

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~**(U//~~FOUO~~) SUMMARY OF INVESTIGATION, IV-12-0060**(b) (3) - P.L. 86-36  
(b) (6)

(U//~~FOUO~~) The NSA/CSS Office of Inspector General (OIG) received an anonymous allegation that an Agency senior official, [redacted] then Chief [redacted] and his GG-15 deputy, [redacted] misused contractors (CONs) to perform personal services and inherently governmental functions. Specifically, it was alleged that [redacted] and [redacted] each inappropriately used a separate CON as an executive assistant, tasking the CONs to perform administrative duties inappropriate to the contract and their labor categories.

(U//~~FOUO~~) The OIG subsequently received multiple allegations that another senior official, [redacted] then Chief [redacted] similarly misused a CON. Investigations were opened on [redacted] (IV-12-0059), [redacted] (IV-12-0060), and [redacted] (IV-14-0026) with priority given to the cases on the senior officials. During the course of conducting the investigations regarding [redacted] and [redacted] the OIG received an allegation that another Agency senior and [redacted] current Chief [redacted] improperly used a CON as an executive assistant. We did not initiate an investigation into the allegation involving [redacted]. Rather, because testimonial evidence suggested that such misuse may be common throughout [redacted] a decision was made to notify the Agency's senior acquisition executive (SAE) that the potential breadth of the problem might require that leadership devise a systematic solution. The SAE was notified upon conclusion of the [redacted] investigation in July 2014.

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

(U//~~FOUO~~) In the case involving [redacted] the preponderance of the evidence supported the conclusion that [redacted] tasked a CON to perform work that was outside his labor category and exceeded the scope of the relevant technical task order (TTO), thereby creating the potential for an unauthorized commitment, as defined by the Federal Acquisition Regulation (FAR), Part 1. The preponderance of the evidence also supported the conclusion that [redacted] tasked the CON to perform inherently governmental functions, in violation of the FAR, Part 7, and NSA/CSS Policy 1-39. In the case involving [redacted] which was closed in September 2014, the preponderance of the evidence supported the conclusion that [redacted] misused Agency information systems by providing her CON "executive assistant" the password and, therefore, access, to her classified computer account, in violation of the NSA/CSS Policy Manual 6-3, Chapter 2, Section 4(j) and the NSA/CSS Personnel Management Manual, Chapter 366, §2-3(A)(6) and §2-4. The preponderance of the evidence also supported the conclusion that [redacted] tasked the CON to perform work that was outside her labor category and exceeded the scope of the relevant TTOs, thereby creating the potential for an unauthorized commitment, as defined by FAR, Part 1. Further, the preponderance of the evidence supported the conclusion that [redacted] employed personal services in excess of that authorized by law and in doing so created a potential violation of the Antideficiency Act (ADA), 31 U.S.C. §1342.

(U//~~FOUO~~) Both the [redacted] and [redacted] substantiated reports of investigation were sent to Employee Relations (ER) for action deemed appropriate. ER's response to the [redacted] matter remains outstanding. However, in its response to the OIG on the [redacted] case, ER stated that no

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action would be taken, as [redacted] had stopped the misuse and there was "sufficient 'gray' in [redacted] actions to question the gravity or severity of those actions."

(U//~~FOUO~~) In February 2015, the SAE notified the OIG of her intent to send an "Agency All" email reminding the workforce about appropriate Government-contractor interactions and the legal and contract considerations that should be taken into account when determining whether a task or activity is appropriate for contractor personnel. The SAE provided the OIG a draft of the email, which clearly states that roles indicative of personal services include contractors serving as office managers, personal secretaries, and executive assistants to Government personnel.

(U//~~FOUO~~) The OIG's preliminary investigation into the allegations involving [redacted] disclosed that she left [redacted] to become the Deputy [redacted] in 2012. It also revealed that the CON she was alleged to have misused also departed [redacted] and is currently assigned to [redacted] and working in [redacted]. Given this information and the lack of timeliness, as well as ER's response to the substantiated allegations against [redacted] and the SAE's response to the OIG's notification regarding the potential systemic issue of CON misuse within [redacted] we determined that further investigation into the allegation against [redacted] was not warranted. As a result, the investigation was closed with no further action.

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

[redacted]

Senior Investigator

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

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