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NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE



INSPECTOR GENERAL

REPORT OF INVESTIGATION

11 March 2015

IV-14-0048

Hostile Work Environment

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

Approved for Release by NSA on 07-30-2021, 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 31 October 2013, the NSA/CSS Office of Inspector General (OIG) received an allegation that [redacted] GG-15, Chief, [redacted] created a hostile work environment. [redacted] was alleged to have yelled, thrown objects, banged his fists on the desk, poked someone, denied someone a deployment opportunity, and held someone back from reassignment longer than necessary.

(U//~~FOUO~~) Interviews of 13 witnesses revealed that [redacted] used both actions and words that denigrated and showed hostility toward NSA affiliates. The majority of witnesses testified that [redacted] used offensive language, ridiculed people, and yelled on a regular and recurring basis. Several witnesses observed physical aggression from [redacted] including throwing objects, slamming his fists on the desk, and poking one individual in the shoulder. Two witnesses stated that they felt like [redacted] was "about to jump you" or "going to get on you." The OIG also found that [redacted] intimidating verbal and physical conduct both created a hostile work environment and interfered with individuals' work performance. Several witnesses testified that [redacted] made the workplace uncomfortable. One witness stated that [redacted] outbursts created a poor working environment and that people hid from him. Another stated that [redacted] made it so that people did not like to come to work. Two witnesses claimed that [redacted] behavior interfered with their ability to get their jobs done. One individual had designated himself [redacted] "chaperone" to prevent him from getting aggressive with [redacted] staff. Ultimately, two witnesses left the organization because of [redacted] conduct.

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(U//~~FOUO~~) The denial of the deployment opportunity and the 48 day hold for reassignment did not constitute hostile acts and were determined to be within [redacted] purview and justifiable.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that, [redacted] engaged in conduct that created a hostile work environment and interfered with individuals' work performance in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §1-3(E), §§2-1 (A), (E) and NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment.

(U//~~FOUO~~) A copy of the NSA/CSS OIG report will be forwarded to Employee Relations for information and appropriate action. A summary of the findings will also be forwarded to the Associate Directorate for Security and Counterintelligence (ADS&CI).

II. (U) BACKGROUND

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(U) Introduction

(U//~~FOUO~~) entered on duty with NSA on In September 2011, he became Chief of the The is a division of mission is to

(U//~~FOUO~~) Following is an organizational diagram with the names and positions[1] of the witnesses who testified for the investigation.

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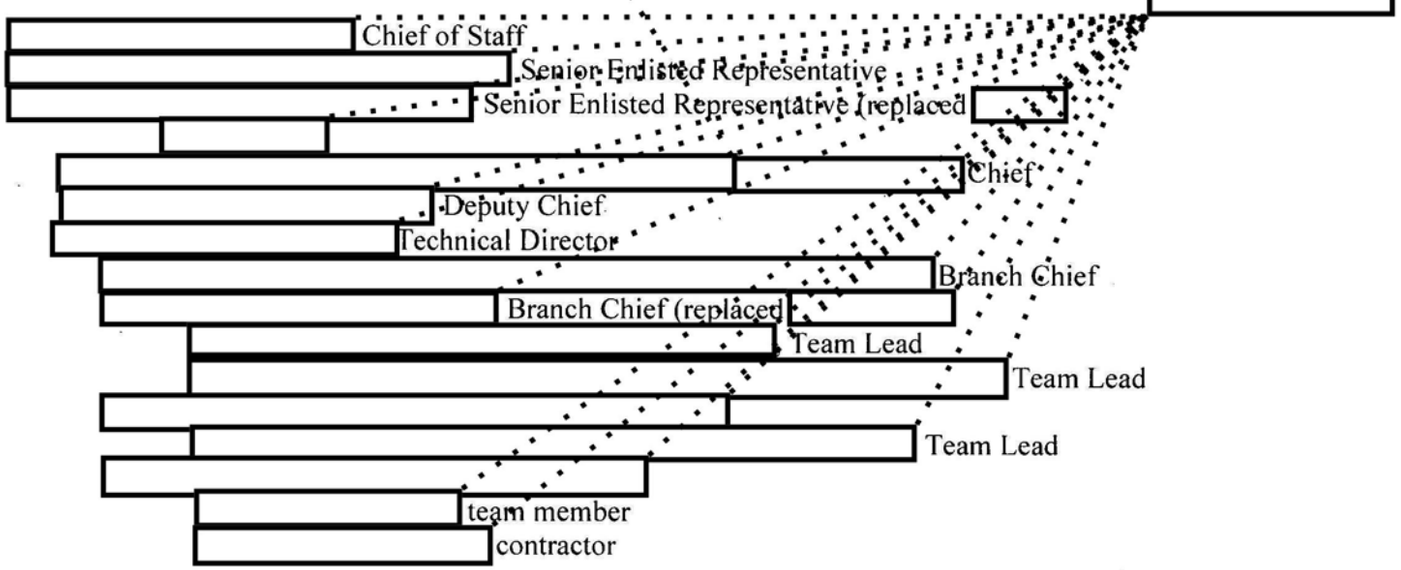

(U) Applicable Authorities

(U) See Appendix A for the full citations:

- (U) NSA/CSS PMM, Chapter 366, §1-3(E) and §2-1(a)(e)
- (U) NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment

[1] (U//~~FOUO~~) These are the positions occupied by the individuals when they witnessed conduct; many have since moved to new positions.

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III. (U) FINDINGS

(U//~~FOUO~~) ***ALLEGATION 1****: Did* [redacted] *engage in conduct that created a hostile work environment and interfered with individuals' work performance in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §1-3(E), §§2-1 (A), (E) and NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment?*

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

(U) Testimonial Evidence

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

(U//~~FOUO~~) On 13 March 2014, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] formerly worked in [redacted] At the time, [redacted] was Chief of [redacted] Approximately two years ago, [redacted] called a meeting in the office conference room to discuss metrics. [redacted] was upset because the metrics he had wanted had been changed. [redacted] was "cussing and carrying on." He was using expletives and yelling loudly enough to be heard in the hallway. This was "normal" behavior for [redacted]. Those present explained that the metrics changes were requested by the Deputy Chief. In a fit of anger, [redacted] threw papers he was holding, hitting [redacted] in the face. Because of [redacted] outburst; [redacted] got up and left the meeting.

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(U//~~FOUO~~) On another occasion, [redacted] came to [redacted] desk and said he needed to see [redacted] and [redacted], in his office. [redacted] was upset that [redacted] had sent an email to the upper management without consulting with him first. [redacted] blamed [redacted] (who was the acting [redacted] Chief) for allowing [redacted] to send the email. Earlier, [redacted] had told the [redacted] to let him know if people (such as the Technical Director) requested information. [redacted] pointed out that [redacted] did let [redacted] know, by copying him on the email; [redacted] had never said to show him email *before* it was sent. Furthermore, [redacted] did not know anything about the email; he had not been copied. Throughout the meeting, [redacted] was slamming things, banging his fists on the desk, and swearing. [redacted] told [redacted] to calm down. [redacted] replied that he "didn't have to fucking calm down." [redacted] and [redacted] then left [redacted] office.

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(U//~~FOUO~~) After the meeting, [redacted] typed up an email[2] explaining what happened and sent it to his chain of command, [redacted] and [redacted]. [redacted] and [redacted] asked [redacted] to verify what [redacted] had written. [redacted] confirmed that it had happened as [redacted] wrote. Later, [redacted] told [redacted] that the military chain of command had had a meeting with [redacted]. They reportedly told [redacted] that they could not tolerate him disrespecting the military personnel. They warned that if there was another such incident, they would have to remove all Navy personnel. [redacted] complaint was not the first they had received about [redacted]. After the conversation with [redacted] and [redacted], [redacted] invited [redacted] and [redacted] into his office and apologized.

(U//~~FOUO~~) About 1-2 years ago, [redacted] the desk manager, told [redacted] about an incident that happened on the [redacted] floor. Something had gone wrong with the computer systems and [redacted] was furious. He blamed [redacted] who had only been with the organization for a couple of days and was being trained. In frustration, [redacted] poked [redacted] in the chest. Although [redacted] was not present, many people witnessed the incident. [redacted] reportedly asked [redacted] if he wanted to report the incident, but he declined since he was new.

(U//~~FOUO~~) The final straw for [redacted] came when [redacted] yelled at him for not doing his job and being irresponsible. [redacted] said that he knew [redacted] was applying for other jobs and deployments and vowed to blackball him if someone called for a reference, and that is what happened. [redacted] received a phone call from a deployment officer, who said that she had been told by [redacted] that [redacted] was not an ideal candidate for deployment. [redacted] asked her why and she said that [redacted] said he had "time issues." [redacted] asked [redacted] what "time issues" he was referring to. [redacted] instructed him to discuss it with [redacted] was busy when [redacted] stopped by, so [redacted] sent [redacted] an email. In the email, he said [redacted] had incorrectly named his timecard. He also alleged that [redacted] had missed meetings. [redacted] missed only two meetings, both of which he had informed [redacted] about in advance.

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(U//~~FOUO~~) [redacted] met with [redacted] Deputy Chief of the [redacted] after obtaining a promise from him that he would not relate what was said to [redacted]. [redacted] said that it did not make sense that he was suddenly being accused of not doing his job, since [redacted] had previously told him he was doing a great job. [redacted] replied that they wanted him to do "more" and that if he couldn't get the file name right on his timecard, he couldn't be trusted to forward deploy. The following morning, [redacted] told [redacted] that he had been told that he had disrespected [redacted] and apologized. At that point, [redacted] knew that [redacted] had told [redacted] about their conversation.

(U//~~FOUO~~) [redacted] was selected for assignment in [redacted] held him longer than necessary and lied to the gaining office about [redacted] non-existent need to close out ACE evaluations. [redacted] told [redacted] that he was going on vacation and that he needed to be

[2] (U//~~FOUO~~) See Appendix C.

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there to out-process him and close out his ACE. argued that or could do it in his absence. Furthermore, had completed all of the transitional actions he needed to do two weeks before they decided to hold him longer. He had completed the checklist.

(U//~~FOUO~~) believes he was being singled out for this mistreatment.

(U//~~FOUO~~)

(U//~~FOUO~~) On 4 April 2014, contractor, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) knew from his time supporting on the desk, between September 2011 and November 2012. saw every morning at the 0900 stand-up.

(U//~~FOUO~~) One morning, in approximately April 2012, was very upset because something that happened on the watch floor had not been immediately reported to him; he learned about it instead at the 0900 briefing. expressed his anger by poking in the shoulder hard, about four times. felt intimidated and that his personal space had been invaded. The incident took place on the floor in the presence of many people, including Deputy, . Afterward, typed up an email describing what had happened and his discomfort with it. He asked his government lead whom to send it to. They told him to just forget about it; that his email would only make matters worse. was initially shocked and upset about the incident, but eventually let it go.

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(U//~~FOUO~~) otherwise never witnessed yell, borate, or use offensive language. His subsequent interactions were always professional. , did, however, hear people talk about behavior. was visibly upset after one interaction with . provided the name of another contractor who told him that he had drafted an email to send to his management concerning his discomfort with screaming.

(U//~~FOUO~~)

(U//~~FOUO~~) On 3 April 2014, retired NSA employee, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) worked in from approximately September 2009 to June 2011. had almost daily interaction with for a year, because was responsible for metrics for the entire division.

(U//~~FOUO~~) was a new organization and senior leadership wanted to see progress. Thus, was driven to provide results and was trying to push things along. However, objected to the manner and methods that used to accomplish these results.

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(U//~~FOUO~~) [redacted] did not behave professionally. He was extremely critical of everyone. However, he did not voice his criticisms in private. Instead, he yelled at people, right in their faces, in meetings, the hallway, and at their desks. He ridiculed and criticized people in front of their coworkers.

(U//~~FOUO~~) [redacted] offered as an example a time when he was tasked to put together a presentation. He brought his draft to [redacted] for feedback. [redacted] told him to brief it to a group of 40, including [redacted] Deputy, two or three branch chiefs, and co-workers. [redacted] explained that he was not ready to present it yet but [redacted] insisted. When [redacted] began briefing, [redacted] interrupted him and yelled at him in front of everyone about how he failed to follow instructions.

(U//~~FOUO~~) [redacted] did not recollect [redacted] ever swearing or using offensive gestures. To his knowledge, [redacted] had never physically touched someone in anger. [redacted] did throw papers occasionally and once tossed some at him during a division meeting. [redacted] outbursts were almost daily and resulted in a poor working environment. Everyone was afraid of being yelled at; even the branch chiefs were scared of him. People used to hide when they knew he was coming. He made everyone very upset which made working there difficult. [redacted] also circumvented his branch managers and went directly to the employees to "jump all over them." As a result, people did not know what to expect.

(U//~~FOUO~~) Ultimately, [redacted] left the office because of the environment. [redacted] told his manager that he was leaving because of [redacted]

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(U//~~FOUO~~) [redacted] was always very respectful to his peers and those senior to him in the chain. To his knowledge, no senior had ever witnessed [redacted] inappropriate behavior.

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

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(U//~~FOUO~~) On 10 April 2014, [redacted] Mission Manager, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] was a team lead of the [redacted] desk from September 2010- April 2013. [redacted] arrived in the organization about one year after [redacted]. From that time forward, she had daily interaction with him.

(U//~~FOUO~~) [redacted] said that [redacted] was angry about something in approximately half of her interactions with him. About 2 to 3 times a week, he got particularly intense and yelled. [redacted] attributed his anger to products not meeting his standards or lacking timeliness. She thought the yelling was intended to bring about changes in the way products were produced. Although [redacted] was not offended by it, [redacted] did use curse words on occasion. He also insulted people or implied that they were inadequate. It made people defensive, as though they were being attacked.

(U//~~FOUO~~) On one occasion, [redacted] witnessed [redacted] poke a co-worker, [redacted], in the shoulder, trying to make a point. [redacted] was visibly upset about being poked and later

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expressed his frustration to her. [redacted] advised him to let it go and that it was nothing "to lose a job over." [redacted] believed that as a contractor, the likelihood of [redacted] losing his position was good. [redacted] had said over and over, "I'm in charge. This is my area." [redacted] had no doubt that if someone confronted [redacted] over something like that, [redacted] would get rid of him. In general, people were afraid to bring their complaints forward. Many people told her that they were afraid to speak their minds. [redacted] was not going to complain. As a probationary employee, she knew that she was like a contractor and that "they didn't have to have a real reason to get rid of me."

(U//~~FOUO~~) Getting yelled at upset [redacted], but did not interfere with her ability to do her job well. She had people in the office to whom she could vent her frustration. Although she learned to deal with it over time, she still had to "get into the frame of mind" to go to work. Ultimately, [redacted] behavior caused her to leave the organization, which she did as soon as her probationary period ended.

(U//~~FOUO~~) [redacted] behavior affected the work environment as well. She could overhear him yelling at other people and knew that others could overhear when he yelled at her. Co-workers confided in her that they did not like to see [redacted] coming. They felt like they were being put "through the ringer" and had to "brace for it" when he approached. He made it so that a lot of people did not like coming to work. [redacted] did not believe it was [redacted] intent to create a hostile work environment, but rather to make sure everyone knew he was in charge. The way he went about it was very harsh.

(U//~~FOUO~~) Other managers, such as [redacted], sometimes attempted to diffuse [redacted] anger. However, [redacted] whole demeanor changed when he was among his peers or seniors.

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

(U//~~FOUO~~) On 3 April and 17 November 2014, [redacted] was interviewed and provided the following sworn testimony.

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(U//~~FOUO~~) [redacted] has worked in [redacted] since March 2012. [redacted] had frequent interaction with [redacted] interactions with government employees and military personnel were angry and hostile. He was less aggressive with contractors. He had a temper and a hostile tone of voice. [redacted] observed [redacted] yell, slam the desk, throw pens, and push chairs. Although [redacted] never saw [redacted] throw an object directly at someone, he was afraid that [redacted] would eventually throw something at someone.

(U//~~FOUO~~) [redacted] did not use foul language, but what he said was offensive. For instance, he witnessed [redacted] call [redacted] Team Lead for the [redacted] "incompetent" and said he was "always screwing up." [redacted] did not touch anyone in anger, but [redacted] felt threatened nonetheless. [redacted] was unpredictable and when he got angry, it "looked like he was about to jump you." [redacted] was not the only one who felt

threatened by [redacted] Several of the contractors on [redacted]'s team expressed how intimidated they were by [redacted]

(U//~~FOUO~~) [redacted] did not think that [redacted] behavior was designed to help the mission. He just wanted things to be done the way he wanted, not necessarily in the best way to fulfill the mission. For instance, when he got mad at [redacted] would threaten to "fire" all of the contractors on [redacted] team. Such an action, if taken, would be a detriment to the mission. He also threatened not to recommend [redacted] for promotion.

(U//~~FOUO~~) [redacted] described one incident that occurred in July 2013[3], when [redacted] was more livid than he had ever seen him. [redacted] yelled at him and [redacted] asked him not to get aggressive with him. [redacted] wrote up details of the incident and sent them to his chain of command, senior enlisted leader [redacted] and his replacement [redacted][4]

(U//~~FOUO~~) [redacted] behavior adversely affected the work environment. It interfered with his ability to do his job. After the incident in July, [redacted] could not focus for a couple of days afterward. Everyone was uncomfortable, which prevented team cohesion. People who complained were replaced or moved. Turnover is high. The branch chief position has been held by 4 people in 2 years.

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

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(U//~~FOUO~~) On 2 June 2014, [redacted] USAF, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) In about June/July 2013, [redacted] was assigned to take over for [redacted] USN, as the senior enlisted representative in [redacted] stayed in his position until approximately February 2014.

(U//~~FOUO~~) [redacted] did not witness [redacted] interactions with other employees, but heard stories from his enlisted personnel. According to them, [redacted] yelled, swore, and slammed objects. [redacted] never received any reports that [redacted] touched anyone, made any rude gestures, or threw any objects. He estimated he received complaints from five individuals, three of whom complained repeatedly. The morning briefers in particular bore the brunt of [redacted] hostility. After receiving multiple complaints, [redacted] scheduled a meeting to discuss the issue with [redacted] Initially, [redacted] denied yelling at anyone. Eventually, he disclosed that he was frustrated because he had explained his expectations repeatedly and yet the staff did not do as instructed. After his talk with [redacted] his behavior reportedly improved. However, [redacted] never attended a morning meeting while assigned to the organization. He was told that if he had been present, [redacted] would have curbed his behavior and not yelled.

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[3] (U//~~FOUO~~) The incident in question actually occurred on 26 June 2013.
[4] (U//~~FOUO~~) See Appendix C.

(U//~~FOUO~~) [redacted] personally experienced one incident, in which [redacted] displayed hostility. [redacted] disagreed with the reassignment of military personnel by [redacted] leadership. [redacted] "looked like he was going to get on me." [redacted] was not personally threatened, because he knew how to handle such people. Another individual who was present at the time agreed that [redacted] behavior was extreme. Nevertheless, [redacted] never reported [redacted] behavior to anyone, because he judged that it was not so severe as to necessitate it.

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

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(U//~~FOUO~~) On 30 June 2014, [redacted] USN, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) From September 2012- September 2013, [redacted] was the Senior Enlisted Leader for [redacted] was one of the Division Chiefs in [redacted] and [redacted] saw him 3-4 times a week or more. [redacted] usually conducted himself professionally, though sometimes when things at work were really busy he would become agitated and short tempered. [redacted] never heard [redacted] make any inappropriate comments, never saw him touch anyone in anger and never saw him throw any objects.

(U//~~FOUO~~) [redacted] initially said that he had never heard [redacted] use abusive or offensive language. Later, he described an incident when [redacted] said to him, "If you want to fucking do my job, go ahead and sit down and do it." [redacted] did not personally consider that language offensive because he's in the Navy.

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(U//~~FOUO~~) [redacted] never heard [redacted] yell at anyone, except for the few occasions he yelled at [redacted]. On one occasion, [redacted] responded in kind and after that, he had no more problems with [redacted] opined that the only reason he was able to stand up to [redacted] was because he did not work for [redacted] and had no fear of reprisal.

(U//~~FOUO~~) [redacted] assessed that [redacted] behavior negatively impacted the work environment. Some civilians and contractors expressed that they did not feel comfortable being around [redacted] and felt that he was demeaning. [redacted] denied threatening to pull military members off of the watch desk as a result of [redacted] behavior. That was the last thing he would have wanted to do after spending so much time trying to build it up. Nevertheless, he made an effort to "shield" his military personnel as best as he could from [redacted] by acting as a go-between whenever possible. [redacted] was surprised that it had taken this long for someone to complain about [redacted]

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(U//~~FOUO~~) [redacted] and [redacted] had an incident with [redacted] in [redacted] office on 26 June 2013. Within a day or two of it happening, [redacted] and [redacted] discussed it with [redacted]. [redacted] recommended that they document it in writing, which [redacted] subsequently did in an email. [redacted] wanted the incident brought to "someone's" attention because he did not want to have to deal with [redacted] anymore.

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(U//~~FOUO~~)

(U//~~FOUO~~) On 20 October 2014, Chief of Staff, was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) has known since he became Chief of the She is not in a position to witness his interactions with subordinate employees. Her interactions with him are limited to staff meetings and visits from him to discuss personnel problems.

(U//~~FOUO~~) could not recollect anyone ever coming to her to complain about behavior. When asked whether anyone had told her about an incident involving and , she replied that had. told her that had told him that felt threatened during the interaction. told in case she heard it from someone else. reportedly said that he thought he had been lied to about unfinished work and he gets upset when he gets lied to. He also admitted to slamming his fist on the desk. told her that he had apologized to replied that all he could do was apologize. She took no further action.

(U//~~FOUO~~)

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

(U//~~FOUO~~) Since became Deputy in June 2012, he has had daily interaction with him.

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(U//~~FOUO~~) "would be better leading a project, not people." When he gets frustrated, bullies and intimidates others. has witnessed him pointing at people, raising his voice, pounding his fist on the table, and cutting people off as they speak. He has seen him tossing papers in frustration; though not tossing them at someone. He has also heard him swear, though not directed at someone (i.e. "I'm tired of this shit.") has never witnessed hit or poke anyone.

(U//~~FOUO~~) estimated that these outbursts happened on average once or twice a month. behavior negatively impacted the work environment; people were afraid for a while, as they observed their branch chiefs getting yelled at in meetings. Some individuals came to him to complain about behavior.

(U//~~FOUO~~) Following an incident in which was aggressive toward a navy enlisted person worried that the Navy might pull their personnel out of the organization. He heard about the incident between and from a third party. He subsequently talked to both parties. vaguely recalled that said that had yelled at him and poked him in the chest. said he

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was upset because of some failure on [redacted]'s part. [redacted] told [redacted] that his behavior was unacceptable and that they had to do something to manage the problem. They agreed that [redacted] would notify [redacted] when his behavior was getting aggressive. One time, [redacted] halted a meeting that [redacted] was leading and excused all of the staff because [redacted] was getting agitated. Later, when they learned that an IG investigation was going on, [redacted] decided that [redacted] should not attend any meeting "unchaperoned." Since [redacted] has to accompany [redacted] to every meeting, it makes it difficult for him to get his job done.

(U//~~FOUO~~) Since [redacted] learned of the IG investigation, [redacted] has seen some improvement in [redacted] behavior. However, last week [redacted] had an argument with the branch chiefs while [redacted] was away. So, he found himself trying to "clean up" afterward. He remarked that, "this is not sustainable." (b) (3)-P.L. 86-36 (b) (6) (b) (3)-P.L. 86-36

(U//~~FOUO~~) [redacted] reported the problems with [redacted] to the [redacted] Chief and Deputy Chief about one year ago. Word was getting around that the [redacted] was not a good place to work because of [redacted]. [redacted] assured senior leadership that he and [redacted] were working on the problem.

(U//~~FOUO~~) [redacted] had limited visibility into [redacted] performance, because he was one level removed. [redacted] direct supervisor was [redacted] characterized [redacted] performance as "less than stellar." He had a tendency to call out sick or be late when something was due. His missed several [redacted] meetings[5] and was frequently late with deliverables. He was aware that [redacted] desired to deploy and that [redacted] and [redacted] did not support him. In fact, [redacted] came to him to complain about the lack of support. [redacted] explained to [redacted] that if his performance at the Agency was not meeting expectations, then they were unwilling to support a deployment. [redacted] did not think it was inconsistent that leadership did not support his deployment but did select him to be a team lead and the [redacted] liaison. It was difficult to fill these positions; "if you can fog a mirror, here you go." The [redacted] liaison position was a growth opportunity, he might have made a name for himself had he represented the organization well.

(U//~~FOUO~~) [redacted] (b) (3)-P.L. 86-36

(U//~~FOUO~~) On 16 January 2015, [redacted] Technical Director, [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] explained the context of [redacted] disagreement with [redacted] on 26 June 2013. The technical director of [redacted] had been reaching down and tasking the [redacted] directly, bypassing [redacted] leadership. [redacted] leadership discussed the issue and [redacted] told the staff to "just keep us informed" in the event it happened again. Following the incident between [redacted] and [redacted] sent out an email

[5] (U//~~FOUO~~) [redacted] was assigned as the [redacted] customer representative to the [redacted] team.

recounting what happened.[6] [redacted] thought he was copied on [redacted] email because he was present for the discussion with the staff. [redacted] was surprised by what he read; because desk-pounding is "physical" and it seemed an extreme reaction to a minor issue. It was "making a mountain out of a small problem."

(U//~~FOUO~~) Unsolicited, [redacted] volunteered that he recently had to intervene in a heated meeting between [redacted] and his branch chief, [redacted] had to step in because [redacted], the Deputy, was away. [redacted] essentially told [redacted] to "chill out" and that he could not talk to people that way. [redacted] subsequently told all the branch chiefs that if they were concerned about having a one-on-one meeting with [redacted] to ask him to join the meeting. As a GG-15, [redacted] could talk to [redacted] in a way that GG-12 and GG-13 branch chiefs could not.

(U//~~FOUO~~) [redacted] described the [redacted] office as being on "pins and needles" because of [redacted]. The working environment is tense and because of [redacted] behavior in the past, the potential for another incident is always on their minds. [redacted] quickly transitions from being in a good mood to being very upset. Yet another high performing branch chief accepted another job the other day. Overall, [redacted] feels sorry for the [redacted] workforce.

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

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(b) (6)

(U//~~FOUO~~) On 26 June 2014, [redacted] USAF, was interviewed and provided the following sworn testimony:

(U//~~FOUO~~) [redacted] was assigned to [redacted] from June/July 2012 until August 2013. From June/July 2012 until April/May 2013, [redacted] was a team lead in [redacted]. In approximately late November 2012, [redacted] was asked to assist the Branch Chief as an unofficial Deputy Branch Chief. He did both jobs concurrently. Then, from April/May 2013 through August 2013, [redacted] became Branch Chief of [redacted]. In all of his roles, [redacted] worked with [redacted] daily. When he became Branch Chief, [redacted] became his direct supervisor.

(U//~~FOUO~~) [redacted] behaved similarly to other managers and military leaders and was not intimidating or threatening to [redacted]. [redacted] never heard [redacted] use abusive language, touch anyone, or throw anything. [redacted] raised his voice at [redacted] "all the time", but always behind closed doors and never to the degree that [redacted] would have considered it shouting. [redacted] did not find this behavior hostile, though he considered himself a poor judge as he was used to being shouted at in the military. [redacted] was less aggressive than his service superiors. Furthermore, it never interfered with [redacted]'s ability to do his job.

(U//~~FOUO~~) However, two civilians told him that they felt [redacted] was hostile. On one occasion, [redacted] witnessed [redacted] smack the desk with his hand when he was counseling [redacted]. [redacted] also saw [redacted] point his finger at people, but he did not consider it offensive.

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[6] (U//~~FOUO~~) See Appendix B.

(U//~~FOUO~~) [redacted] thought that [redacted] management style, in particular his micro-management and tendency to give "drive by" guidance, negatively impacted the work environment. The other behaviors (i.e. raised voice and desk smack) all occurred behind closed doors. Privately, [redacted] had acknowledged to [redacted] that he needed to work on this behavior. [redacted] also told [redacted] that he needed to "tone it back." Nevertheless, to [redacted], [redacted] never crossed the line of inappropriate conduct.

(U//~~FOUO~~) [redacted] provided input to [redacted] on [redacted] performance. [redacted] met his objectives as written. However, [redacted] observed that [redacted], who was tasked to brief the [redacted] needed to improve on his briefing skills. He also needed to develop his writing skills. [redacted] products frequently did not meet standards. [redacted] often rewrote [redacted] weekly activity report. When he did not, [redacted] had to explain why [redacted] input deviated from the format and why it was so poorly written.

(U//~~FOUO~~) [redacted] had to be reminded regularly to submit his timecard, sign it, and name it properly. It was frustrating to management to have to explain the same thing repeatedly. [redacted] timecards sometimes got "kicked back" by higher levels as it worked through the system.

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(b) (6)

(U//~~FOUO~~) [redacted] frequently arrived late to work. Most of the time, he called to report his delay, though he had to be tracked down a couple of times. It became an issue when he did not arrive in time to deliver the morning briefing. Although [redacted] was able to fill in, he did not relish explaining to leadership why [redacted] was not present for his briefing. [redacted] did not have the impression that management had high confidence in [redacted] abilities.

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(U//~~FOUO~~) [redacted] was aware that [redacted] wanted to deploy. He recalled going with [redacted] to discuss deployment with [redacted] and [redacted] and [redacted] explained how the deployment process worked and recommended they set up a time to discuss [redacted] prospects. [redacted] did not get an impression one way or the other whether management supported it or not.

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

(U//~~FOUO~~) On 11 August 2014, [redacted], Branch Chief [redacted] was interviewed and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] became branch chief of [redacted] in late July or early August 2013. [redacted] has daily interaction with [redacted] cares about the success of the employee as much as he cares about the success of the organization and mission. He offers his time to employees and treats everyone fairly. He exercises courtesy and respect.

(U//~~FOUO~~) When asked if [redacted] had ever acted in a hostile manner toward anyone, [redacted] hesitated, but ultimately said no.[7] [redacted] had never heard [redacted] curse, never seen him use abusive or offensive gestures, and had never seen him throw anything or even slam the desk. When asked if [redacted] yelled, [redacted] replied, "not in a hostile manner." [redacted] clarified that his definition of yelling included being "diminutive" of the recipient. He had never heard [redacted] use derogatory language about anyone.

(U//~~FOUO~~) When asked if anyone had ever complained to [redacted] that [redacted] had been hostile, [redacted] hesitated[8] and replied, "no one has approached me and said this is a hostile place." He explained that if anyone had told him that, he would have been obligated to do something about it.

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(b)(6)

(U//~~FOUO~~) When [redacted] took over as Branch Chief of the [redacted] he became [redacted] rater. At the time, [redacted] was [redacted] lead. Prior to [redacted]'s arrival, [redacted] had expressed interest in deployment and had been told by [redacted] leadership (either [redacted] or his deputy, [redacted] or both) that they did not support his desire to deploy. The reason [redacted] leadership did not support [redacted] was because he had failed to produce some deliverables after repeated counseling. To them, this indicated he could not perform the duties associated with being deployed.

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(U//~~FOUO~~) [redacted] remembered contacting deployment resources and informing them that [redacted] leadership did not support [redacted] deployment. [redacted] could not recall whether he told deployment resources that [redacted] had a problem with his time. It is possible that he did. There were minor administrative issues, like filling out his timesheet incorrectly, but also much larger issues, like the failure to adhere to agency time and attendance policies. [redacted] failed to adhere to his documented work schedule, failed to call in to report sickness or tardiness (within the allotted window), failed to appropriately request leave, and left the work center without telling anyone. [redacted] counseled [redacted] about these problems in the fall of 2013.

(U//~~FOUO~~) In October 2013, [redacted] was made team lead of a combined [redacted] team. Although [redacted] and [redacted] leadership had reservations about the appointment, they thought it would be a good opportunity for [redacted] to grow and develop his leadership skills. Any reservations they had could be mitigated with proper management and leadership. Besides, [redacted] was the only available person to fill the role. If [redacted] performed poorly as team lead, the implications would not be as grave as poor performance on a deployment where people are in harm's way.

(U//~~FOUO~~) Shortly after accepting the position as team lead of the combined [redacted] team, [redacted] announced his intent to leave [redacted] for a new organization. [redacted] was shocked by the news. Just a week or two earlier, he had discussed the [redacted] team lead opportunity

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[7] (U//~~FOUO~~) Upon request, the investigator repeated the question. [redacted] took 20 seconds to respond upon repetition of the question.

[8] (U//~~FOUO~~) [redacted] first said he would have to think about the question. After 17 seconds, he responded.

with [redacted] and he was enthusiastic. If [redacted] was that close to making the decision to leave, he should have been honest and told [redacted].

(U//~~FOUO~~) [redacted] could not recollect how long [redacted] retained [redacted] after he accepted his new position. He thought it was longer than [redacted] wanted to stay and longer than his original requested date, but not the full 90 days. [redacted] gave [redacted] a list of actions he needed to close-out prior to departure. [redacted] never satisfactorily completed the deliverables before he left, but leadership decided to "cut their losses" and let him go. [redacted] did not tell the gaining office that [redacted] had to write appraisals; appraisals were not [redacted] responsibility.

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

(U//~~FOUO~~) On 19 November 2014, [redacted] Chief, [redacted], was interviewed and provided the following sworn testimony:

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(U//~~FOUO~~) [redacted] became Chief of [redacted] in September 2011. His responsibilities include providing guidance and direction for the office, overseeing the budget, and making personnel decisions. The job can be stressful at times. [redacted]

(U//~~FOUO~~) [redacted] characterized his management style as blunt and direct; he holds people accountable. He was surprised by the allegation that he created a hostile work environment and does not believe he has done so. He denied the following:

- Using offensive language, including curse words
- Denigrating people with language (i.e. calling someone "incompetent")
- Throwing objects, including papers and pens
- Shoving chairs
- Pointing aggressively at people
- Physically touching someone in anger (including poking [redacted] in April 2012)
- Threatening to fire people
- Threatening not to recommend someone for promotion

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(b) (6)

(U//~~FOUO~~) When asked if he yells at people, [redacted] said he has a loud voice, but does not think he is yelling. He gets louder yet when he is excited, frustrated, or emotional. He has been told that it bothers people so he has been making a concerted effort to control his volume. [redacted] admitted that when he first came to the position in September 2011, he criticized people in front of others. But, he stopped in January/February 2012.

(U//~~FOUO~~) On 26 June 2013, [redacted] met with [redacted] lead, [redacted] in his office. He did not recollect anyone else (including [redacted] being present. [redacted] had issued guidance that taskings should be reviewed by the leadership team

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before responses were sent. [redacted] had not followed this directive; he explained that he thought he only had to inform the leadership team, not obtain approval. [redacted] thought that [redacted] was lying to him and became frustrated. He pounded his fist on the desk and told [redacted] to "stop." [redacted] realized that he behaved inappropriately and reported the incident to his supervisor, [redacted] the same day. He also talked to [redacted] Chief of Staff, that day or the following. Within a few days, [redacted] came to talk to him and told him that [redacted] felt threatened during the encounter. [redacted] informed him that [redacted] filed a complaint against him through the Navy and it was working its way through the chain. [redacted] also apologized to [redacted], though he could not recollect if he apologized before or after he spoke with [redacted]. [redacted] stated that this was the one and only time that he slammed his fist on the desk.

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(U//~~FOUO~~) [redacted] Deputy, [redacted], also told him that the way he phrases questions puts people on the defensive. However, that was not his intention and he recognizes that he might not get information that way. [redacted] told him that people were uncomfortable speaking in the morning stand-up, so he has changed the format to make it more open and encouraging. [redacted] also told him that his body language is confrontational and he is trying to correct it.

(U//~~FOUO~~) [redacted] now understands that this behavior is intimidating and he is working to improve. He did not know that people avoided him and had no information that people had left the organization because of his conduct. Given the allegations, he agrees that his behavior has negatively impacted the work environment.

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(b) (6)

(U//~~FOUO~~) [redacted] was co-team lead of the anomaly management team when [redacted] became [redacted] Chief. He was not an outstanding employee, but they tried to give him opportunities to grow because he wanted to get promoted. [redacted] made him continuity of operations program lead, but shortly thereafter, [redacted] told him he could not do it. They gave him an opportunity to represent the organization on the [redacted], but he complained that he did not know when the [redacted] meetings were. It might have been an opportunity to shine, but instead he performed poorly and missed meetings.

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(U//~~FOUO~~) When [redacted] learned that [redacted] wished to deploy in early July 2013, he initially encouraged [redacted] to go to the "go deploy" website. In late July, [redacted] told [redacted] that he was not responsible enough to deploy. He told him in person and followed up with an email. When asked what had changed over the course of the month, [redacted] admitted that he probably should have told [redacted] at the outset that he did not intend to support his plan to deploy. Either [redacted] or his Deputy told the deployment office that they did not support [redacted]. [redacted] does not have any specific criteria in mind when deciding upon an individual's eligibility to deploy, other than responsibility. They did not want [redacted] in harm's way.

(U//~~FOUO~~) In early August 2013, [redacted] learned from [redacted] that [redacted] felt "disrespected" during their July discussion about deployment. [redacted] thought [redacted] disliked his "tone of voice." [redacted] subsequently apologized to [redacted]. At the same time, [redacted] told [redacted] that his performance was improving.

(U//~~FOUO~~) In late September 2013, [redacted] decided that [redacted] should become team lead of the combined [redacted] team, since he had previously been team lead of one piece of it. He was trying to give him an opportunity to excel. Then, in early October 2013, [redacted] accepted another job. [redacted] was not happy with [redacted] decision to leave. They had already begun the transition to making him team lead.

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

(U) Documentary Evidence

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

(U//~~FOUO~~) **Email Evidence**

(U//~~FOUO~~) The OIG reviewed [redacted] high side email storage files from 1 June 2013 to 1 October 2013. We also reviewed all emails furnished by witnesses. Following is a summary of the emails that pertained to three key issues: an incident that occurred in [redacted] office on 26 June 2013; [redacted] deployment, and [redacted] reassignment.

(U//~~FOUO~~) *26 June 2013 Incident*

(U//~~FOUO~~) On 26 June 2013 at 1205, [redacted] emailed [redacted] (and copied [redacted] and [redacted]. [redacted] wrote that he had had an "unpleasant interaction" with [redacted] earlier that day. He explained that he had provided guidance to [redacted] the previous week but [redacted] had not followed it, due to his misinterpretation of the guidance. [redacted] wrote, "The exchange between us did get heated and I did raise my voice. At one point I did hit my fist on my desk in frustration at which point [redacted] told me not to get aggressive with him." (APPENDIX B).

(U//~~FOUO~~) On 3 July 2013, [redacted] emailed [redacted] (and copied [redacted] and [redacted]). He wrote that on 26 June 2013 at approximately 1100, he and [redacted] had met with [redacted] in his office. [redacted] wrote, "I witnessed an unprecedented hostile behavior, extraordinary loud voice and aggressive tone from [redacted] He slammed the desks multiple times as he continued on what I perceived to be a rant towards both [redacted] and I." [redacted] wrote that [redacted] had behaved similarly the previous evening, only directed at [redacted] indicated that he felt threatened and was having trouble focusing on tasks the following days. Additionally, he wrote that he feared that [redacted] "angry behavior may escalate to something worse." (APPENDIX C)

(U//~~FOUO~~) On 8 July 2013, [redacted] emailed [redacted] and [redacted] (and copied [redacted]). In reference to [redacted]'s email of 3 July 2013, he wrote that he witnessed [redacted] behavior. He wrote that he felt uncomfortable in the meeting and requested to be excused due to the "intense passion" [redacted] expressed. [redacted] also wrote that [redacted] apologized to him. (APPENDIX D).

(U//~~FOUO~~) [redacted] *Deployment (APPENDIX E)*

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(U//~~FOUO~~) On 2 July 2013, [redacted] informed [redacted] via email that his originally planned deployment (which had been approved by a predecessor) was cancelled. [redacted] recommended he visit the "go deploy" website.

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(U//~~FOUO~~) On the 12th and 29th of July, [redacted] noted that [redacted] had made errors with his timesheet, including validation, signature, naming, and turning it in on time. Later on 29 July, [redacted] (Chief [redacted]) emailed [redacted] to inform him that [redacted] had failed to attend any of the [redacted] meetings of the previous week.

(U//~~FOUO~~) On the afternoon of 29 July 2013, [redacted] emailed [redacted] to summarize a meeting that took place between the two of them that day. In his summary, he wrote that [redacted] had repeatedly failed to fill out his timesheet properly and had failed to execute his [redacted] responsibilities. [redacted] wrote; "We also discussed the need for you to be more responsible. You have expressed interest to both [redacted] and I in applying for a deployment. In order for us to support you in that opportunity, you need to show us that you can be responsible…."

(U//~~FOUO~~) On 6 August 2013, [redacted] applied for 5 deployment positions at [redacted] [redacted] was copied on the application submissions. [redacted] emailed [redacted] on 7 August and inquired whether he had not already explained to [redacted] that they were not going to support his deployment plans because he is not "responsible enough." At 0741 on 12 August, the MG3 Deployment and Readiness Accountability Officer informed his team that [redacted] management had contacted him and did not support his deployment at this time. At 0950 on 12 August, a deployment representative emailed [redacted] to inform him that his management would not support his application.

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(U//~~FOUO~~) At 1319 on 12 August 2013, [redacted] wrote to [redacted] to summarize a conversation of that same date. [redacted] wrote that [redacted] stated that he had been notified by the deployment office that the [redacted] could not support his deployment. [redacted] wrote that [redacted] had also stated that he did not understand why it was not supported and that he had never been informed why it was not supported. [redacted] wrote that during their meeting, he explained the reasons why they did not support the deployment and also referred [redacted] to [redacted] email of 29 July 2013.

(U//~~FOUO~~) On 14 August 2013, [redacted] sent himself an email. He wrote that he had met with [redacted] and that it had been brought to his attention that [redacted] had made [redacted] feel uncomfortable and disrespected when they met on 29 July 2013. [redacted] wrote that he apologized to [redacted] and to let him know if he made him feel that way in the future.

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(U//~~FOUO~~) On 11 September 2013, [redacted] sent himself an email. He wrote that he had met with [redacted] and he had told [redacted] that his performance was improving. [redacted] wrote, "I clarified for him the concerns we had with supporting a deployment and the fact that we wanted him to be more responsible. We discussed that he is starting to do that and it shows in his work." [redacted] wrote that [redacted] had asked whether he could resume applying for deployments. [redacted] told him to check back in 30 days.

(U//~~FOUO~~) [redacted] *Reassignment (APPENDIX F)*

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(U//~~FOUO~~) On 11 October 2013, a staff officer from MD24 wrote to [redacted] (and copied [redacted] and [redacted]. The staff officer wrote that [redacted] had accepted a position in [redacted] through the Headquarters' Competitive Selection Program on 2013-09-30. MD2 proposed 2013-11-03 as the effective date for the reassignment and requested concurrence or non-concurrence. The staff officer explained that if [redacted] wished to "invoke a hold," then he should follow the provided guidance and provide a justification. The staff officer gave [redacted] a suspense date of not later than close of business 2013-10-25 to indicate whether he concurred with the proposed reassignment date or wished to invoke a hold.

(U//~~FOUO~~) The staff officer referenced NSA/CSS Policy 4-15B, Placement (Internal), Chapter 4, NSA/CSS Competitive Selection Program (CSP), dated 7 September 2010, Section I.H.1. When an employee has accepted a position via the Headquarters' Competitive Selection Program, the losing supervisor, with concurrence from the next level management, may impose a hold for up to 90 calendar days.

(U//~~FOUO~~) On 16 October 2013, [redacted] wrote to MD24 and his gaining office [redacted] that [redacted] had agreed to a release date of 3 November. Within two hours, [redacted] replied to all and clarified that he was still working out an official release date for [redacted] and would let them know.

(U//~~FOUO~~) On 22 October 2013, [redacted] wrote to [redacted] and notified him that his release date would be 17 November 2013. [redacted] stated that he was willing to permit [redacted] to go to his new organization one day per week with the stipulation that he complete his transition activities with [redacted] and [redacted] leadership.

(U//~~FOUO~~) On 23 October 2013, [redacted] wrote to MD24 (and copied [redacted] and [redacted] and non-concurred with the release date of 2013-11-03. Instead, [redacted] exercised his option to hold with a release date of 17 November 2013. His justification was, "[redacted] Management has requested this hold to ensure completion of managerial requirements with the employee, conduct AGE close-out, and to afford adequate time for employee to complete transitional activities (as agreed by [redacted] Management and employee), and to remain compliant with Agency requirements to release at the beginning of a pay period." Within the hour, [redacted] wrote to [redacted] and MD24 and concurred with the release date of 17 November.

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(U//~~FOUO~~) **Other Documents**

(U//~~FOUO~~) [redacted] provided a photocopy of a page of his journal. The entry was dated week of 3-7 December 2012. He wrote, "Talk to [redacted]… about missing meetings. Show up on time!"

Doc ID: 6733837

(U) Analysis and Conclusions

(U//~~FOUO~~) The NSA/CSS PMM, Chapter 366, §1-3(E) requires employees to exercise courtesy and respect in dealings with fellow workers. NSA/CSS PMM, Chapter 366, §2-1 prohibits employees from engaging in "any conduct that creates a hostile work environment and/or interferes with an individual's work performance" and directs that employees may not use "actions or words that denigrate or show hostility toward an individual for any reason…. Likewise, employees will not use abusive or offensive language, gestures, or other conduct… directed against other employees that could affect the individual's work performance or impact the work environment." Similarly, NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment, requires NSA to maintain a work environment free of conduct that interferes with another's individual performance or that creates an intimidating, hostile, or offensive environment. The preponderance of the evidence shows that [redacted] used actions and words that denigrated and showed hostility toward individuals. In so doing, he created a hostile work environment and interfered with individuals' work performance.

(U//~~FOUO~~) Virtually all of the witnesses interviewed either personally observed or received complaints about [redacted] hostile conduct. [redacted], [redacted], [redacted], and [redacted] heard [redacted] use offensive language (swearing) on separate occasions; although not all listeners were offended by the language. [redacted] and [redacted] complained that [redacted] used words that denigrated individuals. For instance, [redacted] observed [redacted] call someone "incompetent" and [redacted] said that he ridiculed people in front of others. With the exception of only one witnesses ([redacted] who was not in a position to witness the behavior) every person interviewed heard [redacted] yell at someone;[9] often they were the ones at whom [redacted] had yelled. [redacted] admitted to raising his voice in a 26 June 2013 email. He wrote, "The exchange between us did get heated and I did raise my voice." Although in his testimony [redacted] claimed he merely has a "loud voice," the fact that he gets louder when excited, frustrated, or emotional supports the widespread perception that he yells at people.

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(U//~~FOUO~~) Even more concerning is [redacted] threatening physical conduct. NSA/CSS PMM, Chapter 366, §2-1(E) states that employees will not, "make threats, create a disturbance, engage in threatening behavior or perform acts of violence against Agency persons…. This behavior includes physical or verbal aggression, other threatening communications (e.g. writing or gestures,) menacing conduct and disorderly or unusual behavior that disrupts the workplace…." [redacted] and [redacted] witnessed [redacted] throw objects such as pencils and papers. Additionally, [redacted] and [redacted] witnessed [redacted] slam his fists on the desk. [redacted] acknowledged in his 26 June 2013 email having hit his fist on his desk in frustration. [redacted] and [redacted] stated that during separate unrelated interactions with [redacted] they each felt like [redacted] was "about to jump you" or "going to get on me." [redacted] corroborated that [redacted] "bullies and intimidates others when frustrated." Finally, [redacted] claimed, and [redacted] witnessed, [redacted] poke

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[9] (U//~~FOUO~~) [redacted] specifically said he had not heard [redacted] yell at anyone "in a hostile manner."

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[redacted] in the shoulder "hard, about four times." Such conduct was both threatening and violent.

(U//~~FOUO~~) [redacted] yelling, offensive language, and ridicule all constituted words that denigrated and showed hostility toward individuals, the use of which violated NSA/CSS Personnel Management Manual (PMM), Chapter 366, §2-1 (a). His throwing objects, slamming fists, and poking of [redacted] equated to threatening physical aggression in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §2-1 (e). [redacted] intimidating verbal and physical conduct both created a hostile work environment and interfered with individuals' work performance.

(U//~~FOUO~~) [redacted] reported that [redacted] outbursts were almost daily and resulted in a poor working environment; people were afraid of him and hid when he was coming. "He made everyone very upset which made working there difficult." [redacted] reported that people were afraid to speak their minds. She could overhear him yelling at other people and knew others could overhear when he yelled at her. According to [redacted], people did not like to see him coming and had to "brace for it" when he approached. He made it so people did not like coming to work. Similarly, [redacted] reported that everyone was uncomfortable, which prevented team cohesion. [redacted] learned from both civilians and contractors that they did not feel comfortable being around [redacted] and felt he was demeaning. [redacted] heard several people characterize [redacted] as "hostile" and [redacted] noted that word was spreading that the [redacted] was not a good place to work because of [redacted] Using different words the witnesses characterized the environment as hostile.

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(U//~~FOUO~~) Furthermore, two witnesses claimed that [redacted] behavior interfered with their work performance. [redacted] said that he could not focus on his work for a couple of days after the incident in [redacted] office on 26 June 2013. [redacted] testified he had to stop a work meeting once because of [redacted] behavior. Additionally, [redacted] had difficulty getting his own work done because he had to accompany [redacted] to all of his meetings to manage [redacted] "aggressive" behavior. [redacted] said that he was initially shocked and upset by the poking incident, but eventually got over it. Although [redacted] denied that [redacted] behavior interfered with her ability to do her job well, she had to "get into the frame of mind to go to work." Ultimately, both she and [redacted] left their jobs because of [redacted] The OIG assessed that [redacted] negative behavior was distracting and therefore had to impact employee efficiency and productivity.

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(b) (6)

(U//~~FOUO~~) The OIG also reviewed [redacted] denial of a deployment opportunity for [redacted] and whether it constituted an "action that showed hostility" toward [redacted] The OIG concluded that it was within [redacted] purview as a supervisor to make a discretionary decision about a deployment opportunity. Furthermore, [redacted] documented performance problems were the probable rationale for the denial. Nevertheless, based upon the weight of the testimony, the OIG finds it credible that [redacted] yelled at [redacted] on 29 July 2013 and threatened to "blackball" him from future deployment opportunities. [redacted] himself recognized that his behavior was unacceptable; he subsequently apologized to [redacted] for

what took place that day. Therefore, although the denial of deployment itself was not a hostile act, [redacted] behavior was hostile.

(U//~~FOUO~~) Additionally, the OIG reviewed [redacted] conduct relative to releasing [redacted] to his gaining organization (in a reassignment). [redacted] supervisors acted within their authority to hold him in his position until 17 November 2013. Further, they provided justification[10] for the 48 day hold, which was approximately one-half of the authorized 90 days and only two weeks more than the date proposed by human resources. Finally, [redacted] supervisors met the deadline assigned by MD2 to respond to the reassignment date proposal.

(U//~~FOUO~~) During his interview with the OIG, [redacted] response to the allegations was surprise and denial. He claimed to have no idea that people avoided him or left the organization because of him. Furthermore, he did not believe he had created a hostile work environment. The OIG did not find such assertions credible. Prior to the initiation of the OIG investigation, [redacted] had apologized to employees for his behavior and reported said behavior to his supervisor and Chief of Staff. He had also been told that a complaint was filed against him, employees felt "threatened" and "disrespected" by him, that he made people defensive and uncomfortable, and that he was loud and confrontational. Based on these facts, the OIG concluded that [redacted] was well aware of the inappropriateness of his conduct and, despite this awareness, made little effort to alter his behavior.

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

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that, [redacted] engaged in conduct that created a hostile work environment and interfered with individuals' work performance in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §1-3(E), §§2-1 (A), (E) and NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment.

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[10] (U//~~FOUO~~) The entirety of the justification provided to MD2 was not valid. For instance, [redacted] wrote that [redacted] needed to conduct an ACE close-out. However, [redacted] did not supervise employees and therefore did not have evaluations of others to write. Closing out [redacted] performance evaluation was not a valid reason to hold him as that could have been done from his new organization. However, [redacted] supervisors did subsequently provide [redacted] with a transition plan and mission-related tasks to be accomplished.

IV. (U) RESPONSE TO TENTATIVE CONCLUSION

(U//~~FOUO~~) On 23 February 2015, [redacted] responded to the tentative conclusion reached in the investigation. [redacted] wrote that the past few years had been stressful personally and professionally. He also suffered from medical problems and sought the assistance of a family physician as well as EAS. [redacted] stated that he had "noble intentions" in all his actions, but understood that he was not perceived that way. For instance, his passion and excitement were perceived differently by some as yelling and angry outbursts. He apologized for his mistakes and accepted full responsibility for them.

(U//~~FOUO~~) [redacted] also reported that he has worked with his management to change his work responsibilities and has moved out of a management position into a technical position in [redacted]

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(U//~~FOUO~~) [redacted] response was considered; however, it did not change the conclusions in this case. His entire response is in Appendix G.

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

V. (U) CONCLUSION

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that, [redacted] engaged in conduct that created a hostile work environment and interfered with individuals' work performance in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §1-3(E), §§2-1 (A), (E) and NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment.

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(b)(6)

Doc ID: 6733837

VI. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) A copy or summary of this report of investigation will be provided to:

1. M/ER for information and any appropriate action.
2. OGC, Administrative Law & Ethics, D23, for information, and;
3. Q234, Special Actions, for information and any appropriate action.

[redacted]
Investigator

Concurred by:

[redacted]
Assistant Inspector General
for
Investigations

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

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NSA16491

APPENDIX A

(U) Applicable Authorities

Doc ID: 6733837

(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.

A. Harassment/Intimidation – Employees will not use actions or words that denigrate or show hostility toward an individual for any reason, but especially because of race, color, religion, gender, national origin, age, or disability. Likewise, employees will not use abusive or offensive language, gestures, or other conduct (e.g. display of offensive writings, objects or pictures) directed against other employees that could affect the individual's work performance or impact the work environment.

E. (U//~~FOUO~~) Violence, Threatening Behavior, OR Creating a Disturbance – Employees will not make threats, create a disturbance, engage in threatening behavior or perform acts of violence against Agency persons…This behavior includes physical or verbal aggression, other threatening communications (e.g. writing or gestures,) menacing conduct and disorderly or unusual behavior that disrupts the workplace…."

(U) NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment

1. (U//~~FOUO~~) NSA/CSS shall maintain a work environment free of conduct that interferes with another's individual performance or that creates an intimidating, hostile, or offensive environment. All NSA/CSS personnel are responsible for ensuring a harassment-free workplace.

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APPENDIX B

(U) 26 June 2013 Email from [redacted] to [redacted]

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

Release 2021-8
NSA16494

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

From:
Sent: Wednesday, June 26, 2013 12:05 PM
To:
Cc:
Subject: (U) Concerns with

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

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

Today, I had an unpleasant interaction with that I wanted to make you aware. Last week and I met with to discuss requests and tasking that was being given to them from outside the . We provided guidance that any tasking or requests that they received or were going to be made needed to be approved by you or in your absence. We also reiterated to them that the is part of the . Today, made a request to requesting permission for some activities. This request was not discussed with or with or myself before being made. When I questioned about it, he told me that he interpreted the guidance we gave as he only need to keep us informed. I reiterated the guidance to him to make sure he understood. He told me that he did. The exchange between us did get heated and I did raise my voice. At one point I did hit my fist on my desk in frustration at which point told me not to get aggressive with him.

Additionally, on Tuesday and approached me with concerns about the effort. He was concerned about who was running the why Leadership was not participating in the meetings, and expressed concerns about some clearances not being processed until late. I asked him to document his concerns for us so that we could understand them and see what needed to be done to address them. Today, they informed that all of their concerns had been addressed and they had no concerns about the activities at this time.

I must say that I am concerned about the effectiveness of 's leadership of the and of the I'd like to talk to you about these concerns and how we can move forward. Thanks,

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

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

Release 2021-8
NSA16495

APPENDIX C

(U) 3 July 2013 Email from [redacted] to [redacted]

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

Release 2021-8
NSA16496

[redacted]

From: [redacted]
Sent: Tuesday, June 03, 2014 12:04 PM
To: [redacted]
Subject: FW: (U) Administrative Concerns

Classification: ~~CONFIDENTIAL~~

Let me know if this works for you.

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Wednesday, July 03, 2013 1:14 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Administrative Concerns

Classification: ~~CONFIDENTIAL//~~

Chief,

On June 26th, 2013, [redacted] requested that [redacted] and I come to see him in his office. The subject of the conversation appeared to be about why I was using [redacted] as a resource of [redacted] to figure out how to fulfill technical requests and questions in order to support [redacted] in their current assessment about the [redacted] [redacted] expressed I am not to speak to anyone outside the [redacted] without going through him first, and obtaining his approval. I was following the direction from my branch chief [redacted] before he went on leave, to work with [redacted] in regards to technical questions and requests supporting [redacted]

The meeting with [redacted] began approximately around 1100 and it lasted around 10 minutes. I witnessed an unprecedented hostile behavior, extraordinary loud voice and aggressive tone from [redacted] He slammed the desks multiple times as he continued on what I perceived to be a rant towards both [redacted] and I. This behavior happened on the evening of the day before around 1415, June 25th, 2013 when [redacted] asked both [redacted] and I to come in to his office for another issue. This time it appeared to be a vicious attack towards [redacted] that included the same style of extraordinary angry behavior, accusations outside the scope of the meeting, and threatening him by saying that we will fire all the contractors on his team as a punishment.

I did not report this right away because I wanted to consult my Chain of Command first, but I did feel threatened. I admit that I had trouble focusing on tasks the following days because of this. I'm not comfortable with this leadership style because I expect my leaders to treat my peers and I with respect and dignity. I would not feel comfortable to be in the same office with [redacted] in the future, and I'm afraid that this remarkable, angry behavior may escalate to something worse.

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

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NSA16497

Thank you in advance for taking the time to become aware of my concerns, I truly appreciate it.

Very respectfully,



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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: ~~20380601~~

Classification: ~~CONFIDENTIAL//~~

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: ~~20390601~~

Classification: ~~CONFIDENTIAL~~

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NSA16498

APPENDIX D

(U) 8 July 2013 Email from [redacted] to [redacted] and [redacted]

[redacted]

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

Release 2021-8
NSA16499

[redacted]

From: [redacted]
Sent: Monday, July 08, 2013 12:03 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Administrative Concerns
Signed By: [redacted]

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

Good Afternoon [redacted]

I did witness this behavior and I too felt uncomfortable in that meeting requesting to be excused due to the "intense passion" [redacted] expressed. [redacted] did apologize to me personally a few hours later about his behavior in that meeting. I cannot confirm if [redacted] apologized to [redacted]. I am sure he has not.

Respectfully,

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

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Wednesday, July 03, 2013 1:14 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Administrative Concerns

Classification: ~~CONFIDENTIAL//~~

Chief,

On June 26th, 2013, [redacted] requested that [redacted] and I come to see him in his office. The subject of the conversation appeared to be about why I was using [redacted] as a resource of [redacted] to figure out how to fulfill technical requests and questions in order to support [redacted] in their current assessment about the [redacted] [redacted] expressed I am not to speak to anyone outside the [redacted] without going through him first, and obtaining his approval. I was following the direction from my branch chief [redacted] before he went on leave, to work with [redacted] in regards to technical questions and requests supporting [redacted]

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

The meeting with [redacted] began approximately around 1100 and it lasted arpund 10 minutes. I witnessed an unprecedented hostile behavior, extraordinary loud voice and aggressive tone from [redacted] He slammed the desks multiple times as he continued on what I perceived to be a rant towards both, [redacted] and I. This behavior happened on the evening of the day before around 1415, June 25th, 2013 when [redacted] asked both [redacted] and I to come in to his office for another issue. This time it appeared to be a vicious attack towards [redacted] that included the same style of extraordinary angry behavior, accusations outside the scope of the meeting, and threatening him by saying that we will fire all the contractors on his team as a punishment.

I did not report this right away because I wanted to consult my Chain of Command first, but I did feel threatened. I admit that I had trouble focusing on tasks the following days because of this. I'm not comfortable with this leadership style because I expect my leaders to treat my peers and I with respect and dignity. I would not feel comfortable to be in the same office with [redacted] in the future, and I'm afraid that this remarkable, angry behavior may escalate to something worse.

Thank you in advance for taking the time to become aware of my concerns, I truly appreciate it.

Very respectfully,

[redacted]

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: ~~20380601~~

Classification: ~~CONFIDENTIAL//~~

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: ~~20380701~~

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

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APPENDIX E

(U//~~FOUO~~) Emails Concerning [redacted] Deployment Plan

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NSA16502

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

From: [redacted]
To:
Sent: Wednesday, September 11, 2013 3:35 PM
Subject: (U) Meeting w/ [redacted]

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

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

I met with [redacted] today around 1200 to talk about some questions on [redacted] During the discussion, we talked about his performance and how we have seen him stepping up recently. He asked about when he could start applying for deployments again and I told him to check back with us in 30 days. We wanted to see him taking on more responsibility like he has been doing. I told him I would talk to [redacted] and [redacted] about it as well. We talked about the differences we were seeing in his performance now as opposed to weeks ago. I clarified for him the concerns we had with supporting a deployment and the fact that we wanted him to be more responsible. We discussed that he is starting to do that and it shows in his work. We also discussed what we are looking for in promoting to GG14. Things like leadership and taking on more responsibility. We also talked about how the little things were important as well. Things like doing your timesheet properly. He said he understood better our concerns. He really wanted to do a deployment and understood what he needed to do. Overall a good conversation.

[redacted]

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From: [redacted]

To: [redacted]

Sent: Wednesday, August 14, 2013 10:25 AM

Subject: (U) Meeting w[redacted]

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

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

I met with [redacted] this morning around 7am. I provided him positive feedback on his work with the [redacted] I told him we had been hearing good things and it was a big turnaround from when he began working on it. I told him to keep it up. I also talked to him about the meeting that we had on 7/29. I told him that it was brought to my attention that I had made him feel uncomfortable and disrespected when we met. I apologized to him for his and explained that I had not intended for him to feel this way. I told him that I did respect him and let him know that if I did make him feel that way in the future to please let me know. It is not my intention to show disrespect to anyone. He thanked me for the apology. We finished the discussion and the meeting ended.

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[redacted]

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

From:
To:
Cc:

Sent: Monday, August 12, 2013 1:21 PM
Subject: RE: (U) Follow up to Conversation

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

Thanks

I did locate this email and I do see managements concerns. Thanks for letting me know.

Respectfully,

(U//~~FOUO~~)

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

From:

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Sent: Monday, August 12, 2013 1:19 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Follow up to Conversation

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

Hi [redacted]

Thank you for approaching me with your questions.

I wanted to send a not to you regarding our conversations on 12 Aug 2013 regarding your application for deployment. As we discussed, I am cc'ing [redacted] leadership to ensure that we are all on the same page regarding this issue.

During this conversation, you mentioned the following:

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(b)(6)

- That you were notified by the deployment office that the [redacted] could not support your application for deployment
- That you had questions as to why it was not supported
- That you were never informed of the reasons why [redacted] leadership could not support your deployment at this time

During this conversation, I mentioned reason why we could not support the application and I asked you to confirm whether [redacted] leadership provided this reason to you via email. Since that conversation, you have confirmed that you received the email from [redacted] (dated: 29 Aug 2013, entitled, "(U) Follow Up to our Conversation").

Please "reply all" to this email and let me know:

- If anything I wrote is inaccurate

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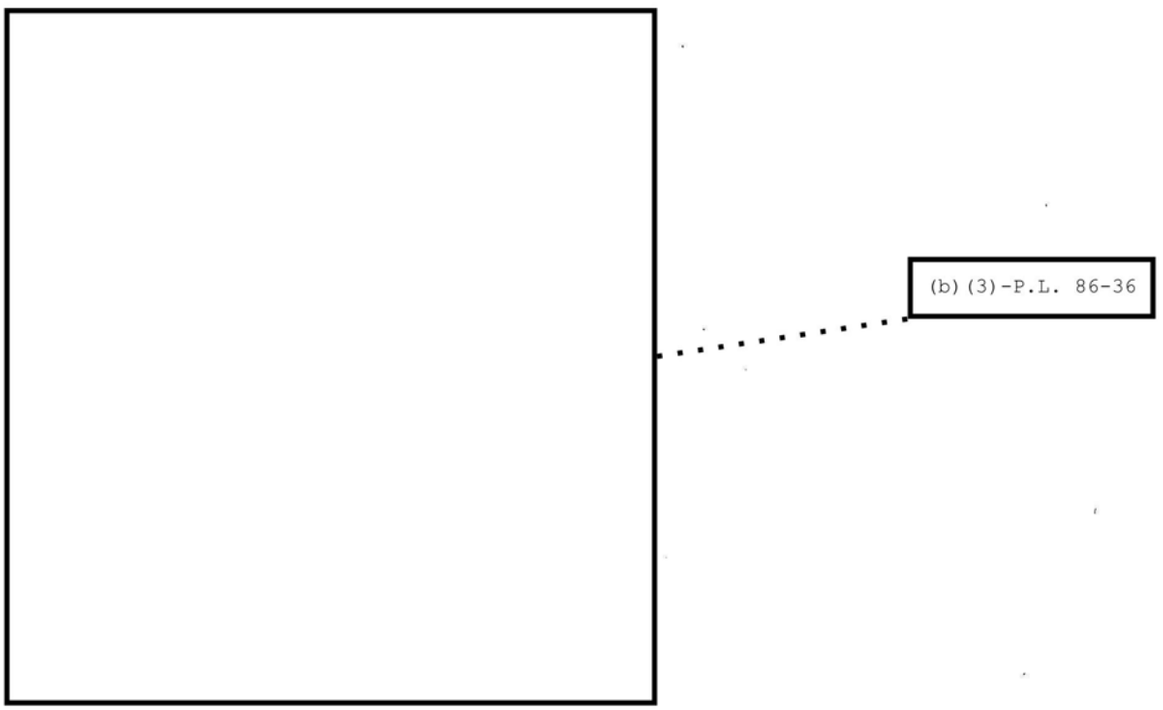
- If you would like to add anything
- If you have any questions

Thank you in advance,

(U//~~FOUO~~)



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NSA16507

[redacted]

From: [redacted]
Sent: Monday, August 12, 2013 9:50 AM
To: [redacted]
Subject: RE: (U) Your tng plan
Signed By: [redacted]

Hi [redacted] We got feedback that your management is not willing to support a deployment.

[redacted]

From: [redacted]
Sent: Wednesday, August 07, 2013 2:24 PM
To: [redacted]
Subject: RE: (U) Your tng plan

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

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[redacted]

[redacted] Desktop Systems, Internet and Intranet (NSA, and INTELINK); MS Office applications [redacted] These are the tools we use in the [redacted] just to name a few.

Respectfully,

[redacted]

(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Wednesday, August 07, 2013 2:19 PM
To: [redacted]
Subject: RE: (U) Your tng plan

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

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NSA16508

[redacted]

From: [redacted]
Sent: Tuesday, June 24, 2014 11:37 AM
To: [redacted]
Subject: FW: (U) [redacted] applicant - Not approved

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

Hi [redacted]

I found this. This should help you. I have two other emails I will forward you.

[redacted]

[redacted]

From: [redacted]
Sent: Monday, August 12, 2013 7:41 AM
To: DL deploymentpanel (ALIAS) [redacted]
Cc: DL MG3_Accountability (ALIAS) MG3
Subject: (U) [redacted] applicant - Not approved

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

Good morning team,

If you see an application for [redacted], his organization emailed us to say that he is not approved/will be approved for a deployment at this time.

Any questions, please contact DL MG3_Accountability (ALIAS) MG3.

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

Thanks!

[redacted]

//U// [redacted]

MG3 Deployment and Readiness Center

[redacted]

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NSA16509

From: [redacted]

To: [redacted]

Sent: Wednesday, August 07, 2013 6:37 AM

Attach: (U[redacted]Application Confirmation.eml; (U)[redacted]Application Confirmation.eml; (U) [redacted] Application Confirmation.eml; (U)[redacted]Application Confirmation.eml; (U) [redacted] Application Confirmation.eml

Subject: FW: (U) Didn't you...

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Lets talk!!

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[redacted]

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

From [redacted]
Sent: Wednesday, August 07, 2013 4:51 AM
To: [redacted]
Subject: (U) Didn't you...

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…already tell [redacted] that we weren't able to support his desire to deploy as he hasn't demonstrated he's responsible enough to us yet?

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NSA16510

[redacted]

From: [redacted]
Sent: Tuesday, August 06, 2013 9:53 AM
To: [redacted]
Cc: [redacted]

Subject: (U) [redacted] Application Confirmation

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

[redacted]

Thank you for applying for [redacted] deployment TDY position in [redacted] The selection official(s) cc'd on this email will review your application and will contact you as needed. Once the selection official has made his/her decision, you will be notified of your status. You may also log into the [redacted] to track the progress of your application Link to [redacted] Applications; then click on Applications under the My Career Tools section. Should you have any questions regarding deployments, please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy.

*Note to Supervisors: Please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy if you have any questions about your employee's application or the deployment process.
** Note to military members: You must notify your chain of command when seeking deployment opportunities.

Thank you,
The MG3 Vacancy Team

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

Release 2021-8
NSA16511

[redacted]

From: [redacted]
Sent: Tuesday, August 06, 2013 9:07 AM
To: [redacted]
Cc: [redacted]

Subject: (U) [redacted] Application Confirmation

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

[redacted]

Thank you for applying for [redacted] deployment TDY position in [redacted] The selection official(s) cc'd on this email will review your application and will contact you as needed. Once the selection official has made his/her decision, you will be notified of your status. You may also log into the [redacted] to track the progress of your application Link to [redacted] Applications; then click on Applications under the My Career Tools section. Should you have any questions regarding deployments, please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy.

*Note to Supervisors: Please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy if you have any questions about your employee's application or the deployment process.
** Note to military members: You must notify your chain of command when seeking deployment opportunities.

Thank you,
The MG3 Vacancy Team

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

Release 2021-8
NSA16512

[redacted]

From: [redacted]
Sent: Tuesday, August 06, 2013 9:52 AM
To: [redacted]
Cc: [redacted]

Subject: (U) [redacted] Application Confirmation

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

[redacted]

Thank you for applying for [redacted] deployment TDY position in Afghanistan. The selection official(s) cc'd on this email will review your application and will contact you as needed. Once the selection official has made his/her decision, you will be notified of your status. You may also log into the [redacted] to track the progress of your application Link to [redacted] Applications; then click on Applications under the My Career Tools section. Should you have any questions regarding deployments, please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy.

*Note to Supervisors: Please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy if you have any questions about your employee's application or the deployment process.
** Note to military members: You must notify your chain of command when seeking deployment opportunities.

Thank you,
The MG3 Vacancy Team

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

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

Release 2021-8
NSA16513

[redacted]

From: [redacted]
Sent: Tuesday, August 06, 2013 9:02 AM
To: [redacted]
Cc: [redacted]

Subject: (U) [redacted] Application Confirmation

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

[redacted],

Thank you for applying for [redacted] deployment TDY position in [redacted]. The selection official(s) cc'd on this email will review your application and will contact you as needed. Once the selection official has made his/her decision, you will be notified of your status. You may also log into the [redacted] to track the progress of your application Link to [redacted] Applications; then click on Applications under the My Career Tools section. Should you have any questions regarding deployments, please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy.

*Note to Supervisors: Please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy if you have any questions about your employee's application or the deployment process.
** Note to military members: You must notify your chain of command when seeking deployment opportunities.

Thank you,
The MG3 Vacancy Team

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

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

Release 2021-8
NSA16514

[redacted]

From: [redacted]
Sent: Tuesday, August 06, 2013 9:51 AM
To: [redacted]
Cc: [redacted]

Subject: (U) [redacted] Application Confirmation

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

[redacted],

Thank you for applying for [redacted] deployment TDY position in [redacted]. The selection official(s) cc'd on this email will review your application and will contact you as needed. Once the selection official has made his/her decision, you will be notified of your status. You may also log into the [redacted] to track the progress of your application Link to [redacted] Applications; then click on Applications under the My Career Tools section. Should you have any questions regarding deployments, please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy.

*Note to Supervisors: Please visit the Deployment Central web page (Go Deploy) or email DL MG3_Vacancy if you have any questions about your employee's application or the deployment process.
** Note to military members: You must notify your chain of command when seeking deployment opportunities.

Thank you,
The MG3 Vacancy Team

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

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NSA16515

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

From:
To:
Cc:
Sent: Monday, July 29, 2013 1:28 PM
Subject: (U) Follow Up to our Conversation

Classification: ~~CONFIDENTIAL//REL TO USA, AUS, CAN, GBR, NZL~~

I wanted to follow up with you on our conversation today about timesheets, your responsibilities and responsibility in general.

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

As we discussed with your timesheet, it is your responsibility to ensure that the correct version of your timesheet is in the folder on time. Your timesheet needs to be properly filled out, validated and signed when you turn it in. The timesheet that was in the folder this morning was not filled out correctly, not validated or named properly. This is not the first time that this has occurred. You provided me with reasons that it was not accurate but as I explained, it is your responsibility to ensure that your timesheet is correct. Please ensure that this does not happen again.

We also discussed your responsibilities. Since being named to this position, you have not been in attendance at many of the meetings to include not attending any of the meetings last week. We discussed the reasons that you did not attend some of them. Please remember that as the Lead, you are representing all of to our customers. From this point forward, it is our expectation that you ensure that you are attending all required meetings to include the Sync Up (M/W/F at 0830 in , the Team meeting (Tues at 0700 in the and the Meeting (Every other Thursday at 1100 in the . If you are unable to attend these meetings due to leave or other commitments, you need to notify beforehand and work out coverage for these meetings. You need to make every effort to attend as many of these meetings as possible. Additionally, it is our expectation that you are coordinating with and the team on a regular basis to address any issues that need assistance. Please ensure that you meet these expectations as we move forward.

Lastly, we also discussed the need for you to be more responsible. You have expressed interest to both and I in applying for a deployment. In order for us to support you in that opportunity, you need to show us that you can be responsible and can perform the duties that have been assigned to you. As we

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discussed, your actions as of late have not shown us that you can meet these expectations. If you want our support, then you will need to show us thru your actions that you are responsible.

Please reply to ALL on this email that you understand what we discussed today.



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

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: ~~20380701~~

Classification: ~~CONFIDENTIAL//REL TO USA, AUS, CAN, GBR, NZL~~

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NSA16517

From: [redacted]
To: [redacted]
Sent: Monday, July 29, 2013 2:25 PM
Subject: RE: (U) [redacted] meetings

[redacted]

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

Yes, that is correct.

Thanks for following up with [redacted] If I continue to find him absent, I will let you know.

R/

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

(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Monday, July 29, 2013 11:05 AM
To: [redacted]
Subject: RE: (U) [redacted] meetings

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

Hi [redacted]

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Thanks for letting me know. So since you gave him the schedule, he still has not attended any meetings. Correct?

Let me know. Thanks.

[redacted]

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

[redacted]

From: [redacted]
Sent: Monday, July 29, 2013 9:24 AM
To: [redacted]
Subject: FW: (U) [redacted] meetings

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

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

The below is my correspondence with [redacted] regarding his attendance of [redacted] meetings.

Thanks!

R/

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(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Wednesday, July 24, 2013 10:41 AM
To: [redacted]
Subject: RE: (U) [redacted] meetings

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

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

Thanks for getting back to me on this. I just want to make sure [redacted] and the [redacted] team can count on [redacted] presence to assist with problem resolution. Many times, issues are brought up at the meetings that aren't captured in [redacted] Help tickets. We want to make sure we are in the loop when those items are raised.

The below is the [redacted] schedule. Please stay in touch with [redacted] for any changes to their schedule.

[redacted] sync up- Mon/Wed/Fri 0830 at the [redacted]
[redacted] Team- Tue 0700 at the [redacted]
[redacted] Every other Thur 1100 at the [redacted]

If you have any problems of questions just let me know.

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R/

(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Wednesday, July 24, 2013 10:16 AM
To: [redacted]
Subject: RE: (U) [redacted] meetings

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

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

Good Morning [redacted]

I am just getting back from training located in Leesburg VA. I forgot to turn on my out of office attendant. I did try to call you while I was on training to let you know my whereabouts. I apologize for the miscommunication. In the future I will send you an email letting you know if I will not be able to make it.

This morning I came in before 7:00 AM to check to see if there were a meeting for the [redacted] and I did not see one. If possible can I get the schedule of ALL meetings so I can make sure I do not miss any. Once again I apologize for the not letting you know. I did leave instructions for management to reach out to you all but that did happen. Thanks [redacted]

Respectfully,

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[redacted]

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Wednesday, July 24, 2013 9:37 AM
To: [redacted]
Subject: (U) [redacted] meetings

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

[redacted]

I haven't seen you at the M/W/F [redacted] meetings in the last two weeks? Is everything okay?

I really need for you to attend these as well as the other scheduled [redacted] meetings. Your presence is to represent [redacted] for any issues that come up. Today, in particular, there were 3 issues reported.

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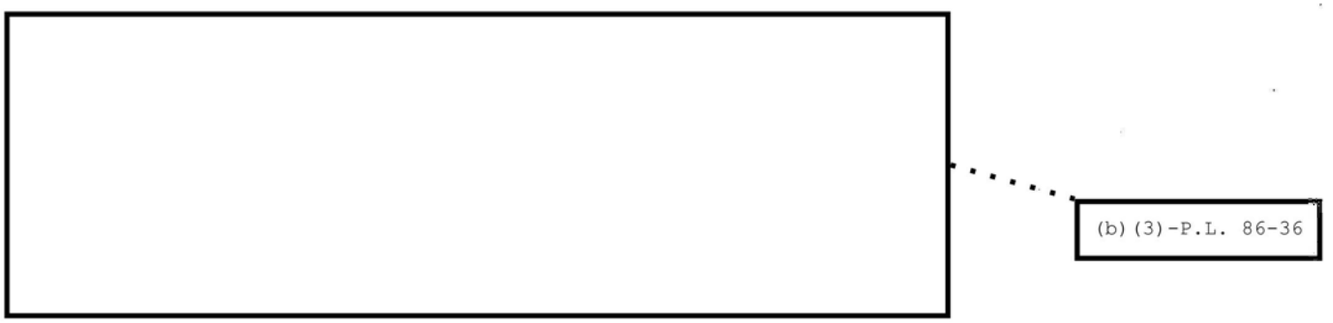
If there is a reason you can't attend these meetings in the future, please let me know.

R/

(U//~~FOUO~~)



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

Release 2021-8
NSA16523

From:

To:
Cc:

Sent: Monday, July 29, 2013 11:07 AM
Subject: RE: (U) Timesheet

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

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

I have signed and submitted your timesheet. It should be entered today. In the future, please ensure that your timesheet is completed properly, validated, signed and turned in by the designated time. Normally, timesheets are due at 1200 on the second Friday of the pay period.

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

Let me know if you have any questions. Thanks.

From:
Sent: Monday, July 29, 2013 10:48 AM
To:
Cc:
Subject: RE: (U) Timesheet

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

Sir, not sure how the incorrect timesheet got into the folder. I have made the correct changes, signed and saved it in the folder. Thanks

Respectfully,

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

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Monday, July 29, 2013 10:33 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Timesheet

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

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[redacted]

It is still incomplete. You are 11 hours short and your entry for the second Friday is incomplete. Please correct, validate and sign.

[redacted]

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

From: [redacted]
Sent: Monday, July 29, 2013 8:30 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Timesheet

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

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

Mistake fixed.

Respectfully,

[redacted]

(U//~~FOUO~~)

[redacted]

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[redacted]

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

From: [redacted]
Sent: Monday, July 29, 2013 8:25 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Timesheet

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

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

[redacted]

Your timesheet in the folder is incomplete and named incorrectly. Please correct your timesheet and rename it to the proper name. This needs to be completed no later than 0900 this morning.

Let us know if you have any questions. Thanks.

[redacted]

[redacted]

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[redacted]

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

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

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

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

From: [redacted]

To: [redacted]

Sent: Friday, July 12, 2013 7:58 AM
Subject: (U) Timesheets

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

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

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

Hi;

Not sure if you noticed but [redacted] is naming his timesheet incorrectly. Can you get him to fix it?
Thanks.

[redacted]

[redacted]

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

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NSA16529

From:
To:
Cc:

Sent: Tuesday, July 02, 2013 10:21 AM
Subject: RE: (U//~~FOUO~~) ACTION REQUIRED: Selected -

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

Thanks for the encouragement.

Respectfully,

(U//~~FOUO~~)

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

-----Original Message-----
From:
Sent: Tuesday, July 02, 2013 10:05 AM
To:
Cc:

Subject: RE: (U//~~FOUO~~) ACTION REQUIRED: Selected -

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

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

Thanks for the info. If you want to deploy, I would encourage you to check out the "GO Deploy" site as there are numerous opportunities out there.

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[redacted]

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

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 02, 2013 9:55 AM
To: [redacted]
Cc: [redacted]
Subject: FW: (U//~~FOUO~~) ACTION REQUIRED: Selected - [redacted]

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

FYSA,

This is exactly what I feared.

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

Respectfully,
[redacted]

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

-----Original Message-----
From: [redacted]
Sent: Monday, July 01, 2013 1:40 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U//~~FOUO~~) ACTION REQUIRED: Selected - [redacted]

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

Hi [redacted]

We have reorganized [redacted] and this position is now filled with contractors and no longer advertised. Please send me a copy of your resume and we can see if we can find you a fit with one of our other deployment positions.

Thank you,
[redacted]

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NSA16531

(U//~~FOUO~~)

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

-----Original Message-----
From:
Sent: Monday, July 01, 2013 12:36 PM
To:

Subject: FW: (U//~~FOUO~~) ACTION REQUIRED: Selected -
Importance: High

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

Good Afternoon

It has been two years since we last spoke and I wanted to get a status of my deployment this December 2013. I have not heard anything from anyone and wanted to know if I am still scheduled to deploy. Below is a copy of my selection for the (CENTCOM)
-
At your earliest convenience
can you give me a call of my status.

Respectfully,

(U//~~FOUO~~)

-----Original Message-----
From:
Sent: Thursday, August 11, 2011 10:26 AM
To:
Subject: RE: (U//~~FOUO~~) ACTION REQUIRED: Selected -

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

Wow! That is crazy!! Is there no way to ask what dates are available before applying?

Respectfully,

[redacted]

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

-----Original Message-----
From: [redacted]
Sent: Thursday, August 11, 2011 8:50 AM
To: [redacted]
Subject: RE: (U//~~FOUO~~) ACTION REQUIRED: Selected - [redacted]

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

Good Morning [redacted]

Thanks you for the congratulations but I am scheduled to deploy December 2013.
Yes, I was shocked as well. It may be a good thing to wait until 2013.

Respectfully,
[redacted]

U//~~FOUO~~

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 10, 2011 5:21 PM
To: [redacted]
Subject: FW: (U//~~FOUO~~) ACTION REQUIRED: Selected - [redacted]

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

[redacted]

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Congratulations! What are the dates for your deployment?

Respectfully,

[redacted]

-----Original Message-----
From: Deployment Opportunities Application [mailto:mg3_vacancy@nsa.ic.gov]
Sent: Wednesday, August 10, 2011 3:34 PM
To: [redacted]

[redacted] USA CIV; DL MG3_Vacancy
Subject: (U//~~FOUO~~) ACTION REQUIRED: Selected - [redacted]

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

(U//~~FOUO~~) Congratulations!!! You have been selected for the [redacted] position in [redacted] (CENTCOM) - [redacted] as advertised in Deployment Vacancy announcement [redacted]

(U//~~FOUO~~) In order to be assigned to an MG3 desk officer & begin your pre-deployment processing, ACTION is required on your part. You must complete
the following:

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

*If you applied to more than one position, please withdraw your other applications and note that you were selected for another position in the comments section.

1. DEPLOYMENT WORKSHEET:

[redacted]

2. WORK RELEASE:

[redacted]

* Military - Required
* Civilians - Required for trips of 30+ days
* Contractors - Not Required

3. FOR MILITARY DEPLOYING TO SENSITIVE AREAS:
** Military personnel must notify their command of any sensitive travel (to include hostile and cover) prior to submitting the work release for approval.**

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4. FIELD SITE PERSONNEL:
A. You are required to notify the HR Office at your Field Site of your deployment.

B. **You must be PRE-APPROVED by OHESS Medical Center prior to traveling to NSAW for deployment processing.**

~ Instructions and forms for medical/psychological pre-approval for deployment can be found at the following link: [redacted] You will be contacted by someone in Travel Medicine who will confirm your medical eligibility to deploy.

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

C. Please be on the look out for e-mails regarding READ-ON's for clearances required for your deployment. Please be sure to take action prior to leaving your field site.

5. ***IMPORTANT ACE INFORMATION FOR CIVILIANS***:
~ Please go to the following links to find out what YOU and YOUR SUPERVISOR must do prior to your deployment.

[redacted]

(U//~~FOUO~~) In the event that your situation has changed and you have decided you are no longer interested in this deployment, please contact the Selection Official for this position as soon as possible.

(U//~~FOUO~~) For more information on deployment processing, click here:

[redacted]

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NSA16536

APPENDIX F

(U//~~FOUO~~) Emails Concerning [redacted] Reassignment

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

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

From:
Sent: Tuesday, October 22, 2013 1:46 PM
To:
Cc:
Subject: (U) Follow-up

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

As a follow-up to our conversation with leadership, I wanted to confirm your release date with you.

I will notify COMSEL, your new supervisor, and leadership of the date of your official release date from as 17 November 2013.

I am more than willing to permit you to go over to your new organization one day per week with the stipulation that you complete your transition activities with and leadership. I will speak to your new supervisor of this opportunity and stipulation.

Thank you,

(U//~~FOUO~~)

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

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

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[redacted]

From: [redacted]
Sent: Wednesday, October 16, 2013 2:04 PM
To: [redacted] DL comsel
Cc: [redacted]
Subject: RE: (U) ACTION: Job Posting [redacted] - Selection Notification
Signed By: [redacted]

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

Good Afternoon,

I have a quick clarification:

I am still working out the official release date with [redacted] and [redacted] Leadership. When I have the official date, I will let COMSEL know through official channels.

Thanks,

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Wednesday, October 16, 2013 12:14 PM
To: DL comsel; [redacted]
Cc: [redacted]
Subject: RE: (U) ACTION: Job Posting [redacted] - Selection Notification
Importance: High

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

Good Afternoon COMSEL & [redacted]

[redacted] and I met to discuss my acceptance and departure from the [redacted] for Nov 3rd 2013. [redacted] agreed that management will not contest my request leave on Nov 3rd. I want to thank everyone for their support in making this a smooth transition thus far. I am not sure if management has replied to the questions below but I wanted to keep everyone informed of our progress.

Respectfully,

[redacted]

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NSA16539

(U//~~FOUO~~)

[redacted]

From: DL comsel
Sent: Friday, October 11, 2013 1:40 PM
To: [redacted]
Cc: DL comsel; [redacted]
Subject: (U) ACTION: Job Posting [redacted] Selection Notification

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

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

PLEASE RESPOND BY SENDING A REPLY TO ALL

[redacted]

(U//~~FOUO~~) 1. [redacted] accepted the [redacted] through the Headquarters' Competitive Selection Program on 2013-09-30.

(U//~~FOUO~~) 2. MD2 proposes 2013-11-03 as the effective date for reassignment to [redacted]

(U//~~FOUO~~) 3. Please indicate below if you concur with our proposed reassignment date, wish to release the employee on an earlier date or invoke a hold IAW the below guidance by sending a reply to all no later than COB 2013-10-25. In the event that you wish to invoke a hold, please note that a justification and next level management concurrence is required. In addition, ensure your decision is coordinated with your organization's management/administrative channels as appropriate.

_____ (U//~~FOUO~~) Concur with the above release date

_____ (U//~~FOUO~~) Concur with the above release date; however individual is releasable earlier with a reporting date of _____ (must be after today's date as well as at the beginning of a pay period).

(U//~~FOUO~~) Non-concur with the above release date. Wish to exercise the option to hold with a release date of _____ (must be beginning of the pay period). JUSTIFICATION AND NEXT LEVEL MANAGEMENT CONCURRENCE IS REQUIRED BY THE SUSPENSE DATE (e-mail concurrence is the preferred acceptable method, no hardcopy required).

(U//~~FOUO~~) Justification for Hold (NOTE: please ensure justification is properly classified):

(U//~~FOUO~~) Supervisor's Concurrence (e-mail acceptable): _____

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(U//~~FOUO~~) Next level Management Concurrence (e-mail acceptable): _____

(U//~~FOUO~~) 4. If you have any questions regarding this matter, please do not hesitate to contact us. Thank you for your cooperation in returning this form.

Guidance on Holds

(U//~~FOUO~~) The NSA/CSS Policy 4-15B, Placement (Internal), Chapter 4, NSA/CSS Competitive Selection Program (CSP), dated 7 September 2010, Section I.H.1., references 90 day holds and the manner in which they are calculated. When an employee has accepted a position via the Headquarters' Competitive Selection Program, the losing supervisor, with concurrence from the next level management, may impose a hold for up to 90 calendar days. To be effective, the hold request must be sent via e-mail to DLcomsel@nsa.ic.gov (cc the employee), indicating the reason for the hold, revised reassignment date (must be the beginning of the pay period), and next level management concurrence approval (e-mail).

(U//~~FOUO~~) Hold dates are calculated by counting from the official date of acceptance. The reporting date must be the beginning of a pay period. If you wish to hold an individual for the full 90 days and this date falls in the middle of a pay period, the reporting date will be the beginning of the next pay period. Please note, that after the initial hold has been invoked, the losing supervisor does not have the option to extend the hold any longer. If this form is not received by the suspense date, the employee will be reassigned using the proposed reporting date established by comsel.

Staffing Officers, HR Management Gateway (MD24)
Headquarters' Competitive Selection Program
(please email the team at DLCOMSEL@nsa.ic.gov) . . . . . .

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

PERSONNEL PRIVILEGED INFORMATION
Do not release without approval from DJP4
Do not further disseminate without approval from originator

THIS DOCUMENT MAY CONTAIN PRIVACY ACT (1974, AS AMENDED) INFORMATION WHICH MUST BE PROTECTED IAW NSA/CSS POLICY 1-34 OR REMOVED PRIOR TO FURTHER DISCLOSURE.
THIS INFORMATION IS FOR OFFICIAL USE ONLY (FOUO).

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

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NSA16541

[redacted]

From: [redacted]
Sent: Wednesday, October 23, 2013 7:44 AM
To: [redacted] DL comsel
Cc: [redacted]
Subject: RE: (U) ACTION: Job Posting [redacted] - Selection Notification

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

Good Morning;

I concur with the new release date of 17 November. Let us know if you have any questions. Thanks.

[redacted]

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

From: [redacted]
Sent: Wednesday, October 23, 2013 7:06 AM
To: DL comsel
Cc: [redacted]
Subject: RE: (U) ACTION: Job Posting [redacted] - Selection Notification

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

To Whom it May Concern:

Below is my response:

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

[redacted]

(U//~~FOUO~~) 1. [redacted] accepted the [redacted] through the Headquarters' Competitive Selection Program on 2013-09-30.

(U//~~FOUO~~) 2. MD2 proposes 2013-11-03 as the effective date for reassignment to [redacted]

(U//~~FOUO~~) 3. Please indicate below if you concur with our proposed reassignment date, wish to release the employee on an earlier date or invoke a hold IAW the below guidance by sending a reply to all no later than COB 2013-10-25. In the event that you wish to invoke a hold, please note that a justification and next level management concurrence is required. In addition, ensure your decision is coordinated with your organization's management/administrative channels as appropriate.

_____ (U//~~FOUO~~) Concur with the above release date

_____ (U//~~FOUO~~) Concur with the above release date; however individual is releasable earlier with a reporting date of _____ (must be after today's date as well as at the beginning of a pay period).

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(U//~~FOUO~~) Non-concur with the above release date. Wish to exercise the option to hold with a release date of 17 November 2013 (must be beginning of the pay period). JUSTIFICATION AND NEXT LEVEL MANAGEMENT CONCURRENCE IS REQUIRED BY THE SUSPENSE DATE (e-mail concurrence is the preferred acceptable method, no hardcopy required).

(U//~~FOUO~~) Justification for Hold (NOTE: please ensure justification is properly classified):

(U//~~FOUO~~) [redacted] Management has requested this hold to ensure completion of managerial requirements with the employee, conduct ACE close-out, and to afford adequate time for employee to complete transitional activities (as agreed to by [redacted] Management and employee), and to remain compliant with Agency requirements to release at the beginning of a pay period.

(U//~~FOUO~~) Supervisor's Concurrence (e-mail acceptable): _____

(U//~~FOUO~~) Next level Management Concurrence (e-mail acceptable): _____

Kind Regards,

(U//~~FOUO~~)

[redacted]

From: DL comsel
Sent: Friday, October 11, 2013 1:40 PM
To: [redacted]
Cc: DL comsel; [redacted]
Subject: (U) ACTION: Job Posting [redacted] - Selection Notification

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

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

PLEASE RESPOND BY SENDING A REPLY TO ALL

[redacted]

(U//~~FOUO~~) 1. [redacted] accepted the [redacted] through the Headquarters' Competitive Selection Program on 2013-09-30.

(U//~~FOUO~~) 2. MD2 proposes 2013-11-03 as the effective date for reassignment to [redacted]

(U//~~FOUO~~) 3. Please indicate below if you concur with our proposed reassignment date, wish to release the employee on an earlier date or invoke a hold IAW the below guidance by sending a reply to all no later than COB 2013-10-25. In the event that you wish to invoke a hold, please note that a justification and next level

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management concurrence is required. In addition, ensure your decision is coordinated with your organization's management/administrative channels as appropriate.

_____ (U//~~FOUO~~) Concur with the above release date

_____ (U//~~FOUO~~) Concur with the above release date; however individual is releasable earlier with a reporting date of _____ (must be after today's date as well as at the beginning of a pay period).

(U//~~FOUO~~) Non-concur with the above release date. Wish to exercise the option to hold with a release date of _____ (must be beginning of the pay period). JUSTIFICATION AND NEXT LEVEL MANAGEMENT CONCURRENCE IS REQUIRED BY THE SUSPENSE DATE (e-mail concurrence is the preferred acceptable method, no hardcopy required).

(U//~~FOUO~~) Justification for Hold (NOTE: please ensure justification is properly classified):

(U//~~FOUO~~) Supervisor's Concurrence (e-mail acceptable): _____

(U//~~FOUO~~) Next level Management Concurrence (e-mail acceptable): _____

(U//~~FOUO~~) 4. If you have any questions regarding this matter, please do not hesitate to contact us. Thank you for your cooperation in returning this form.

Guidance on Holds

(U//~~FOUO~~) The NSA/CSS Policy 4-15B, Placement (Internal), Chapter 4, NSA/CSS Competitive Selection Program (CSP), dated 7 September 2010, Section I.H.1., references 90 day holds and the manner in which they are calculated. When an employee has accepted a position via the Headquarters' Competitive Selection Program, the losing supervisor, with concurrence from the next level management, may impose a hold for up to 90 calendar days. To be effective, the hold request must be sent via e-mail to DLcomsel@nsa.ic.gov (cc the employee), indicating the reason for the hold, revised reassignment date (must be the beginning of the pay period), and next level management concurrence approval (e-mail).

(U//~~FOUO~~) Hold dates are calculated by counting from the official date of acceptance. The reporting date must be the beginning of a pay period. If you wish to hold an individual for the full 90 days and this date falls in the middle of a pay period, the reporting date will be the beginning of the next pay period. Please note, that after the initial hold has been invoked, the losing supervisor does not have the option to extend the hold any longer. If this form is not received by the suspense date, the employee will be reassigned using the proposed reporting date established by comsel.

Staffing Officers, HR Management Gateway (MD24)
Headquarters' Competitive Selection Program
(please email the team at DLCOMSEL@nsa.ic.gov)

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

Release 2021-8
NSA16544

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THIS INFORMATION IS FOR OFFICIAL USE ONLY (FOUO).

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Release 2021-8
NSA16545

APPENDIX G

(U//~~FOUO~~) [redacted] Response to the Tentative Conclusion

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

Release 2021-8
NSA16546

From: [redacted]
To:
Subject: FW: (U) notification of tentative conclusion
Date: Wednesday, February 25, 2015 8:50:49 AM

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

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

From: [redacted]
Sent: Monday, February 23, 2015 1:55 PM
To: [redacted]
Subject: RE: (U) notification of tentative conclusion

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

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

[redacted]

(U//~~FOUO~~) Thank you for the opportunity to comment on the tentative conclusion that you have reached in your investigation. I am grateful for your time and attention to this investigation as the process has forced me to do some serious self-examination and personal reflection; it helped me come to the realization that I had to make some serious changes in my life. It has always been my intention to act with the most noble of intentions striving to meet the demanding mission needs of [redacted] and the Agency. Unfortunately, despite the passion and what I thought were my "noble intentions", the perception by those around me was obviously much different. Regardless of my intentions or perceptions, these are my actions and I accept full responsibility.

(U//~~FOUO~~) The past several years have been a very difficult time for me both professionally and personally. [redacted]

(b) (6)

(b) (6)

[redacted]

(U//~~FOUO~~) During this time, my professional life was very demanding and stressful. When I arrived in [redacted] in September 2011, I took on a growing Division with relatively new leaders some who were leading for the first time and were new to the Agency. [redacted] Leadership laid out an aggressive vision for where they wanted the [redacted] to go and we began working to implement that vision. We saw many changes during my first eighteen months to include the implementation of the [redacted] Service Desk, migration to 12 hour rotating shifts for the Service Desk, the realignment of the [redacted] functionality in the [redacted] Branches and the transition of the service desks at each of the Cryptologic Centers into a consolidated [redacted] Service Desk. Several of these changes experienced resistance which had to be overcome to implement these needed changes to move the [redacted] forward. During the summer of 2013, the Division Deputy Chief was assigned to the [redacted] Team for a six month period and spent the majority of that time offsite. The Division Technical Director accepted a JDA assignment in August 2013 and returned in August 2014. The Division at the time had three Branch Chief Positions with two of the positions filled by personnel who were experiencing their first times as Branch Chiefs. The other Branch Chief position was vacant until December 2013. So for approximately six months I was running a Division of approximately 100 civilian, military and contractor personnel without much assistance. From a mission perspective, we were experiencing [redacted] Leadership provided a vision to take the [redacted] to the next level by increasing our capabilities while continuing to meet the demanding mission needs. In early 2014, [redacted] introduced the [redacted] activities and [redacted] began to happen both having major impacts on the [redacted] All of these activities became overwhelming and unfortunately, I did not handle them as I should have. I was causing my own frustration and in not conveying the issues I was having did not help anyone understand what my expectations and needs were. Throughout this time, I kept my supervisors aware of my medical issues and provided them with regular updates on my progress, but the rest I figured I could figure out, but instead I was more frustrated. I know now that I had lost confidence in myself and began to question the decisions I was making. Ironically, I have also come to understand this is exactly the same thing I was doing in my home life.

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

(U//~~FOUO~~) Looking back, I can see where my actions both consciously and subconsciously could have been perceived differently than what I had intended. For example when I first arrived in 2011, I would both praise and criticize in public. I believed that I was asking questions and not criticizing but as I learned that is not how it was being perceived. After realizing this, I took actions to correct this behavior and began to praise in public and provide feedback in private. Another example is that I have always been very passionate about what I do and get excited at times. Unfortunately, my passion and excitement were perceived differently by some as yelling and at times as angry outbursts. While not my intentions they were my actions and I am responsible for those actions. I have always attempted to act in the most professional manner with the most

noble of intentions. I have made mistakes and for those I am truly sorry. When I realized I had made a mistake I always tried to learn from them and to make amends. I wasn't always successful but I did have the best of intentions.

(U//~~FOUO~~) Some will ask me, what have you learned and what assurances can you provide that it will not happen again. All I can say is that I have learned a lot about myself and how stress and

(b) (6)

[redacted] I've learned a lot about myself as a person and as a leader. I have recognized areas that I need improvement and am actively working on improvements. I learned that while we may have noble intentions with our actions, we also need to understand how they are being perceived because that may be totally different than our intentions. From a personnel perspective I have learned a lot about being a father and a husband and most importantly all that is truly of value to me. I am not the person today that I was last year. All of these lessons I will carry with me and will continue to improve upon.

(U//~~FOUO~~) I have always been taught that life is a journey of ups and downs where none of us are perfect and we all make mistakes. Over these past several years I have made many mistakes and reached a low point in my life. But from that low point, I have begun to make changes in my life and am working to become a better employee, friend, father and husband. I have worked with my management to change my work responsibilities and have moved out of a management position into a technical position working for [redacted] My relationships both professionally and personally have been improving and my confidence in my abilities is growing. I believe that I am healing and becoming a better person but only time will tell.

(U//~~FOUO~~) In closing, I would like to say that I am truly sorry for the mistakes that I made and accept responsibility for them. I have always had the noblest intentions in all my actions. I can only ask for your understanding and forgiveness. Thank you again for allowing me the opportunity to respond.

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

[redacted]

From: [redacted]
Sent: Wednesday, February 11, 2015 11:31 AM
To: [redacted]
Subject: (U) notification of tentative conclusion

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

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

Good morning, [redacted].

(U//~~FOUO~~) The Office of the Inspector General (OIG) has reached a tentative conclusion in our investigation into an allegation that you created a hostile work environment. Specifically, it was alleged that you yelled, threw objects, banged your fists on the desk, poked someone, denied someone a deployment opportunity, and held someone back from reassignment longer than necessary.

(U//~~FOUO~~) Interviews of 13 witnesses revealed that you used both actions and words that denigrated and showed hostility toward NSA affiliates. The majority of witnesses testified that you used offensive language, ridiculed people, and yelled on a regular and recurring basis. Several witnesses observed physical aggression from you including throwing objects, slamming your fists on the desk, and poking one individual in the shoulder. Two witnesses stated that they felt like you were "about to jump me" or "going to get on me." The OIG also found that your intimidating verbal and physical conduct both created a hostile work environment and interfered with individuals' work performance. Several witnesses testified that you made the workplace uncomfortable. One witness stated that your outbursts created a poor working environment and that people hid from you. Another stated that you made it so that people did not like to come to work. Two witnesses claimed that your behavior interfered with their ability to get their jobs done. Ultimately, two witnesses left the organization because of your conduct.

(U//~~FOUO~~) The denial of the deployment opportunity and the 48 day hold for reassignment (for [redacted]) did not constitute hostile acts and were determined to be within your purview and justifiable.

(U//~~FOUO~~) Nevertheless, the preponderance of the evidence supports the conclusion that you engaged in conduct that created a hostile work environment and interfered with individuals' work performance in violation of NSA/CSS Personnel Management Manual (PMM), Chapter 366, §1-3(E), §§2-1 (A), (E) and NSA/CSS Policy 1-37, Annex D: Prohibition of Harassment.

(U//~~FOUO~~) In accordance with the investigative process, we are affording you the opportunity to comment on the tentative conclusion and/or offer additional information before we close our inquiry. You are not required to respond to our conclusion. However, if you choose to respond, please do so in writing by close of business, **25 February 2015**. If you have no comment, please let me know that as soon as practicable.

Thank you,

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

[redacted]
Office of the Assistant Inspector General for Investigations, D14
[redacted]

Suite 6247
963-0932(s) [redacted] (b)(3)-P.L. 86-36

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