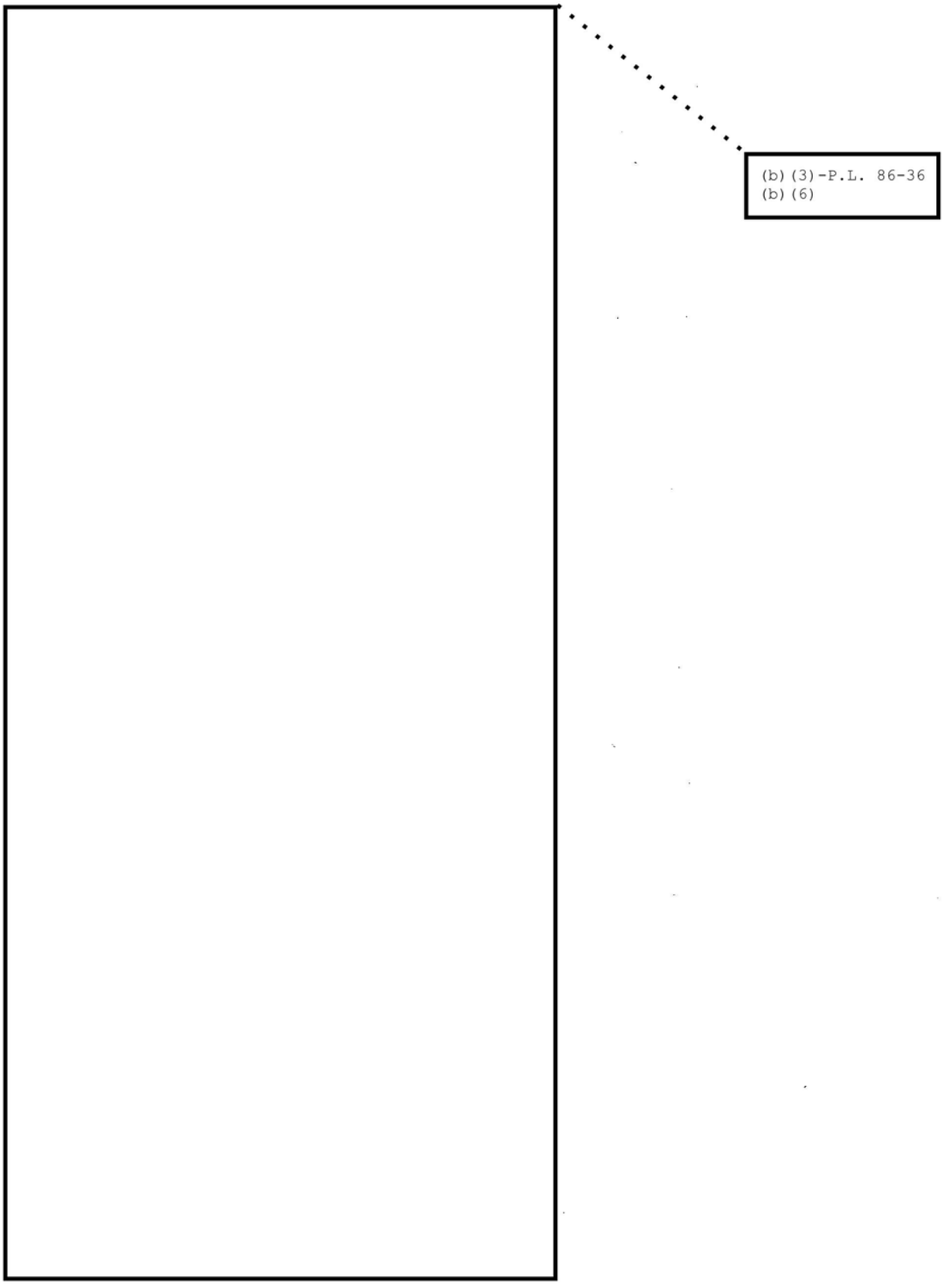
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Release 2021-5
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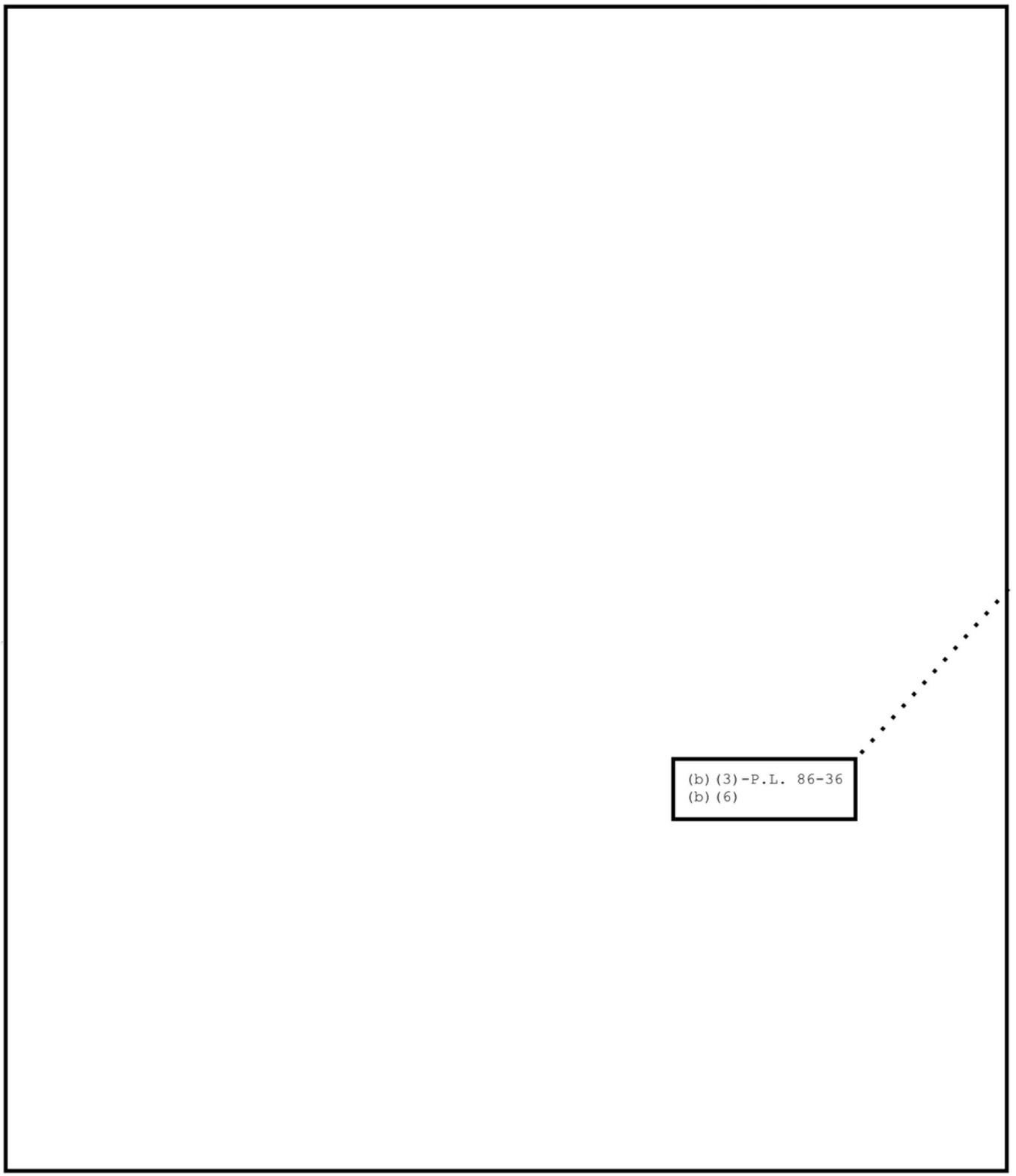
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Release 2021-5
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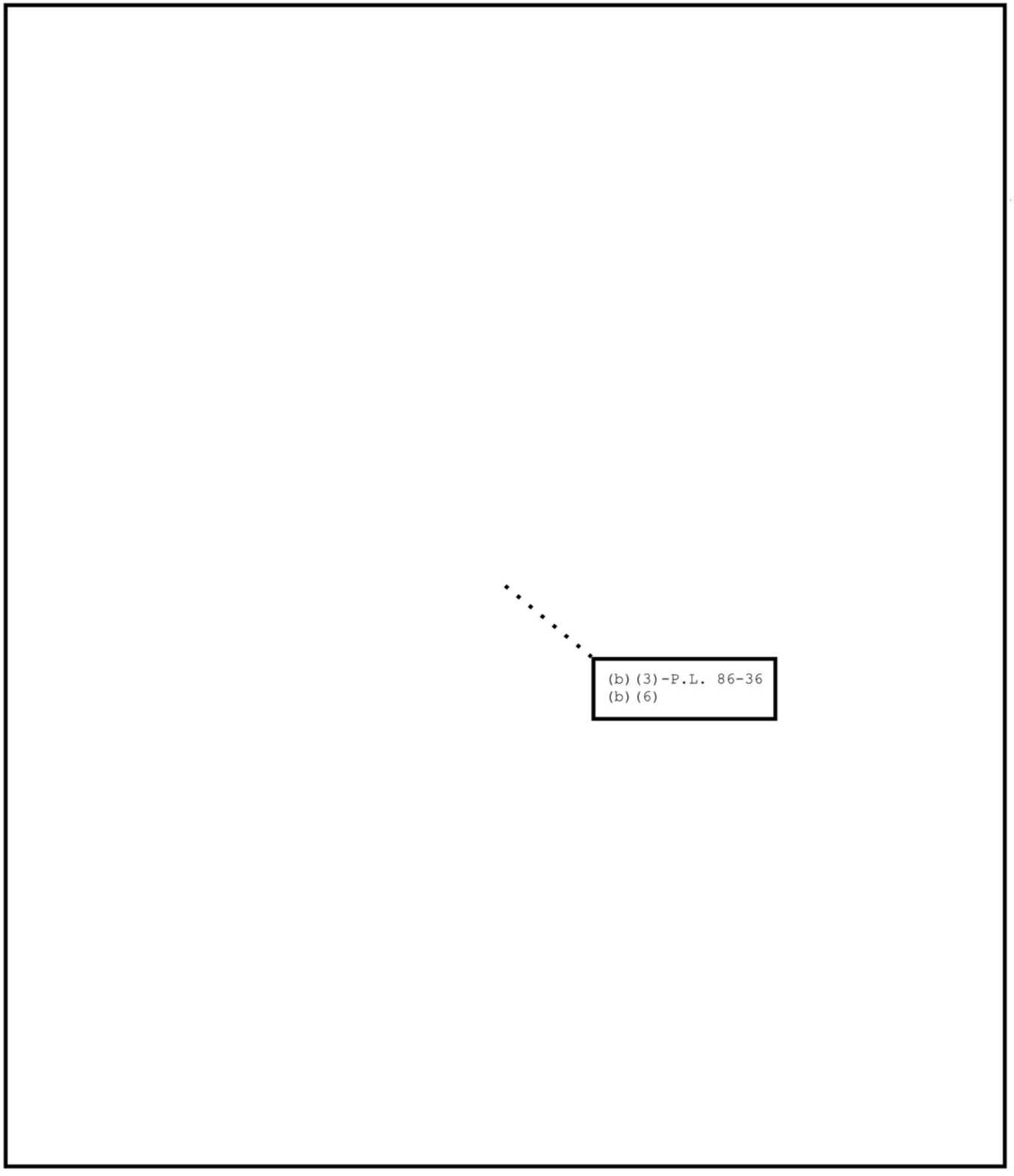
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Release 2021-5
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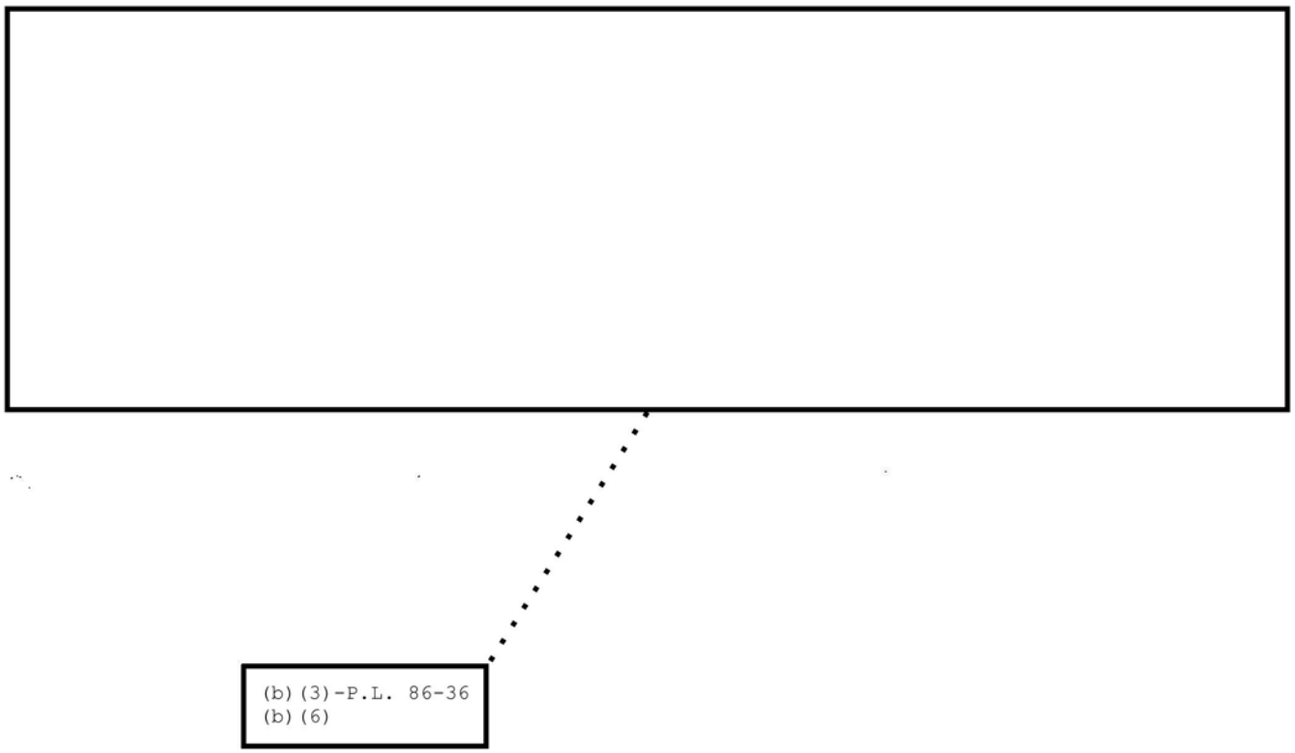
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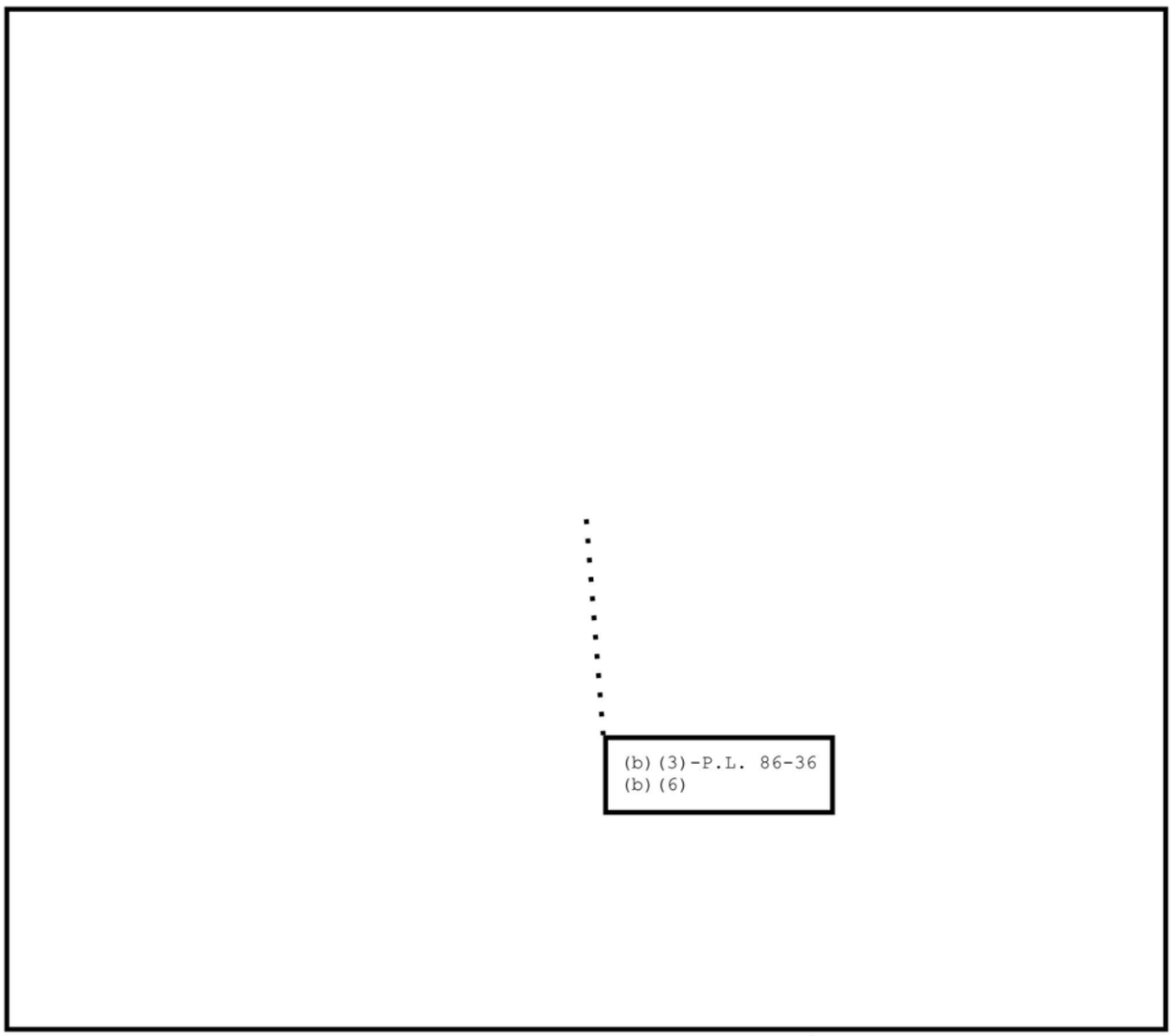
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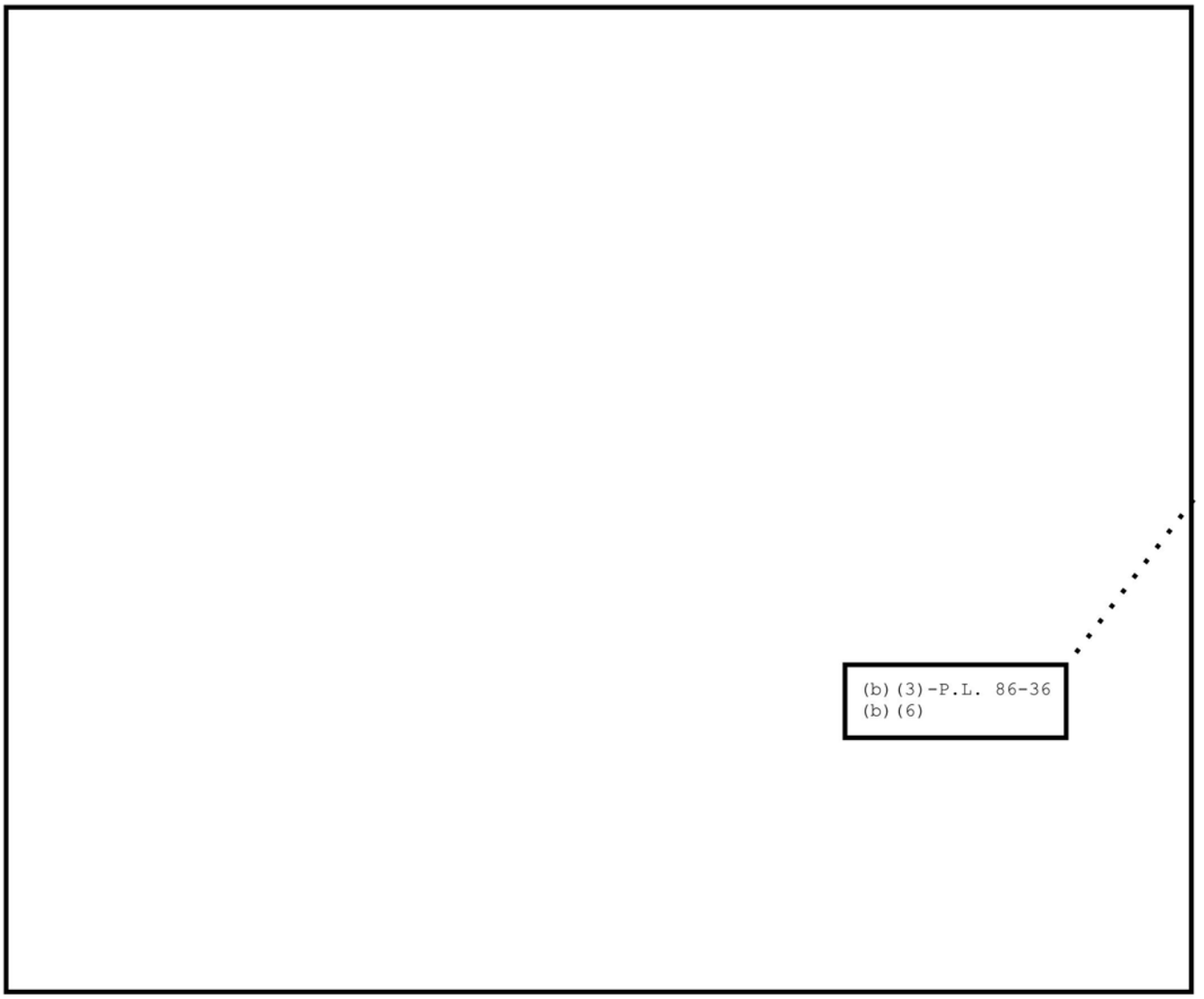
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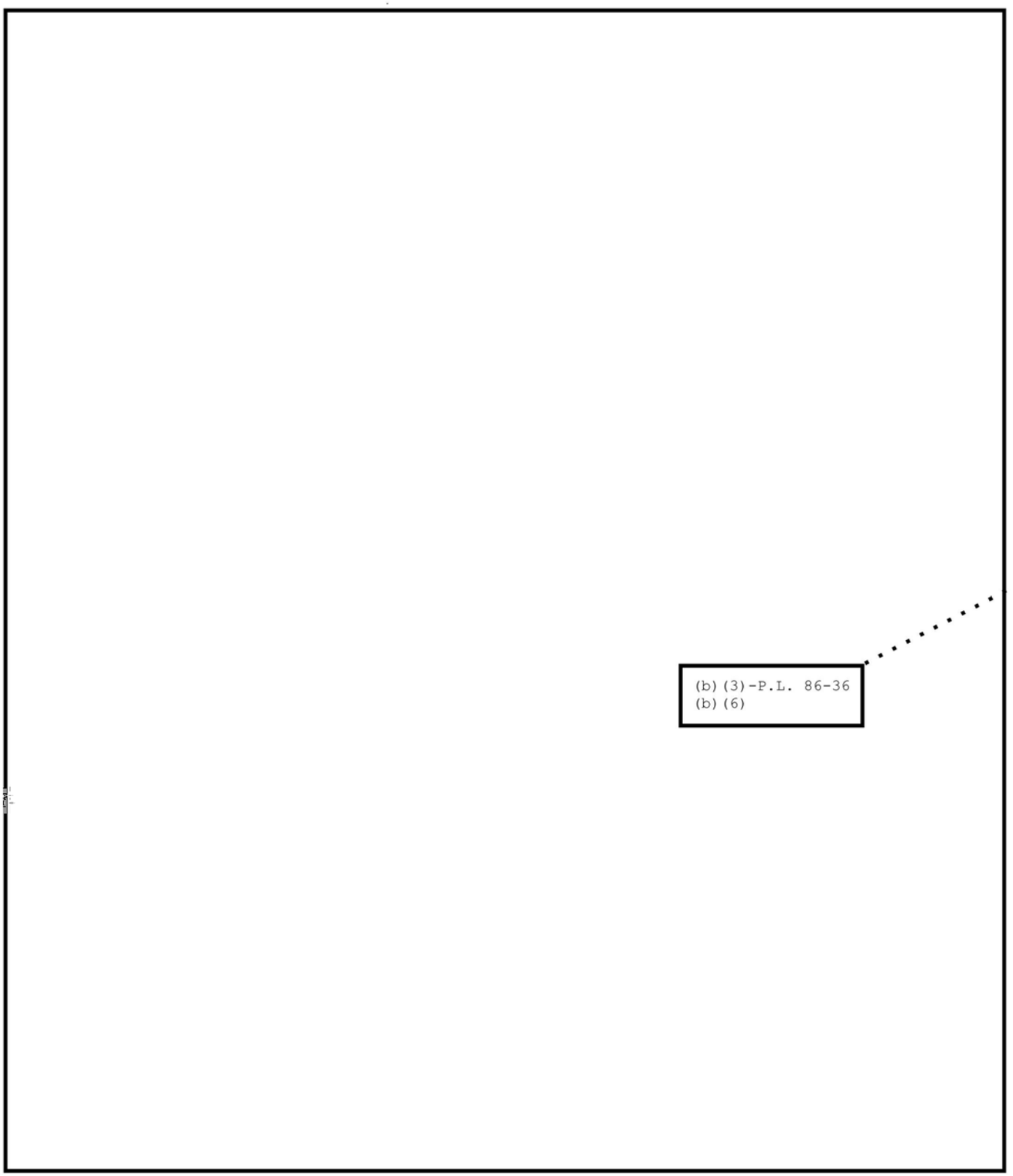
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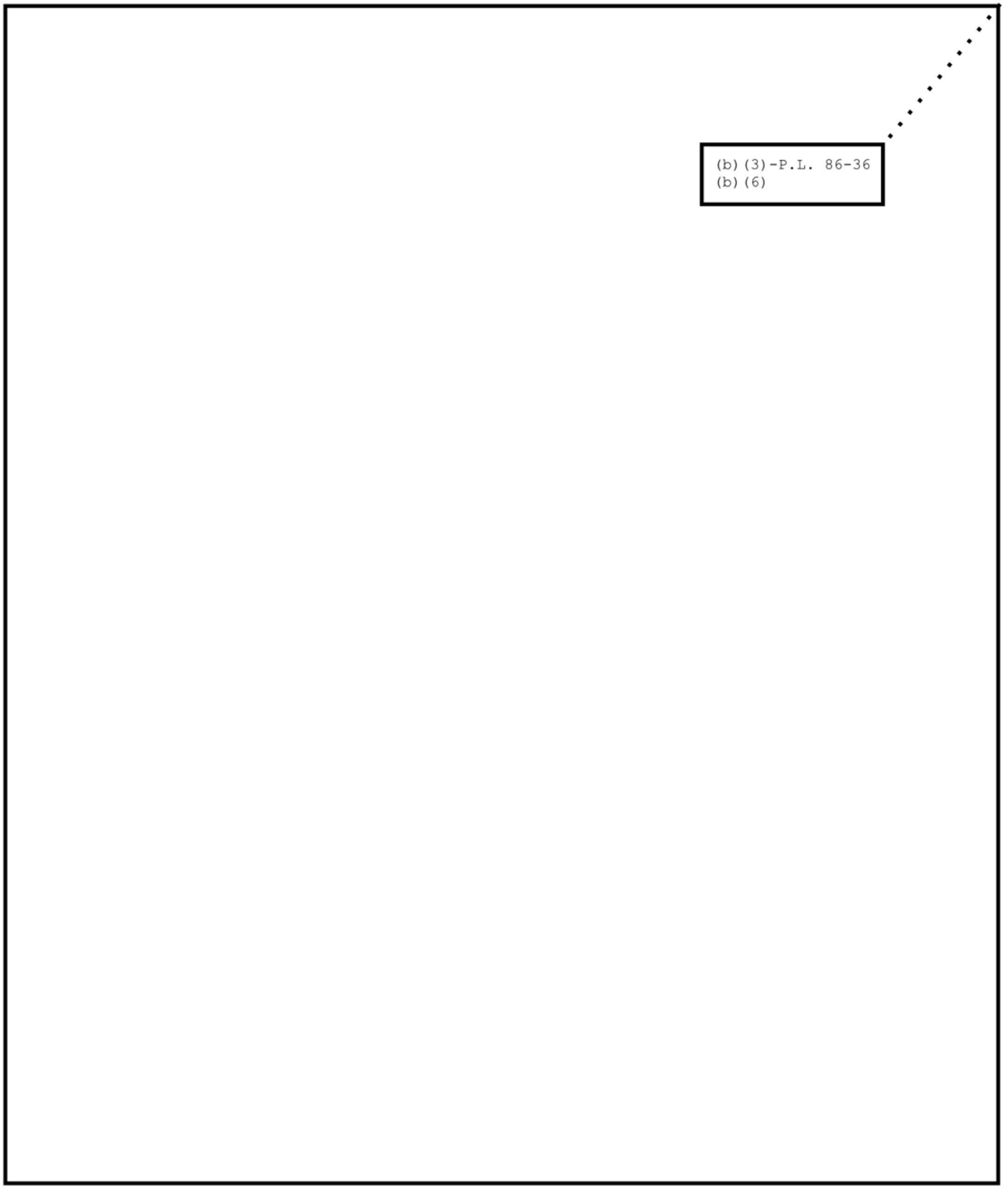
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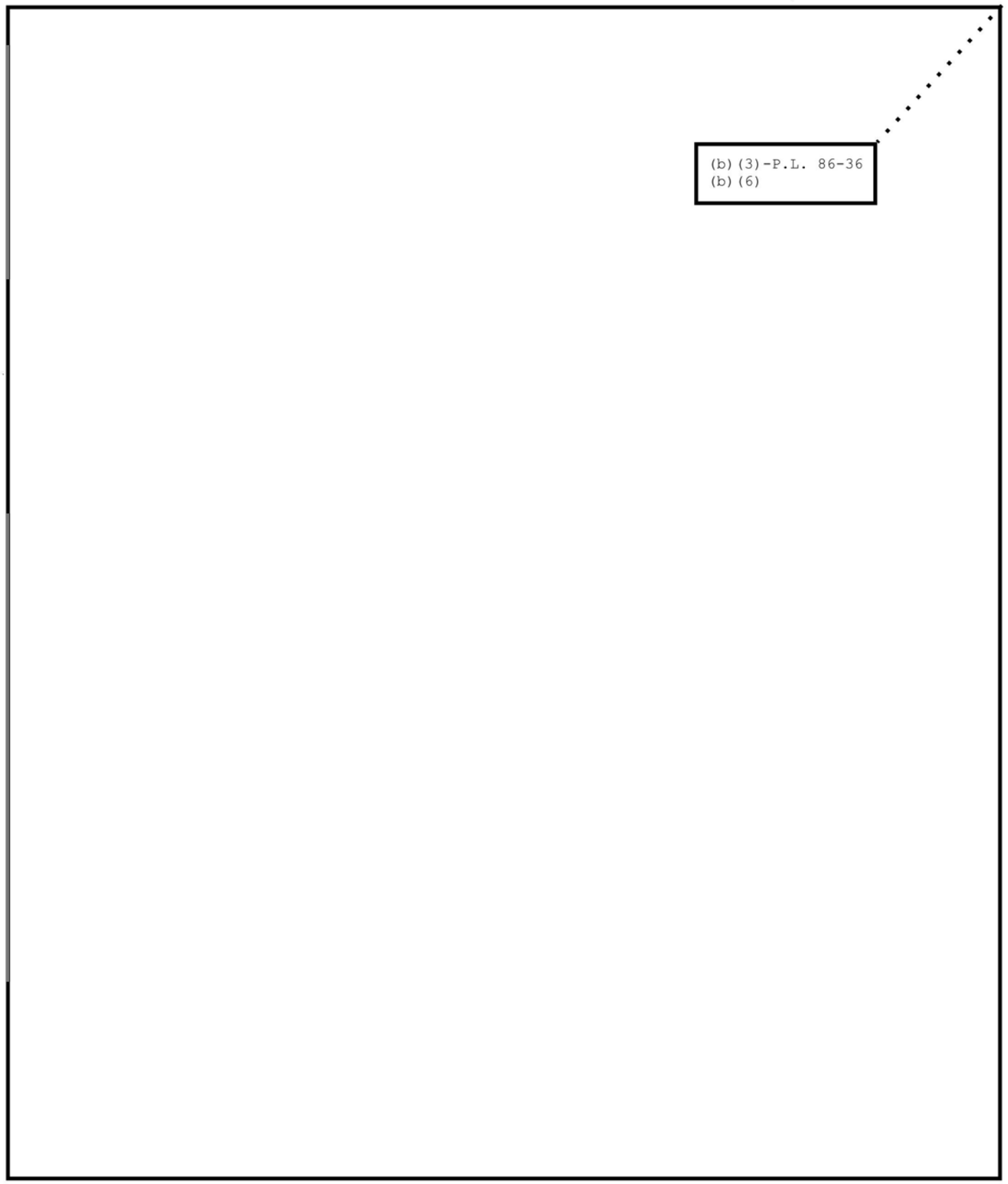

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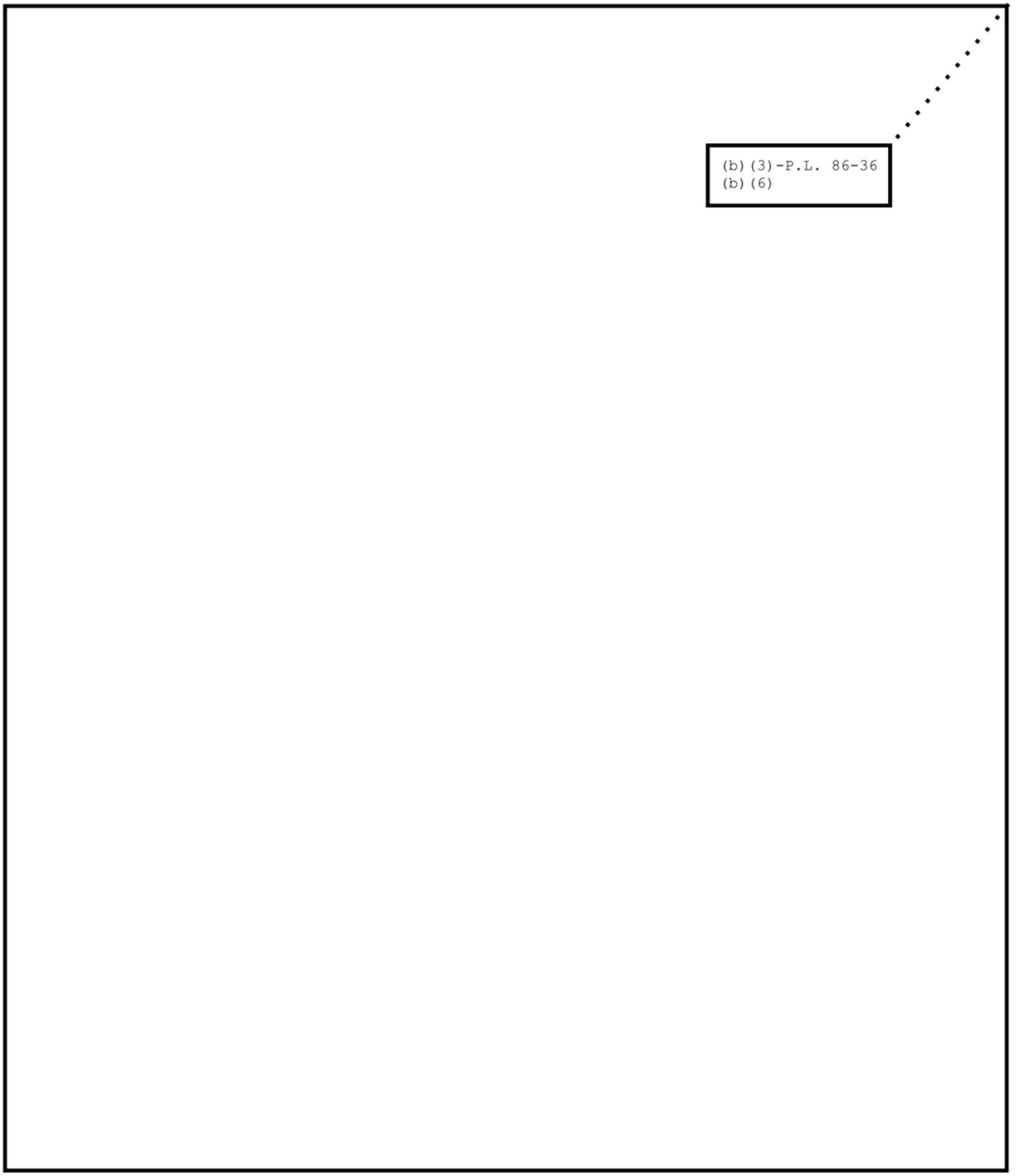

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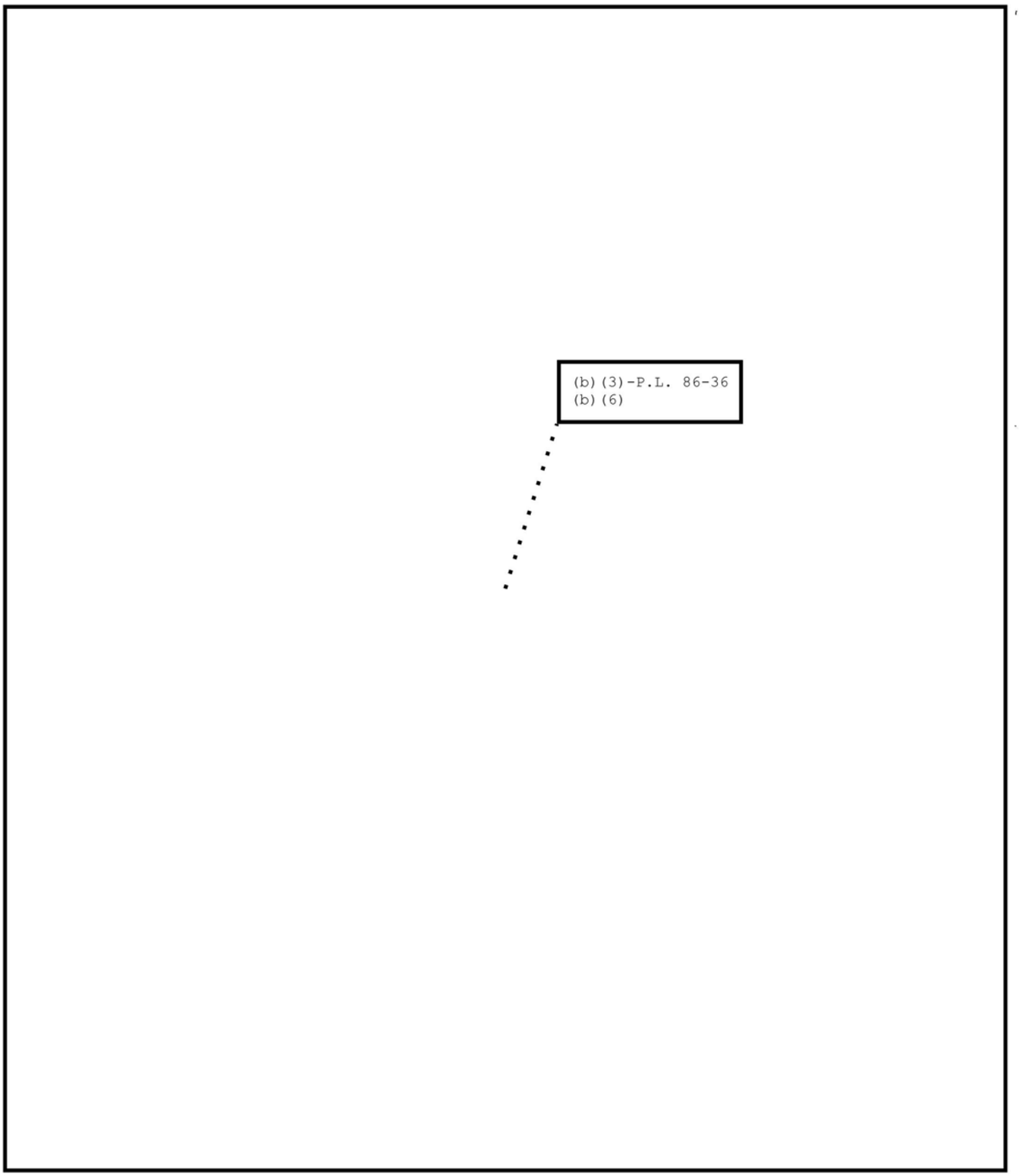

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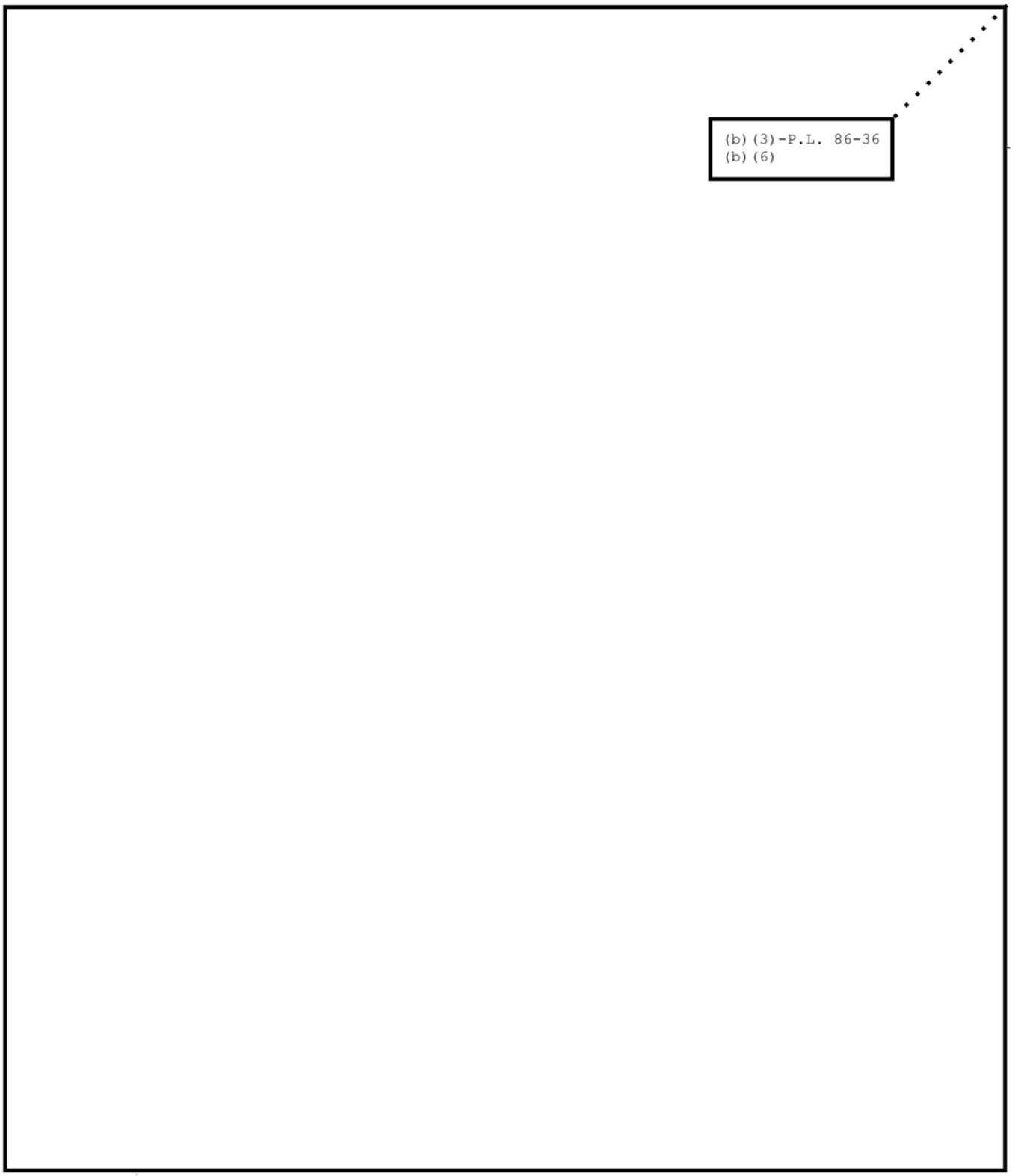

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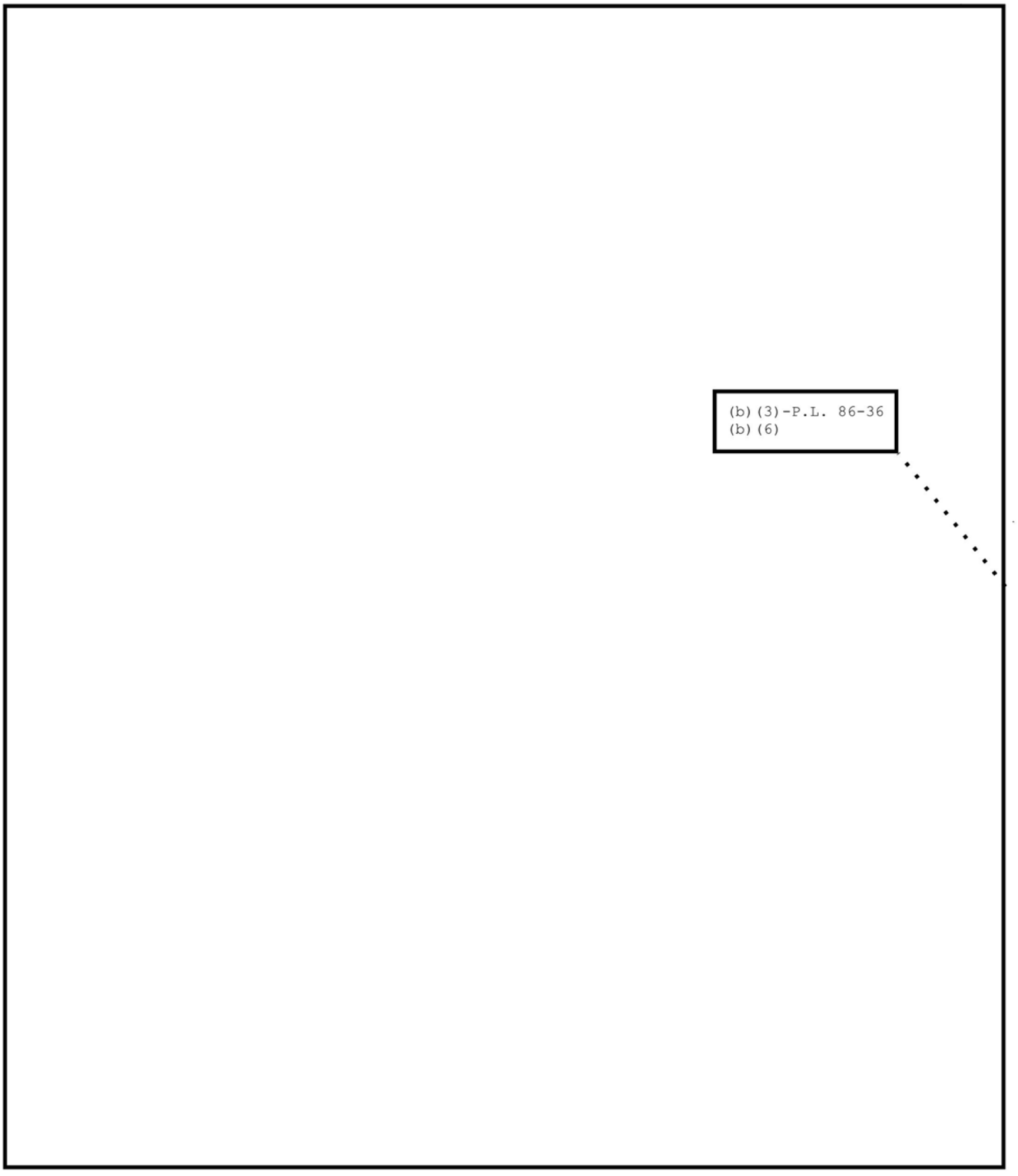

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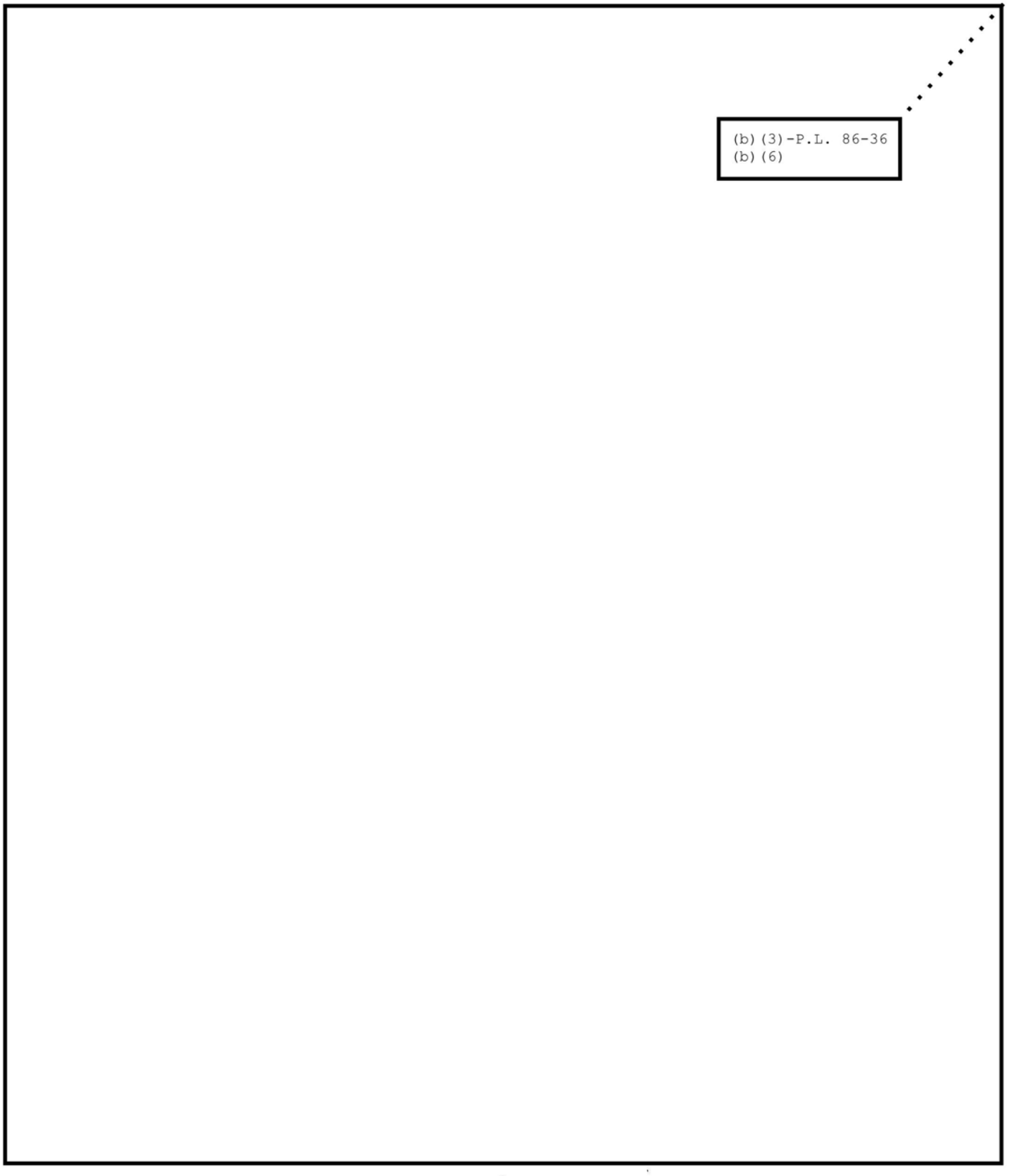

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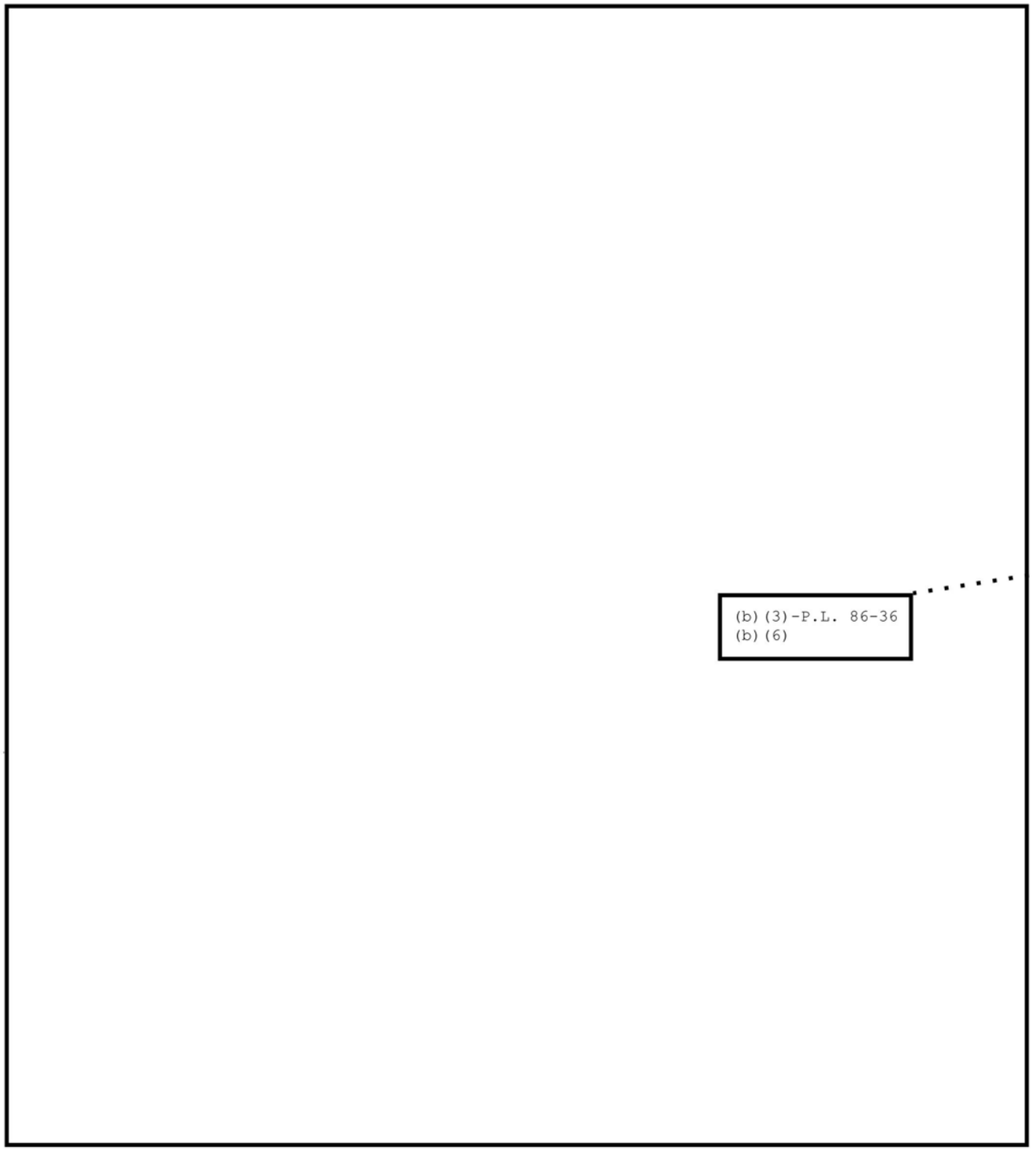

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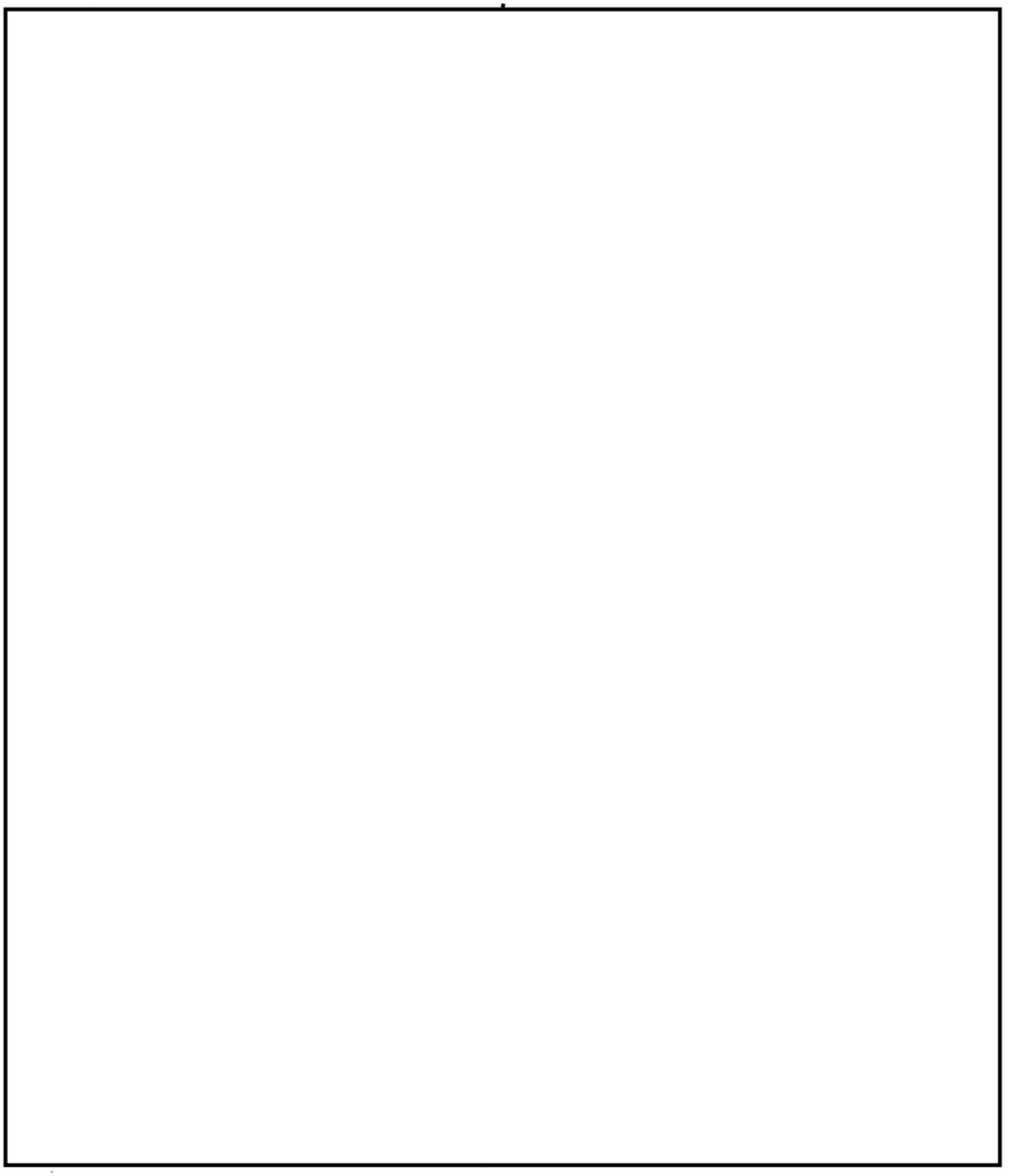

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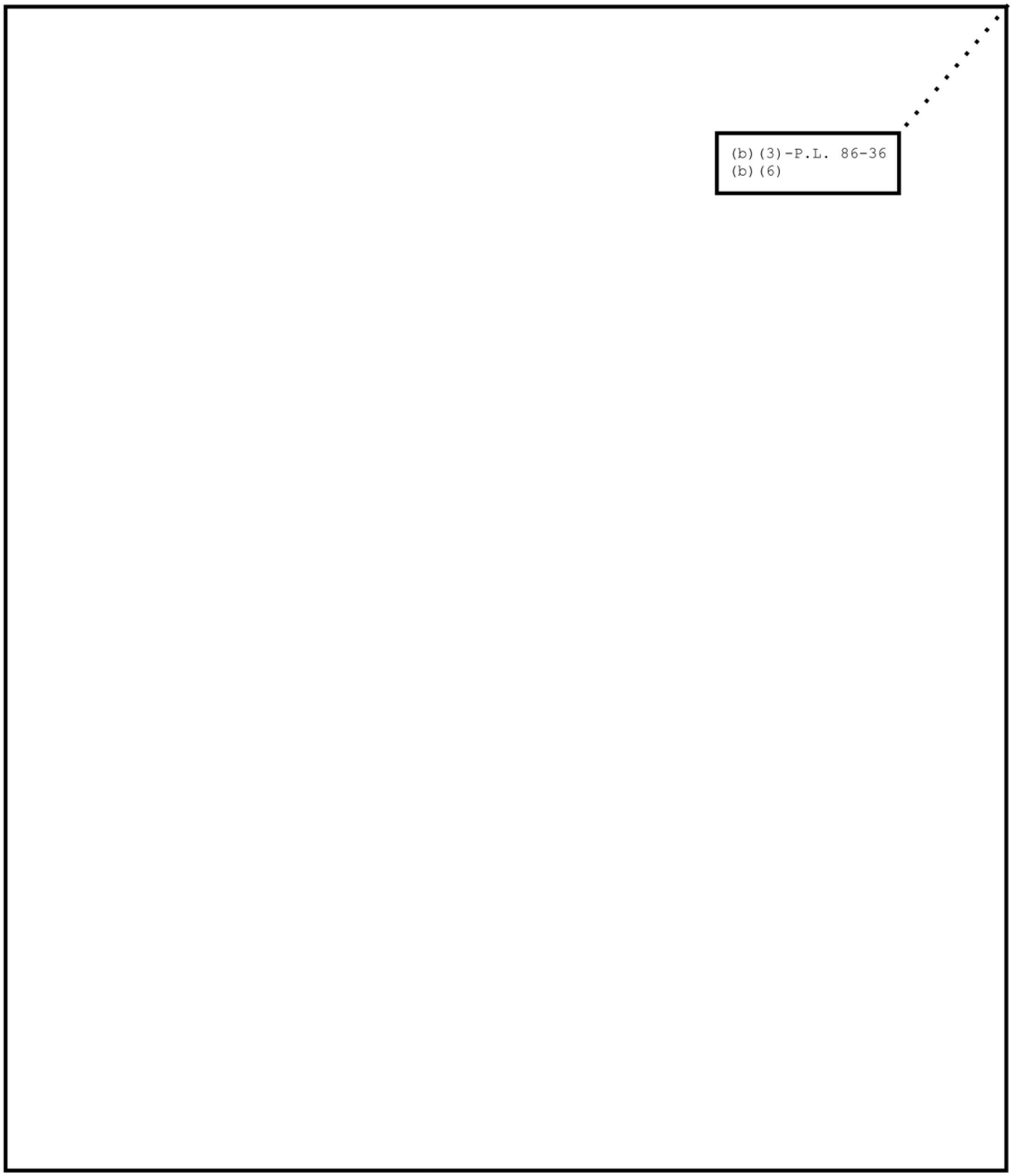

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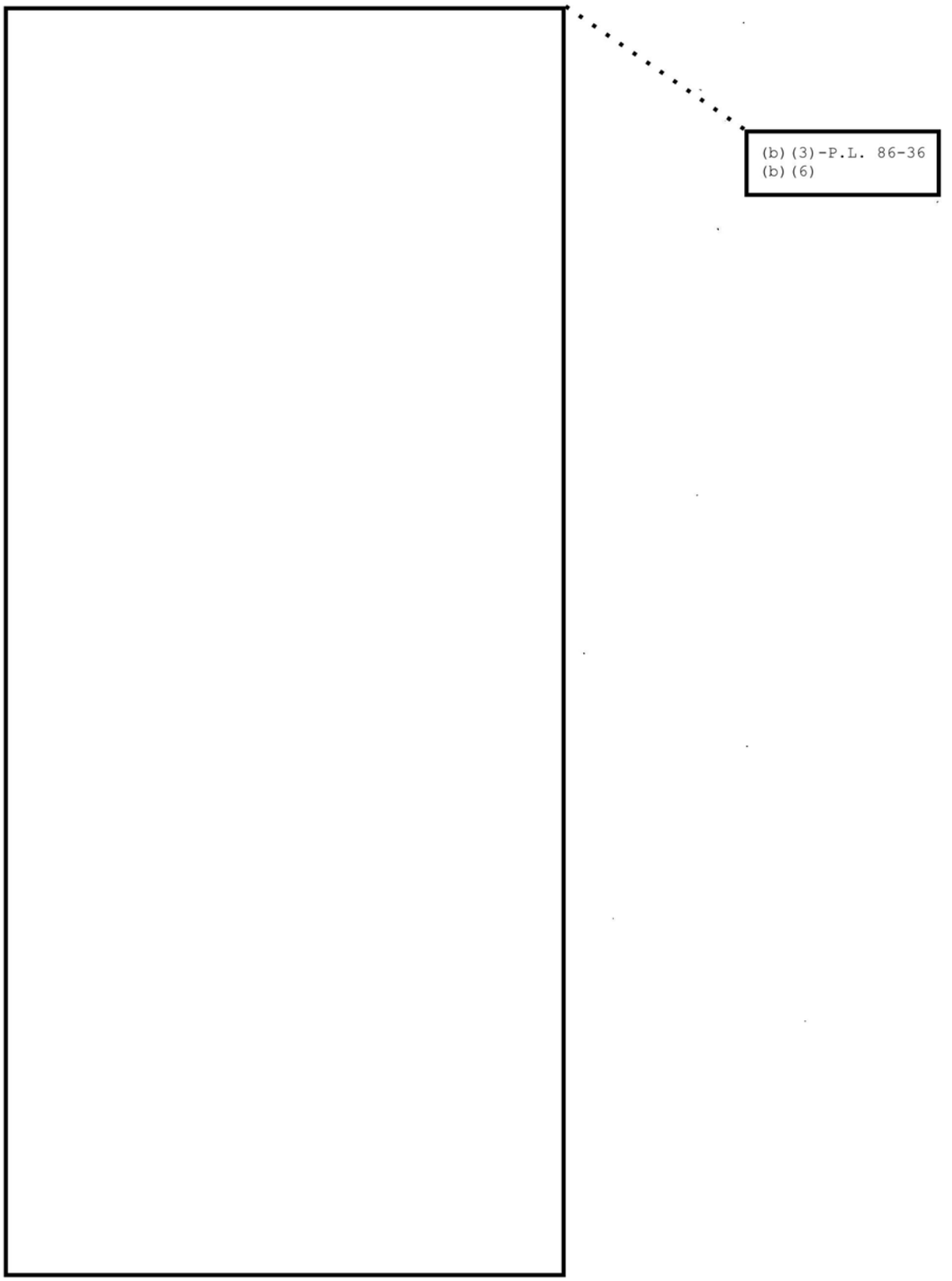

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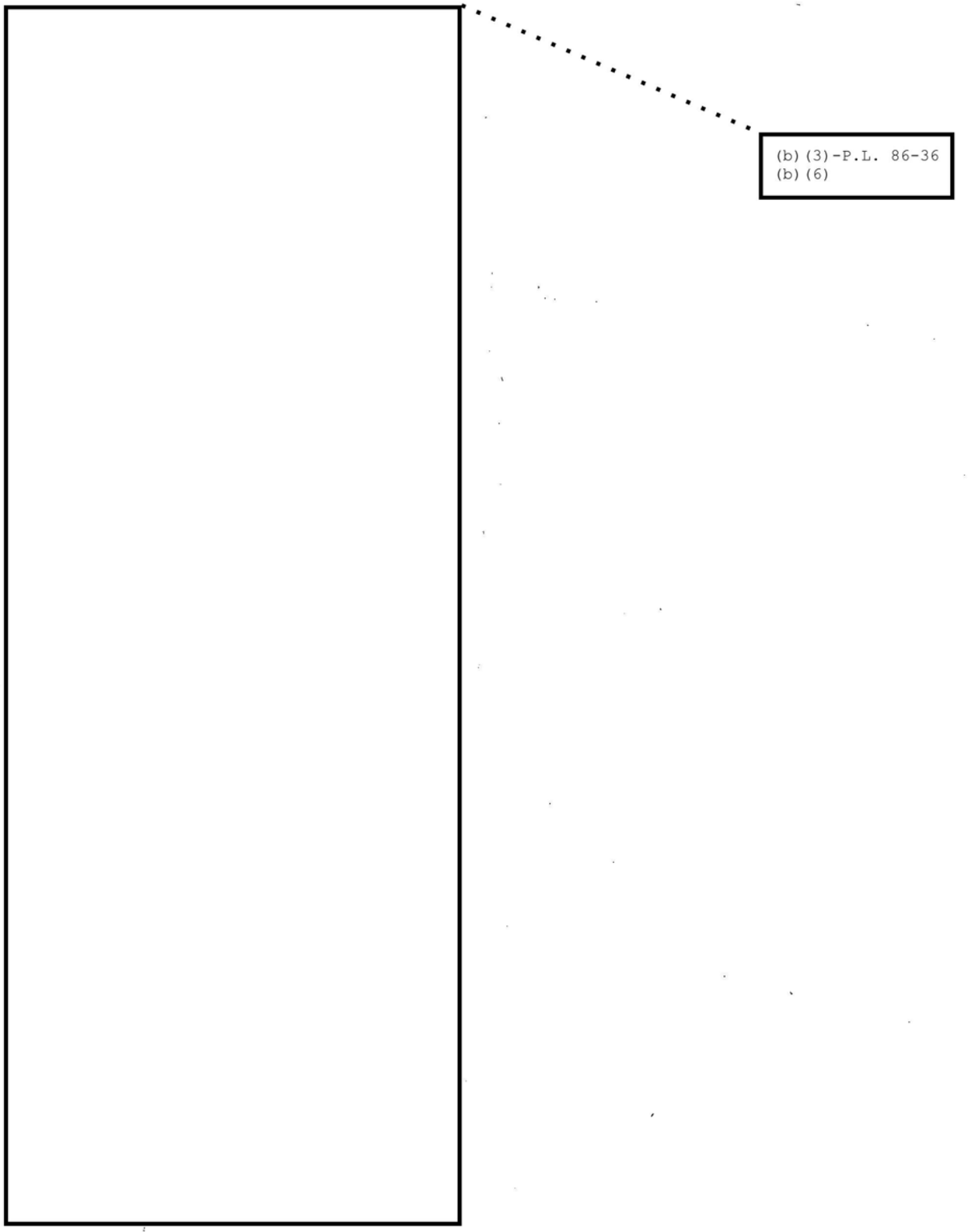

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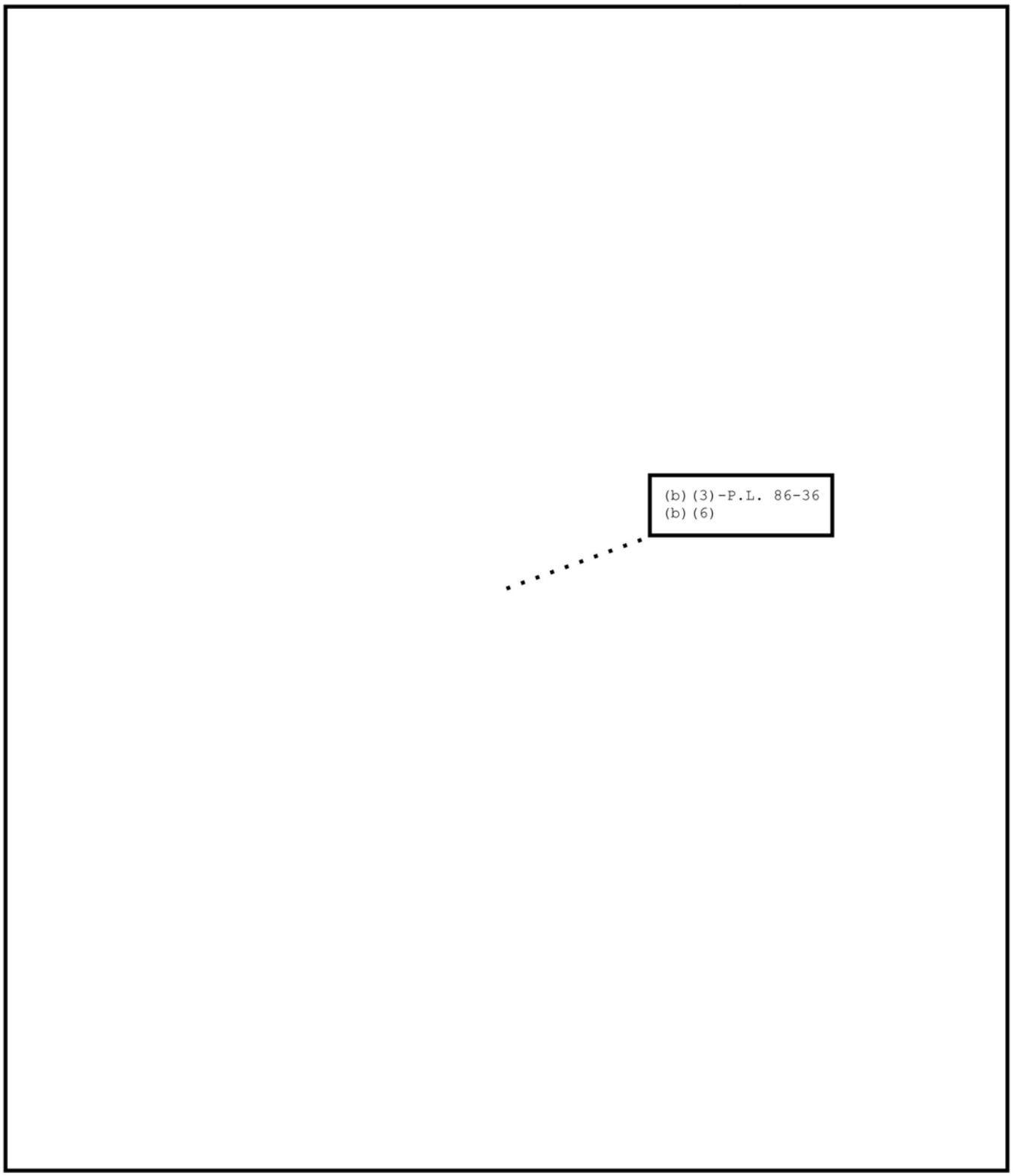
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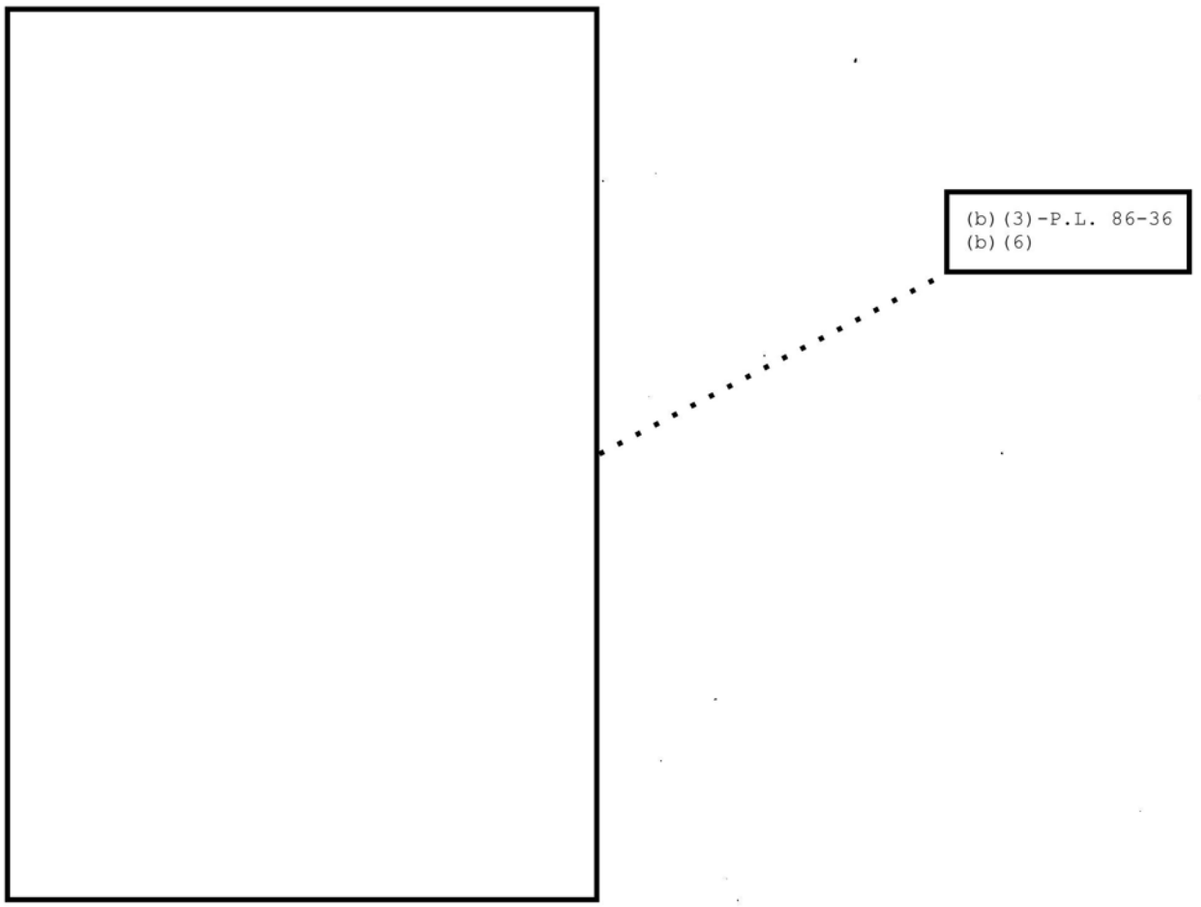


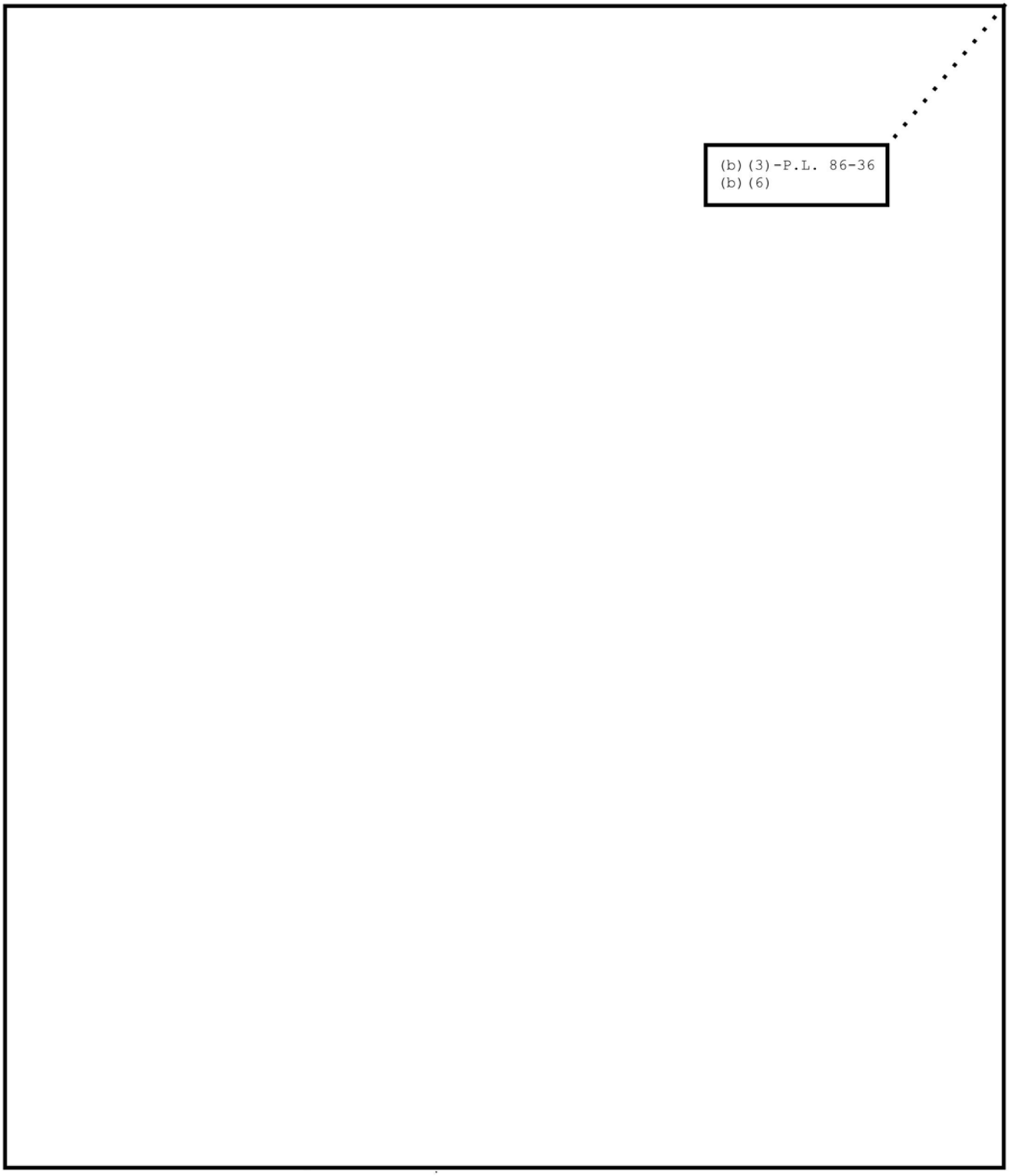

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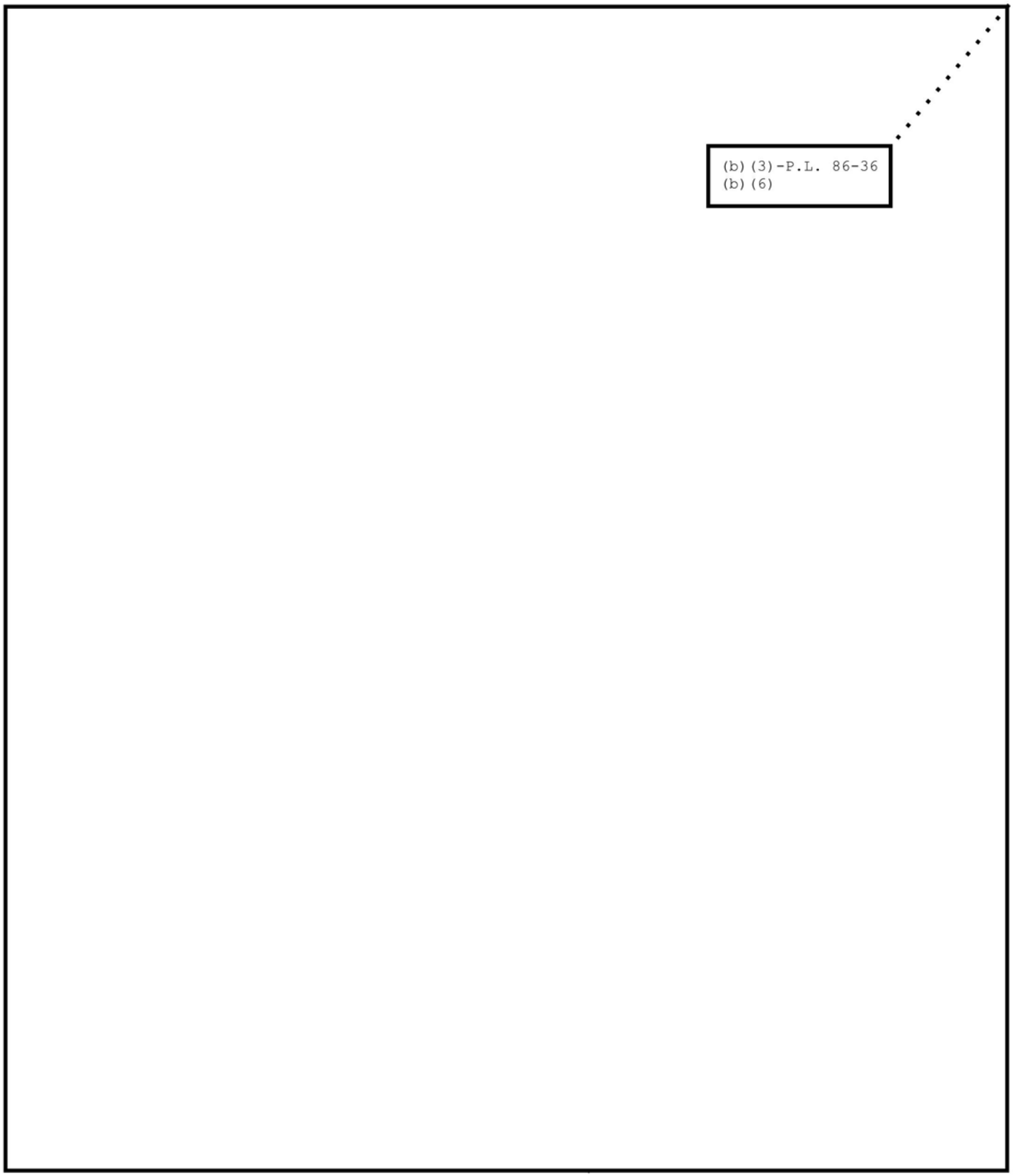

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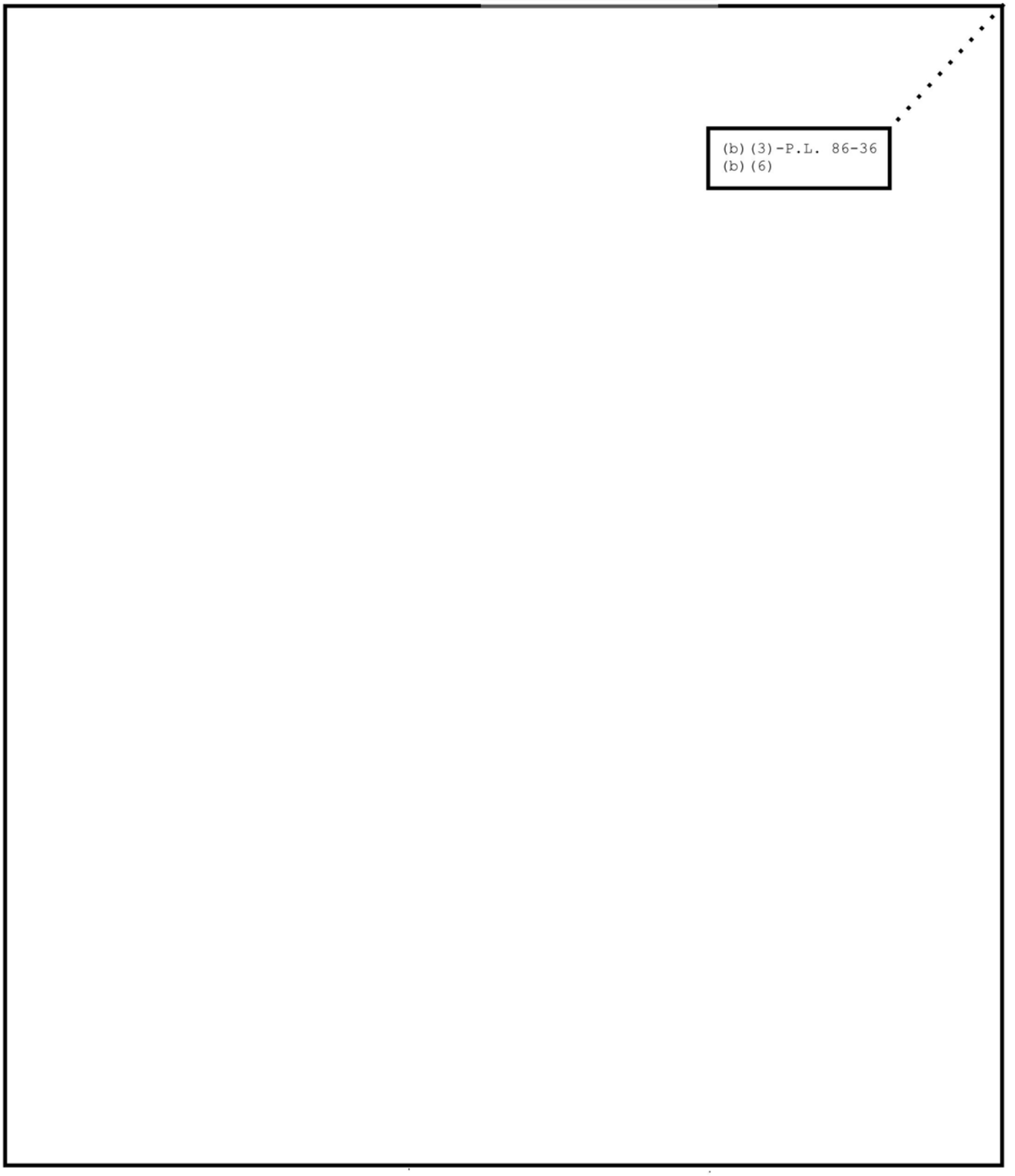

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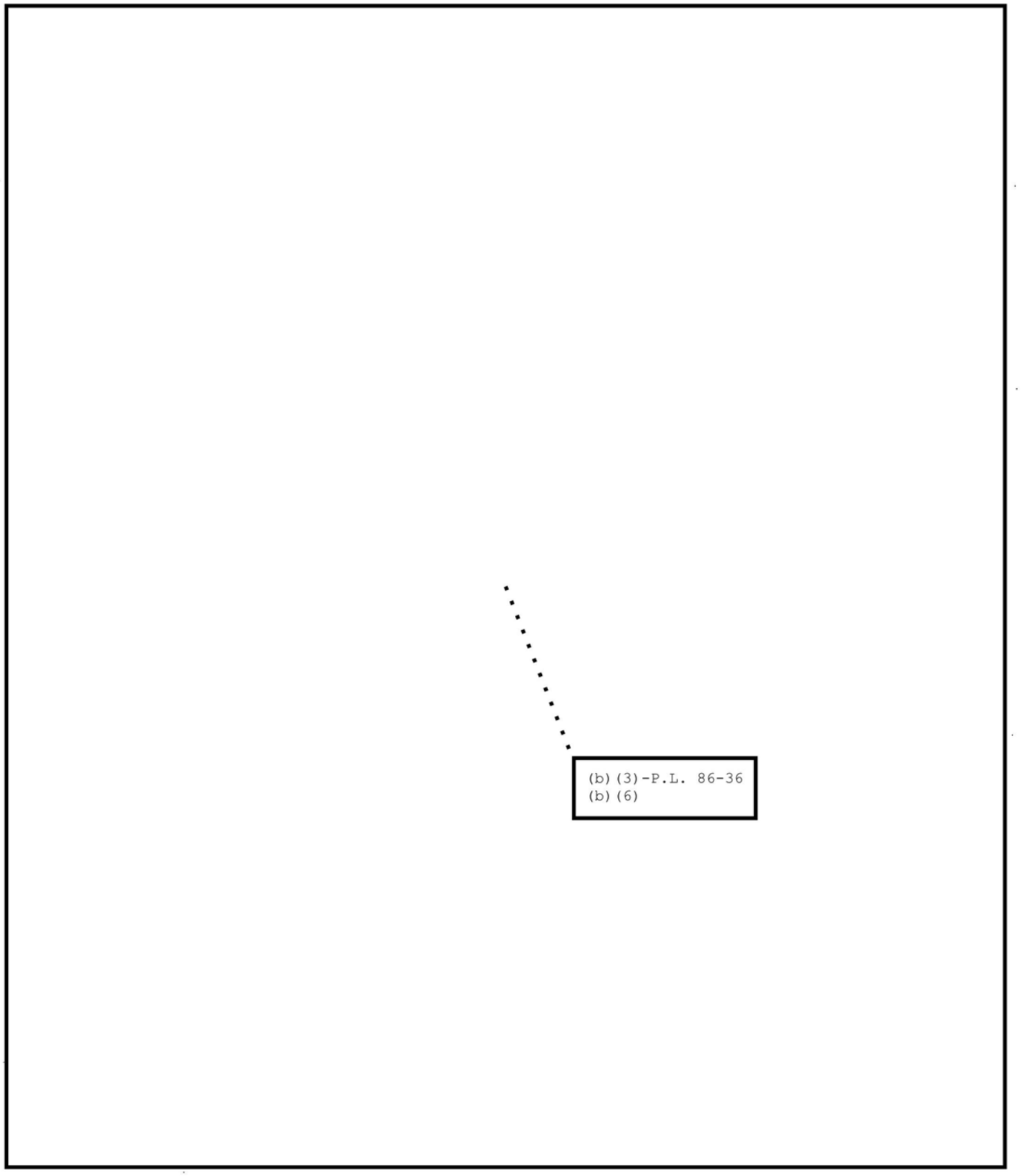

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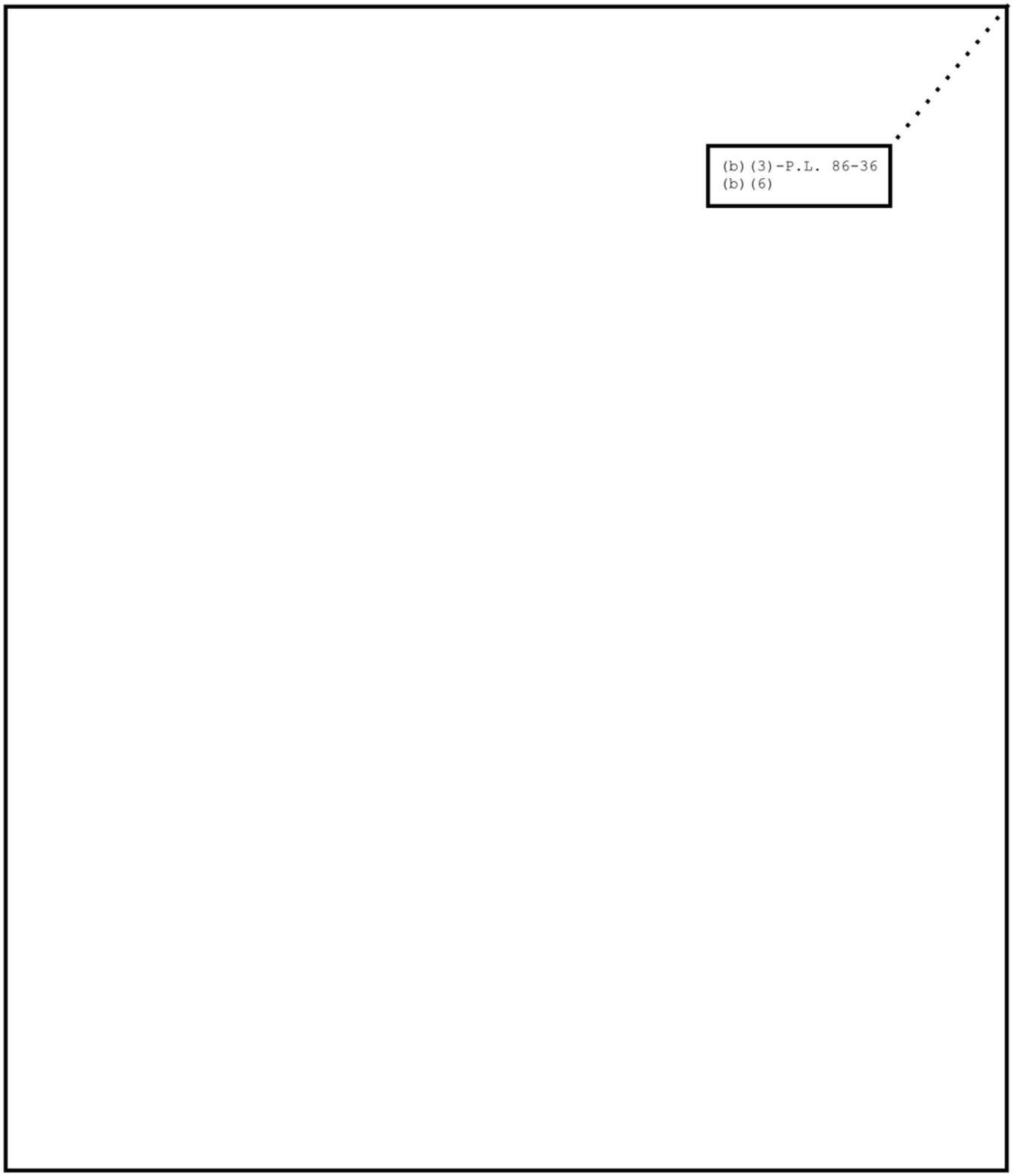

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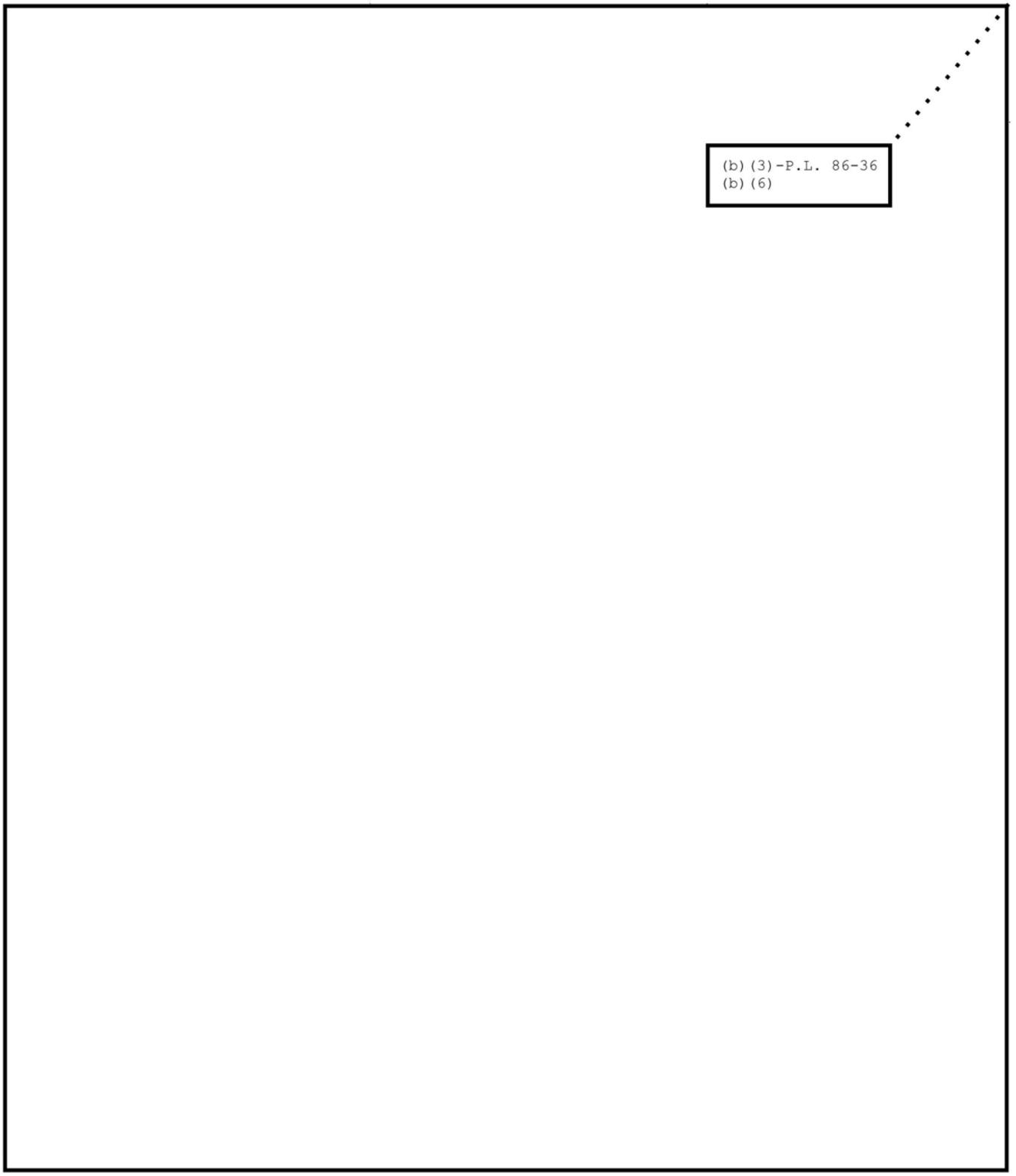

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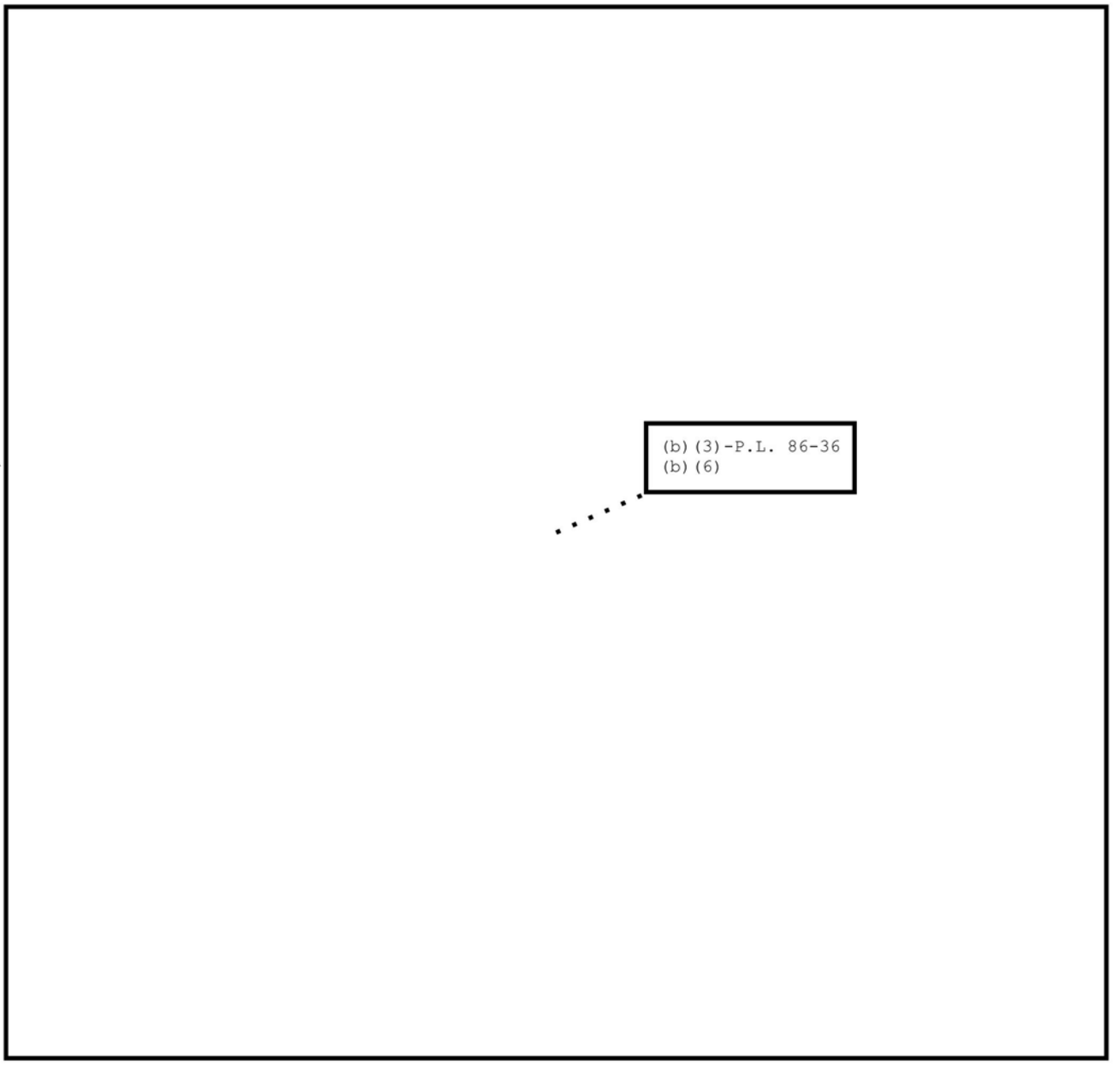

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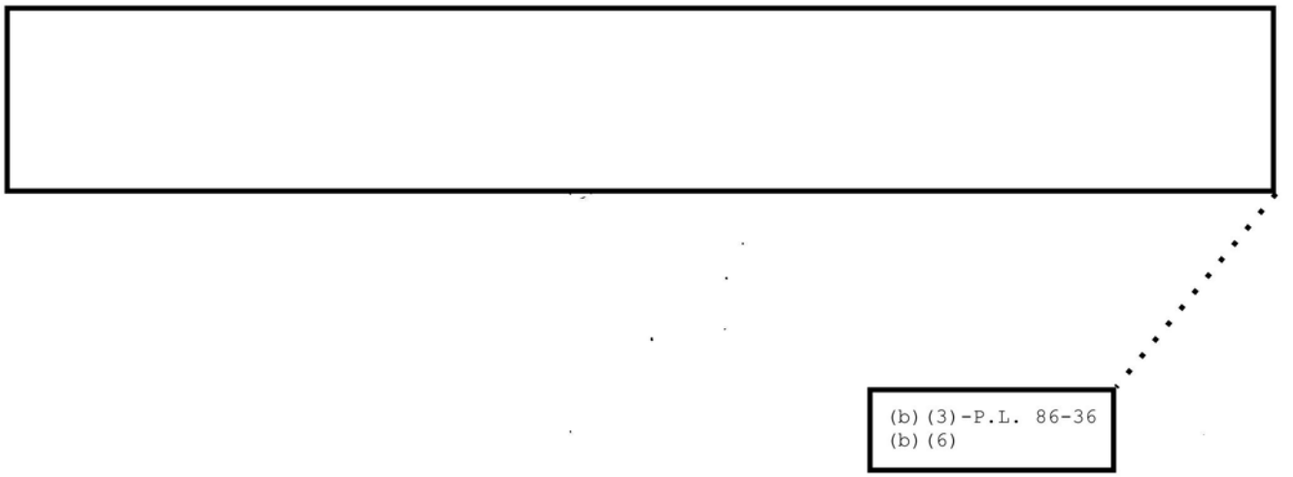

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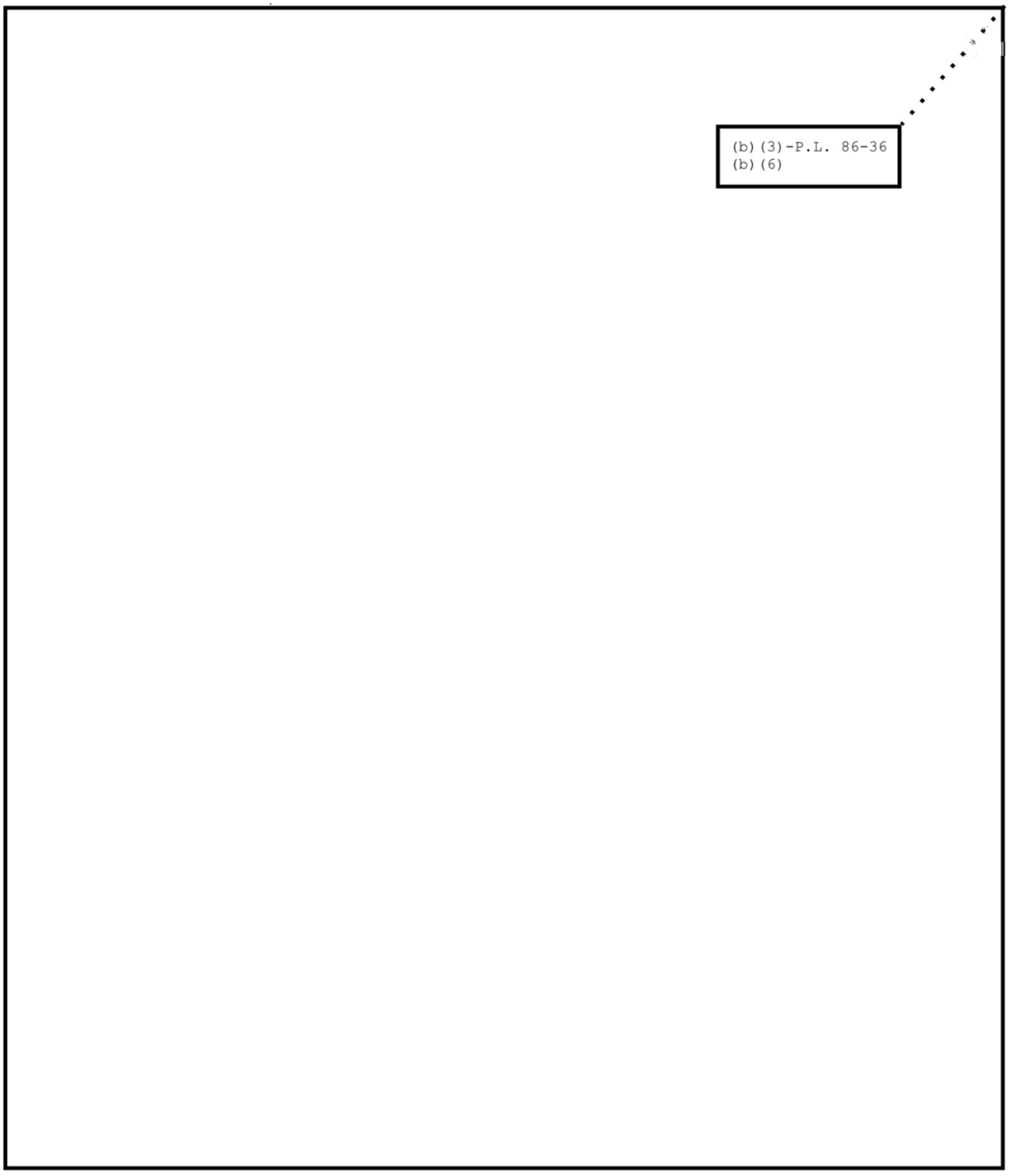

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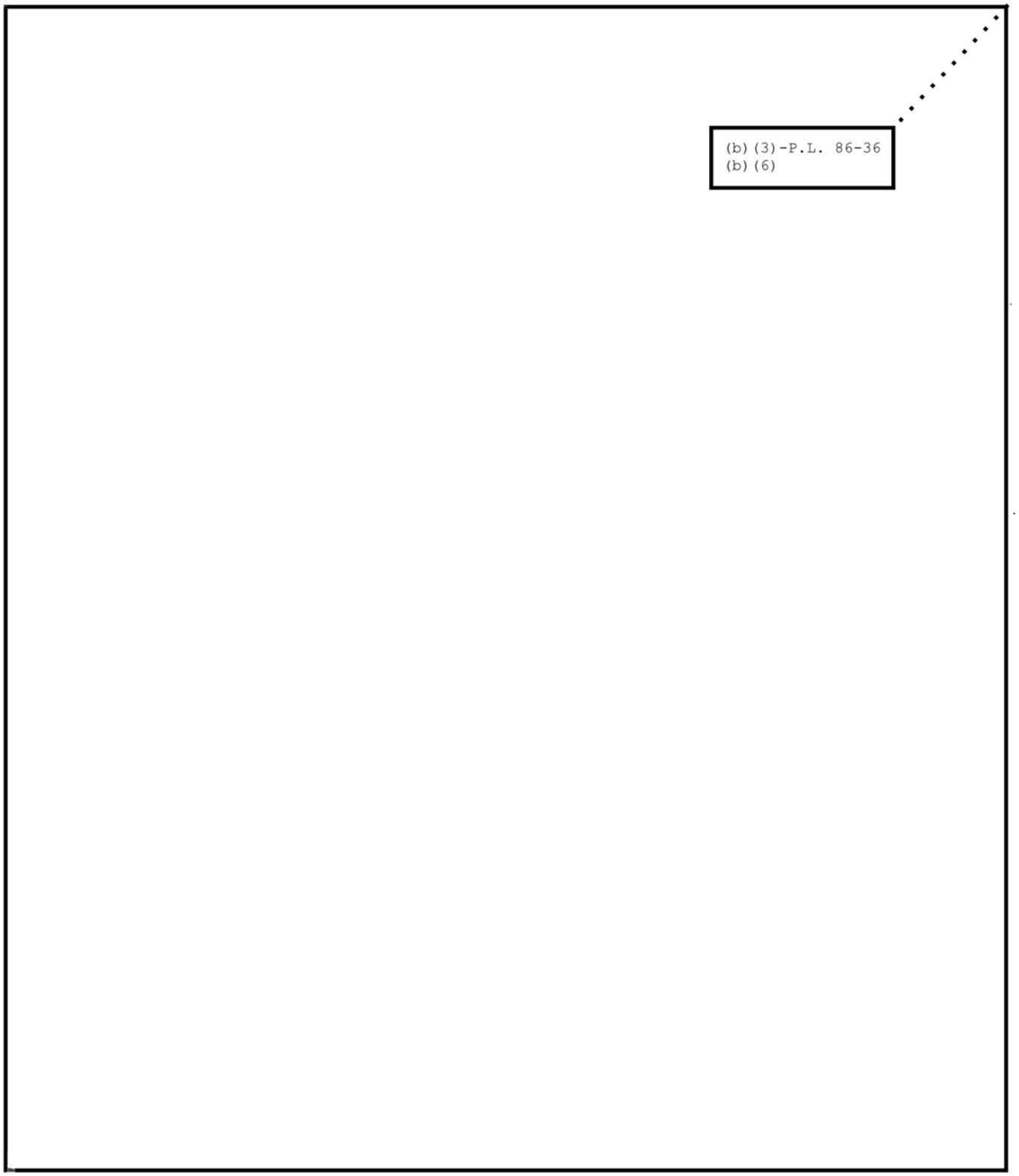

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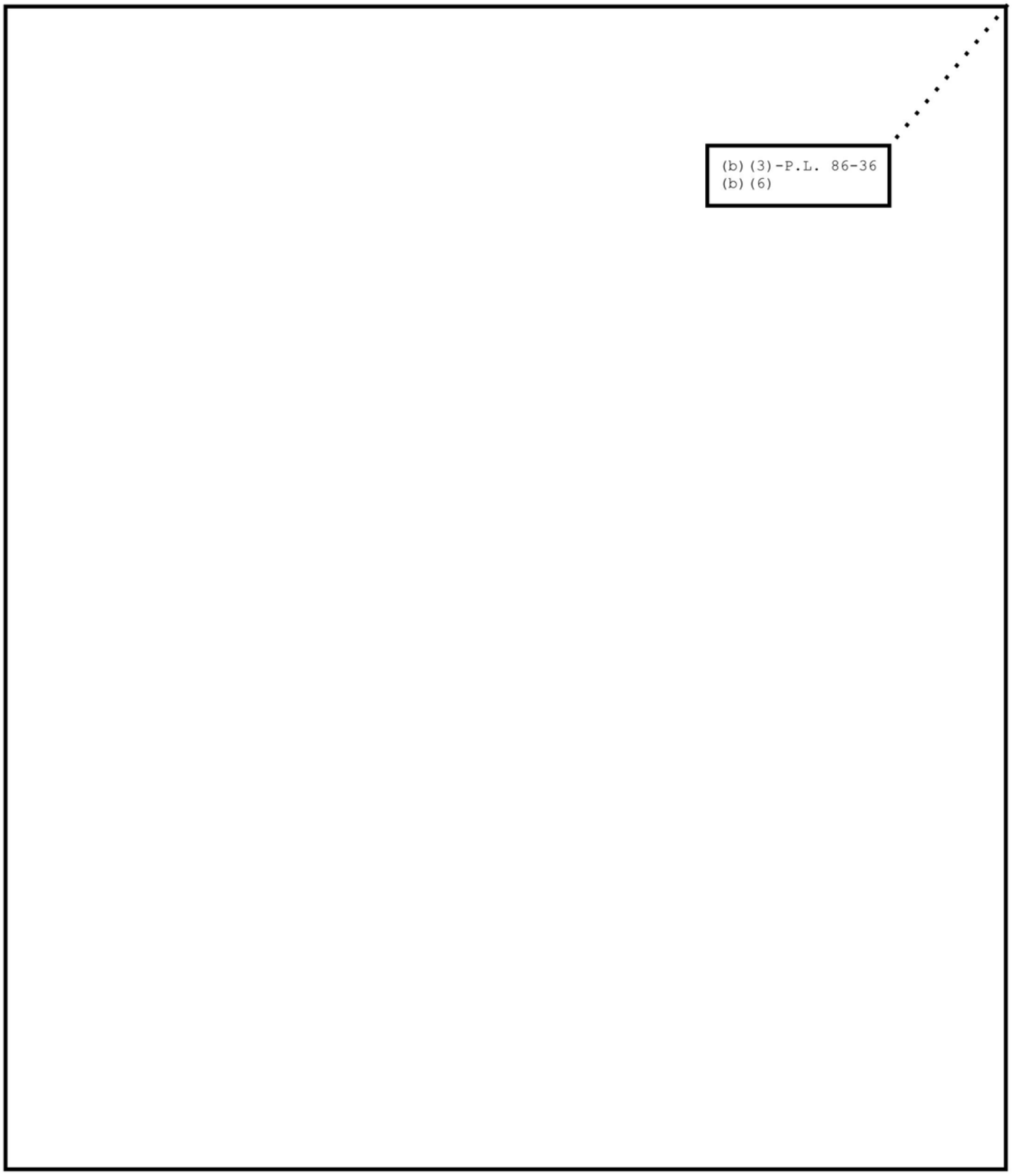

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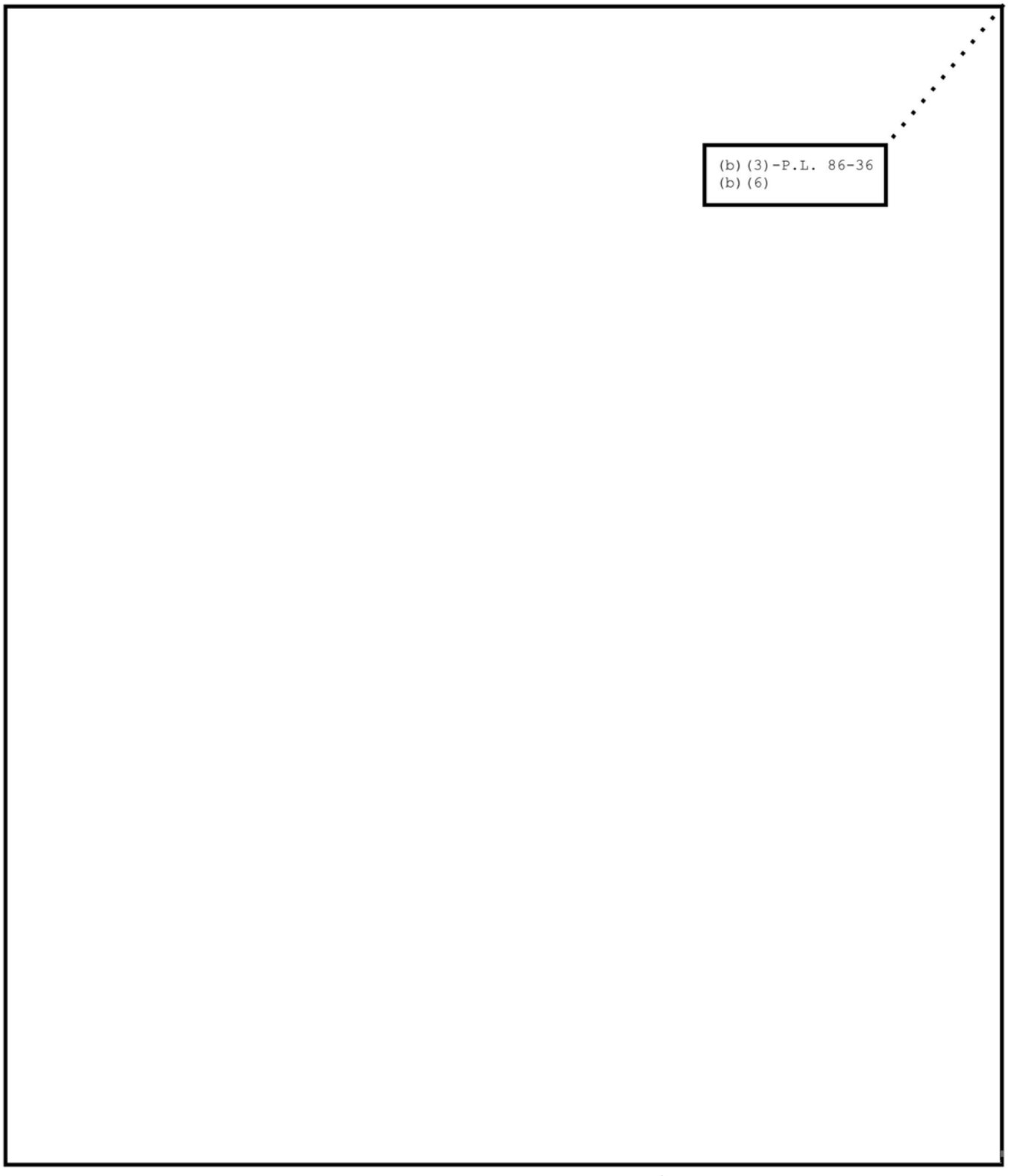

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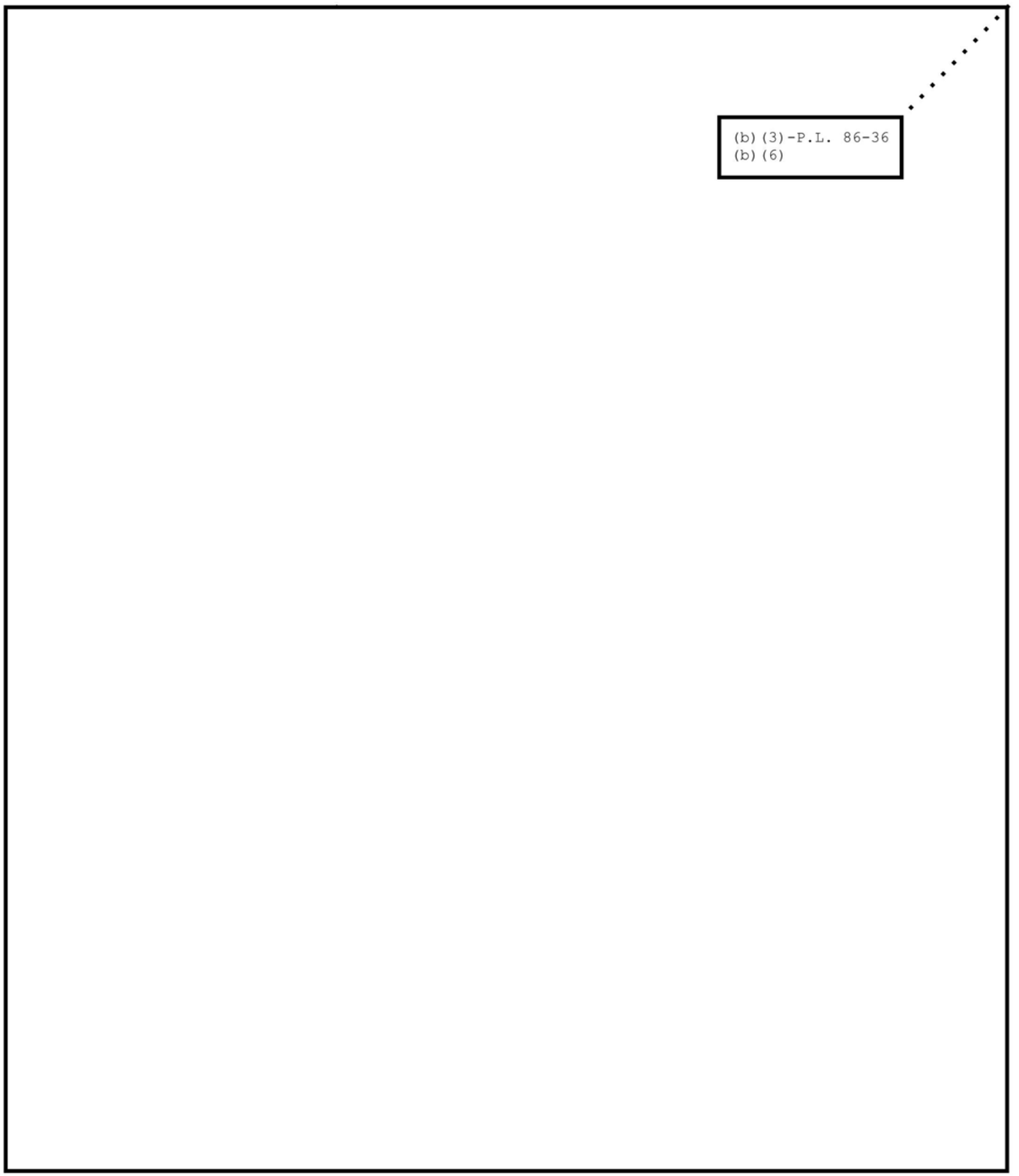

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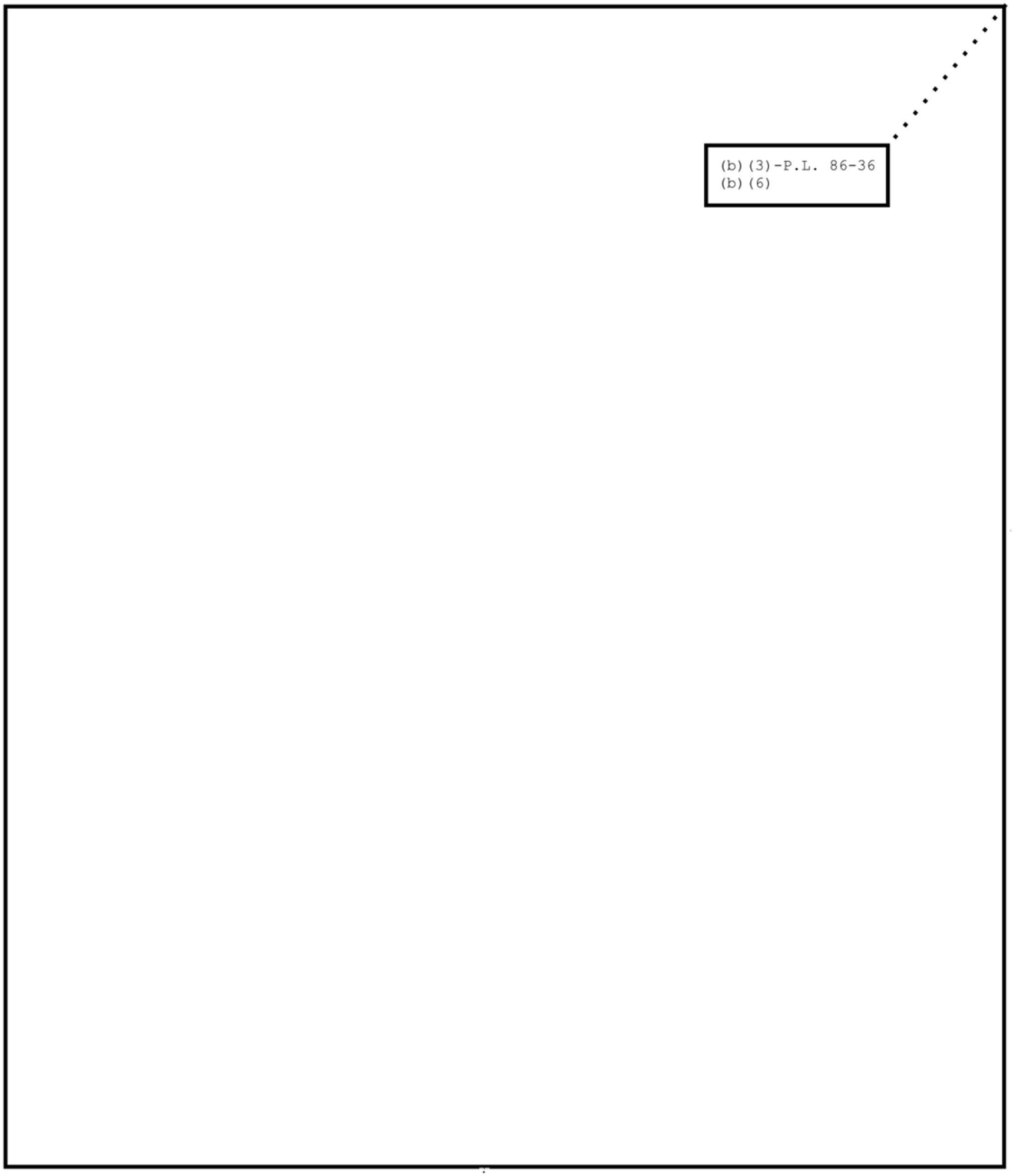

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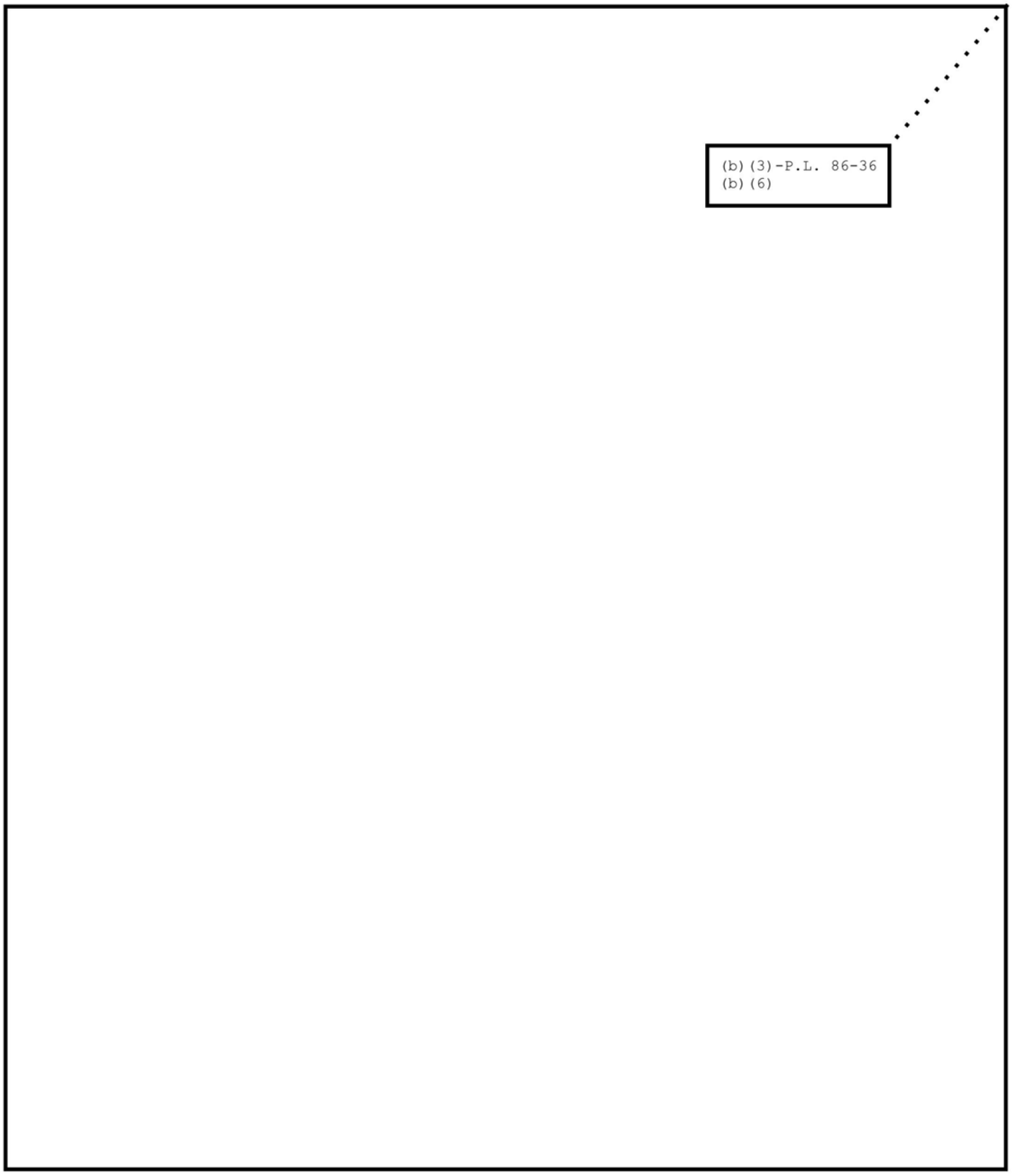

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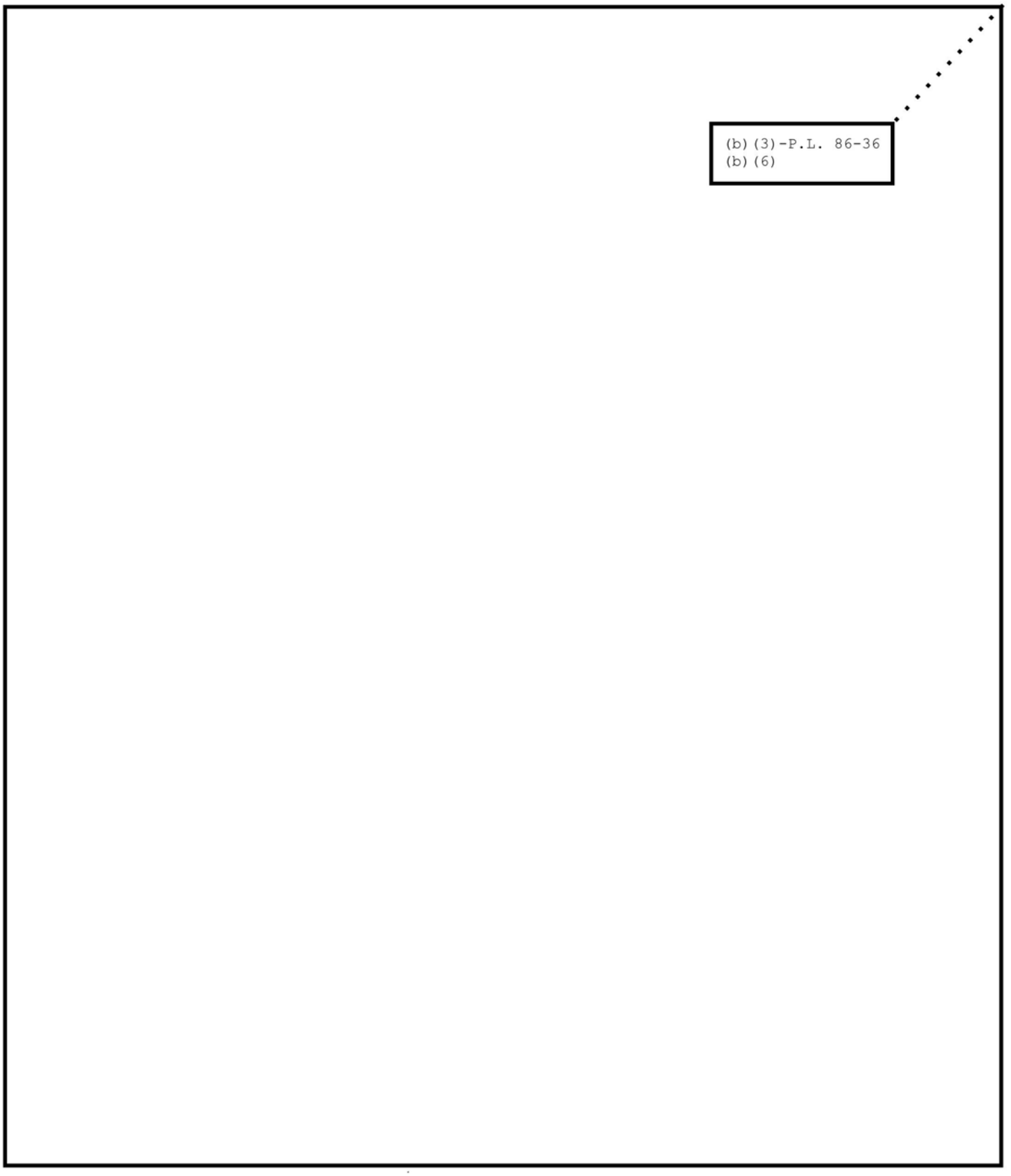

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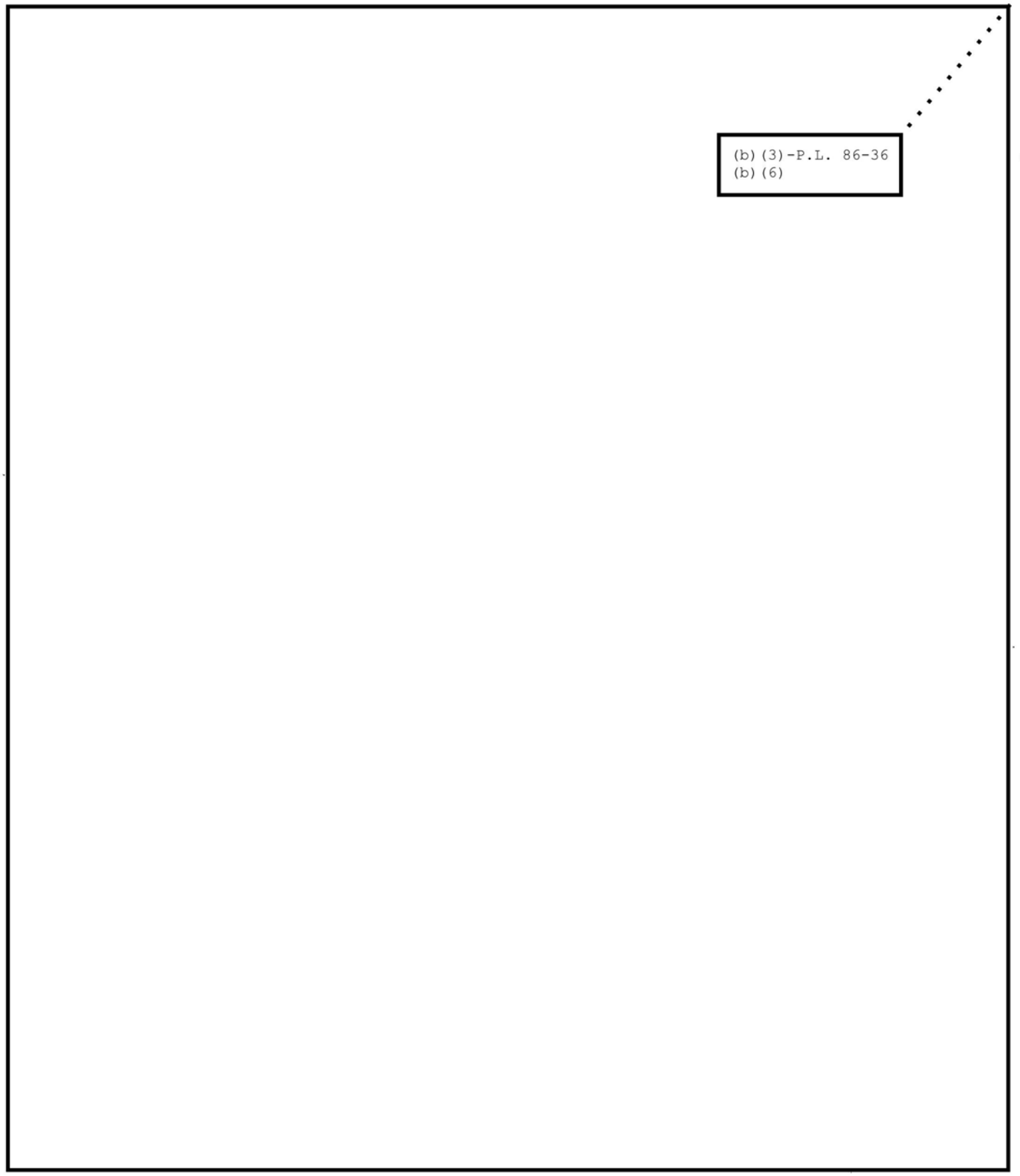

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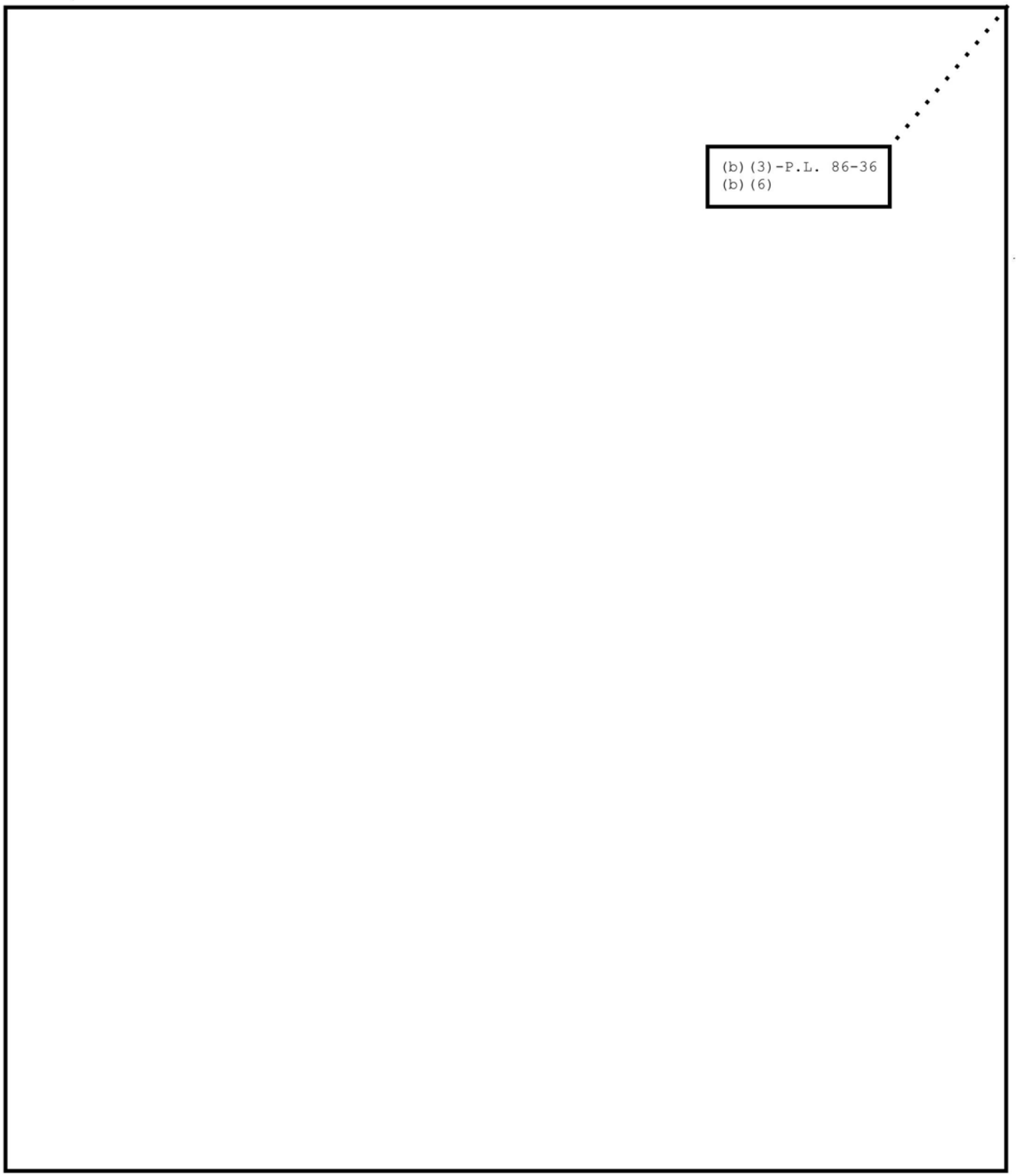

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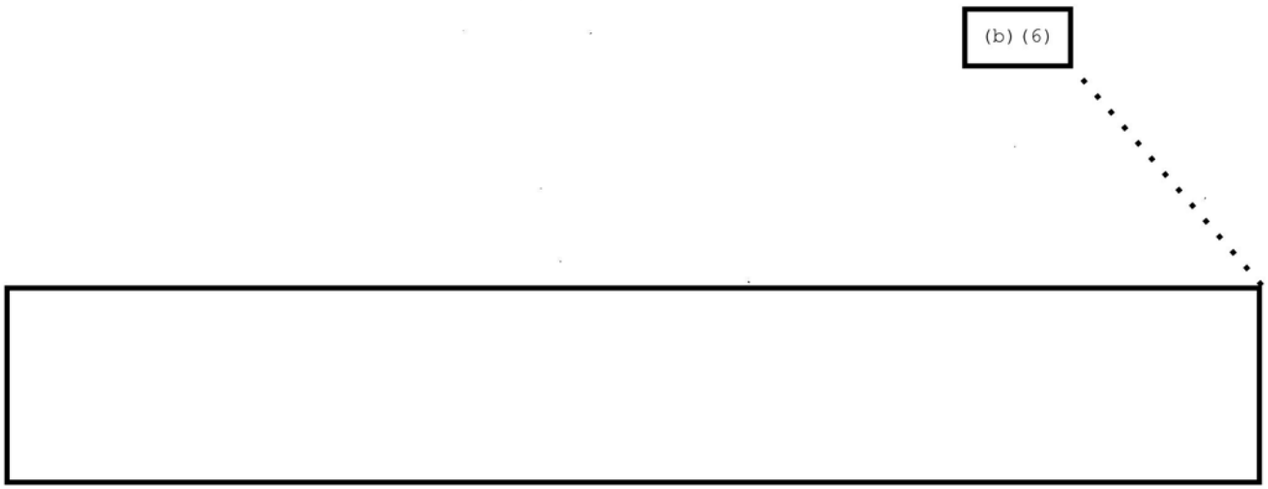
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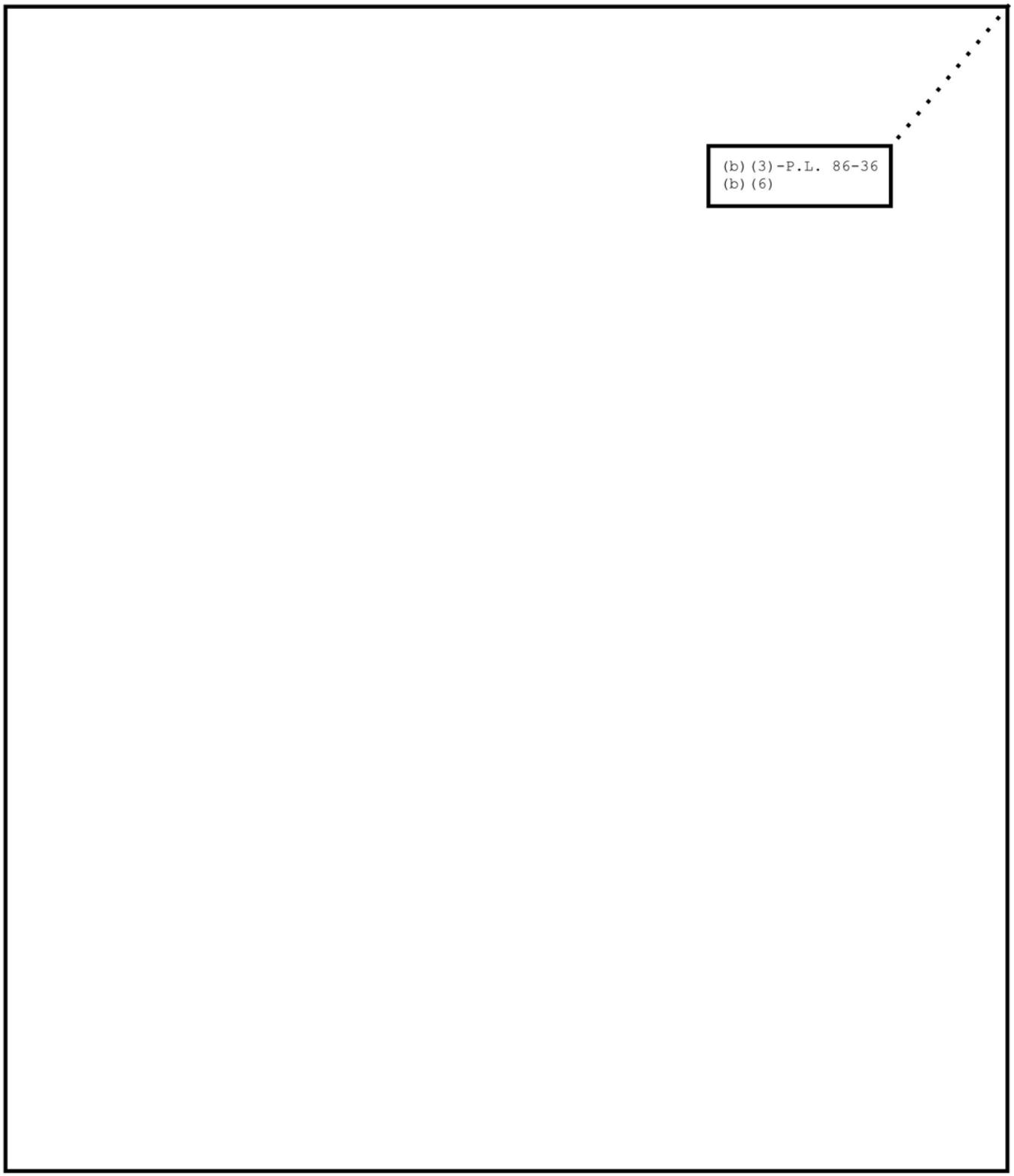

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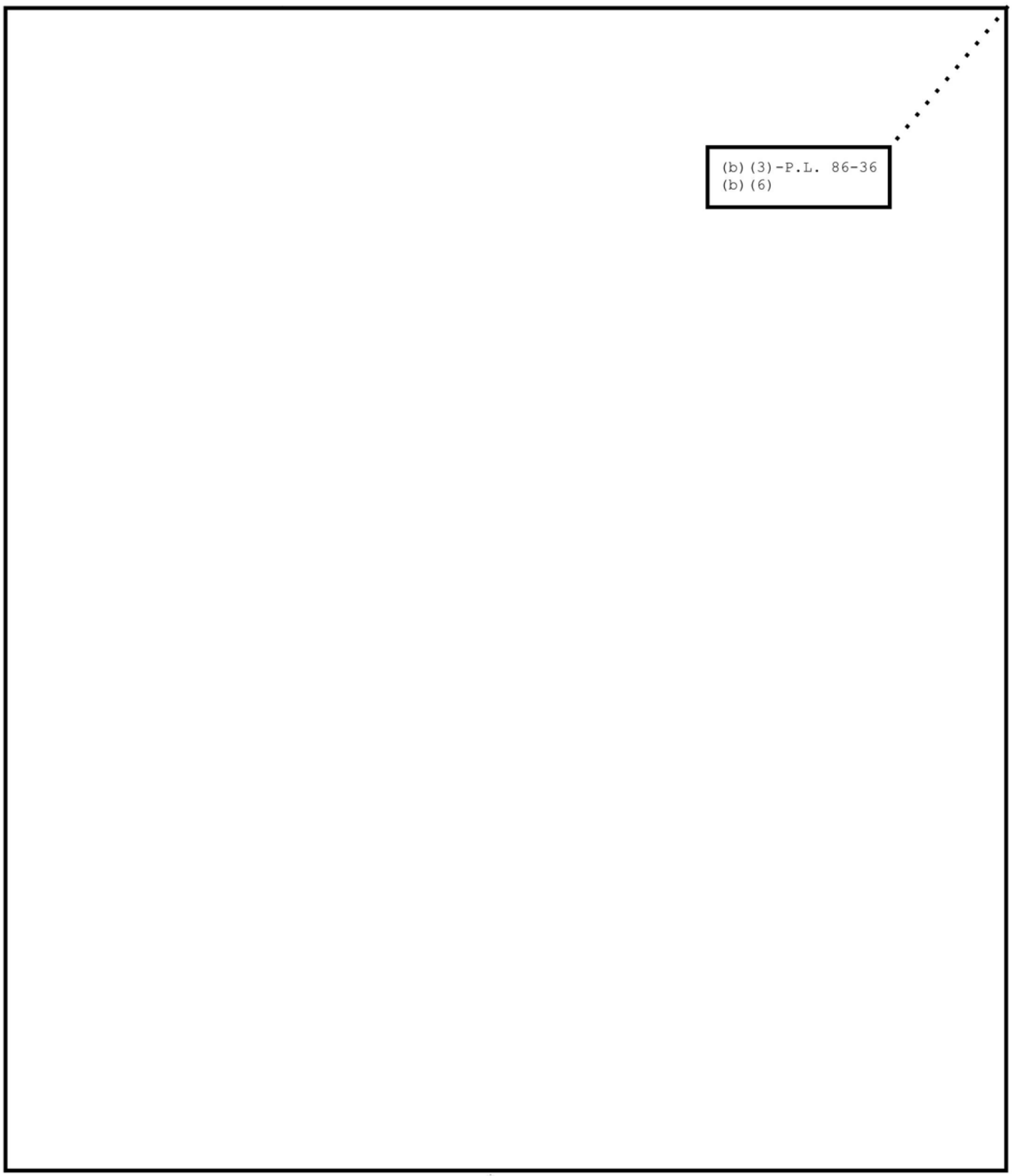

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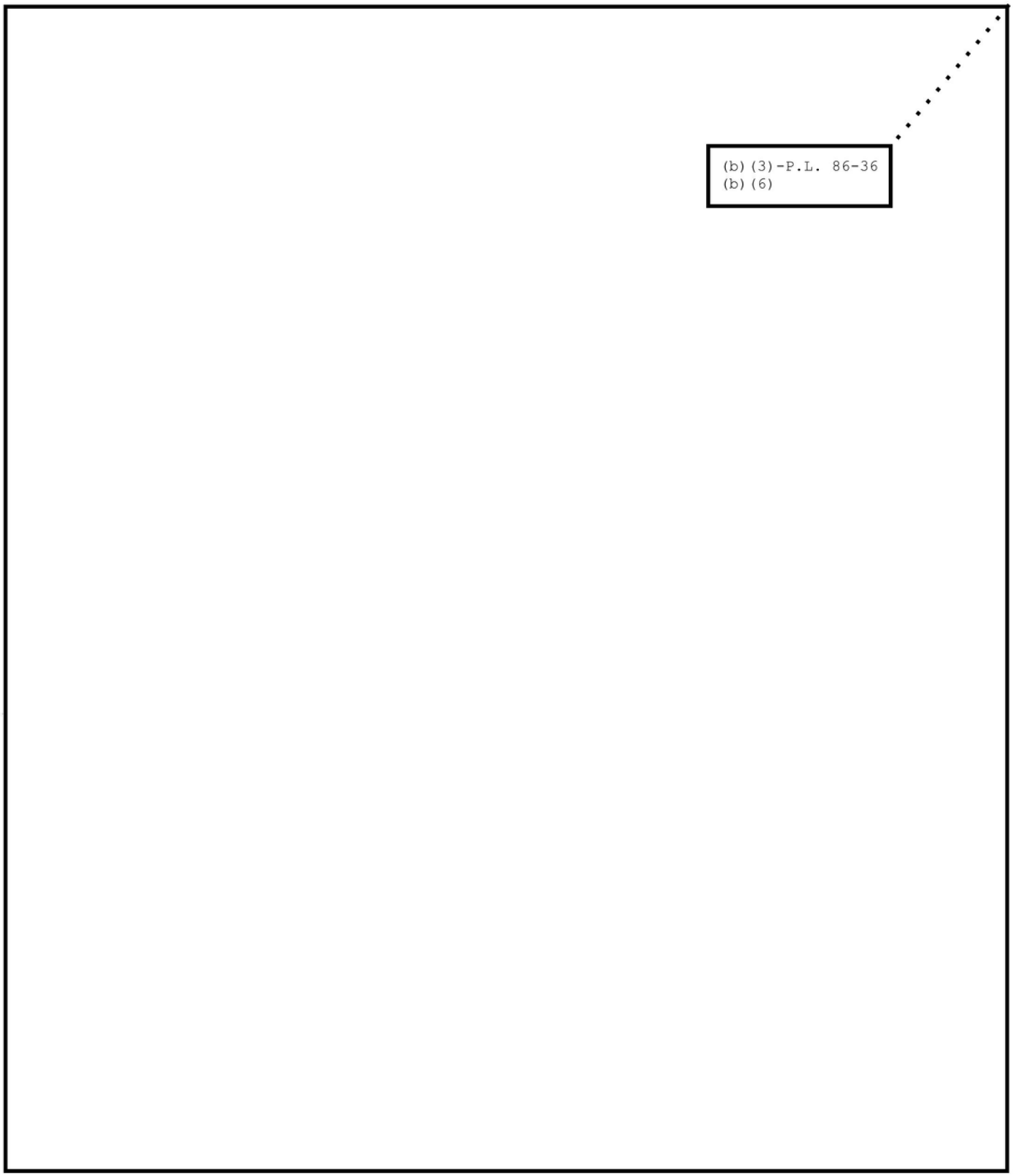

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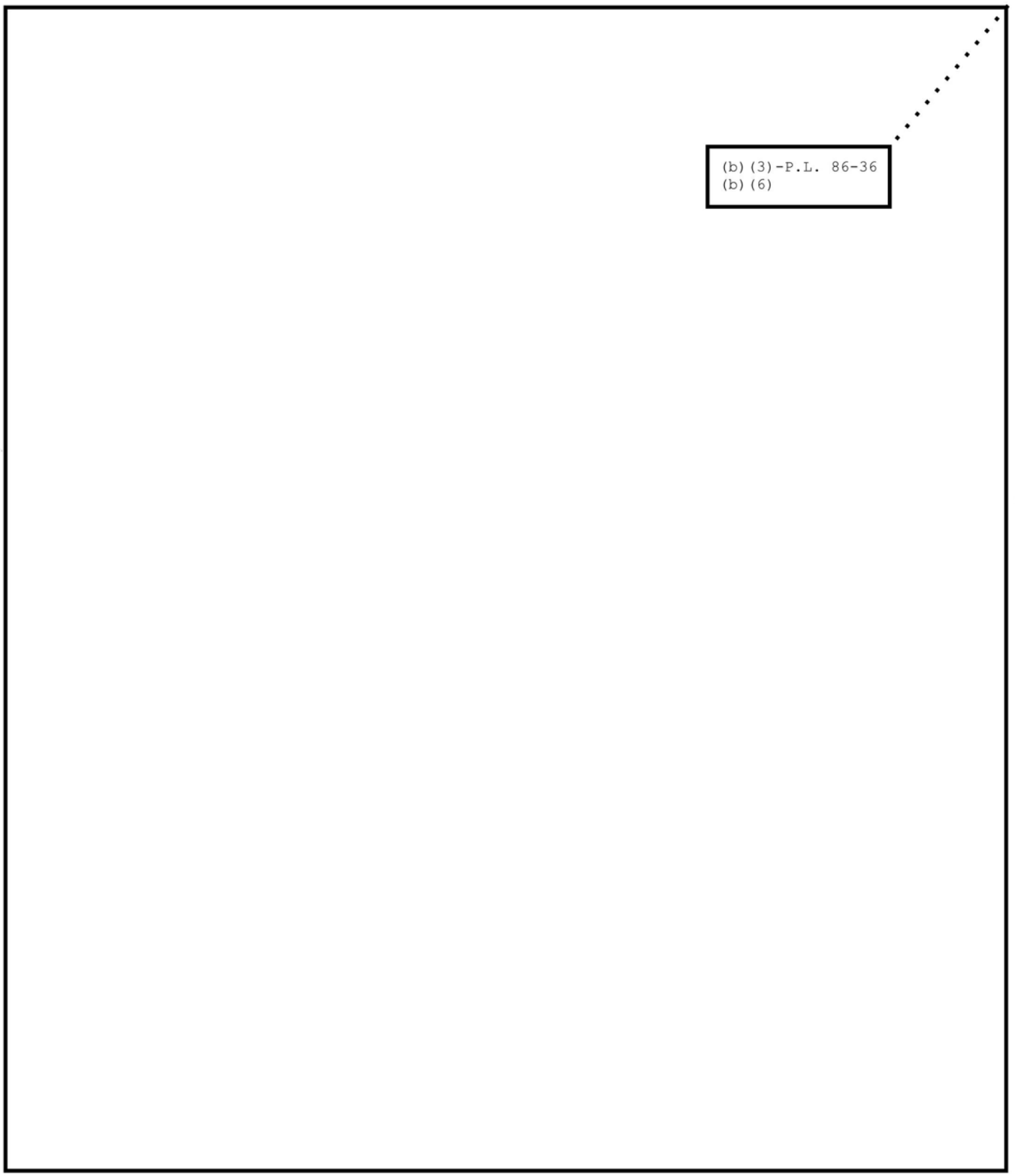

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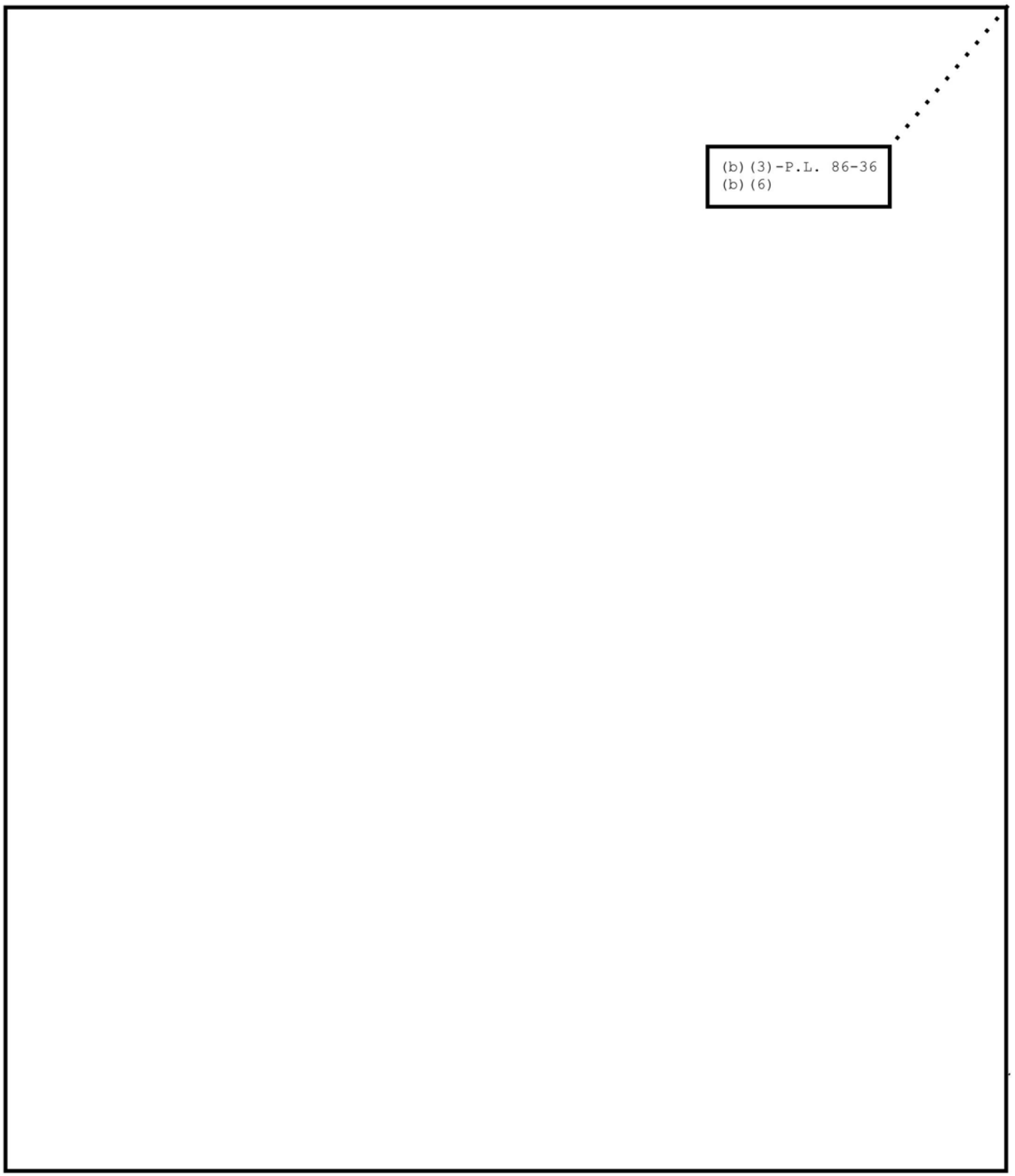

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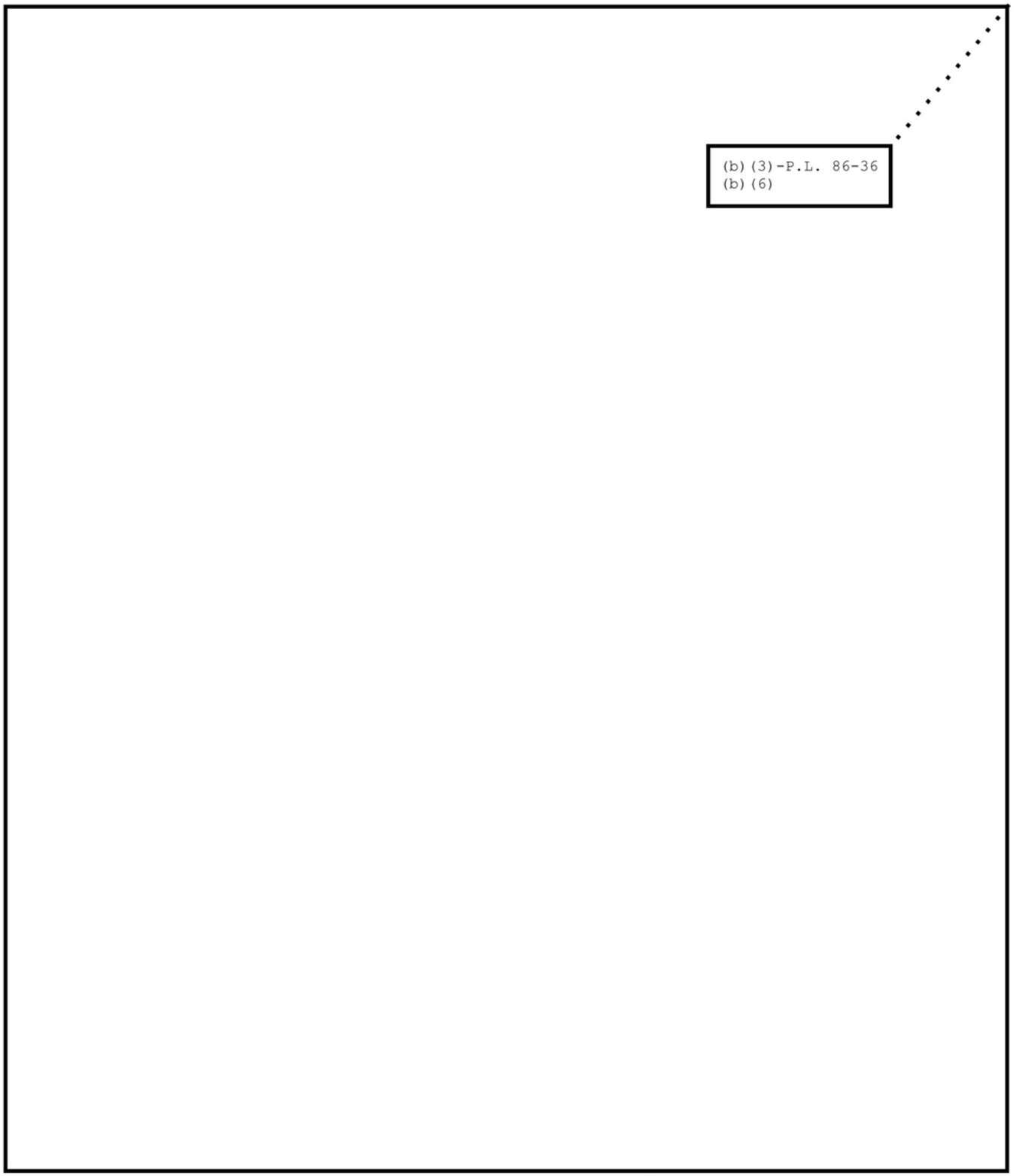

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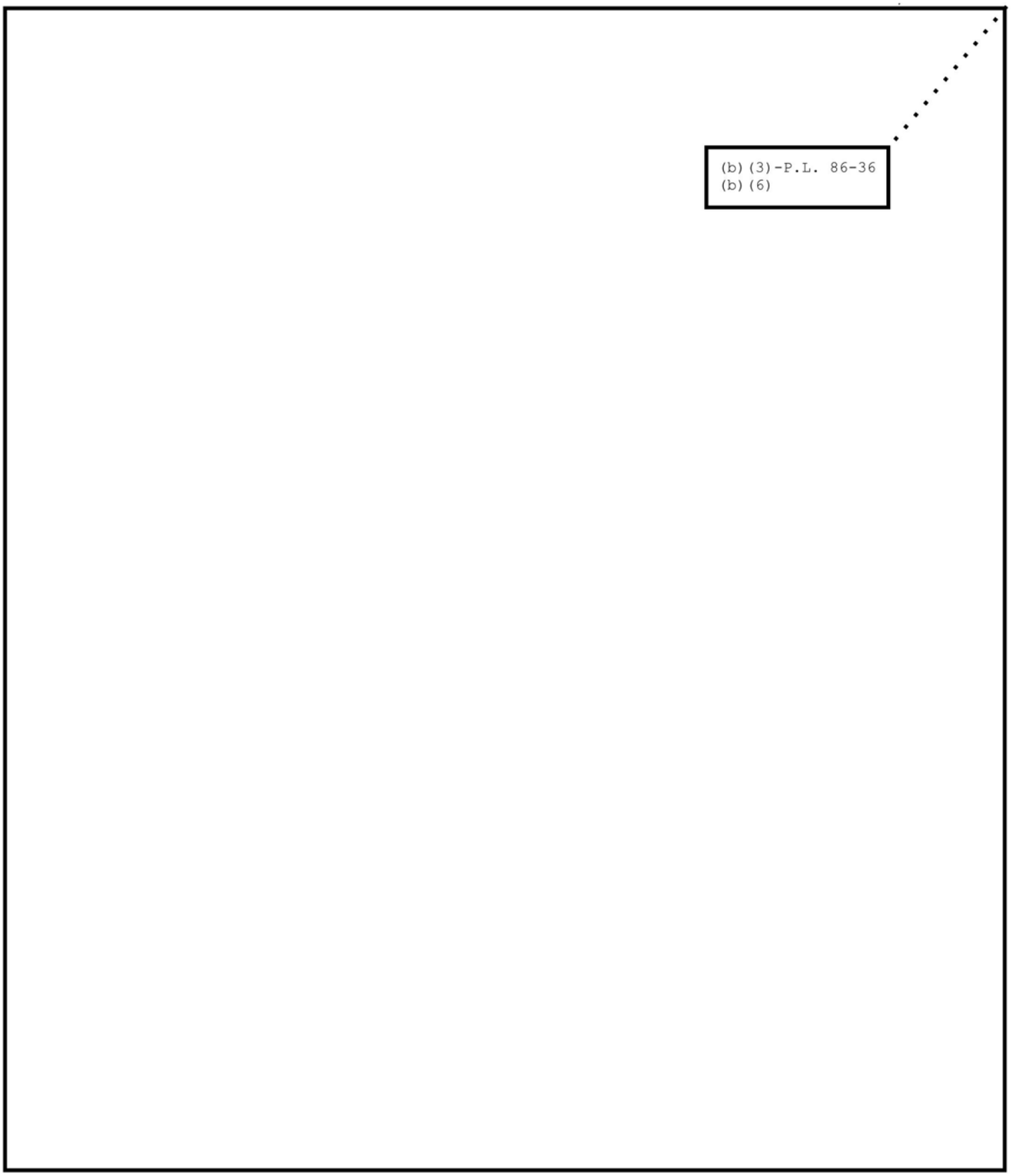

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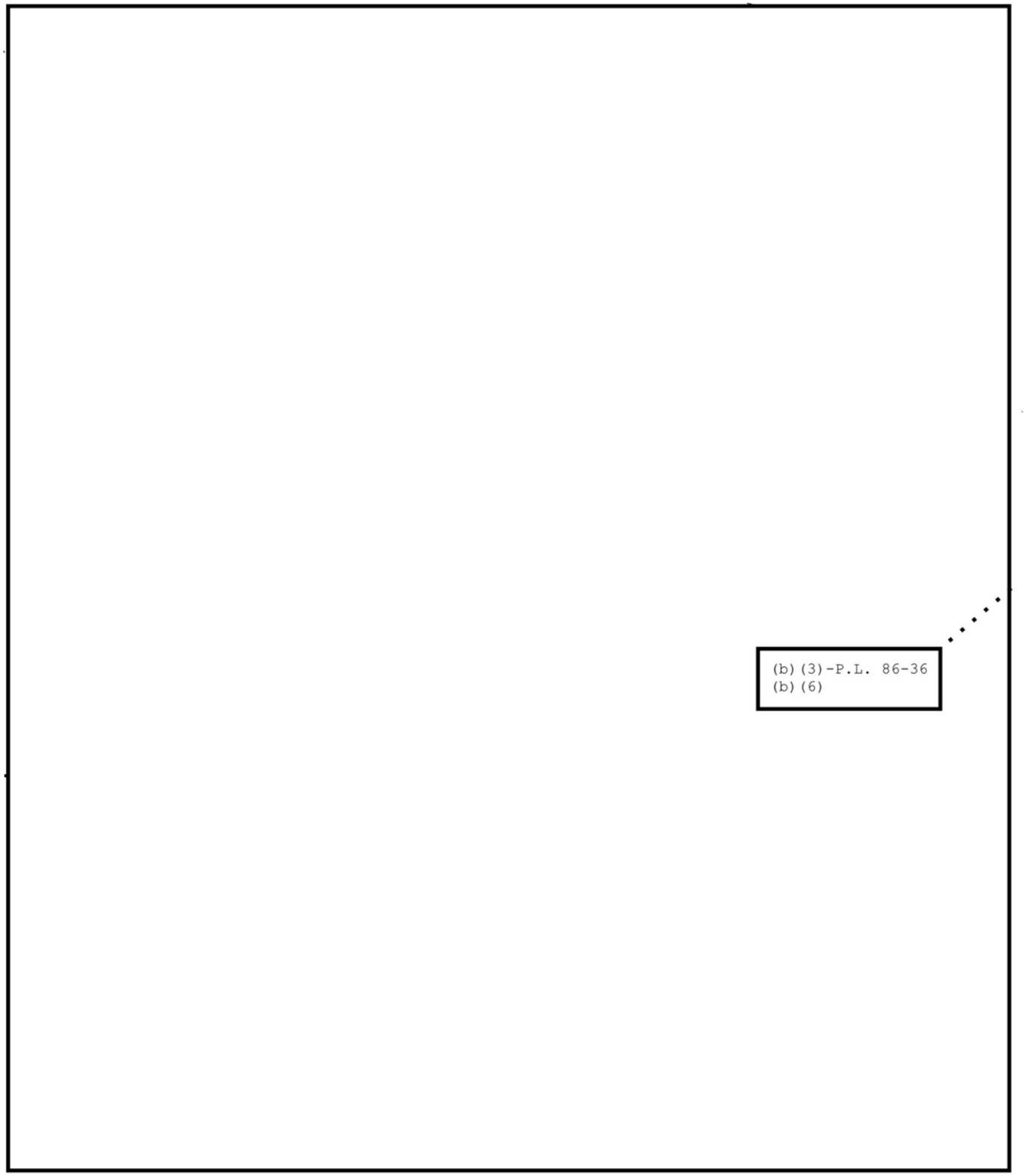

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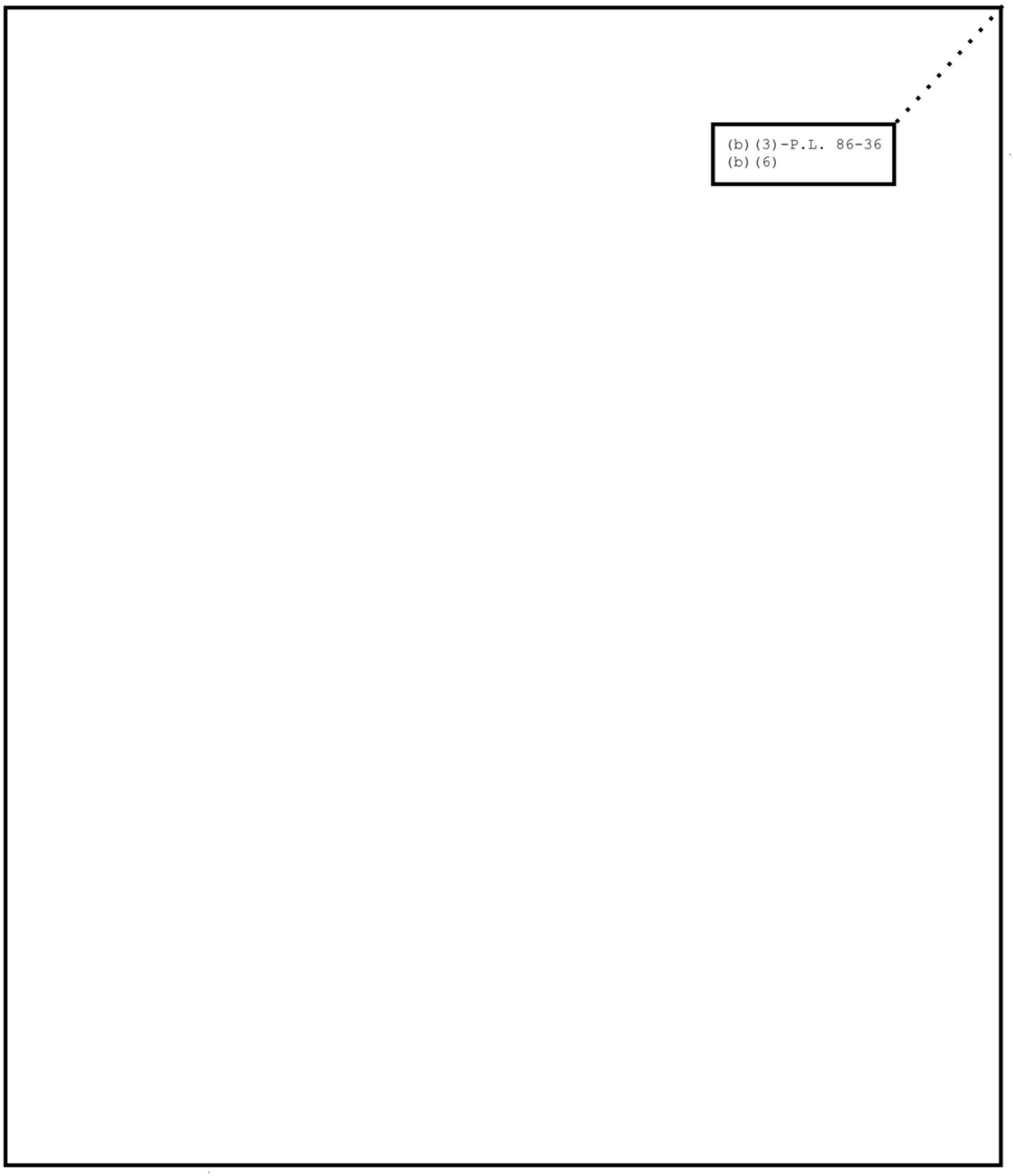

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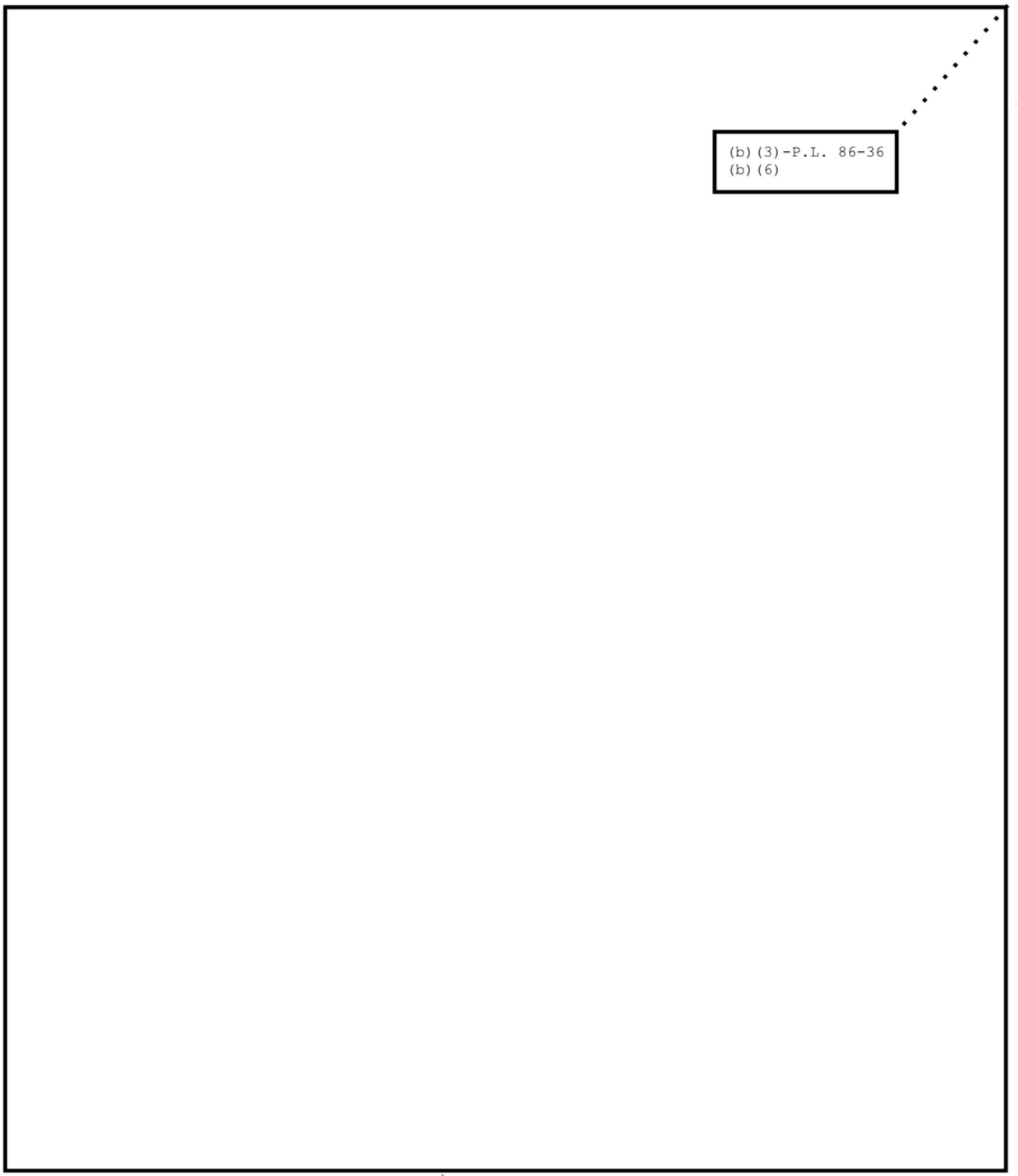

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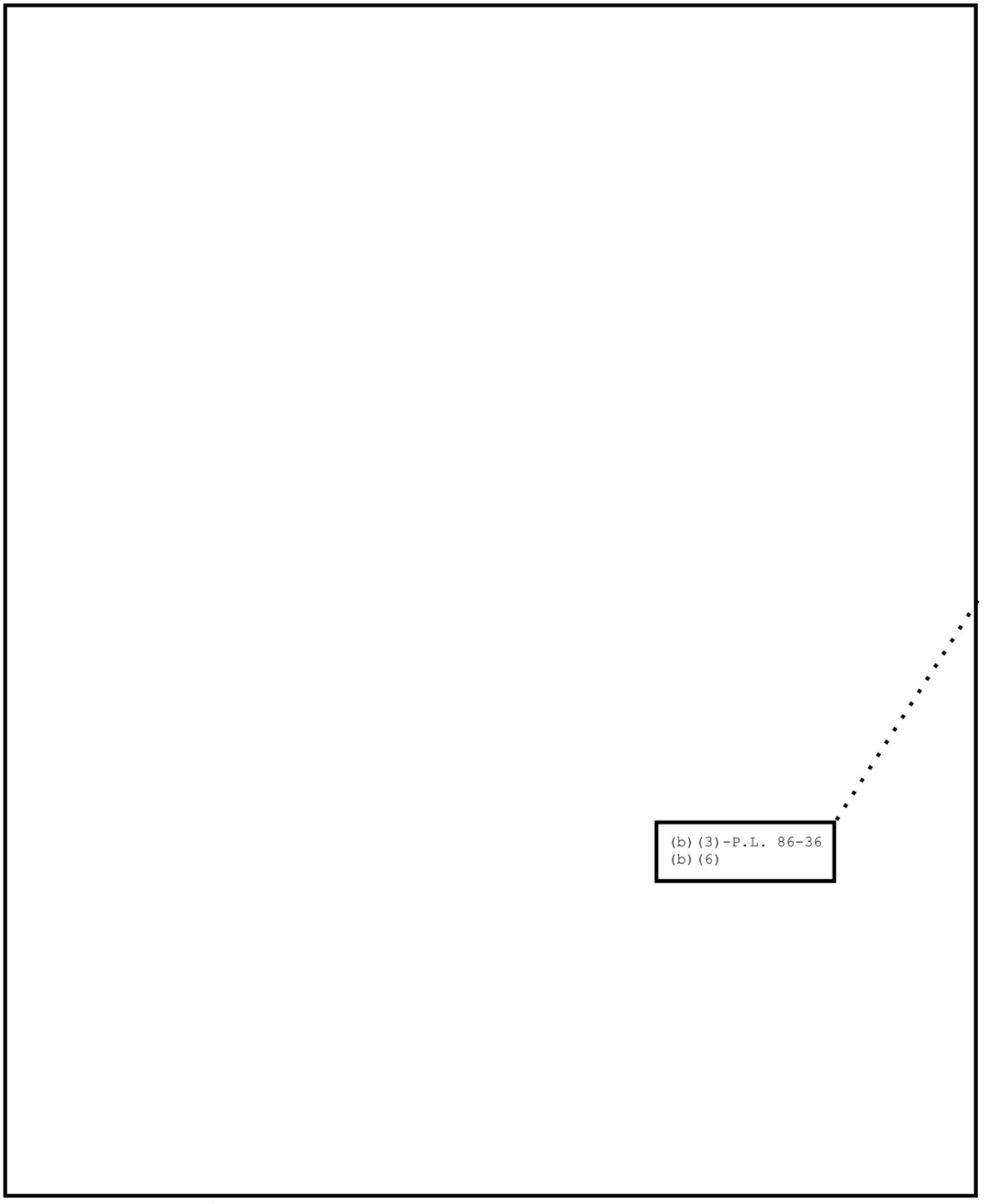

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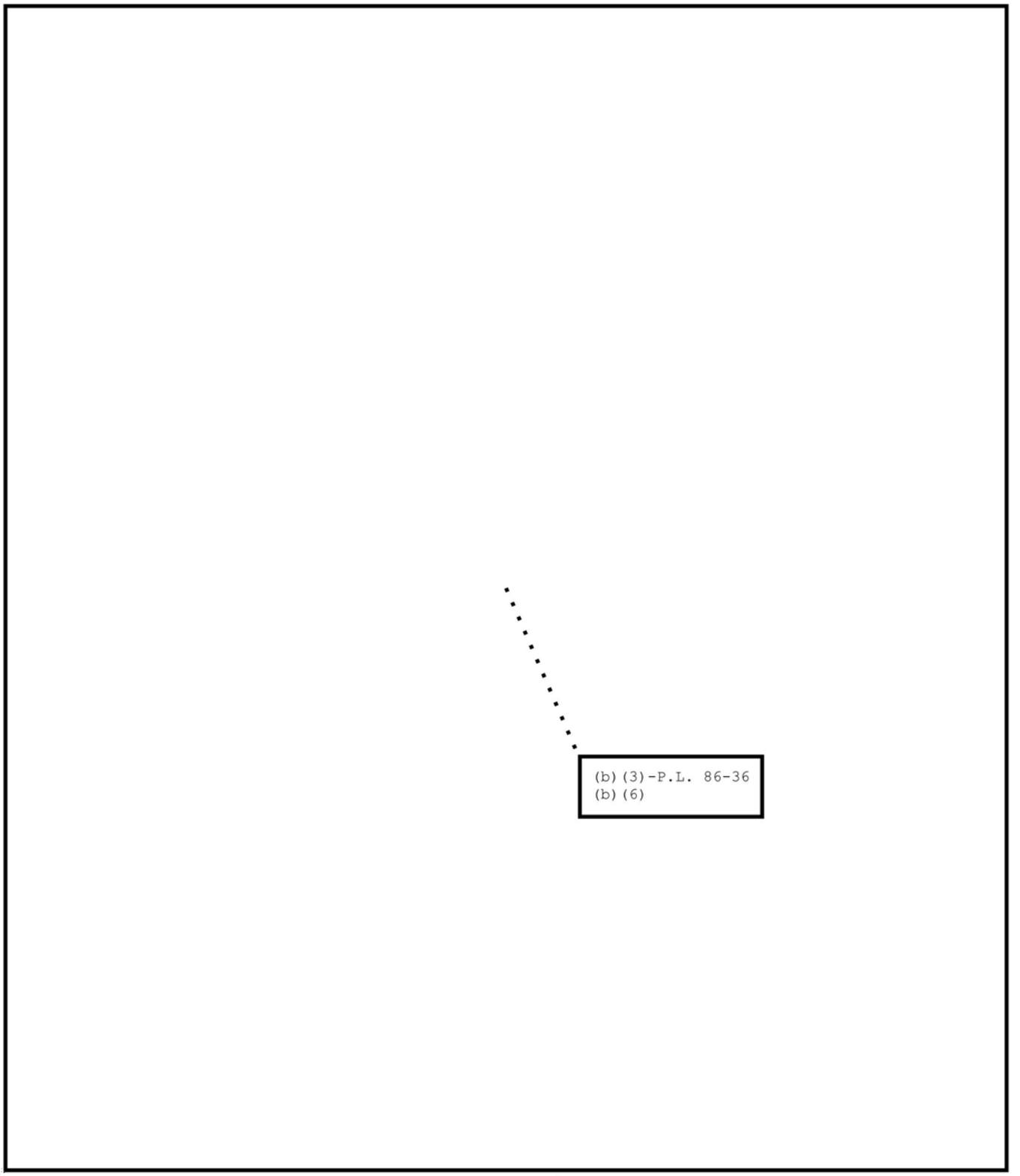

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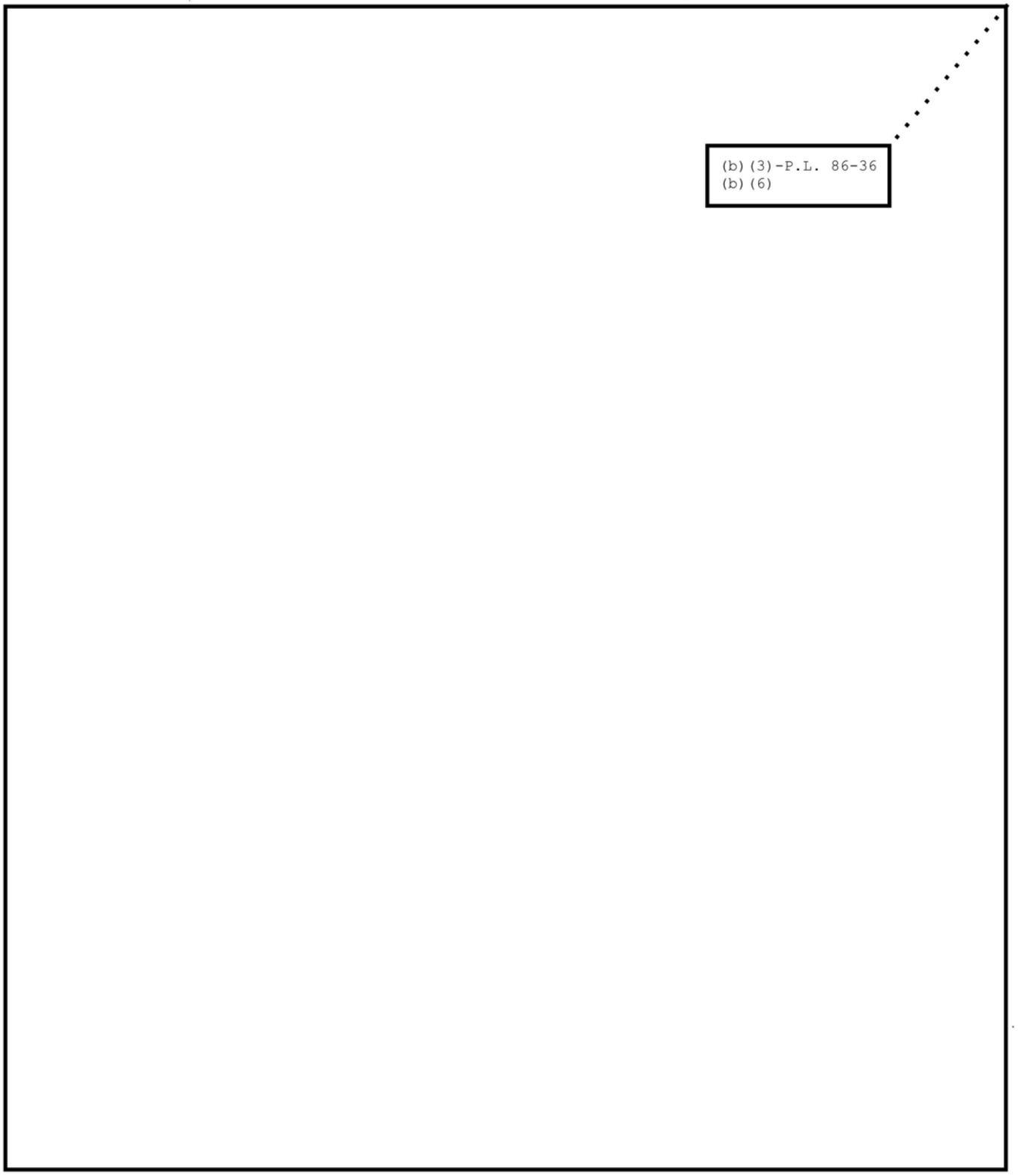

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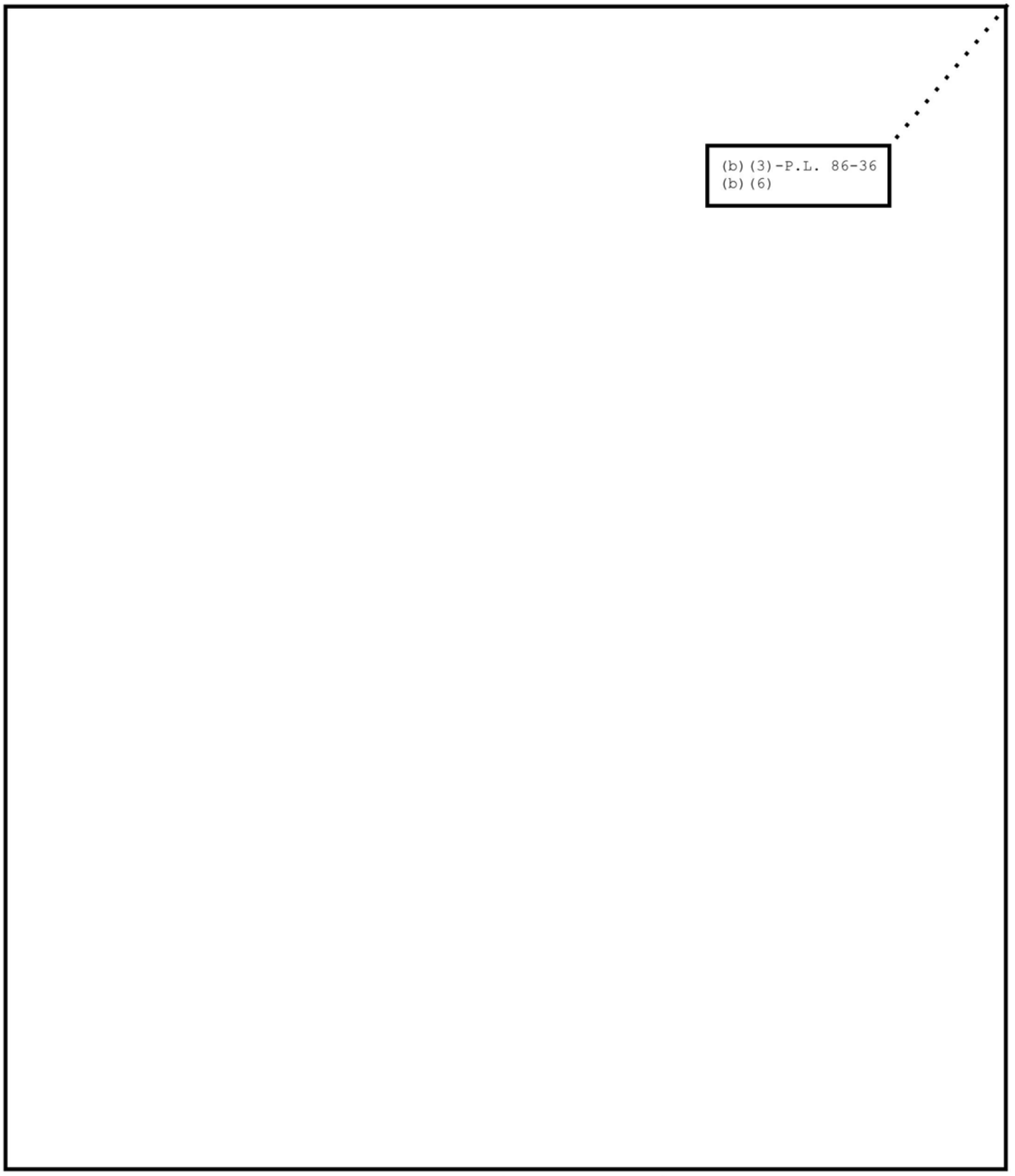

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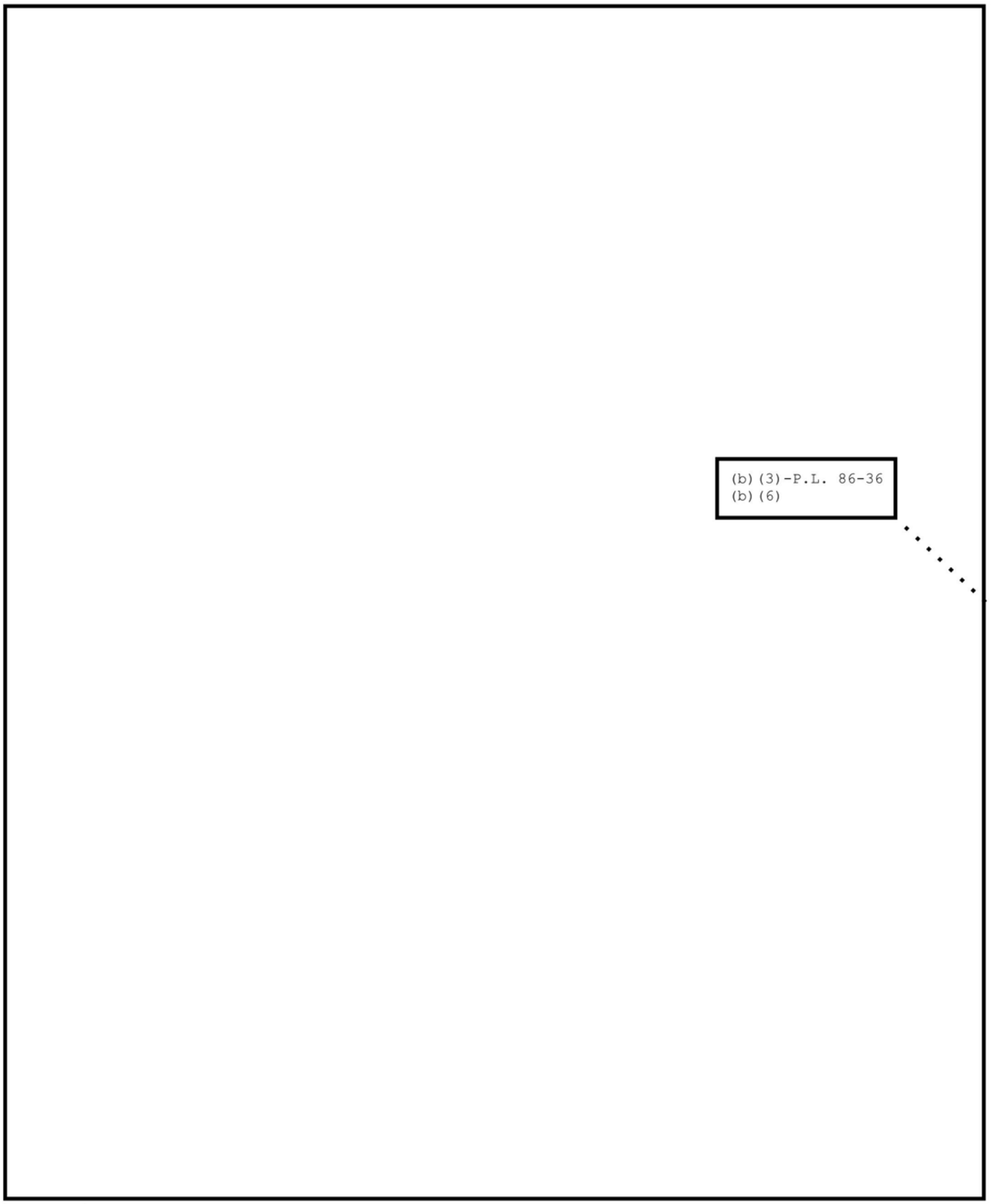
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(b)(3)-P.L. 86-36

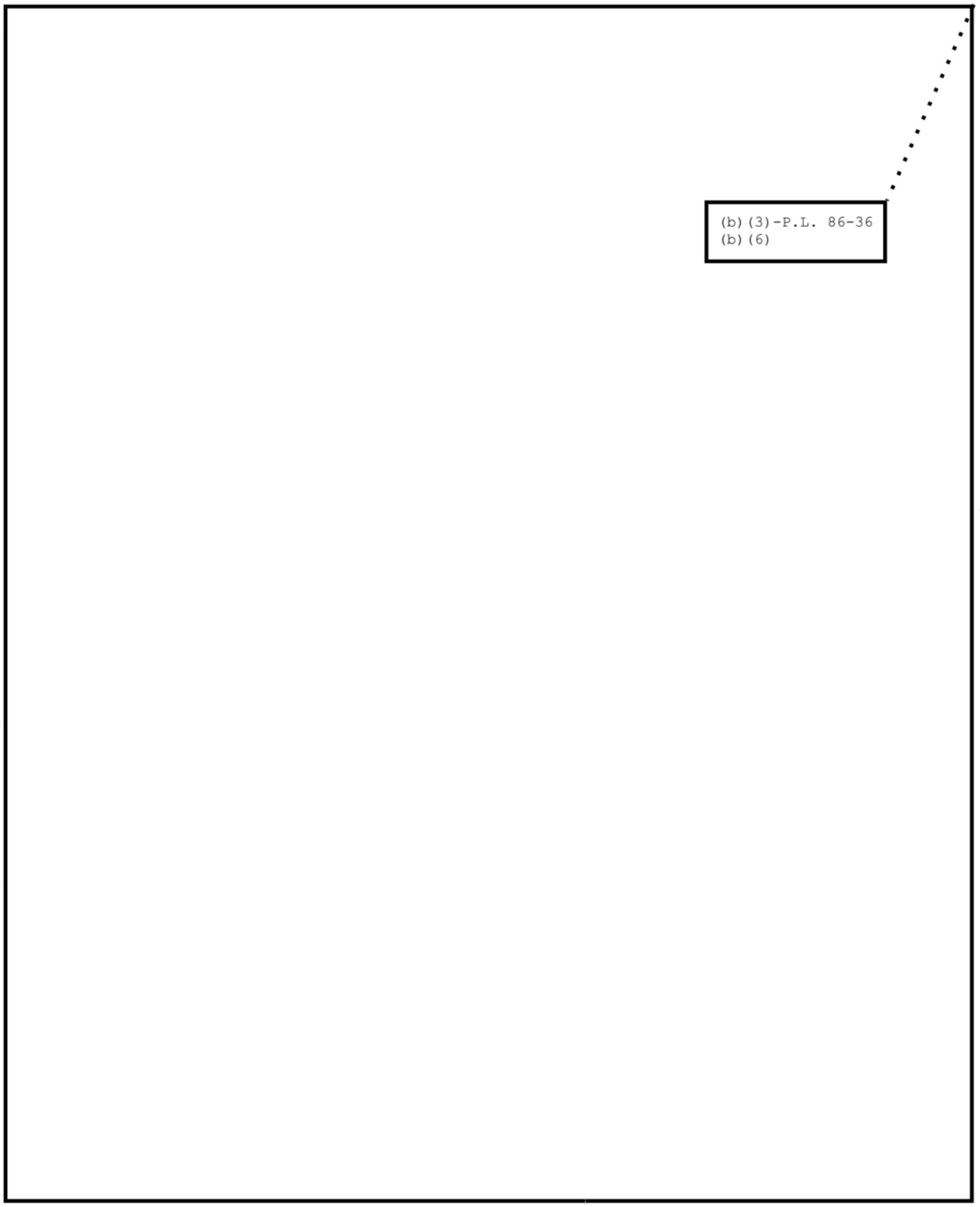
Release 2021-5
NSA 15377

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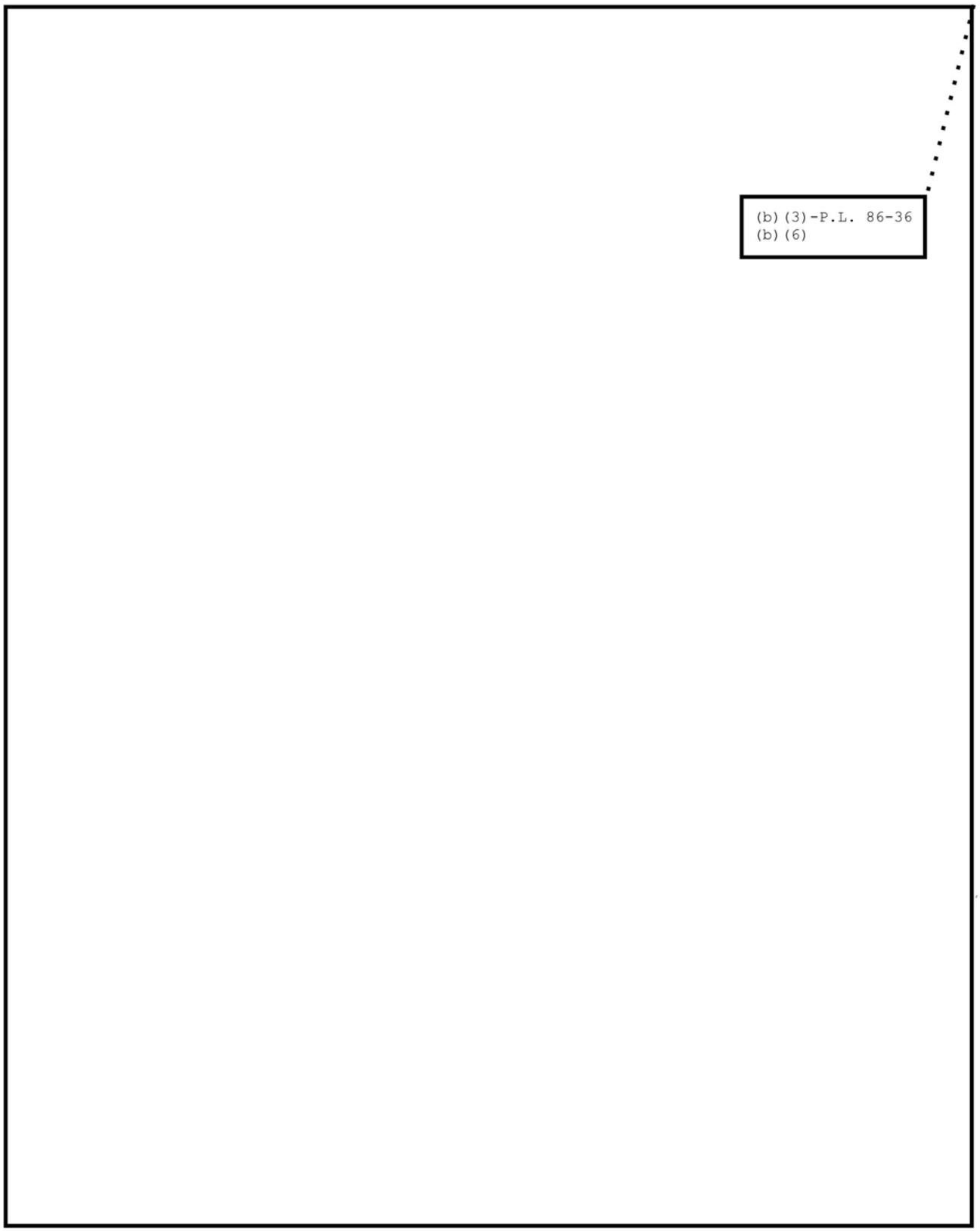
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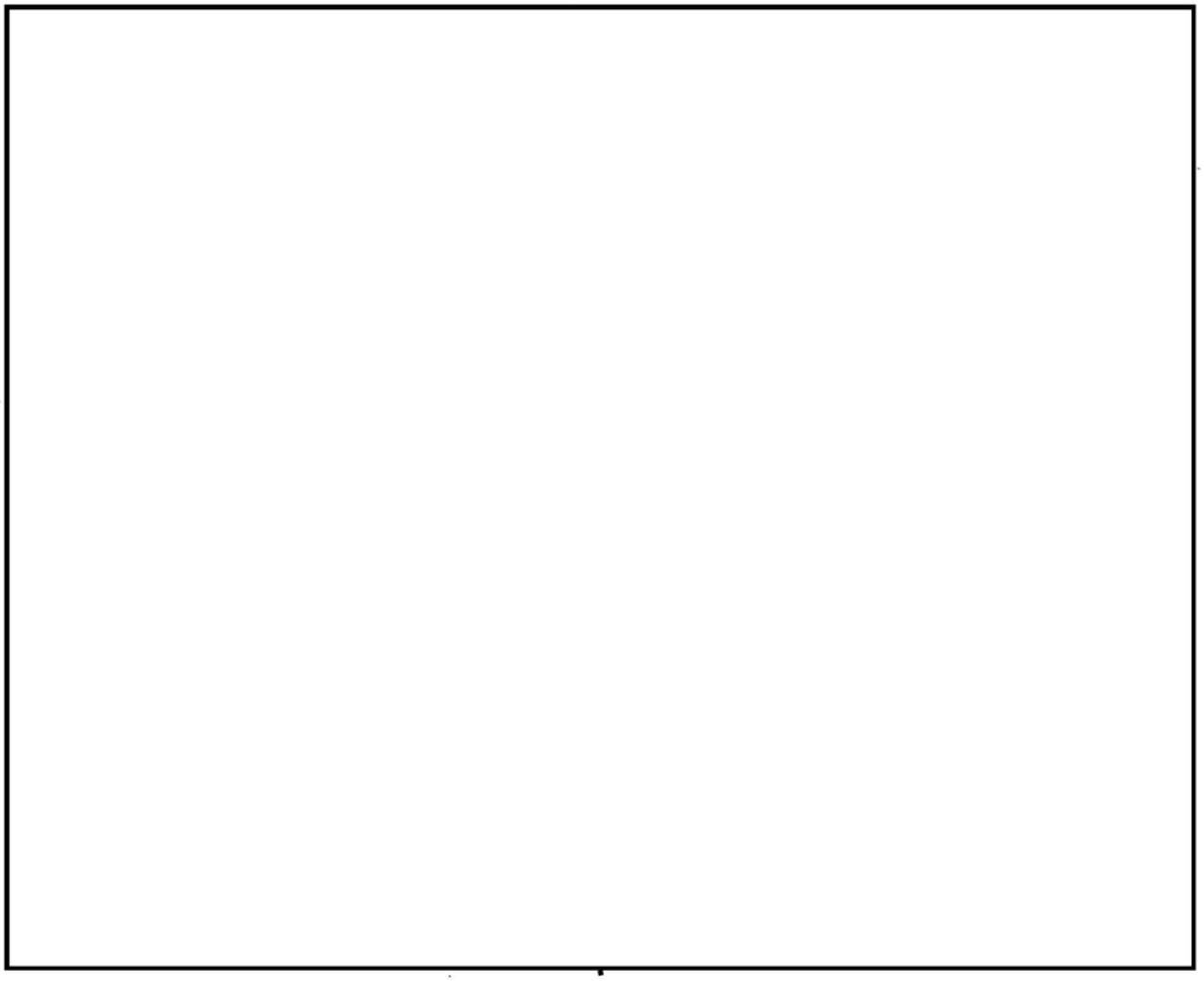
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(b)(3)-P.L. 86-36
(b)(6)

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NSA 15382

Doc ID: 6724685

APPENDIX D

(U) [redacted] Response to Tentative Findings

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

Release 2021-5
NSA 15383

EMPLOYEE COMMENTS REGARDING OIG CONCLUSIONS

Efficient performance of assigned duties:

- Dispute the charge: ***"failed to give thorough, efficient and industrious service in the performance of your assigned duties, in violation of PMM Chapter 366, Section 1-3(E)"*** .

- Have statistics and documentation to dispute this statement. As you stated above, supervisor indicated "stellar performance."

- Chatted and worked at the same time - all work duties were always completed, and I have received numerous awards and excellent ACE scores for my work. These actions never impacted my job duties, and there are no complaints, or negative comments, to any one in my management chain regarding my performance in the [redacted] organization to support this claim.

- Regarding the spending of 2-4 hours *every day* chatting for one year. That amount of time on *some days, possibly on some weeks*, maybe, but this did not occur every day. Again, when it did occur, my work was still completed at all times. My job as a Systems Support Specialist is largely based on customer demand, and at no time did my work suffer from these actions. I am extremely dedicated to all of my customers, and I am quite certain that any one of them would confirm the excellent level of service I have provided during my time in this job.

- Arrive at work between 0430-0445, stay until 1330, do not earn credit hours, and do not take a lunch, extra time given because I am dedicated to the mission of NSA and go above and beyond normal expectations.

PRIVAC statements/Personal Information:

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

- Dispute the charge "**NSA/CSS PMM Chapter 366 Section 2-4 states that employees will protect all unclassified sensitive, personnel privileged, and Privacy Act information in accordance with all applicable laws, regulations and procedures.**"

- Have held a clearance for 24 years and have never abused any systems, or accesses of any kind. Trust with data systems and accesses have never been questioned, and have never committed any act to give anyone reason to question trust in this area, and would never do so in the future. I am completely aware of the importance of protecting unclassified sensitive, personnel privileged information. The only purpose for having PRIVAC access is for the installation of scanners, software, and hardware, which is required in my position as a Systems Support Specialist in the [redacted] organization.

- Have not now, nor have I ever had access to any sensitive personnel information obtained from my computer. This charge is referring to information that was obtained verbally, by rumor, or the individuals to which the information (scores, complaints, etc.) refers. No manager has ever shared this information with me personally, and no information was ever placed on a shared drive to which I had access.

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

- Bonus cut off scoring/calibration of scores - not obtained by shared directory, manager, or using PRIVAC accesses. Many employees in [redacted] were already aware of this information, and it was discussed openly. This type of information gets out, just as promotion information leaks out before promotions are officially announced.

- [redacted] and I were verbally told by [redacted] that her ACE score was 4.0. This score was not accessed on a shared drive, or told to us by a manager. Any ACE data placed on any shared drive to which I may have access to is strictly historical data, which is irrelevant to any current ACE cycle.

- Calibrated ACE scores - have written documentation that scores are changed by [redacted] Management to [redacted] Management giving the employee an unfair advantage for promotions and/or bonuses. I received a score of 4.2 and was later told they were calibrating it to 4.0. Management did not agree with the calibration, and requested that it remain at the original 4.2. After strongly justifying the original score, it was approved to be changed back to the original score of 4.2. [redacted] was told he received a 3.9 score on his ACE, but was then advised by his management they had to "calibrate" the score to 3.8, which would take him out of the bonus range.

- The statement: "she helps when there is trouble with it" refers to assisting with the draft of a reconsideration of [redacted] ACE score. I am not now, nor have I ever been in a position of influence, or have access to any means to give [redacted] an unfair, or competitive advantage to receive bonuses, promotions, or any other type of recognition.

- [redacted] (the EEO Complaint Filer) informed [redacted] and me all the details of her pending case, and no information regarding her case was discussed further. The EEO Office faxed information to the [redacted] office fax. [redacted] went to retrieve an unrelated fax and inadvertently picked up the fax sent by EEO. He saw his name on the complaint, and noticed a comment regarding him receiving more work than [redacted] This does not seem to be the appropriate manner to transmit personnel privilege EEO case information. When the case was discussed with [redacted] no details were ever placed on a shared drive, shared by any manager, or myself.

- I can obtain at a minimum of 50-100 written statements from co-workers, peers, and managers to state that I am a valued, respected, trusted, employee with sensitive data and have an excellent work ethic.

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APPENDIX E

(U) Transcript of Portion of OIG Interview with [redacted]

Dated 2 June 2015

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

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Transcript of OIG Interview with [redacted]

(b)(3)-P.L. 86-36
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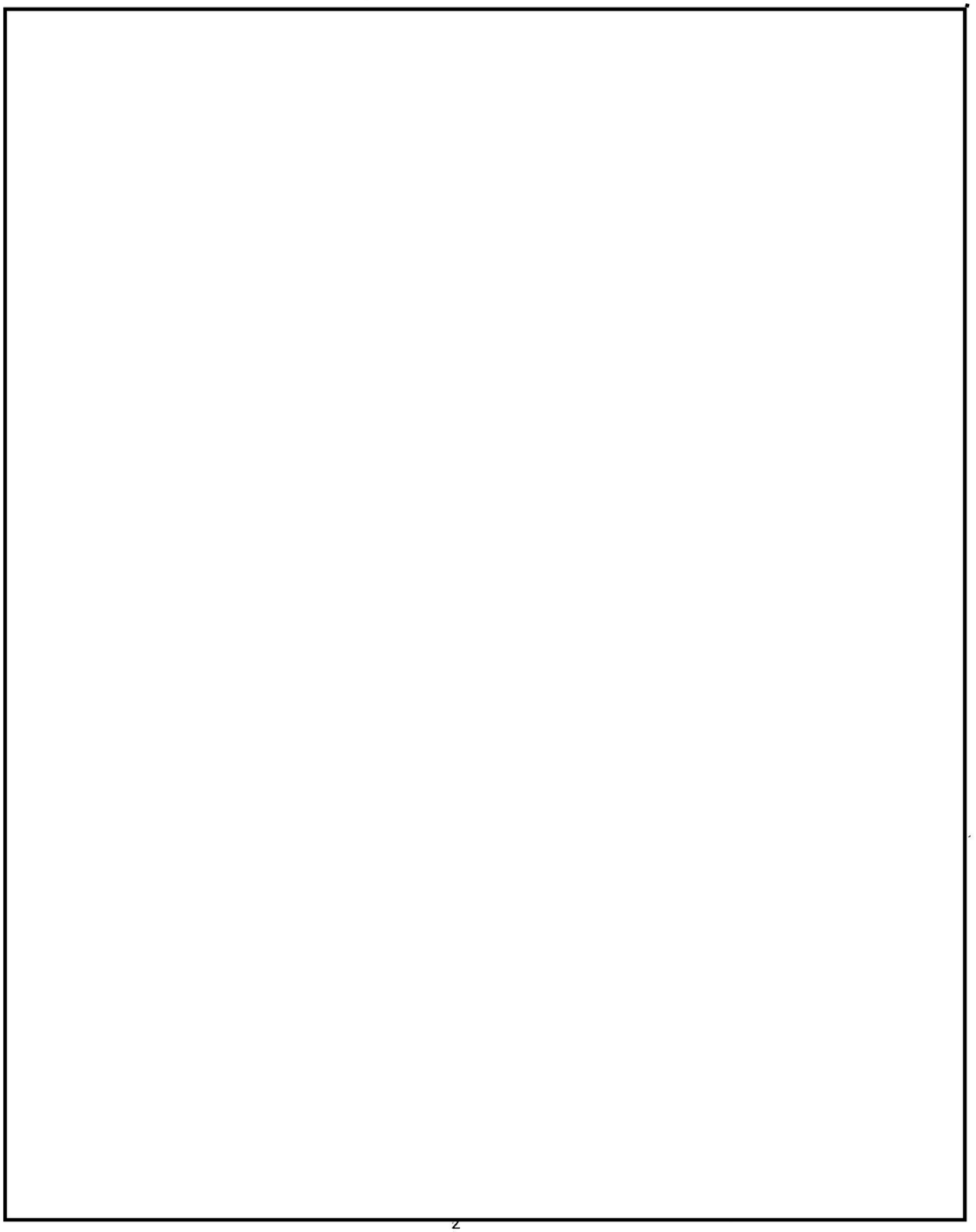
(Select Portions Related to Her Response to the Tentative Conclusions)

2 June 2015

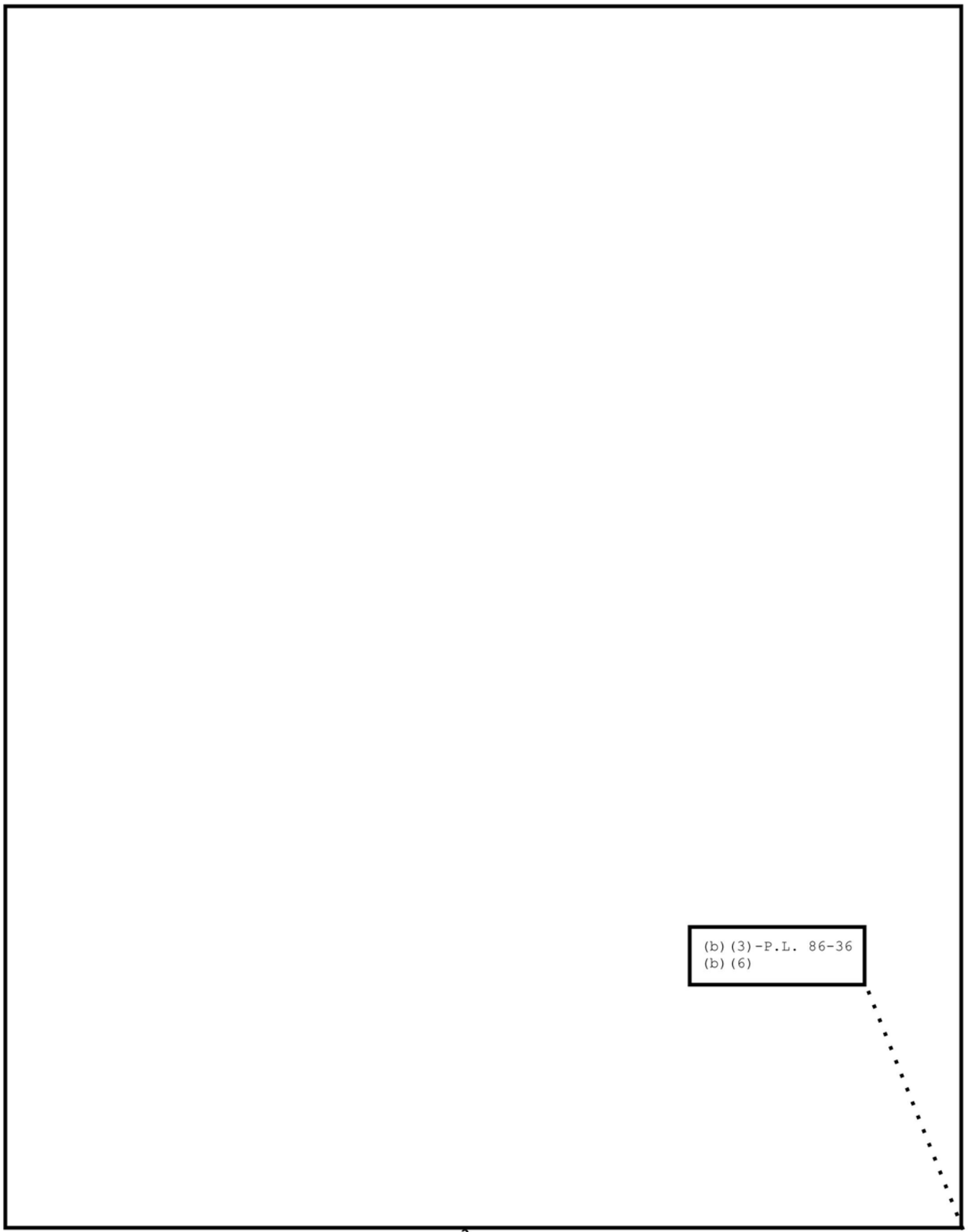
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(b)(3)-P.L. 86-36
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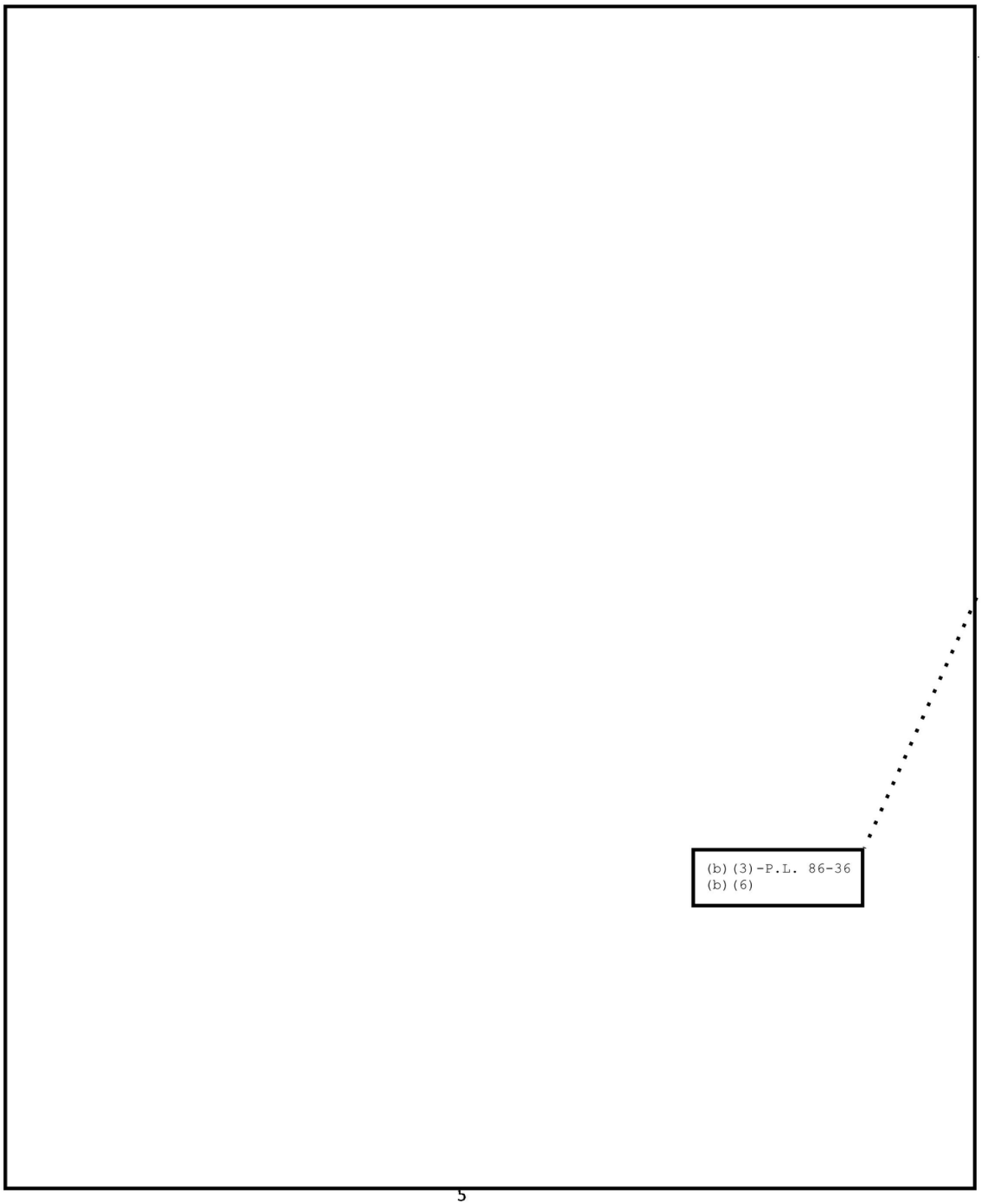


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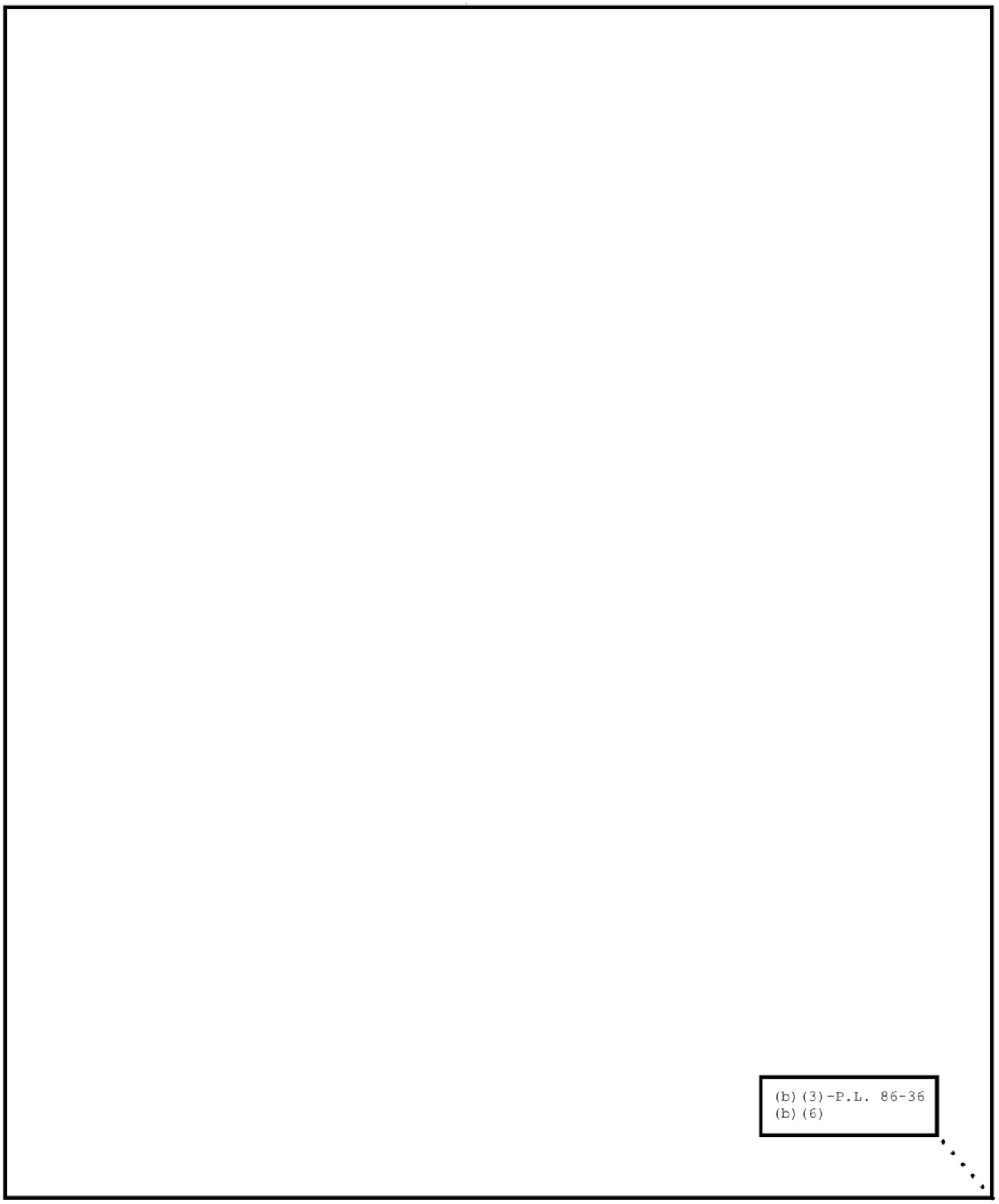
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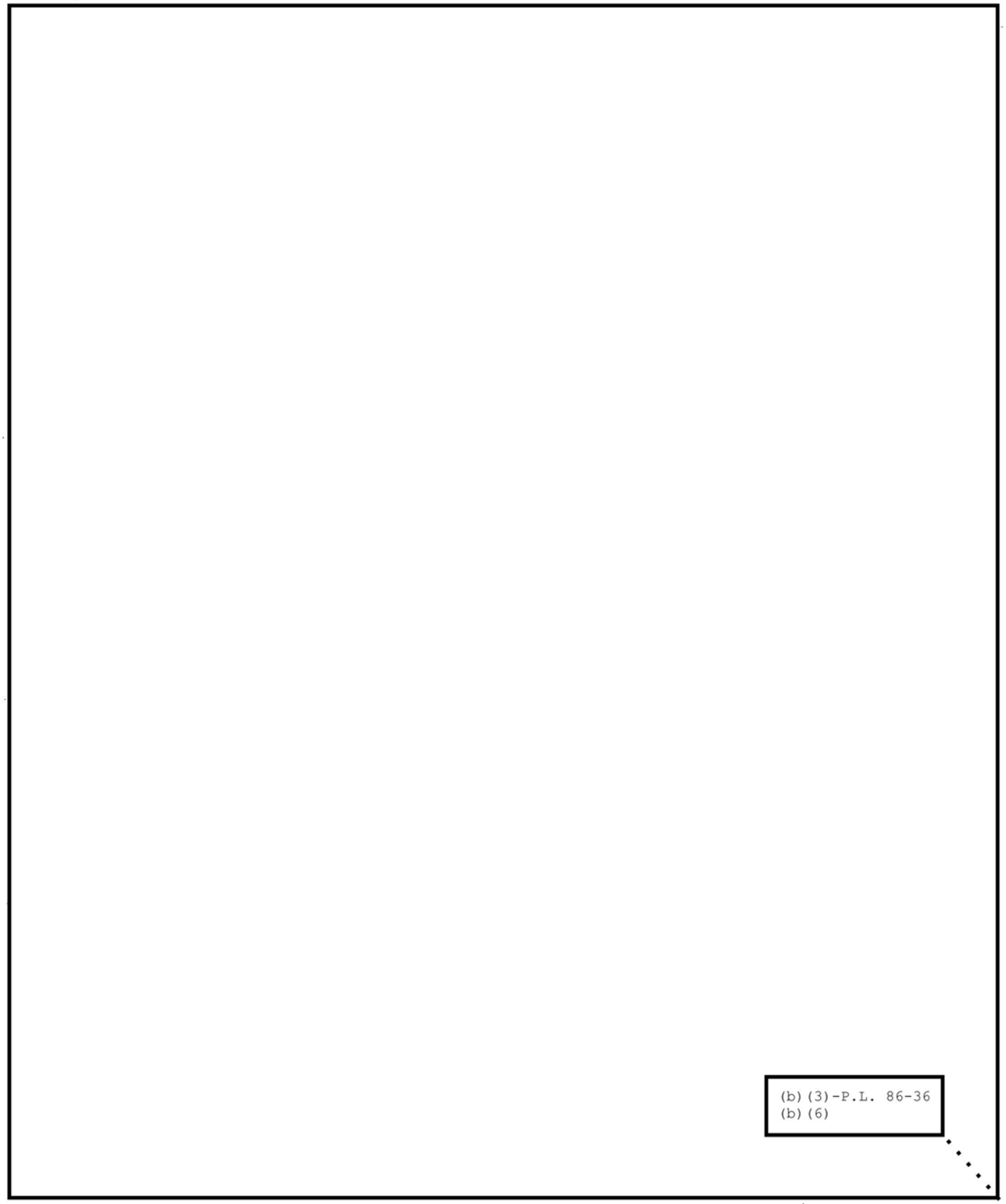
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Release 2021-5
NSA 15398

(b)(3)-P.L. 86-36
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Release 2021-5
NSA 15399



Release 2021-5
NSA 15400

[redacted]

(U//~~FOUO~~) The remainder of the interview was captured in the writeup of [redacted] *interview with the OIG on 2 June 2015.*

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

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