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NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
OFFICE OF THE INSPECTOR GENERAL



1 October 2015

MEMORANDUM FOR THE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE
DIRECTORATE FOR INVESTIGATION OF SENIOR OFFICIALS

SUBJECT: (U//~~FOUO~~) Notification of Closing of Senior Official Investigative Inquiry –
[REDACTED] – Information Memorandum

(U//~~FOUO~~) Pursuant to DoD Directive 5505.06, this letter is to inform you that the National Security Agency (NSA) Office of the Inspector General (OIG) has completed an analysis of an allegation against [REDACTED] a previous NSA Senior Official, and concluded that there is insufficient evidence to provide credible leads to continue with an investigation. In addition, our preliminary inquiry was affected by the fact that [REDACTED] retired from federal service.

(U//~~FOUO~~) We previously informed your office of the anonymous complaint in a memorandum dated 24 December 2013. Specifically, the anonymous complainant alleged that [REDACTED] had coordinated projects that use government funds to build facilities for the benefit of a government contractor; directed project managers to provide him with pricing information on new projects without the contracting officer's (CO) or contractor officer's representative's (COR) involvement or approval; attempted to influence contractor hiring decisions; used his authority and improper relationships with contractor personnel to influence them into making decisions that would otherwise be illegal/unethical for him to make directly and vice versa; held meetings with contractor personnel without the knowledge of the CO; directed project managers to remove contractor personnel from projects, without providing an explanation or by providing faulty information; and used fear and threats against employees to manipulate them.

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(U//~~FOUO~~) We obtained and reviewed mirror images of [REDACTED] classified and unclassified e-mails. We found no evidence that [REDACTED] misused his government position when dealing with government contractor personnel, government COs, CORs, or other government personnel.

(U//~~FOUO~~) We interviewed [REDACTED] previous supervisor, an NSA Senior Official, under oath, who said that, although [REDACTED] was aggressive, forward-leaning, creative, and "pushed the envelope," she had no reason to believe that [REDACTED] had misused his government position when dealing with government contractor personnel, government COs, CORs, or other government personnel. She had no information that would indicate that [REDACTED] had helped one company over another or took specific actions against any companies or contractor personnel. Finally, she had no knowledge of [REDACTED] verbally reprimanding a

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government female employee and threatening her with her job, as was alleged, nor did she have any information related to the remaining allegations.

(U//~~FOUO~~) Regarding the allegation that [redacted] coordinated projects that used government funds to build facilities for the benefit of a government contractor, such as a new sensitive compartmented information facility (SCIF), his previous supervisor said that having a SCIF built at one of the contractor facilities was one of the things [redacted] was expected to do and was responsible for doing. NSA management officials were all aware that the SCIF was being built and that it was to be leased back by the government. Initially, the contract included joint development work between the government and the contractor to be conducted in the SCIF. Over time, NSA relocated much of the development work from the SCIF to government facilities, while the functions of testing and integration stayed at the contractor facility.

(U//~~FOUO~~) The NSA Office of General Counsel (OGC) told the OIG that it is not unusual for government funds to be allocated for the building of a SCIF at a contractor's facility because, without a SCIF, a contractor would not be able to perform classified government work. The OGC provided the OIG a copy of its legal advice about the limitations on the use of contractor facilities for government purposes. The advice does not focus on a particular number or percentage of employees who may work from the SCIF but rather on the functions that the government employees are performing that are necessary for the contract.

(U//~~FOUO~~) In conclusion, the anonymous complainant provided scant information of insufficient specificity to allow for further investigation. Our initial inquiry, involving the review of documents, interview of his supervisor, and consultation with OGC, provided no new leads. Furthermore, [redacted] departure from the Agency means that he has no obligation to respond to these allegations and the Agency has no administrative recourse against him, should we find a violation of policy; therefore, we closed the inquiry without further action.

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(U) Should you have any questions or wish to obtain further details regarding this matter, please do not hesitate to contact me at [redacted]

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[redacted]
Assistant Inspector General for Investigations

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